

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

113th Legislative Day

May 20, 1982

Speaker Ryan: "The House will come to order, and the Members will please be in their seats. The Chaplain for this morning, again, is Sister Susan Thomas from the Sisters of Mercy. Sister Thomas."

Sister Thomas: "Oh God of Mercy, You have fulfilled our founding father's faith in Your divine providence by making and keeping us a land rich in the abundance of Your creation. Freedom, justice and universal brotherhood are for us our precious heritage, but for countless men and women in our midst and all over the world, they are still only a dream. May this body assembled here, in all its deliberations, be faithful to share this heritage with the living and transmit it to a people still unborn. We place our prayer before you, living God, with trust and committed to be agents of your peace and love in this world. Amen."

Speaker Ryan: "Thank you, Sister. We'll be led in the pledge today by Representative Loftus."

Loftus et al: "I pledge allegiance to the flag of the United State 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. Take the record, Mr. Clerk. With 158 Members answering the Roll, a quorum of the House is present. Representative Telcser, do you have any excused absences today? Representative...Well, let's see. Who's going to do this over here today? Do you have any excused absences on the Democrat side, Representative Getty?"

Getty: "None that have been requested, Mr. Speaker. Thank you."

Speaker Ryan: "The record will so indicate. Representative Ropp, for what purpose do you seek recognition?"

Ropp: "Mr. Speaker, I'd like to rise on a point of personal

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privilege."

Speaker Ryan: "State your point, Representative."

Ropp: "Mr. Speaker, I'd just like to announce a very proud moment in my life last night that this General Body had a part in making become a reality some four years ago, in that we passed legislation authorizing the Capital Development Board to plan a Agricultural Building at the Illinois State University. And that building was completed in January or February of this year; and the State Board of Regents named that building in honor and in presence of my father; my dad, who had served on the State Teachers' College Board a number of years ago, and it was a very proud moment for me and my family. And I know all of us, even though I know that and I hope that this building will go on for years and years and I'm sure it will, in some large way, we are appreciative of the General Assembly for providing for that to happen; and I just wanted to say thank you on behalf of Mom and Dad and all of the Ropps at home. And you're all welcome to come and see it."

Speaker Ryan: "Committee Reports."

Clerk Leone: "Representative J. J. Wolf, Chairman from the Committee on Appropriations to which the following Bills were referred, action taken May 20, 1982 and reported the same back with the following recommendations: 'do pass' Senate Bills 1385, 1392, 1395 and 1669."

Speaker Ryan: "On the Calendar on page 2 under the Order of House Bills Second Reading appears House Bill 1425, Representative Henry. Representative Darrow, for what purpose do you seek recognition?"

Darrow: "Speaker, I have no objection to you going to this Order and to this number if you ask leave of the House, but I believe that rule 37, Calling of Bills, would require that we start at 2002."

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Speaker Ryan: "As long as you don't object, Representative, that's fine. 1425, Representative Henry. Out of the record. House Bill 1882, Representative Barkhausen. Out of the record. 1883, Representative Barkhausen. Out of the record. 1922, Representative Winchester. Out of the record. And now, Representative Darrow, House Bill 2002, Representative McClain. Want your Bill read, Representative? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2002, a Bill for an Act relating to the construction and maintenance of state maintained highway systems. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment...Amendments #1 through 4 were tabled...or lost in Committee. Next Floor Amendment is Amendment #5, Tate, amends House Bill 2002 on page 3 line 17 and so forth."

Speaker Ryan: "Who's the Sponsor, Mr. Clerk? Representative Tate on Amendment #5 to House Bill 2002."

Tate: "Yeah, Mr. Speaker, Ladies and Gentlemen of the House, Amendment 5 raises small car fees to...from 18 dollars to 30 dollars and keeps the registration fees on large cars at 30 dollars. It also provides for 9.1 million dollars earmarked for District 102. Thank you."

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

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #5 to House Bill 2...2002, I will have to oppose it reluctantly. One of the things that we have in there, Representative Tate has, is earmarking 9.3 million dollars; and I don't believe we can start doing this and get a fair run on the Highway Department if we starting earmarking funds for just certain roads. And, therefore, I oppose this Amendment."

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Speaker Ryan: "Further discussion? Representative Lechowicz."

Lechowicz: "Well, thank you, Mr. Speaker. I have to agree with Representative Neff. This earmarks 9.3 million dollars for some five roads. Specifically, it adds two lanes from US 51 to US 72 at 5.5 million dollars; 2.3 million for US 51, two lanes from Forsyth to high...highway 20; and one million dollars for US 45 from Sigel to US 121; and a half a million dollars for resurfacing US 21 from...US 121 to Mount Zion and also on Route 30. This is another boondoggle, and I strongly recommend a 'no' vote."

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

Matijevich: "Mr. Speaker, just a moment ago you had the Committee Report for Appropriations Committee, and I'd like the record to show. I think there was an error, and it was said that 13...House Bill...Senate Bill 1369 was reported out, and I think it should read 1669. Could you go back over that?"

Speaker Ryan: "Could you check that, Mr. Clerk, please? We'll get back to you in a minute on it."

Matijevich: "Thank you very much, Mr. Speaker."

Speaker Ryan: "Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, this piece of legislation of House Bill 2002 was put together carefully by a coalition of people. I won't read this very often, but I'll just read it to you now so that you understand that when Mr. Neff and I stand up on one of these Amendments, we represent this coalition. This coalition includes the Illinois Farm Bureau, International Union of Operating Engineers of Illinois, Teamsters Joint Council #65, the Illinois Manufacturers' Association, the Illinois Transportation Improvement Council, Consulting Engineers Council of Illinois, Illinois

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Roadbuilders' Association, Laborers' Union of Illinois, Association of General Contractors of Illinois, Illinois Municipal League, Illinois Association of Highway Engineers, Carpenters Union of Illinois, Illinois Construction and Industry Council, the Illinois Professional Employees Council, the Association of County Superintendents of Highways, Southern Illinois Builders' Association, Underground Contractors Association, American Concrete Pavement Association, Illinois Equipment Distributors' Association, Illinois Concrete Pipe Association, Illinois 'Pasolanic' Con...Concrete Association, the Concrete Contractors Association of Chicago and the Illinois Farmers Union. On behalf of that coalition Mr. Neff and I, we would oppose Mr. Tate's Amendment on the grounds that Mr. Lechowicz and Mr. Neff stated."

Speaker Ryan: "Are you completed, Representative?"

McClain: "Yes."

Speaker Ryan: "Representative Tate to close."

Tate: "Mr. Speaker, Ladies and Gentlemen of the House, this is a very good Amendment. This addresses the problem of rising registration fees for...for large cars, and I feel strongly...very strongly that...that small cars...that, on this type of Bill, that we should encourage people to buy larger cars, American cars. I think that the fees increase raised to 44 dollars is too high in this type of year, and I strongly encourage a favorable Roll Call. And I would request the Chair to give an Oral Roll Call, please."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #5 to House Bill 2005 (sic - 2002). All in favor will signify by saying 'aye', all opposed 'no'. The 'nos' have it, and the Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #6, Neff, amends House Bill

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2002..."

Speaker Ryan: "Representative Neff on Amendment #6 to House Bill  
2002."

Neff: "Mr. Speaker, I would like permission to withdraw Amendment  
#6."

Speaker Ryan: "Withdraw #6. Further Amendments?"

Clerk Leone: "Floor Amendment #7, Findley, amends House Bill  
2002..."

Speaker Ryan: "Representative Findley on Amendment #7 to House  
Bill 2002."

Findley: "Thank you, Mr. Speaker, Members of the House. This  
Amendment is virtually identical to Representative Dunn's  
Amendments which failed yesterday, which provided for an  
increase to 26.50. It's similar to Representative Tate's  
Amendment, but without the fork. This would increase the  
small car license fees from 18 to 26 dollars, and keep the  
large car license fees, as recommended in Representative  
McClain and Neff's Bill. I would move for adoption of this  
Amendment."

Speaker Ryan: "Any discussion? Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen  
of the House, this Amendment of Mr. Findley's does point  
out a point that the coalition agrees with now, and that is  
to differentiate small cars and large cars. On the other  
hand, I should point out to the Membership that Amendment  
#3, which was John Dunn's, was beaten last night two to  
one; likewise, Mr. Tate's Amendment was just recently  
defeated pretty substantially. So on behalf of the  
coalition, we recognize now that there has to be a  
distinction; although, we would now oppose Mr. Findley's  
Amendment on the grounds that the House chamber has already  
spoken on this issue. And we would urge a 'no' vote."

Speaker Ryan: "Representative Daniels in the Chair."

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Speaker Daniels: "Gentleman from Henderson, Representative Neff."

Neff: "Thank you, Mr. Speaker. I'm sorry to disagree, just a little bit, with one of the main Sponsors, Representative McClain; but, I...I think maybe this Bill...it does make the Bill a little more feasible and practical by reducing the rates down from...from 8...raise...reduce them down to 18 to 26 instead of 44 dollars. I...I think it makes the Bill a little more palatable, and I would have to support this Amendment."

Speaker Daniels: "Further discussion? Gentleman from Cook, Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Amendment. I came in from speaking to a constituent yesterday when Representative Hanahan was speaking on Representative Dunn's Amendment, and I think some of the points that he was making were misdirected. He seemed to think that the only small cars on the roads today are Japanese, foreign cars, and, somehow, that an Amendment like this would help them. Well, I happen to drive an Omni Miser that comes out of Belvidere, Illinois. It seems some people who are more than happy to push through a bail-out for Chrysler using Illinois taxpayers money against their will to bail out a company, now, don't even want to support the small cars that are being made in the states. One of the reasons we're talking about a truck weight distance fee for trucks is because heavier trucks do more damage on roads than cars do. Well, by the same token, a Lincoln Continental or a Cadillac is going to do more damage on the road than will an Omni Miser, if you will. I think it's a good idea, and, frankly, the Bill isn't going to have my support without it. I recommend an 'aye' vote."

Speaker Daniels: "Further discussion? Gentleman from McLean,

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Representative Ropp."

Ropp: "Yeah, Mr. Speaker, Members of the House, I think this is a good idea, to keep the automobiles differentiated in terms of weight and licenses. It was totally unfair to boost their...the small automobile's license up to 44 dollars. I think this is a fair compromise, and I want to commend Representative Findley for pursuing this idea."

Speaker Daniels: "Further discussion? Representative Findley to close."

Findley: "Thank you, Mr. Speaker, Members of the House. I'm...I'm pleased to know that the Sponsors of this Bill agree in principle, at least, that there should be some scale of difference in the...in the registration fees for small and large cars. However, I would disagree with Representative McClain. Although he says that we considered it yesterday, and he's right we did, the Amendment I offer is not identical to Representative Dunn's. And it's offered in a new day, and a...a day that I hope will be a little less acrimonious than the one preceding. I think that, for myself and many of my colleagues, changing this ratio on registration fees is the only way that we can justify our support for House Bill 2002. So, I would urge that those people who feel that we do need to increase our fees and taxes on gasoline, that we support this Amendment."

Speaker Daniels: "Gentleman, Representative Findley, moves for the adoption of Amendment #7. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Amendment #7 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #8, Hannig, amends House Bill 2002 on page 9 and so forth."

Speaker Daniels: "Representative Hannig, Amendment #8."

Hannig: "Yes...Yes, thank you, Mr. Speaker and Members of the



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House. Amendment #8 is a new approach. This is a simple Amendment which would exempt gasohol from the new...new tax that is being imposed by this Bill. As you know, Illinois is either the first or second largest producer of corn annually, depending on the growing conditions. We here in Illinois, by legislation, we have enacted, in the past, have tried to promote the use of alcohol or gasohol; and this Amendment would simply exempt gasohol from the additional four cent tax that's being proposed. I'd move for the adoption of this Amendment."

Speaker Daniels: "Any discussion? Gentleman from Henderson, Representative Neff."

Neff: "Well I agree in principle with the Sponsor of this Amendment. I don't think this is the place to put the...this type of legislation. And, therefore, I would have to oppose it."

Speaker Daniels: "Further discussion? Being none, Gentleman from Macoupin, Representative Hannig, to close."

Hannig: "Yes, thank you, Mr. Speaker. Once again, as...I would stress that gasohol is principally made from a combination of regular gasoline and alcohol, which is derived from corn. Illinois is an agricultural state. We have tried to promote the use of gasohol throughout this state. In fact, we enacted legislation last year, I believe, which exempted gasohol from the regular gas tax. What we're trying to do here is simply to provide some incentive for the use and manufacture and sale of gasohol. If we, as an agricultural state, do not take the lead in this, it's certainly not going to be promoted by other states. I think it's a good Amendment. If we're going to raise taxes on gasoline, I think we ought to continue to exempt gasohol, as we presently are. And I would ask for a Roll Call vote, Mr. Speaker, on this Amendment. Mr. Speaker. Mr. Speaker,

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could I have a Roll Call vote on this Amendment?"

Speaker Daniels: "Are you joined by five people? Gentleman asks for a Roll Call. The question is, 'Shall Amendment #8 be adopted?'. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 75 'aye', 16 'no', 9 voting 'present'. Amendment #8 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #9, Friedrich, amends House Bill..."

Speaker Daniels: "Representative Friedrich, Amendment #9. Ladies and Gentlemen of the House, can we please have your attention? Representative Friedrich."

Friedrich: "Yeah, Mr. Speaker and Members of the House, I...I'm aware, as all of you are, that we're going to have to have more money for our highways. I think the license fee route is the wrong way to go, because it's unfair to those people who drive three or four thousand miles a year, while I drive 50 thousand. The only fair tax is the one that puts it on those who drive. I would rather vote for a higher gas tax than I would this. So, this Amendment actually increases the 18 dollar fee to 20 and the 30 to 32. Again, that puts it back to a user fee, and I would remind you again that a lot of people have bought small cars, people who drive only two or three, four thousand miles a year, and I think that that raise is exorbitant and unfair to them. So I offer this Amendment."

Speaker Daniels: "Any discussion? Gentleman from Henderson, Representative Neff."

Neff: "This Amendment, I must oppose it because it doesn't conform to the half year fees; and, therefore...and I might also add that we did adopt Amendment #7 which does very

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much similar to what this Bill would do."

Speaker Daniels: "Representative Friedrich to close."

Friedrich: "Well, I would just say that I think the only fair way to raise the money for highways is to put the charge on the people who use the highways the most. And the only...That's the only fair tax, is the motor fuel tax. So, just vote it up or down."

Speaker Daniels: "Representative Vinson, for what purpose do you rise, Sir?"

Vinson: "Thank you, Mr. Speaker. I rise for purposes of an introduction. The Tri-City High School Band from Buffalo, Illinois is in the gallery behind me here. They're represented by Representative Irv Smith, Josephine Oblinger and Doug Kane, currently. And I wonder if they would stand so that the House can recognize them."

Speaker Daniels: "Gentleman, Representative Friedrich, has moved for the adoption of Amendment #9. All those in favor will signify by saying 'aye', opposed 'no'. The 'nos' have it. All...All those in favor will signify by saying 'aye', opposed 'no'. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Representative Conti."

Conti: "Is...I'm a little confused. Is this the Amendment that increases the state license plates on automobiles?"

Speaker Daniels: "Representative Friedrich."

Friedrich: "It raises each of the classifications two dollars."

Conti: "Thank you."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Take the record. On this question there are 21 'aye', 96 'no' and 2 voting 'present'. Amendment #9 fails. Further Amendments?"

Clerk Leone: "Floor Amendment #10, Friedrich..."

Speaker Daniels: "Excuse me, Mr. Clerk. Gentleman from Peoria,

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for what purpose do you rise, Sir?"

Schraeder: "Mr. Speaker, yesterday one of the Members of the House rose and spoke in the objection to...we weren't following the rules on introductions. And I think it's unfair, at this stage of the game. We're going to be working weekends, and I think the Leadership, in particular, ought to stop introduction, even if the Membership don't."

Speaker Daniels: "Amendment #10, Representative Friedrich."

Friedrich: "Mr. Speaker, Members of the House, I'm going to withdraw this Amendment, but before I do, I just want to point out that I think all of us are conscious of the abuse that's coming about with the CV plates. However, Representative Huskey passed a Bill yesterday which, hopefully, will at least single out those who are making...who are the worst abusers of the law. And if that doesn't correct it, then, of course, I think this ought to be put into a single Bill. But, in the meantime, I want to withdraw this Amendment, Mr. Speaker."

Speaker Daniels: "Amendment #10 withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #11, Ebbesen, amends House Bill 2002 on page 15 and so forth."

Speaker Daniels: "Representative Ebbesen, Amendment #11."

Ebbesen: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment #11 is self-explanatory. Mr. Speaker, what it does is, as far as the State Construction Account Fund, it's to be held...provides that it's to be held in the state treasury in trust for the...its designated purpose for the benefit of the persons subjected to the tax. And, of course, if there was ever a people's Bill, this is it; because anyone who pays motor fuel taxes, if that money that's appropriated or expended for any other purpose, an individual who has paid the taxes under this law after the

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effective date, has standing to bring civil action for...or a restraining order or an injunction to prevent the violation of the trust imposed by the Section. And, Mr. Speaker, I'd request a Roll Call vote on this particular proposal. I think it's a very good Amendment, and I'd encourage an 'aye' vote."

Speaker Daniels: "Any discussion? Gentleman from Adams, Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, what Mr. Ebbesen has directed himself towards is in this piece of legislation and, now, I read in the paper that also the Governor agrees with that...a newly created State Construction Account. In other words, what we will have now, instead of just by statute, non-diversionary amounts, like for the Department of Law Enforcement, we now will have a State Construction Account which will be totally non-diversionary. It must be used for construction, reconstruction and maintenance. It cannot be diverted to other Departments or to operations of Illinois Department of Transportation. Mr. Ebbesen's Amendment, I think, is unnecessary for the fact that, if there is a violation of the State Construction Account in the statute, that therefore the Attorney General or I would think any State's Attorney or citizen could, indeed, file a complaint and prosecute that misappropriation. I should tell you that there are some problems with it just legally, but, other than that, it's...I think it's unnecessary, but we'd be glad to stick by the will of the House."

Speaker Daniels: "Further discussion? Being none, the Gentleman from DeKalb, Representative Ebbesen, to close."

Ebbesen: "Well, yes, Mr. Speaker and Ladies and Gentlemen of the House, this Amendment is very, very simple, and I don't know what he's...what the Representative is stating when he

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said there may be some problems with it legally. Anytime you allow, when you're paying taxes and they're for a specific purpose, in this case motor fuel taxes, all that the Amendment allow...provides for if it becomes law, is the fact that if the funds, the Motor Fuel Tax Funds, are used for any other purpose an individual who's paid the taxes, that's anybody who use...consumes any motor fuel taxes in this state, it gives them the right, under the law, to bring civil action for a restraining order and injunction to prevent the violation of the trust. And, to me, it's very pure and very simply. I want a Roll Call vote, and I think it's a good Amendment and it ought to be provided in this legislation. Encourage an 'aye' vote."

Speaker Daniels: "The Gentleman moves for the passage and adoption of Amendment #11. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Take the record. There are 74 'aye', 42 'no', 3 voting 'present'. Amendment #11 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #12, Mays, amends House Bill..."

Speaker Daniels: "Excuse me, Mr. Clerk. Gentleman from DeWitt, for what purpose do you rise, Sir?"

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In the gallery on the other side of the aisle, I would like to introduce the Broadwell Grade School, represented by Representative Bradley, Ropp and myself. They're a fine group. They're down here for the day to study state government, and I wonder if the House would recognize them, Sir."

Speaker Daniels: "Further Amendments?"

Clerk Leone: "Amendment #12, Representative Mays."

Speaker Daniels: "Representative Mays, Amendment #12."

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

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I reluctantly rise to offer this Amendment. In my mind, it addresses the area of diversions. In my mind, it doesn't detract, but does add to this Bill. It simply restates a belief already embodied in the statutes. The Bill is proposed and, much to its credit...its credit, assures that, for those revenues raised, there will be no diversions. They will go into a construction and maintenance account for roads. But, for those of you that campaigned in 1980 absolutely opposed to any gas tax increase until we stop diverting money from our road fund, without reaffirming this General Assembly's belief on this, there is no way, in good conscience, that you could support this measure at final passage stage. So, I do offer this Amendment. It might be considered unnecessary; because, as I did say, it already is in the statutes."

Speaker Daniels: "Any discussion? Gentleman from Henderson, Representative Neff."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #12, I can see nothing really wrong with it, except it's already covered in the statutes, and I believe it's unnecessary. But, otherwise, I see nothing wrong with this Amendment."

Speaker Daniels: "Gentleman from Adams, Representative Mays, to close."

Mays: "Well, as Representative Neff said, this measure is purely symbolic. If not added to this measure, let me assure you, that the subject will be renewed again on at least two Amendments to IDOT's appropriation. I do believe that this General Assembly has not made its stand on this proposal. The previous one did, and I think we should reaffirm it before we go on with any further talk about an increase. Thank you very much."

Speaker Daniels: "Gentleman moves for the adoption of Amendment

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#12. All those in favor will signify by saying 'aye', opposed 'no'. The 'ayes' have it, and Amendment #12 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #13, Levin, amends House Bill 2002..."

Speaker Daniels: "Representative Levin, Amendment #13."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, I have a reputation for being a liberal Democrat. I look like one. I act like one, and I talk like one. And, one of the things liberal Democrats are supposed to be for is tax increases. And House Bill 2002 is a tax increase, very clearly, undisguised. It's a tax increase four and a half cents. And I would like very much to be able to vote for this tax increase. Not only am I a liberal Democrat, but, at least at the moment, I have no opposition in the general election in the fall. So, if two or three of the people in my district disagree with my voting for a tax increase, it really wouldn't make very much difference. But, I do have a couple of problems with the Bill in its current form that, you know, make it difficult for even me, a liberal Democrat from the City of Chicago, to vote for this good tax increase. First...The first problem I have is my district is located in the six county Chicago metropolitan area. And, according to the figures that I have seen, figures prepared both by Democratic Staff and by the Chicago Air Transportation Study of the suburban Mayors, the six county area, Chicago metropolitan area is not, under the current scheme, getting its fair share of the road money. It is responsible for paying about 480 million dollars in monies for gas tax, vehicle taxes and so on; and yet, the six-county area receives back only about 268 million dollars, or about 56 percent of what we pay. Putting it another way, as the suburban Mayors' analysis



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came up with, we pay, in the six-county area, 60 percent of all the monies for highway related taxes, and we only get back, depending on the year, between 29 and 35 percent. That's the first problem I have with this Bill in its current form. It does not address itself to the discrimination against the six-county metropolitan area. The second problem I have with the Bill in its current form is a lot of my constituents get to work by mass transportation. They may use cars at night or on the weekend, but they rely on mass transit. And this Bill, in its current form, does very little for those constituents. It does not provide money for mass transportation. Amendment #13 would make it possible for me to vote for this Bill, and would, I think, also make it possible for Democrats from Chicago and from the metropolitan area who are not as liberal as I am or, in fact, may be very conservative, to vote for this Bill. Amendment #13 would provide that 3/32 of the es...increased revenue produced by the new taxes would go for mass transit in the six-county area. During the first fiscal year, that would be approximately 26 million dollars. During the subsequent fiscal years, that would be about 32 million dollars. Now, that's a very, very small amount of money given the fact it is projected that House Bill 2002 will be producing in excess of 300 million dollars. To be very honest with you, I think that this Amendment doesn't go far enough, but I think that it is important at this point to reestablish the principle that there is at least some money going for mass transportation for the six-county area. We have, at this point, two Bills on the floor of the House that affects mass transit. One is House Bill 2519, which currently does not have a source of funding. It's the suburban Mayors' Bill, and then there is also the possibility that the

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Chicago Association of Commerce and Industry Bill may surface on the floor. And it, too, would provide for a state subsidy for mass transit; but, like 2519, there currently is no funding source. Amendment #13, therefore, really represents the only opportunity we have to come up with a funding source and to begin to deal realistically with the problem of mass transportation. It's a very small step. The amount of money is really miniscule. But, I do urge your support for it. As I said earlier, I would very much like to be able to vote for this Bill. You know, tax increases are my thing, but without support for mass transportation as this Amendment would provide, I cannot, and I don't think others from the Chicago area could vote for this Bill. So I urge your adoption of Amendment #13. If there are questions, I will be happy to ask them. At the appropriate time, I would request that we have a Roll Call vote on this Amendment."

Speaker Daniels: "The Minority Leader, Representative Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the Gentleman's Motion to adopt Amendment #13 to this Bill. The problem of transportation in Illinois is not solely a problem of road construction and maintenance. The transportation problem in Illinois today relates both to road construction and maintenance and also to support for mass transportation. Illinois needs a good transportation network. Illinois needs a good transportation network because, if we are to compete with other states in this region and other states in our country, we must be able to move people to their jobs, and we must be able to move the products of their labor from one factory to another so that the productivity of our state will be increased and improved; and the faltering Illinois economy can, eventually, be restored to its former

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good state of health. Transportation is an integral part of the process of restoring the health of the Illinois economy. But, you cannot solve that problem if you just treat transportation on a piecemeal basis. You cannot come before the Legislature and say, 'We will solve the problem of road construction and maintenance and do nothing for mass transportation'. If that's your approach, then you will have failed in your effort to solve the broad Illinois problem of transportation and the broad Illinois problem of maintaining and improving the Illinois economy. For these reasons, this Amendment should be supported. This Bill, if it is to treat the problem of Illinois transportation; must treat the problem of road construction and maintenance, and it must treat the problem of mass transportation. I will recommend an 'aye' vote in support of this Amendment."

Speaker Daniels: "Further discussion? Gentleman from Cook, Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, prior to 1979 the RTA received three subsidies; 3/32 of the sales tax within the area, half fare student fare program and a Chicago motor vehicle registration fee. If those three items would be in the...part of the package now, it would be approximately 180 million dollars being generated, and providing for mass transportation. The previous speaker, Representative Madigan, was absolutely correct. This state has to have a total network of moving people and goods in order to survive. Illinois has always been a leader, from the standpoint of providing an adequate network of roads, and, yes, a very good transportation system for the general public. Many times it's been accused of not having an adequate enough transportation program, or that it was not adequately funded. The responsibility lies with us. The responsibility of

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providing a necessary funding for both roads and, yes, for the movement of people in mass transit, lies with this General Assembly. This Amendment addresses that situation. It's not exactly what we totally need for mass transit, but it's a step in the right direction in providing 26 to 30 million dollars which will actually, when you see a projection of approximately 80 to 90 million dollars of a deficit. 3/32 is a fair approach. It's an approach that should be adopted. It's an approach that should be expanded and contained in House Bill 2002. I strongly recommend an 'aye' vote on Amendment #13."

Speaker Daniels: "Gentleman from McLean, Representative...Gentleman from Adams, Representative McClain. Excuse me, Sir."

McClain: "That's all right. I don't mind. Mr. Speaker, would the Gentleman yield? The Sponsor of the Amendment."

Speaker Daniels: "Will the liberal Democrat yield? He indicates he will."

McClain: "Thank you. Mr. Levin, first of all, I want you to know I'm not a liberal Democrat. Okay? I don't want that in the record so that my opponent can use it next year. My friend... So. Mr. Levin, your suburban Mayors' Bill, on your 3/32, your suburban Mayors' Bill; does that take it from a user fee gasoline tax? Or is that from general revenue funds?"

Levin: "The Bill, in its current form, does not designate what the source of the money would come from."

McClain: "You have no increase for gasoline taxes in your Bill."

Levin: "That's correct."

McClain: "In your Amendment today..."

Levin: "By the way, I want to point out that the House Bill 2519 is a bipartisan Bill, Sponsored jointly by Representative Meyer, Barkhausen, Levin and Bowman."

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McClain: "Okay."

Speaker Daniels: "On the Amendment, Sir."

McClain: "Mr. Levin, on your Amendment, your 3/32, where does that come from?"

Levin: "The...It would be 3/32 of the increased revenues produced by the Bill...by House Bill 2002."

McClain: "And you would be taking that from the ro...road taxes. Is that correct?"

Levin: "That's correct."

McClain: "Okay. Mr. Speaker, to the Bill...or to the Amendment, if I may, please. Ladies and Gentlemen of the House, I stand in opposition to this Amendment, as does the coalition that Mr. Neff and I represent. I'd like to explain to the Membership what this Amendment does. The Bill's focus is to take care of a bankrupt road fund. That was the fir...the purpose of the Bill. Now, the coalition and Mr. Neff and I full well know that, indeed, mass transit in the six-county area needs help. We stand in opposition to this on a philosophical ground that a user tax for roads should not be used for mass transit. I'd like to point out to the Membership that, although some of the figures that Mr. Levin quoted in this Amendment are accurate, I should point out that, of the local tax monies, the County of Cook will receive 45.8 million dollars of a total of 100 million. They'll get 45 percent. Of the six-county area, they will receive 57 percent of the total local dollars in this money Bill that we have presented to you. We stand in opposition to this Amendment because of the philosophical ground that a user tax on vehicles and gasoline should not be used for mass transit. If, indeed, the people in the six-county area, the mass transit area that are vitally interested in mass transit want to improve their mass transit system, then let them present an

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Amendment like the suburban Cook Mayors did, and take it from general revenue fund. Let's debate that issue; but, on the philosophical ground of taking user tax monies to help mass transit, we stand firmly against. We also say to you that if, indeed, this kind of Amendment would ever get on, we don't think the Bill would ever pass because you do not take user tax fees monies and use them for mass transit. It is philosophically abhorrent to the coalition and to Mr. Neff and I."

Speaker Daniels: "Further discussion? Gentleman from Cook, Representative Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, I rise in support of this Amendment. Transportation is transportation. You cannot separate the component parts. And to argue that this money ought not be allotted for transportation is indeed specious. If we made the same argument, we could say that racetrack money collected in Cook County should not be appropriated to the Agricultural Premium Fund for the benefit of the farmers. We in Northern Illinois have been excessively generous to the rest of the state. We have heeded your every call for every response...for every request that you ever gave us. But, mass transportation is our problem in Northern Illinois. It is a problem of the six-county area, and those of you in the six-county area who contribute 60 percent of the money and get back less than 50 percent of what you contribute had better stop and think. This is our problem of mass transportation, and it's not going to go away. If you let this Bill get out of the House and allow the rest of the counties to fund their roads, I suggest you will cry and weep in vain for any consideration to any of your needs or woes. Ladies and Gentlemen, we are in the boat together. This is one union, indivisible; and it ought to be kept that way. If one

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section gets their particular interest out, all of us are going to be in trouble at the end of the year; because those of you in the Northern six counties, when the school aid formula comes along, you're going to have nothing to talk about. And I suggest to you that we will have a woeful Session in the end. You're giving away the only thing that you have that will bring you equity. We need this for mass transportation in the six counties, and if we let it go now, then woe be unto us later. Thank you."

Speaker Daniels: "Gentleman from Henderson, Representative Neff."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I speak in opposition to Amendment #13 to House Bill 2002. In the first place, this was put out as a road construction Bill. And, if we need something for mass transit, and probably do, it should be in a separate Bill. And, as Mc...Representative McClain brought out, Cook County itself will receive out of the Bill we have here 7...over 17 million dollars. The City of Chicago will receive over 16 million. The other municipalities in Cook County will receive 11 million. In other words, they're going to receive 45...over 45 million dollars which will free up other money that they may use on mass transit if we pass this legislation. So, the City of Chicago and the mass transit district, which would get about 6...60 million dollars, are getting some help out of this which can be used directly or indirectly for mass transit. It will free other money up that can be used for mass transit if they get this total of 6...60 million dollars for this six-county area. So, therefore, I think it should be opposed. And, again, I repeat, this should be in a separate Bill and not tied in with this. We know from the past that we haven't been able to pass anything with the two tied together. And I think we must do it separately in

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order to get anything passed."

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

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

Speaker Daniels: "He indicates he will."

Kustra: "Representative Levin, on page 2 of your Amendment on lines 14, 15, 16, it says that these dollars that will be...could diverted will be paid over to the RTA authority in the manner provided by Subsection M of Section 4.03 of the RTA Act. What manner is that? What manner will be these...will these monies be distributed to the RTA, and who will get how much money?"

Speaker Daniels: "Representative Levin."

Levin: "This is simply a fund that exists now, and it would have to be appropriated in order to be granted to the RTA. It would be our hope that House Bill 2519 or one of the other measures would pass which would, at the same time, reform the RTA system; because I think there's pretty general agreement that nobody is happy with it as it is now, and that it needs some significant reform. But, this is money that would go into a fund which would be usable for mass transit. It would not be divertable for other purposes. It would have to, then, be appropriated to the RTA or its successor."

Kustra: "But, what kind of ma...what kind of mass transit? Are we talking the CTA, suburban trains, buses."

Levin: "Yes. All three."

Kustra: "Yes?"

Levin: "Yes."

Kustra: "That's a pretty vague answer. I'd like some breakdowns about what kind of monies we're talking about for the CTA; what kind of monies we're talking about for suburban trains, buses."



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Levin: "Under the existing law, it's up to the RTA to allocate it. I would point out that if House Bill 2519 passes, there is a specific allocation formula which sets forth exactly what percentages would go to the various...go to the City..."

Speaker Daniels: "Excuse me, Representative Levin, to the Amendment please, Sir."

Levin: "Yes, I'm being asked a question as far as how it would be allocated, and I'm suggesting two possible alternative situations. Under the current RTA Act the monies appropriated would go to the RTA, and the RTA would decide how to allocate it into...among the CTA, suburban bus and commuter railroad." If, for example, House Bill 2519 passed..."

Speaker Daniels: "To the Amendment, Sir, as it applies. Representative Kustra."

Levin: "I mean, we're...I'm trying to answer the question, and I would suggest that I be allowed to answer it as best I can, Mr Speaker."

Speaker Daniels: "To the Amendment, Sir."

Levin: "Yes, if 2519 passes, there's a specific allocation formula where a certain percentage would go to the City, a certain percentage would go to suburban Cook for bus, a certain percentage would go for commuter railroads, and there'd be similar specific allocations for bus and railroad in the other five outlying areas."

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

Speaker Daniels: "Proceed, Sir."

Kustra: "It sounds to me as though we're putting the cart before the horse. As a supporter of a subsidy, a statewide subsidy to mass transportation, I'm unwilling at this point to vote for this Amendment not knowing full well what kind

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of overall solution we're going to have to mass transportation as far as structure is concerned. Until we get that structure, I don't think we should vote for an Amendment that throws dollars into a fund and allows the existing system to determine where those monies are going. We've seen where that's gotten us up to date. I urge a 'no' vote on this Amendment."

Speaker Daniels: "Gentleman from Kendall, Representative Hastert."

Hastert: "Would the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Hastert: "Mr. Sponsor, a question. You talk about the six counties in the northeastern part of the state. You also talk about bringing aid for the RTA that is established in those six counties in the northeastern part of the state. I question how are those dollars supposed to be apportioned to those counties? Will the dollars raised in those counties go back to the various counties?"

Levin: "Under...Okay, under the existing law, you've got to look at what option you're talking about. Under the existing law, money would go into a fund which would be appropriated and which would go to the RTA, if the money were appropriated. And the RTA would then decide how to allocate the monies. So..."

Kustra: "So, Rep..."

Levin: "So, if one of the other proposals that is pending is adopted, there would be a specific allocation formula for how the money would be allocated as between the City, suburban Cook and the other five counties. And there would also be a specific allocation between commuter rail and...and suburban bus. So, under the...some of the proposals that are pending now, you know, there would be a very definite allocation of the money."

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Kustra: "Representative...Mr. Speaker, to the question."

Speaker Daniels: "Proceed, Sir."

Kustra: "Ladies and Gentlemen of the House, you know, it appears to me that throughout the history of the RTA, especially, we talk about the six collar county counties. But there are five counties who are...happen to be tagged on to Sister Cook. And you know 70 percent of the RTA funding gas monies that are raised in those five collar counties flow into Cook County, and not one damn cent of that 70 percent goes back to those county...those counties where that money is raised. If you want to tie...I'll tell you something, I represent three of those counties. And I'll tell you, the people in those three counties are sick and tired of seeing their gas dollars...the dollars that they pay at the gas pumps being siphoned in to Cook County and the Cook County RTA and the Cook County CTA. I'll tell you something, Representative, the only way that you're going to get my constituents to approve a gas tax or approve any type of a tax like this is to separate the issues. And that's clearly the issue. That's clearly the way that the people in those other five collar counties are ever going to see anything happen to this extent. I urge a 'no' vote."

Speaker Daniels: "Gentleman from DuPage, Representative Loftus."

Loftus: "Thank you, Mr. Speaker. Unlike the other speakers from this side of the aisle, I am a Dupage Democrat, whatever that might be, and I'm very, very happy that, in one of these first speeches, that the esteemed Republican Chairman of my County, the Minority Leader, has come over to listen to me. I thank you very much, Senator Philip. We... I do know one thing. In DuPage County, we do have several thousand people who must get to work. They work in the City of Chicago. They have to get to the City of Chicago.

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We're 30 miles away, and we don't walk. So, therefore, I would urge a 'yes' on this vote. We do need help for mass transportation, and we do need help from DuPage County. Thank you."

Speaker Daniels: "Further discussion? Lady from Cook, Representative Hallstrom."

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

Speaker Daniels: "He indicates he will."

Hallstrom: "Can you hear me?"

Speaker Daniels: "Proceed, Ma'am."

Hallstrom: "Representative Levin, my concern is, and I have to tell you, first of all, I am for some subsidy for the RTA. I think it's fair. My concern is, are we not getting the cart before the horse in the sense that we have two Bills that are coming up, that you mentioned. And I think the funding what...what's been my concern, is the reorganization and...of the administration, how this RTA is run. I don't want to vote for a Bill that we're going to put a lot of money into an RTA system the way, certainly, it is now, and I'd like to see those two Bills and vote on either one of those. And then I'll be willing to put some subsidy into the RTA."

Speaker Daniels: "Further discussion? Lady from LaSalle, Representative Hoxsey."

Hoxsey: "Yes, Representative Levin, I think there's a point here for your consideration and for those who are supporters of a mass transit subsidy. The additional revenue that would be raised through this legislation, although it is allocated totally to a construction account, certainly, common sense would have to tell you that that would relieve the burden on what we're already raising in motor fuel tax funds. Does it not seem logical to you that, if this Bill

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is passed and that is true, that the revenue you'll need for mass transit is more likely to be available to you through what we're already raising."

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

Kulas: "I move the previous question."

Speaker Daniels: "The Gentleman's 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 Levin to close on the Amendment, Sir."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In closing, let me just address myself to a few of the questions that were raised by some of the speakers in connection with this Amendment. I understand the philosophical perspective of not wanting to divert money from the Road Fund. On the other hand, we in the six-county area are being asked to pay a new tax. We're being asked to pay a tax increase to fund something which, by and large, is not going to benefit us. We were told that the County of Cook and the City of Chicago would receive approximately 45 million dollars of this money. I remind you that this tax increase is projected to bring in in excess of 300 million dollars. If you go on the basis of the percentages...historical percentages, 60 percent of that will come from the Chicago metropolitan area, which is about 180 million dollars. And I would say getting 45 million dollars back is not a very good deal. We are being asked to vote for a tax increase on our constituents where we are not going to be getting the benefit either in dollars or in the services that mean the most to our area. Mass transit is probably the most important issue to the residents of my district. People rely on the buses and on the El's and on the trains, and as Representative Lechowicz

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indicated, there was a state subsidy of 180 million dollars a year that existed up till three years ago. We are asking simply for a partial restoration of that. As to the comments about the need to reform the RTA, I could not agree more. And myself and Representative Bowman and several people from the other side of the aisle have worked with the suburban Mayors since last September on a proposal that is currently on the floor on Second Reading, which we will have an opportunity to debate, hopefully, today and vote on before this particular Bill comes up on Third Reading. So, I suggest the argument about the cart before the horse is inapplicable, because we have the reform of mass transportation on the floor. It currently does not have a funding source. This is an appropriate funding source. We will have the opportunity to vote on both Bills in the next couple of days..."

Speaker Daniels: "To the Amendment, Sir. Sir, to the Amendment."

Levin: "...And so, I would suggest then...Yes, may I finish?"

Speaker Daniels: "To the Amendment, Sir."

Levin: "Well, I would suggest that if we are going to be able to pass House Bill 2002, it must include mass transportation. That is the only way that many of the Representatives from the City of Chicago and the outlying counties will be able to vote for it. So, I suggest that, while philosophically I can understand the opposition to diversion, the only way we're going to be able to pass 2002 is with support from liberal Democrats like myself. And I, therefore, ask for your support of Amendment #13 so I and others can vote for this Bill."

Speaker Daniels: "The question is, 'Shall Amendment #13 be adopted?'. All those in si...favor signify by saying 'aye', opposed 'no'. The 'nos' have it. Representative Levin."

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Levin: "Mr. Speaker, in my introductory speech I made a specific request for a Roll Call vote on this Amendment."

Speaker Daniels: "Representative Madigan, you have your pencil in the air."

Madigan: "Roll Call. Request a Roll Call."

Speaker Daniels: "Are you joined by five Members? Thank you. The question is, 'Shall Amendment #13 be adopted?'. The question is...All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Gentleman from Cook, Representative Collins, to explain his vote."

Collins: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. To listen to the Sponsor of this Amendment, one would think that the position of liberal Democrats is to continue to pour money down the rat hole, the voracious appetite of the discredited and corrupt RTA and CTA. There are Bills, as he stated, on...on the Calendar that would restructure the RTA and CTA and in fact would abolish the CTA, and that's exactly what we should do. We have to get away from...from a organ...organization that has proven itself to be unwieldy, corrupt and insensitive to the needs of the transportation riding the public in Cook County. Yes, mass transportation needs help, and it will get help if you'll get behind one or both of these Bills that's on the Calendar. But, apparently, it's the position of the Chicago Democrats and now the liberal Democrats to continue to waste money in the manner that we have been witnessing over the years of RTA's existence. This is a bad Amendment. It's a cynical Amendment, and it should be disposed of right now, as I see 94 Members are joining in doing. Let's restructure RTA. Let's do the job properly. Let's provide transportation to the people in the five county area; but let's not continue to waste money as this

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Gentleman would suggest we should do."

Speaker Daniels: "Gentleman from Cook, Representative Bowman, to explain his vote."

Bowman: "In explaining my 'aye' vote, in response to the last Gentleman, the last Gentleman would probably like to sell the RTA to General Electric and have it make a profit on the RTA, cutback services, raise fares so everybody can walk to work. I suggest to those people who think this is putting the cart before the horse, that quite the reverse. This is the horse. The operation cannot run without proper funding. Without proper funding you could reorganize the RTA all you like. You could reorganize it all you like, but it won't run and it won't function. This is the only way that we can make it function; by providing adequate funding for it. Do not...The solution is not to continue to raise fares, to continue to see ridership drop off and to have more and more people find alternative means of transportation, clogging our highways. We cannot do that. This is the horse, not the cart."

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

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. In explaining my vote, I am voting for this. I am voting 'yes'. But I'd like to just call attention to my friends from Chicago on the other side of the aisle. We wouldn't be having this if you'd have listened to some of us from Chicago in 1979, when we gave up the state subsidy which was so important to mass transit. And now, you have to eat your words, because you were wrong then. I said it then. A few on that side said it; and yet we're stuck with this, and mass transit is having the problem, and mass transit's important to all of the people of the State of Illinois. It needs a state subsidy, but we can't get it. It should be tied to roads, but you see what downstate is



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doing to us now. Well, you made the mistake back in '79, and now you have to...have to eat those words; because I don't know how we're going to get it back, and we certainly need it."

Speaker Daniels: "Gentleman from McLean, Representative Bradley, to explain his vote."

Bradley: "No, not to explain my vote, to a parliamentary inquiry, Mr. Speaker. How long do we have to explain our votes?"

Speaker Daniels: "One minute, timer's on."

Bradley: "Would...I would hope that it would be on from now on. Thank you."

Speaker Daniels: "It's...It's up there. Can you see it?"

Bradley: "Well, I don't think you were using it before, and...because someone went way over one minute."

Speaker Daniels: "Gentleman from Cook, Representative Ronan, to explain his vote. The timer's on, Sir."

Ronan: "Thank you, Mr. Speaker, in order to explain my 'aye' vote. Again, I'm always pleased to see such courage from the other side of the aisle and from our friends from downstate, who probably put their 'no' vote on the Board; but whenever we have a tax revenue issue where we have to raise money for transportation, the green votes aren't on the Board on that issue. This is again a typical situation where Chicago's going to have to pay for everything and doesn't get anything in return to move the people around. I'm probably going to vote for this Amendment, but this Bill's not going to pass until people start to realize you got to move people in Chicago just like you move them in the suburbs and downstate. And, unless we get on to that issue and start raising revenue, we're all wasting our time."

Speaker Daniels: "Gentleman from Winnebago, Representative Giorgi, to explain his vote. Timer's on, Sir."

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Giorgi: "Mr. Speaker, nobody's more concerned about north/south highway or downstate roads than I am, but we're not going to get a...a package unless we have a compromise. And I think that the demagogue from the other side of the aisle who was shouting a minute ago wants to deny the fact that 60 percent of the people that raise our income taxes and our sales taxes ride the RTA to the downtown area of Chicago to raise the tax so the rest of the state can enjoy good, healthy, economical and a viable state. I think if we're going to get anywhere, we're going to have to compromise and go with this."

Speaker Daniels: "Gentleman from DeKalb, Representative Ebbesen, to explain his vote. Timer's on."

Ebbesen: "Well, yes, Mr. Speaker, in explaining my 'no' vote. In response to Representative Giorgi, who is a downstate in Rockford there that, it would appear to me they talk about the cart before the horse and the horse before the cart, the bus before the car and what have you. The people downstate that have automobiles, when you consider the insurance and the cost of maintenance and oil and everything else, as compared not only to the fact that they need to reform the RTA and the CTA and clean it up, but the rates that they charge, the fares that they charge. When you get them up to something reasonable and practical so the people downstate don't think that they're paying for a bus ticket in the City of Chicago, then I think you'll get some support from downstate. And the issues should be separated."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Representative Garmisa to explain his vote."

Garmisa: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I can empathize with those of you downstate and as far as the condition of your roads are concerned. We know

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how bad they are. We know how much funding will be needed for the care of those roads. We also know this; that as far as transportation is concerned, mass transit is a vital part of any form of transportation, be it by air, be it by boat, be it by highway. Whenever you try to separate the two issues you're making a terrible mistake. You have to have your mass transportation provided for, as far as the last constitutional convention was concerned, where they mandated the state to provide transit funds to the cities that have transit districts. Chicago is..."

Speaker Daniels: "Proceed. Proceed."

Garnisa: "Chicago is the only city in the State of Illinois that has a transit district and is not provided funding by the State of Illinois. And, Ladies and Gentlemen, this is all wrong. This is one of those issues that brings separation from the downstate, the suburban vote and the urban vote. And this is an issue that should certainly be resolved by providing for a vital part of transportation, and that is the moving of people by your buses, by your commuter cars and by your buses and elevated and subway systems in the City of Chicago. Now, let me tell you, Ladies and Gentlemen, should the RTA go down? Or the C..."

Speaker Daniels: "Bring your remarks to a close, please, Sir."

Garnisa: "Should either one of them fail, you will see the worst chaotic condition that the State of Illinois has ever witnessed. You will see this state falling apart. The money is sorely needed up there, and I think that by this vehicle we can provide a really good and solid meshed mass transportation and highway transportation package, and we should have much more 'aye' votes up there."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 61 'aye', 97 'no' and 5 voting 'present'. Amendment

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#13 fails. Further Amendments?"

Clerk Leone: "Floor Amendment #14, Bowman - Levin, amends House Bill..."

Speaker Daniels: "Representative Bowman, Amendment #14."

Bowman: "Leave to...Leave to withdraw Amendment 14."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #15, Representative Hoxsey, amends House Bill 2002 as amended."

Speaker Daniels: "Representative Hoxsey, Amendment #15."

Hoxsey: "I would withdraw Amendment #15."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "House Bill #...House Amendment #16, Lechowicz, amends House Bill..."

Speaker Daniels: "Representative Lechowicz, Amendment #16."

Lechowicz: "Mr. Speaker, Amendment #16 ex...exactly as Amendment #13 that has just been decided on the vote that's still on the Board. I withdraw Amendment #16."

Speaker Daniels: "Withdrawn. Further Amendments? ...Amendments?"

Clerk Leone: "Floor Amendment #17, Lechowicz, amends House Bill..."

Speaker Daniels: "Representative Lechowicz, Amendment #17."

Lechowicz: "Amendment #17 is different than 13. It's different from the fact that the 3/32 is only collected from the six-county area. The fiscal impact of the difference is instead of getting 26 to 30 million dollars, the aid to the RTA would be at level of 15 million dollars, because you're just collecting that tax within the six-county metropolitan area. I strongly recommend your consideration for Amendment #17. It is a compromise proposal based strictly on the money raised within the 3/32 within the six-county metropolitan area."

Speaker Daniels: "Any discussion? Gentleman from Adams,

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Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I again stand in opposition to Amendment #17. I'd like to explain to the Members, although I think they are...understand, not only the philosophical problem that we have, the coalition has, taking user tax monies for mass transit. But I also point out to the Membership that this is not...I've heard the debate on Amendment #13. This is not a debate between who gets more money in Chicago versus the world. The issue here is that Chicago does very well on the motor fuel tax formula. The County of Cook does very well on the mo...motor fuel tax formula. The six-county area does very well, notwithstanding the state construction account. District 1 receives decent money. So, let's put aside this veil that everybody is putting before us that this is an upstate-downstate battle. It's not. They get road monies up there. The problem, frankly is that right now with the interstate transfer money, if you recall the cross-town money, about 2 billion dollars, the area in the six-county area is really not hurting as badly as the other 96 counties; although I believe that the six-county area ought to also support this...this proposal, the Bill. It ought to stand firm against this Amendment, because this Amendment again takes user tax dollars for mass transit. I'd say one other thing. Ladies and Gentlemen of the House if indeed there was a thorough understanding and thorough focus to help the mass transit area of RTA, then they would go back to the old 1979 subsidy, which is from General Revenue Fund, and they would be proposing an Amendment. What they're trying to do with this Amendment is take user tax dollars, because they figure maybe that will pass; instead of having those legitimate subsidies that they had previously in 1979. So,

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the coalition and I stand firmly in opposition, along with Mr. Neff, on Amendment #17."

Speaker Daniels: "Gentleman from Rock Island, Representative Darrow."

Darrow: "Will the Spo...Will the Sponsor of the Amendment yield?"

Speaker Daniels: "He indicates he will."

Darrow: "Representative Lechowicz, what will be the financial result of this Amendment to my legislative district? Will it decrease the amount of money available for improvement of roads?"

Lechowicz: "Well, first of all, I don't consider this a laughing matter. And I think this question is serious, and the...the response should be serious. I don't believe that it will affect your district one iota. What this is, 3/32 within the six-county metropolitan area. And, if I'm correct, I don't believe you run in any one of those six counties."

Darrow: "So, for the downstate legislative districts, this will have no fiscal impact on the amount of funds that would be available to what...what we would consider downstate. And, by that, I mean the area outside the six-county area."

Lechowicz: "That is correct, Sir."

Darrow: "If this Amendment is placed on this Bill, will the Chicago delegation support the legislation?"

Lechowicz: "I can't speak for the Chicago delegation. I believe every Member of...from the City of Chicago chooses his own way of thinking and how he votes. It would be my intention to support this Bill if this Amendment's on the Bill."

Darrow: "Well, you're one of the more powerful forces in the Chicago organization. Will you use your influence to pass this Bill if this Amendment is put on?"

Lechowicz: "I would try to encourage the Membership of this Body to support House Bill 2002 if this Amendment is on this

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Bill, yes."

Darrow: "Thank you."

Speaker Daniels: "Any discussion? The Gentleman from Cook, Representative Ewell."

Ewell: "Am I on? Mr. Lechowicz, this 3/32 that's all coming out of the six county area. Is that correct?"

Speaker Daniels: "Will the Gentleman yield? Indicates he will."

Lechowicz: "That is correct."

Ewell: "In other words, not a dime of this money that's collected is going to come from the downstate areas. Is that right?"

Lechowicz: "That is correct, Sir."

Ewell: "I'm arising to support this particular Amendment. I ask the Members of the Body what could be more fair? We are simply asking that a portion of the money that is collected, not all of it, but a portion of the money that is collected be allotted to the people who pay the taxes. What could be more fair? If there's any fairness, any equity or any justice in your hearts you will at least concede to this Amendment. Otherwise, you're riding a blind beast to destruction. I say to you that you've got to have compromise. It is the art of legislation, and if you don't get a reasonable and equitable compromise now, you will not prevail. This Bill has to pass both houses, not merely this House. And I suggest to those Members downstate who could possibly try to understand equity and fairness, this is our money that we collect in the six county area that we're simply asking be allocated to our needs. Ladies and Gentlemen, I would ask you to open your hearts and have some compassion, understanding of the problems of the people in the six county area. Thank you."

Speaker Daniels: "Further discussion? The Gentleman from Henderson, Representative Neff."

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

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House. I rise in opposition to Amendment #17. As the Sponsor has said, this isn't going to hurt downstate, but as I interpret it, this would take about 33 million dollars the next two years from the state construction account. And if they had this set up to where it was taken from their own allotment, and again, I want to repeat that the RTA area and Cook County will get about 60 million dollars out of the Bill that we have here. And, therefore, I think..I would urge a 'no' vote on this."

Speaker Daniels: "The Gentleman from DeKalb, Representative Ebbesen."

Ebbesen: "Yes, would the Sponsor yield?"

Speaker Daniels: "Indicates he will."

Ebbesen: "Representative Lechowicz, the 3/32 is 3/32 of what?"

Speaker Daniels: "Representative Lechowicz."

Lechowicz: "3/32 of the increased revenue distributed to the six county RTA region that is generated in House Bill 2002 for operating subsidies to the Regional Transportation Authority."

Ebbesen: "Well, that's 3/32 right off the top of the total in just a six county area or statewide?"

Lechowicz: "Just six county area, MPT and MPRP's which are contained in House Bill 2002."

Ebbesen: "You're not talking about 3/32 statewide, but just a six...generated in the ..."

Lechowicz: "...in the six county area."

Ebbesen: "...Just generated in the six county area."

Lechowicz: "That is correct, Sir."

Ebbesen: "Thank you."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Garmisa."

Garmisa: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What they're asking here in the 17th Amendment is a



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very small price to pay for really bringing together our transportation system in this state. The proceeds will only produce somewhere between 15 and 19 millions of dollars. And this is a very small sum, Ladies and Gentlemen, and would certainly go a long way towards making mass transit a viable and put them back in a financial position where they can operate and be able to do some kind of a job. We're just asking for a very small amount of funding here. That 3/32 in this six county area isn't that...doesn't affect really that much funding over the rest of the state highway system. And what we're asking for here, Ladies and Gentlemen, is a 'yes' vote on a very good Amendment. Thank you."

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

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

Speaker Daniels: "The Gentleman's 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 Cook, Representative Lechowicz, to close."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #17 is an important Amendment and the people that believe that these two issues should be separate are living in a very idealistic world. They're idealistic from the standpoint that this General Assembly has always looked at the transportation program in the state overall and has always combined both of these issues. It's absolutely impossible, Ladies and Gentlemen, to pass a subsidy or any type of help for mass transit on its own. Unfortunately, I don't believe too many people in this room look in the real world and actually try to get to their source of employment and back to their homes by

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taking mass transit. And maybe it would be best if this General Assembly would spend some time and have us take the public transportation that's available on a daily basis in the metropolitan area in the City of Chicago as a learning experience and then you'd see exactly what people go through on a day in and day out basis to get to work, do their work and get home. This is a very important item. It's a very frustrating item in some people's lives when you've missed your train or you've missed your bus and you're late to work and you get reprimanded and may even lose some pay. And we look at it very losely, many of the Membership in this House, and that's wrong. This Amendment provides some relief to an area that's going to have to be addressed very seriously by this Body. The Federal Government is cutting back on aid and the amount of money coming into all the mass transit districts in this country. The only monies they're going to be providing for is for new equipment. There's going to be a tremendous load placed on the Membership of every General Assembly that has a mass transit where it's going to be providing for additional monies. They're going to have to be paid for by the taxpayers and the consumers in all states. Illinois has always been a leader in providing mass transit for the people of the six county metropolitan area, And I remember when that Bill was passed and the suburban areas wanted to make sure that their money was spent in the suburban areas. And that's the way it was passed and that's the way it was written. And now you're complaining that as far as the amount of money being generated? Unfortunately, I think you're going to see more and more people in the suburban area taking buses. The economic fiscal impacts that everyone is facing in this state is affecting residents within the City of Chicago, suburban area and downstate as

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well. Talk to your people that you represent and they'll tell you that they're starting to realize, especially in November when the price of gas will probably be skyrocketing, when the auto reserves will be dwindling, and OPEC cutting back to 75% of production, your gas prices are going to be going up again. Mass transit is important. Amendment #17 is a small step in the right direction. I strongly recommend your consideration for a good Amendment."

Speaker Daniels: "The Gentleman's moved for the adoption of Amendment #17. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. The Gentleman from Adams, Representative McClain, to explain his vote. Timer's on, Sir."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, there's some confusion about this Amendment. This Amendment does take money away from all districts in the State of Illinois for the mass transit area of the RTA region. This is not money taken from the allocation of the six county area to the Motor Fuel Tax Fund. This takes amount attributable to 3/32 collected in that six county area, so therefore, this money is taken from statewide. So this is a state subsidy, statewide, from user tax fees for mass transit and that is why we're in opposition."

Speaker Daniels: "The Gentleman from Will, Representative Davis, to explain his vote. The timer's on, Sir."

Davis: "Well, the last Speaker was absolutely correct, Mr. Speaker. It's rather strange to see him on that side of the issue at this point, but since his indications in the past have been that he's for subsidy of some sort. And so am I, but I think the point was made earlier by others that...I'm not going to make a political speech on the Regional Transportation Authority ...until we address the

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cost effectiveness and the structure of the RTA which of course are in subsequent legislation that will be brought forth to this chamber. I'm for return to subsidy. I was in 1979 as was the Speaker and others in 1979. Didn't happen. They went another route and now they're back asking for money. It does come from statewide. The Amendment only addresses a formula of collection and a formula for determining amount. But it will come out of the General Revenue Fund and I'm for that ultimately, but only after the structural changes and the cost effective measures have been added. So I'm....I voted 'present' on the last Amendment, Amendment 13...(Timer)"

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

Davis: "Well, thank you, Mr. Speaker. I'm just about to do that. I voted 'present' on the last one. On this one I'm inclined to vote 'no' simply to send a clear signal but to explain to you that I'm for subsidy at a subsequent date."

Speaker Daniels: "The Gentleman from Will, Representative Van Dwyne, to explain his vote. The timer's on, Sir."

Van Dwyne: "Yes, thank you, Mr. Speaker. I'd just like to echo some of the last comments and also I'd like to point out one glaring fault in this whole distributive system in the six collar...six county area and that is the area of jurisdiction as far as what is written in the law. As we all know, the money collected in the six county area is supposed to be spent in the area from which it's been collected. This has not been done in the past and any time there's been any suits filed, we must file them to..in order to get our just dues we have to file these suits in the County of Cook. And, of course, when you file a case on behalf of Will County, for example, in the County of Cook they always throw this case out of court because they say it's not within our jurisdiction. So, I think there's

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a glaring infraction there and I think before any of us are ever going to look favorably on something like this, that's got to be changed."

Speaker Daniels: "The Gentleman from Cook, Representative Huskey, to explain his vote. The timer's on, Sir."

Huskey: "Well, I think this is a good Bill for us Members up in the six county area because if we're going to let the whole state help us foot our load on transportation, I'm going to change my vote to 'yes' on this Bill."

Speaker Daniels: "The Gentleman from Macoupin, Representative Hannig, to explain his vote. The timer's on, Sir."

Hannig: "Yes, thank you. Thank you, Mr. Speaker and Members of the House. To explain my 'no' vote, the way I read this Amendment is that 19 million dollars that is collected under this proposal off the top will be given to the six county area for mass transit. Now, what this actually means to me, as a downstater, is that there will be a smaller pie to be divided for the downstate Legislative Districts. I believe, therefore, that this would have an effect, a negative effect, on my road program downstate. It would reduce the amount of money to be divided to the downstate districts and consequently I'm voting 'no'."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question 60 'aye', 94 'aye'...94 'no', 4 voting 'present'. And Amendment #17 fails. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Third Reading. Fiscal Note request was filed and the Fiscal Note's have been filed. Third Reading, House Bill 2002. House Bill 2448? Out of the record. Representative Barkhausen?"

Barkhausen: "Mr. Speaker, I had asked and I wondered if you would be good enough to back track just briefly to 1882 and 1883

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which are on Second Reading. I simply wanted to note that the Fiscal Notes on both of those Bills which had been requested are now filed and it's my hope that they could be moved along to Third Reading."

Speaker Daniels: "House Bill 1882, the Fiscal Note has been filed. Third Reading. House Bill 1883, Fiscal Note has been filed. Third Reading."

Barkhausen: "Thank you, Mr. Speaker."

Speaker Daniels: "The Gentleman from Cook, Representative Kulas, for what purpose do you arise, Sir?"

Kulas: "Thank you, Mr. Speaker. An inquiry of the Chair. Two inquiries of the Chair, Mr. Speaker. First of all, as we all are aware of, Sunday is the deadline on action on all House Bills. My first inquiry is a Parliamentary Inquiry. Is there a limit on the number of times the Sponsor can take his Bill off...out of the record?"

Speaker Daniels: "No."

Kulas: "There is no limit in the rules. Okay. The other inquiry is, since it is Thursday already, could you give us an idea of what the schedule will be for the rest of today and the rest of this week?"

Speaker Daniels: "Late."

Kulas: "Pardon?"

Speaker Daniels: "Late. L-A-T-E. Late. House Bill 2519, Representative Meyer. Read the Bill."

Clerk Leone: "House Bill 2519, a Bill for an Act to amend certain Acts in relationship to public transportation. Second Reading of the Bill. No Committee Amendments."

Speaker Daniels: "The Gentleman from Cook...Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Ted Meyer, amends House Bill 2519 on page one and so forth."

Speaker Daniels: "There are ten Amendments on this Bill. The

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Gentleman from Cook, Representative Meyer? Amendment #1."

Meyer, Ted: "Leave to withdraw Amendment #1."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Ted Meyer, amends House Bill  
2519..."

Speaker Daniels: "Representative Meyer, Amendment #2."

Meyer: "Leave to withdraw Amendment #2."

Speaker Daniels: "Withdrawn. Any further Amendments?"

Clerk Leone: "Floor Amendment #3, Ted Meyer, amends House  
Bill..."

Speaker Daniels: "Representative Meyer, Amendment #3."

Meyer: "Thank you, Mr. Speaker. Amendment #3 makes technical changes. It allows the Transition Authority to amend the RTA's...Fiscal '82 budget as long as the actual allocation of funds is still according to the September 1981 budget ordinance. It requires the Transition Authority to adopt provisional budget. Clarifies the net support budget shall be limited to one percent of the regional sales tax, reinstates Sections of the RTA Act which were inadvertently repealed. It requires the Bus Service Board to receive approval from the Rail Service Board as well as the CTA in order to provide bus service within the downtown region, prohibits the CTA Board from setting fares or service levels. Requires the NETS Board to publish a statement of intended distribution of funds. Details the formula for determination of rail contributions and requires the Rail Service Board to periodically collect data on the number of rail boardings, requires the repeal of the Chicago Urban Mass Transit District. These are all recommendations of the suburban council of mayors. I urge its adoption."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #3. Any discussion? The Gentleman from Cook, Representative Levin."

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Levin: "Yes, we have no objection to this Amendment."

Speaker Daniels: "Who are we?"

Levin: "Pardon?"

Speaker Daniels: "The Democratic Sponsors of this Bill..."

Speaker Daniels: "The liberal Democrats. Okay. All right. Any further discussion? The Gentleman from Will, Representative Van Dwyne."

Van Dwyne: "Yes. Would the Sponsor yield for a question, please?"

Meyer: "Yes."

Speaker Daniels: "Indicates he will."

Van Dwyne: "Ted, I didn't hear your whole explanation. But is there any change of venue in there or a change in jurisdiction for ...any of the collar counties who want to enter any litigation as far as getting their just amount of money?"

Meyer: "Not in this Amendment. No, Sir, not in this Amendment."

Van Dwyne: "Well, is there any in the whole Act?"

Meyer: "I believe so, although I'm not absolutely sure."

Van Dwyne: "Well, I...I hope you heard my remarks on the last Bill. And I think probably one of the major pieces of reconstruction that should be in this is the change of venue. As you know, in the Bill, as it exists now, the laws that exist now, the money that's collected in any given area is supposed to be returned to that area and in a lot of cases it hasn't been done. And, when you enter into any litigation or file suit, you must file suit in the court of jurisdiction which is in Cook County and when any collar county files a suit of that nature, why, it's always thrown out. So, I think it's a very important step and I think it should be in there."

Meyer: "Representative Van Dwyne, I ...subsequently I'll meet with you. It is not in this particular Amendment."



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Van Duyne: "Okay.."

Meyer: "It is..I am informed it is in the Bill."

Van Duyne: "Thank you very much."

Speaker Daniels: "Further discussion? Being none, the Gentleman moves for the adoption of Amendment #3. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and Amendment #3 is adopted. Further Amendments."

Clerk Leone: "Floor Amendment #4, Ted Meyer, amends House Bill 2519..."

Speaker Daniels: "Representative Meyer, Amendment #4."

Meyer: "Thank you, Mr. Speaker. Amendment #4 makes technical corrections in the rail subsidy allocation formula. I urge its adoption."

Speaker Daniels: "Any discussion? Representative Levin?"

Levin: "Again, this Amendment is okay with us. It makes technical corrections which was what was initially the design by the suburban mayors and puts it in conformity with that."

Speaker Daniels: "Representative Kane?"

Kane: "Would the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Kane: "Could you explain to us briefly what the new allocation formula is?"

Speaker Daniels: "Representative Meyer."

Meyer: "Pardon me? Could you repeat the..."

Kane: "Could you explain to us briefly what the new allocation formula is?"

Meyer: "It has to do with the distribution of the commuter rail..railroad funds and it determines that the allocation shall be made upon passenger boardings and miles run. It's a technical formula."

Kane: "I understand it's a technical formula. I'm just asking if you would just explain it to us briefly in language we can

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all understand."

Meyer: "It relates solely and exclusively to the ...to the allocation of the commuter railroads, how they will divide up their pie. It says..."

Kane: "Would you tell us how they're going to divide up their pie? That's the question."

Meyer: "Sixty-six and two-thirds percent of the sales tax collected in the collar counties goes to the collar counties in which it's collected for commuter rails."

Kane: "And how is the money distributed among the commuter rail lines? I think that's what the Amendment addresses and that's the question I'm asking."

Meyer: "I'm...I'm...I'm not following you, Sir."

Kane: "You have so much dollars going to commuter railroads, right?"

Meyer: "Yes, Sir."

Kane: "How is that allocated among the railroads?"

Meyer: "Forty-nine percent depending upon passenger boardings and fifty-one percent of it will be determined by passenger miles."

Speaker Daniels: "Further discussion? Being none, the Gentleman, Representative Meyer, moves the adoption of Amendment #4. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Amendment #4 is adopted. Mr. Doorkeeper? You have two distinguished Gentlemen back there. For what purpose do the two distinguished Senators enter our chambers? Senator Vadalabene, Senator Rhoads. Senator Vadalabene, Senator Rhoads."

Senator Vadalabene: "Yes, I would like Senator Rhoads first to be the first one to say a few words to this distinguished august Body."

Senator Rhoads: "Well, we just wanted to challenge Representatives Johnson and Friedrich to a tag team match

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and we're here to arrange the details."

Senator Vadalabene: "In the event that I become confused at this tag team match, I want my Democrats on this side of the aisle to forgive me because I will be in the ring with three Republicans and one Democrat and I think that's an even match."

Speaker Daniels: "Senator, we will give you a liberal Democrat from Chicago as on your side...and ten feet of rope. Further Amendments?"

Clerk Leone: "Floor Amendment #5, Ted Meyer, amends House Bill..."

Speaker Daniels: "Representative Meyer, Amendment #5."

Meyer: "Thank you, Mr. Speaker. Amendment #5 is another Amendment of the 'CAT'S Council of Mayors'. If I could briefly describe the origin of this Bill and its Amendments, the Chicago Area Transit Study Group, which is federally funded and funded by the State of Illinois to determine transportation needs, set up a group called the Council of Mayors which is composed of all of the mayors in the six county region. They had over...over 20 meetings in which they hammered out this Bill in the..in the..in the..in the Amendments. Amendment #5 is their work product. It is not my work product. It relates to labor protection language. It reinstates Sections 2.15 and 19 of the RTA Act for the NETS Board regarding labor protection, collective bargaining and labor relations. It adds similar language to the Rail Service Board and Bus Service Board. Gives the Boards authority to negotiate and arbitrate contracts with employees. However, the language is permissive rather than mandatory. If the Rail or Bus Service Boards acquire any new transportation systems, only pension and retirement benefits would be extended to them. I urge its adoption."

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Speaker Daniels: "Any discussion? The Gentleman from Madison, Representative McPike."

McPike: "Will the Sponsor yield for some questions?"

Speaker Daniels: "Indicates he will."

McPike: "Representative Meyer, would you...would you list for us what labor protection measures are permissive and which ones are mandated?"

Meyer: "Basically all the labor protection language is permissive."

McPike: "And that includes what? Collective bargaining? Is collective bargaining..."

Meyer: "Collective bargaining and arbitration of any disputes."

McPike: "Are permissive?"

Meyer: "Yes, Sir."

McPike: "How about the written contracts? Is that permissive or mandated?"

Meyer: "The Act...the Amendment is silent on that."

McPike: "How about pensions? Is that permissive or mandated?"

Meyer: "Are you talking about an acquired company where the Board would go out and acquire a bus company? Or are you talking about ...where Boards..."

McPike: "I'm talking about the Northeast Transit System. On page three of the Amendment, Section 2.17."

Meyer: "Only if they're acquired it's permissive."

McPike: "The way I read the language in 2.17, it said the Board may establish and maintain systems of pensions, retirement benefits for such officers other than the members of the Board and employees of the system. In other words, it's permissive for the entire Northeast Transit System according to that language in that Section..."

Meyer: "...Yes, the NET Board will not enter into contracts."

McPike: "Is that correct?"

Meyer: "Yes, Sir. That's true."

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McPike: "For pensions also?"

Meyer: "Yes, Sir.."

McPike: "Thank you.."

Meyer: "..But the NET Board won't be entering into these contracts. It's the service boards that enter into the contracts."

McPike: "How about the ...the Commuter Rail Board and the Suburban Bus Board? Is that mandated or permissive?"

Meyer: "Permissive.."

McPike: "In regards to pensions, is that the same apply there as permissive also?"

Meyer: "Commuter railroads are covered by the railroad...Railroad Labor Relations Act, the Federal Act."

McPike: "Would the same labor protection provisions be within these boards? These boards are not covered by the Act you mentioned.."

Meyer: "No..."

McPike: "Would they be..."

Meyer: "No."

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

Speaker Daniels: "Proceed, Sir. The Amendment, Sir."

McPike: "I'd like to address the Amendment..."

Speaker Daniels: "Proceed, Sir."

McPike: "Well, Mr. Speaker, Ladies and Gentlemen of the House, we have a...we have an Amendment here that is going to affect the lives and the welfare, the employment, the future of anywhere from ten to fifteen thousand employees. And instead of giving those employees the rights that they've always enjoyed under law, instead of giving them the protections that they're entitled to under law, this Amendment specifically denies to them any of the labor protections that they have had under contracts in the past and at present. It specifically denies them the right to

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negotiate a contract. It specifically denies them the right to enter into written collective bargaining agreements. It specifically denies them the right under law to have pension protections. Now there is...there is no where in the private sector that the State of Illinois denies a person the right to have these protections. But here the General Assembly addresses itself to 13, 14, 15 thousand workers and their families and says to them straight out, 'We don't think that you should have the rights that have been afforded to most of the workers in this country since 1935'. This Amendment is clearly anti-labor. It's clearly anti-worker. It is against everything that this General Assembly stands for in regards to safeguarding the rights and responsibilities of working men and women and those that are responsible for overseeing the welfare of those working men and women. I would respectfully ask for a 'no' vote on this."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, we believe, at least I believe that we need stronger labor protections than are...than are in this Amendment. And I intend to support the subsequent Amendments that are being offered that would bring that about. I will, however, be voting for this Amendment because I believe we're better to have some language in on labor protections than no language at all. But I don't think this goes as far as we need to. It does not restore the status quo. Inadvertently all of the labor language was left out of the Bill and the commitment that I made to labor was that I wanted to see that language put back in. Amendment #5 is limited to the, quote, 'system', which means that it does not apply mandatory labor protections to the suburban bus or the

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commuter rail districts. I will be voting for Amendment 5. I think it's better than not having any language, but I will be supporting the subsequent Amendments which I believe are much better and restore all of the language."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Meyer, to close."

Meyer: "Thank you, Mr. Speaker. First of all, I'd like to point out that this Amendment is the work product of 20 meetings. At these meetings were ...were mayors of the six county regions. They agreed to this. This is the language they want. These meetings were attended by Democratic staff, Republican staff. Representatives of the City of Chicago were at every meeting. They weren't...They were held pursuant to the Public Meetings Act. Everybody knew what was going on. Now we find the Democratic staff coming in with a new Amendment. This Amendment...Pardon me. This..The...Amendment #5 only reflects the existing CTA Act. It isn't any new language. Additionally it only would acquire...It only....would refer to newly acquired suburban bus or rail commuter lines and, furthermore, the rail commuter lines are covered by the Federal Railroad Relations Act. I urge its approval."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #5. All those in favor will signify by voting 'aye'...Representative McPike, why are you yelling, Sir? Did you hear the comment? All those in favor will signify by voting 'aye'. You ready? Are you ready now, Sir? All those in favor will signify by voting 'aye', opposed by voting 'no'. And the voting's open. And the Gentleman from Lake, Representative Pierce, to explain his vote and the timer's on, Sir."

Pierce: "Mr. Speaker, in my mind, and it's time that we look at this whole situation. There was nothing wrong with this

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Amendment. It gives a right to collective bargaining. It gives a right that labor needs. Labor in the Chicago area is not anemic. If it has a right to collective bargaining, it'll go out and bargain and get what it wants. We're going...If we make our labor protections too strong, we'll have protected labor and no jobs in suburban transportation. This does the job. Organized labor isn't weak. It's not as weak as some Members of this House. It can get up. It can get its bargaining. It can get its collective bargaining. This Amendment is good. It will assure suburban transportation in the future. The mayors in the suburbs support it. If you want public transportation in the suburbs you should support this. I'm surprised to see that people from hundreds of miles away from Chicago are telling us what our labor relations should be in the suburbs of Chicago. I think Representative Meyer has a good Amendment and I'll support it and I think it'll lead to collective bargaining. Collective bargaining is something you have to fight for. You don't give it...you don't get it... (Timer)."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 51 'aye', 80 'no', 2 voting 'present'. And Amendment #5 fails. Further Amendments?"

Clerk Leone: "Floor Amendment #6, McPike - Cullerton - Levin - Bowman..."

Speaker Daniels: "Representative McPike, Amendment #6."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #6 takes the exact provisions out of the RTA Act and applies them to House Bill 2519 to ensure labor protection for the employees in the system. Specifically provides labor protection in the areas of collective bargaining and labor relations, employee protection in



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regards to pensions, labor contracts and arbitration. Working men and women in my opinion, in response to the last speaker, have indeed fought for these rights for over 100 years now. And it took them 50 years to get these into the law at the federal level. When the CTA Act was first passed in the mid 40's, a lot of these provisions were not included. But the fight went on in the General Assembly until in 1974 these provisions were included in the RTA Act. And now, some people stand up and say that collective bargaining is something that has to be fought for all over and all over again and again and again. I don't know how many hundreds of years working men and women in this country must fight for the right to bargain collectively. I suppose that there are some on this floor that still pretend that one individual should go to the employer and seek to bargain for himself and 15,000 other individuals should go to the same employer and seek to bargain for themselves one at a time over a period of every year, year in and year out. Or if the company or if the system employs 100,000 people the same should apply. There are those of us that think that management over the years has enjoyed certain advantages in the area of labor relations and in order to equate the advantages, in order to off-set those advantages, we feel that it's necessary to give the employees the right to be represented by people of their choosing. We felt that it's important to give ...to give responsibilities under law to the employer so that he has an obligation to sit down and bargain in good faith to sign written contracts, to live up to those contracts, to ensure that pensions are safeguarded and protected. We think that Amendment #6 does no more than that. It does no more than what is in law right now, what has been in law since 1974; it extends those exact same provisions to any new agency

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established. I would ask for a favorable Roll Call on this Amendment."

Speaker Daniels: "Any discussion? The Gentleman from Cook, Representative Meyer."

Meyer, Ted: "Thank you, Mr. Speaker. This Amendment is a bad Amendment for the simple fact that it restricts management's rights. It includes a broad definition of labor dispute which can ex..would go beyond the traditional bounds of wage..wages, hours, pensions and retirements. It could...It would allow labor to take action, file a law-suit against the system regarding distributions of the fund to subsidy recipients. Futhermore, the CTA is already protected by labor protection language in their own CTA Act and federal law. For these reasons, this is a bad Amendment and should be defeated."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Levin."

Levin: "Thank you. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of Amendment #6. The Bill, in its current form, has no labor protections of any kind. Amendment #6 simply establishes the level of labor protections that currently exist in the RTA Act. It provides for protections in terms of the system, meaning the NET Board, and the various subsidiary ....subsidiaries including CTA, commuter rail and suburban bus. I would correct one statement that the last speaker made. If you read the ...CTA Act, it does not have mandatory labor protections in it. Right now, however, the CTA is covered by the language in the RTA Act, which has mandatory labor protections. So, the...there is in effect in the status quo labor protections for the CTA as well as the bus and rail. Without Amendment #6, there would be no labor protection even for the CTA. I think it's a good

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Amendment. It does not expand the status quo. It is simply...It simply takes what is the status quo in terms of protection and puts it into this new structure. I urge the adoption of Amendment #6."

Speaker Daniels: "Further discussion? Being none, the Gentleman from Madison, Representative McPike, to close."

McPike: "Well, very briefly, Mr. Speaker, I think if..I think if you would agree with the last comments, if you're in favor of the status quo protections for working men and women you would be for Amendment #6. If you think the clock should be turned back, the labor protections that exist under law today should be denied, then you should vote against the Amendment."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #6. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Gentleman from Lake, Representative Barkhausen, to explain his vote. The timer's on, Sir."

Barkhausen: "Mr. Speaker, Ladies and Gentlemen of the House, it's very important to understand what, in fact, this Amendment does. The greatest problem that we have in mass transit today in the Chicago area and throughout the country is the containing of labor costs which vastly exceed in the Chicago area the wages that are paid both to other public employees in the Chicago area, such as policemen and firemen, as well as the transit workers in other parts, in other major metropolitan areas of the country. By adopting this language I fear that we will hamstring all efforts to bring costs, especially labor costs, under control. And I must say that I'm most troubled by the provision in..in Subsection B on page nine that requires that any matter in dispute be submitted to arbitration. That means that when

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management seeks to ta... (Timer)."

Speaker Daniels: "The Gentleman from Cook, Representative Conti, to explain his vote. The timer's on, Sir."

Conti: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I'm really surprised at some of those votes that we have up there. These people have been crying that they want mass transportation, that mass transportation is viable to the economy of the State of Illinois. And the 90% of our problems today and why we're discussing an RTA Bill today and a CTA Bill is because of the waste in labor that we've had. We've had some 300 jobs with unassigned jobs, no job analysis, no job definition. And we're going to defeat an RTA Bill or a CTA Bill or some form of transportation because of a negotiation Bill, a Bill whether you can have collective bargaining. Do we really want transportation when we show that kind of a vote up there on a Bill..on an innocuous Amendment such as this?"

Speaker Daniels: "Further discussion? The Lady from Cook, Representative Macdonald. The timer's on, Ma'am."

Macdonald: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The very reason that we are at the state and the point we are where we have even had to introduce 2519 lies with the fact that the labor provisions in the original RTA Act were unacceptable to so many of us. We tried in those early years of the '70's to try to amend, reason into the labor contracts and were unable to do so. If there was ever a time that we should get together, all of us, those interested in labor and those interested in fairness in the transportation time, the time is now. And I think that this Bill to put us right back where we were before. This Amendment is a mistake and I would ask for serious consideration for your 'no' vote on this Amendment."

Speaker Daniels: "Further discussion? The Lady from Cook,

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Representative Pullen. The timer's on, Ma'am."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, there is a Section of this Amendment that specifically says that one of the matters that could be a dispute, subjected to arbitration, is how much subsidy a carrier gets. That is something that has to be solely within the hands of the management that are representing the taxpayers of this state. That cannot be allowed to go into any law of this nature, particularly in view of the particular unions in the RTA area who have shown themselves to be much less willing than unions like the UAW, for example, to take sacrifices when it is necessary for the public good and even for their own jobs. This Amendment must be defeated."

Speaker Daniels: "The Gentleman from DuPage, Representative Hudson, to explain his vote."

Hudson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. One of the earlier speakers talked about maintaining the status quo. And that is precisely what we must not do in my opinion. That point has been made eloquently before. But in maintaining the status quo we are freezing in the very abuses that we have witnessed in the RTA, CTA complex in years past. And it seems to me that we are just arguing in favor of some change and if no change is forthcoming, if we are going to insist upon freezing in and locking in the very abuses that we have pointed to, that have made this whole venture necessary in the first place, we're making a very grave mistake. And common sense would seem to argue in favor of a red vote on this particular Amendment, if reason is to prevail at all in the chambers of this General Assembly."

Speaker Daniels: "Further discussion? Explanation of vote? Being none, have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question

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there are 85 'aye', 83 'no' and the Gentleman, Representative Meyer, requests a verification of the Affirmative Roll. Representative Jaffe has leave to be verified. Poll the absentees."

Clerk Leone: "Poll of the Absentees: Barnes. Beatty. Brummer. Krska. Margalus. Martire. Oblinger. Reed. And, Stearney."

Speaker Daniels: "Representative Barnes, 'no'. What's the count, Mr. Clerk? Representative Meyer, we're starting with 85 'aye', 84 'no'. Proceed with a verification of the Affirmative Roll."

Clerk Leone: "Alexander. Balanoff. Bowman. Bradley. Braun. Breslin. Bullock. Capparelli. Carey. Chapman. Christensen. Cullerton. Currie. Darrow. DiPrima. Domico. Donovan. Doyle. John Dunn. Ewell. Farley. Flinn. Garmisa. Getty. Giglio. Giorgi. Greiman. Hanahan. Hannig. Henry. Huff. Jackson. Jaffe. Jones. Kane. Katz. Keane. Dick Kelly. Kornowicz. Kosinski. Kulas. Laurino. Lechowicz. Leon. Leverenz. Levin. Loftus. Madigan. Matijevich. Mautino. McClain. McGrew. McPike. Mulcahey. Murphy. O'Brien. O'Connell. Ozella. Pechous. Pierce. Pouncey. Preston. Rea. Rhem. Richmond. Ronan. Saltsman. Satterthwaite. Schneider. Schraeder. Slape. Margaret Smith. Steczko. Stewart. Stuffle. Terzich. Turner. Van Duyne. Vitek. Watson. White. Sam Wolf. Younge. Yourell. And, Zito."

Speaker Daniels: "Questions of the Affirmative Roll. Representative Meyer."

Meyer: "Representative Farley."

Speaker Daniels: "Representative Farley. Is the Gentleman in the chambers? Representative Farley? How is the Gentleman recorded?"

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

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Speaker Daniels: "Remove him."

Meyer: "Turner?"

Speaker Daniels: "Representative Turner? He's at his chair."

Meyer: "Representative Braun?"

Speaker Daniels: "Representative Braun? Representative Braun?"

Is the Lady in the chambers? How is the Lady recorded?"

Clerk Leone: "The Lady's recorded as voting 'aye'."

Speaker Daniels: "Remove her."

Meyer: "Representative Bullock?"

Speaker Daniels: "Representative Bullock? Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him. Return Representative Braun to the Affirmative Roll."

Meyer: "Chapman, Representative Chapman?"

Speaker Daniels: "Representative Chapman is in her chair."

Meyer: "Representative Domico?"

Speaker Daniels: "Representative Domico, is the Gentleman in the chambers? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Meyer: "Representative John Dunn?"

Speaker Daniels: "Representative John Dunn? Excuse me, Sir. Ladies and Gentlemen, please be in your seats. We're conducting a Verified Roll Call, Amendment #6. Will the Members please be in their seats? Doorkeepers, please clear the aisles of all people not entitled to the floor. Your last question, Sir?"

Meyer: "John Dunn?"

Speaker Daniels: "Representative John Dunn, is the Gentleman in the chambers? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

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Meyer: "Representative Tim Donovan?"

Speaker Daniels: "Representative Donovan? In his chair."

Meyer: "Representative Giglio?"

Speaker Daniels: "Giglio, is at his desk."

Meyer: "Representative Hanahan?"

Speaker Daniels: "Representative Hanahan? Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Meyer: "Representative Katz."

Speaker Daniels: "Representative Farley has returned. Return Representative Farley to the Affirmative Roll. Further questions, Sir?"

Meyer: "Harold Katz."

Speaker Daniels: "Representative Katz? Close. Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Meyer: "Roman Kosinski?"

Speaker Daniels: "Representative Kosinski's in his chair, as usual."

Meyer: "O'Brien?"

Speaker Daniels: "Representative Danny O'Brien is in the aisle."

Meyer: "Pechous."

Speaker Daniels: "Representative Pechous, is at his seat."

Meyer: "Richmond?"

Speaker Daniels: "Representative Richmond? Bruce Richmond? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Meyer: "Representative Schraeder."

Speaker Daniels: "Representative Schraeder? Is the Gentleman in the chambers? How is the Gentleman recorded?"



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

Speaker Daniels: "Remove him."

Meyer: "Representative Terzich."

Speaker Daniels: "Representative Terzich is up here in front."

Meyer: "Krska?"

Speaker Daniels: "Representative Krska? Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "He's not voting, Sir."

Meyer: "Preston?"

Speaker Daniels: "Representative Preston, Lee Preston? Is the Gentleman in the chambers? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Meyer: "John O'Connell."

Speaker Daniels: "Representative John O'Connell? Is the Gentleman in the chambers? How's the Gentleman recorded?"

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

Speaker Daniels: "Here he comes. He's right here, Sir. John O'Connell is here. Return Representative J. Dunn to the Affirmative Roll."

Meyer: "Beatty?"

Speaker Daniels: "Representative Beatty? How's the Gentleman recorded?"

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

Speaker Daniels: "Not voting, Sir. Further questions?"

Meyer: "No further questions. No further questions, Mr. Speaker."

Speaker Daniels: "There are 78 'aye' and 84 'no'. The Gentleman from Madison, Representative McPike?"

McPike: "I'd request a verification of the Negative."

Speaker Daniels: "The Gentleman requests a verification of the Negative Roll. Proceed with a verification of the Negative

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Roll. Will all Members please be in their seats?..."

McPike: "Mr. Speaker, could you..."

Speaker Daniels: "...And those not entitled to the floor, please retire to the gallery."

McPike: "Mr. Speaker, would you repeat the Roll Call? Would you repeat the vote?"

Speaker Daniels: "Seventy-eight, 84."

McPike: "Thank you."

Speaker Daniels: "Okay. Return Representative Hanahan to the Affirmative Roll. Proceed with a verification of the Negative Roll."

Clerk Leone: "Poll of the Negative: Abramson. Ackerman. Alstat. Barkhausen. Barnes. Barr. Bartulis. Bell. Bianco. Birkinbine. Boucek. Bower. Catania. Collins. Conti. Daniels. Davis. Deuchler. Deuster. Jack Dunn. Ralph Dunn. Ebbesen. Epton. Ewing. Fawell. Findley. Virginia Frederick. Dwight Friedrich. Griffin. Grossi. Hallock. Hallstrom. Hastert. Hoffman. Hoxsey. Hudson. Huskey. Johnson. Karpel. Jim Kelley. Klemm. Kociolko. Koehler. Kucharski. Kustra..."

Speaker Daniels: "Excuse me, Mr. Clerk. Representative Ebbesen?"

Ebbesen: "Yes, may I have leave to be verified?"

Speaker Daniels: "Representative MCPike? Leave is granted to Representative Ebbesen to be verified. Proceed, Mr. Clerk."

Clerk Leone: "Kustra. LaHood. Leinenweber. Macdonald. Mays. McAuliffe. McBroom. McCormick. McMaster. Ted Meyer. Roland Meyer. Miller. Neff. Nelson. Olson. Peters. Piel. Pullen. Reilly. Rigney. Robbins. Ropp. Sandquist. Harry Smith. Irv Smith. Stanley. E. G. Steele. C. M. Stiehl. Swanstrom. Tate. Telcser. Topinka. Tuerk. Vinson. Wikoff. Winchester. J. J. Wolf. Woodyard. Zwick. And, Mr. Speaker."

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Speaker Daniels: "The Gentleman, Representative Telcser, asks leave to be verified. Representative McPike? Representative Telcser has leave to be verified. Questions of the Negative Roll. But before we do that, return Representative Domico to the Affirmative Roll. Okay, questions of the Negative Roll. Representative McPike."

McPike: "Representative Ackerman."

Speaker Daniels: "Representative Ackerman is in his chair as always."

McPike: "Representative Bartulis?"

Speaker Daniels: "Representative Bartulis? In his chair."

McPike: "Representative Collins."

Speaker Daniels: "Representative Collins is in the center aisle working."

McPike: "Representative Ralph Dunn."

Speaker Daniels: "Representative Ralph Dunn? Ralph Dunn, is the Gentleman in the chambers? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him. Representative Martire, for what purpose do you arise, Sir?"

Martire: "Mr. Speaker, could you please vote me 'no' on this?"

Speaker Daniels: "Record Representative Martire as 'no'."

Martire: "Excuse me, Mr. Speaker. I meant 'yes', sorry. Vote me 'yes'."

Speaker Daniels: "Representative Martire, I knew one of us was confused. Record Representative Martire as 'yes'. Representative J. J. Wolf?"

Wolf: "Yes, Frank forgot what side of the aisle he was sitting on for a minute there."

Speaker Daniels: "Yes, I understand. Representative Stearney?"

Stearney: "Record me 'no', Mr. Speaker."

Speaker Daniels: "Record Representative Stearney as 'no'. Representative Brummer?"

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Brummer: "Record me as 'aye', please."

Speaker Daniels: "Record Representative Brummer as 'aye', along with Representative Martire. Further questions of the Negative Roll, Representative McPike?"

McPike: "Yes. Representative Grossi."

Speaker Daniels: "He's in his chair."

McPike: "Representative Tim Johnson."

Speaker Daniels: "Representative Tim Johnson, is the Gentleman in the chambers? Tim Johnson? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him. Excuse me. The Lady from St. Clair, St. Clair. How is the Lady recorded?"

Clerk Leone: "The Lady's recorded as voting 'aye'."

Speaker Daniels: "You're recorded as voting 'aye'. She wishes to remain. Further questions?"

McPike: "Representative Leinenweber?"

Speaker Daniels: "Representative Leinenweber, is on his side. He's here. Representative Bower requests leave to be verified. Does he have leave, Sir? Leave is granted. Representative McPike."

McPike: "Representative McCormick?"

Speaker Daniels: "He's here."

McPike: "Representative Reilly."

Speaker Daniels: "He's here."

McPike: "I see him. Representative Irv Smith."

Speaker Daniels: "Representative Irv Smith? He's here. Representative Richmond? Yes, return Representative Richmond to the Affirmative Roll. Representative Richmond will be returned to the Affirmative Roll. Representative Ralph Dunn has returned. Return him to the Negative Roll. Is that correct, Representative Dunn?"

Dunn, Ralph: "Verified, too, if I may. I'd like to..."

Speaker Daniels: "You are now, Sir, verified. And,

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Representative Tim Johnson has returned and you wish to be returned to the Negative Roll. Return Representative Tim Johnson to the Negative Roll. Further questions? Representative Katz has returned. Return Representative Katz to the Affirmative Roll. Further questions of the Negative Roll, Representative McPike?"

McPike: "Representative Bianco?"

Speaker Daniels: "Representative McPike, I'm sorry."

McPike: "Yes. Representative Bianco."

Speaker Daniels: "Representative Bianco? Representative Phil Bianco, is the Gentleman in the chambers? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him. Further questions, Sir?"

McPike: "Yes. Representative Boucek."

Speaker Daniels: "Representative Emil Boucek. Representative Boucek? The Gentleman in the chambers? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

McPike: "Representative Abramson."

Speaker Daniels: "Representative Abramson? Is the Gentleman in the chambers? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

McPike: "Representative Oblinger?"

Speaker Daniels: "Representative Oblinger? Is the Lady in the chambers? How's the Lady recorded?"

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

Speaker Daniels: "She's not voting, Sir."

McPike: "I have no more questions."

Speaker Daniels: "Representative Boucek. Mr. Clerk? Return Representative Boucek to the Negative Roll. Watson, for

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what purpose do you arise, Sir?"

Watson: "How am I recorded?"

Speaker Daniels: "How is the Gentleman, Representative Watson, recorded?"

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

Watson: "Change me to 'no', please."

Speaker Daniels: "Change Representative Watson to 'no'. What's the count, Mr. Clerk? Eighty-three 'ayes', 84 'no'. Amendment #6 fails. Further Amendments?"

Clerk Leone: "Floor Amendment #7, McPike, amends House Bill 2519..."

Speaker Daniels: "McPike, Amendment #7."

McPike: "Withdrawn."

Speaker Daniels: "Withdrawn? Withdrawn. Further Amendments.?"

Clerk Leone: "Floor Amendment #8, McPike - Cullerton, amends House Bill..."

Speaker Daniels: "Representative McPike, Amendment #8? Withdrawn..."

Clerk Leone: "Amendment #9, Barkhausen - et al, amends House..."

Speaker Daniels: "Representative Barkhausen, Amendment #9."

Barkhausen: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #9 to House Bill 2519 is patterned after a law that was adopted in the State of Massachusetts in December of 1980 when the system there came to an absolute standstill and there was a strike and there was a consensus that the system needed additional money. But...But prior to that assistance being provided by the State of Massachusetts, there was an agreement worked out between the parties and there you had a Democratic Governor who had been supported by the transit unions. You had two houses of the Legislature overwhelmingly controlled by Democrats and they adopted the language that is contained in Amendment #9 which I am now proposing. As I said, in

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speaking on the last Amendment that we discussed, the great problem that we have with mass transit today and the need for additional subsidies is labor costs which account for 70 to 80 percent of operating the whole system. And while many of us recognize and acknowledge the need for additional money, we want to make sure that over the period of future years the subsidy that's going to be provided does not grow at an astronomic rate and for that reason, Amendment #9. What Amendment #9 does is, first of all, to provide that there are certain items in the realm of..might be considered in the realm of collective bargaining which are inherent management rights. Those are, for example, the right to..to hire and to terminate employees, the right to hire part-time workers, the right to assign overtime on the basis of merit rather than, say, seniority, and other similar measures. It does not, in any way, take away the right to collective bargaining and no one should suggest that it does. Employees would have basically the same rights that they have now. But Amendment #9 seeks to in the long run con..contain labor costs, not keep them from going up, but to keep them from going up at the rate that they have in these inflationary times recently. I'd be happy to answer any questions."

Speaker Daniels: "Any discussion? Being none, the Gentleman...Representative McPike?"

McPike: "Well, thank you, Mr. Speaker. Ladies and Gentlemen of the House, I would have thought that this Amendment would have been...would have been withdrawn considering that Amendment #6 was defeated. I opposed Amendment #5 because, in my opinion, it was harmful to the rights of working men and women. Number 9 is in the same vein. What it does is it does not prohibit collective bargaining. It just prohibits collective bargaining of many of the issues that

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are important to the welfare of the employees. And it takes all those...it puts all those outside the scope of collective bargaining. If an employer or an employee would like to negotiate a cost of living increase that was one-tenth of the inflation rate, which in effect said that if inflation goes up ten percent, we will allow your wages to go up one percent, or if inflation goes up 100 percent, we will allow your wages to go up one percent. It would prohibit that. It would prohibit any collective bargaining. It would prohibit any collective bargaining over the area of part-time employees, as if part-time employees should not be considered and should not be protected by a labor union, or by ...a signed contract. It would deny a union representative the right to bargain over overtime as to how that would be dealt with. As you might recall, some years ago it was not over wages and salaries that a UAW plant in Michigan went on strike. But it was over the fact that the employees had been working six and seven days a week for a period of over a year and they objected to arbitrary assignment of overtime. They simply said that it should be a negotiable item. This would deny that right. And on and on and on it goes. There are about ten or 15 specific things that are denied...that are put outside the scope of any collective bargaining. I'm not sure why the Sponsor of this Bill thinks that government should have more authority in the area of collective bargaining than the private sector. It would seem to me that ..that he would allow a free and open negotiation and allow collective bargaining to reach an equitable agreement. But in effect, this Bill says that it's proper and right for government to avoid certain negotiable items while the private sector must contend with these items at negotiating table. I don't think that's a good idea. I



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think it denies employees of a system their right to be represented, their right to negotiate those items that are important to their everyday lives. I think this is a very anti-worker Amendment, and I would ask for a 'no' vote."

Speaker Daniels: "Further discussion? Being none, the Gentleman, Representative...Oops. Excuse me. The Lady from Cook, Representative Macdonald."

Macdonald: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would beg to differ with my good friend on the other side of the aisle who spoke last, because I think that if we do not pay attention to what Massachusetts did under similar situations that we find ourselves in in Illinois, that we will indeed end up at the same point they did where their transportation system totally broke down. Ours is very near to that point at this time, and this Amendment would go a long way toward assuring both labor and the people, the taxpayers, and those who need public transportation of a viable transportation system. So, I urge your support of this Amendment."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Greiman."

Greiman: "Thank you, Mr. Speaker. This Amendment might be called a 'straightjacket Amendment'. It gives on the one hand some indicia of collective bargaining rights and then places a straightjacket on those negotiators. It makes it impossible to negotiate traditional issues in the labor field. And remember that this is a bus service. This is a transportation service. These are not the...the holy governmental functions, so that as a matter of fact, there would be no reason why the private sector rules should be different than the rules for these people who are working, yes, for government, for wages in government, but not in this proprietary function. It seems to me that there

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are...there would be no reason to totally destroy the whole process of collective bargaining in...arriving at this kind of Bill. Accordingly, I think, we must oppose this Amendment."

Speaker Daniels: "Further discussion? Being none, the Gentleman, Representative Ted Meyer (sic, Barkhausen), to close. Excuse me. Representative Barkhausen to close."

Barkhausen: "Thank you, Mr. Speaker. Let me just emphasize in closing that I see this Amendment as accomplishing several things without taking away too much from the realm of collective bargaining. First of all, as I mentioned in my opening remarks, I see it as containing future subsidies and all over the state, people from downstate as well as the Chicago area, I predict as before that they will again be called upon to subsidize the CTA and the other RTA carriers. And if you want...if you want that subsidy to grow by leaps and bounds and be absolutely out of control, then you ought to vote against this Amendment. But if, on the other hand, you want to keep that subsidy to a minimum, if you want to stand up not only for the rights of the working people in the RTA region, the bus drivers, but you want also to stand up for the rights of the taxpayers in your districts throughout the State of Illinois, then you ought to vote for this Amendment. But this Amendment not only benefits the taxpayers, it benefits the people who ride the system. You, from the City of Chicago, who say that mass transit is the number one issue in your district, I assume, therefore, that one of the main issues in your district is transit fares. Do you want those transit fares to go through the roof? Well, if you do, then you ought to vote against this Amendment because if you want to refuse to contain labor costs, then those transit fares which are now 90¢ will be \$1.00 tomorrow and \$1.50 two years from now

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when the bus drivers are making 150% as much as the policemen and firemen, which brings me to another point. I remember that two of the distinguished Representatives from the other side of the aisle had a Bill in the last Session that I thought made a great deal of sense, for it would have provided that transit workers can be paid no more than policemen and firemen. This is a matter of equity. This isn't taking anything away from anybody. It's simply saying that transit workers ought to be treated like the average working stiff. Let me also make clear that I'm not..I'm not simply zeroing in and trying to single out for some kind of punitive provisions, those who work for an hourly wage. This Amendment is directed as well at the white collar employees, at those who work for a salary. For it requires the CTA and the other components of the RTA system to provide job descriptions and salaries for each employee that are based on what other public employees in the region can obtain and also what similar transit employees from comparable metropolitan areas in the country are paid. I think this Amendment is sensible. It's provided a boost to a flagging system in Massachusetts and as I say, if in Massachusetts, where you have a state that's certainly, probably more influence than organized labor even than Illinois is, if Massachusetts can do it, if a Democratic Governor and two houses of the Legislature overwhelmingly controlled by Democrats can adopt this kind of an Amendment, then let's us do it now and let's not wait as we always have in the past until the system comes to a total collapse. Let's act now while we can with a reasonable degree of attachment and not an emergency and crisis atmosphere. I ask for your support of this Amendment."

Speaker Daniels: "The Gentleman's moved for the adoption of

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Amendment #9. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? The Gentleman, Representative McPike? Did you speak in debate, Sir? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 79 'aye', 81 'no'. The Gentleman, Representative Barkhausen, requests a verification of the Negative Roll. And a Poll of the Absentees....First with a Poll of the Absentees and I'll make sure that everybody has a chance to record their vote."

Clerk O'Brien: "Poll of the Absentees: Barnes. Beatty. John Dunn. Dick Kelly. Kornowicz. Kraska. Margalus. Martire. Oblinger. O'Brien. Pechous. Reed. Robbins. Stearney. And, J. J. Wolf."

Speaker Daniels: "Okay, Mr. Clerk, record J. J. Wolf as 'aye'. O'Brien, 'no'. Representative Kornowicz as 'no'. Representative Kosinski wishes to be changed from 'aye' to 'no'. Representative Watson wishes to be recorded as 'aye'. Changed from 'present' to 'aye'. Further changes, additions, deletions, alterations? Maybes or substitutions? Representative Giorgi, for what purpose do you arise, Sir?"

Giorgi: "Mr. Speaker, to announce to the House that the Democratic Mayor of the second largest city in Illinois is visiting us today, my Mayor, John McNammara, in this corner. John McNammara, take a bow, the Mayor of the second largest city in Illinois, Democrat."

Speaker Daniels: "Representative Giorgi? Representative Giorgi, what does he do for a living?"

Giorgi: "He's one of those attorneys."

Speaker Daniels: "We have an attorney here from Rockford. Representative Sandquist, change the Gentleman from 'no' to

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'aye', Sandquist. Any others? All right. Proceed. Mr. Clerk, can you give us the current count? There are 81 'ayes', and 83 'nos'. Representative Barkhausen? Eighty-one, 83. All right. Proceed with a verification of the Negative Roll. All Members please be in their seats. Those not entitled to the floor, please retire to the gallery. Proceed, Mr. Clerk."

Clerk O'Brien: "Abramson. Alexander. Balanoff. Bianco..."

Speaker Daniels: "Excuse me. The Gentleman from Cook, Representative Lechowicz."

Lechowicz: "Leave to be verified?"

Speaker Daniels: "The Gentleman requests leave to be verified. Leave is granted. Representative Bradley requests leave to be verified and leave is granted. Proceed, Sir."

Clerk O'Brien: "Continuing the Poll of the Negative: Bianco. Bowman. Bradley. Braun. Breslin. Brummer. Bullock. Capparelli. Carey. Chapman. Cullerton. Currie. Darrow. DiPrima. Domico. Donovan. Doyle. Ewell. Farley. Flinn. Garnisa. Getty. Giglio. Giorgi. Greiman. Hanahan. Hannig. Henry. Huff. Jackson. Jaffe. Jones..."

Speaker Daniels: "Excuse me. Representative Domico? The Gentleman requests leave to be verified. Leave is granted to Representative Domico and Representative Leon. Proceed, Sir."

Clerk O'Brien: "Continuing the Poll of the Negative: Kane. Katz. Keane. Kornowicz. Kosinski. Kucharski. Kulas. Laurino. Lechowicz. Leon. Leverenz. Levin. Loftus. Madigan. Matijevich. Mautino. McClain. McGrew. McPike. Mulcahey. Murphy. O'Brien. O'Connell. Ozella. Pouncey. Preston. Rea. Rhem. Richmond. Ronan. Saltsman. Satterthwaite. Schneider. Schraeder. Slape. Margaret Smith. Steczko. Stewart. Stuffle. Terzich. Turner. Van

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Duyme. Vitek. White. Sam Wolf. Younge. Yourell. And,  
Zito."

Speaker Daniels: "The Gentleman, Representative Christensen, you  
wish to be verified, Sir?"

Christensen: "No, I'd like to know how I'm voted."

Speaker Daniels: "You want to tell the Gentleman how he's voted?"

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

Christensen: "Would you change it to 'no', please?"

Speaker Daniels: "Change Representative Christensen from 'aye' to  
'no'. Representative Dick Kelly?"

Kelly: "Yes, Mr. Speaker, I would like to be voted 'no'."

Speaker Daniels: "Record Dick Kelly as 'no'. Representative  
Pechous."

Pechous: "I would appreciate a 'no' vote after my name, Mr.  
Speaker."

Speaker Daniels: "Is that all right, Representative Barkhausen?  
Record Representative Pechous as 'no'. Representative  
Pierce?"

Pierce: "Please change my vote from 'aye' to 'no'."

Speaker Daniels: "Change Representative Pierce from 'aye' to  
'no'. Any further? All right. Representative Barkhausen  
on a verification of the Negative Roll."

Barkhausen: "Representative Abramson?"

Speaker Daniels: "Representative Abramson, how is the Gentleman  
recorded?"

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

Speaker Daniels: "Remove him."

Barkhausen: "Representative Ewell?"

Speaker Daniels: "Representative Ewell? Ray Ewell? He's behind  
you, Sir. He's in the chambers."

Barkhausen: "Representative Huff?"

Speaker Daniels: "Representative Huff? Huff? The Gentleman's in  
his chair."

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Barkhausen: "Representative Krska?"

Speaker Daniels: "Excuse me. Representative Stearney? Record Representative Stearney as 'aye'. Okay, Representative Barkhausen, your question, Sir?"

Barkhausen: "Representative Henry?"

Speaker Daniels: "Representative Henry? Is the Gentleman in the chambers? Representative Henry? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him. Representative Bianco, for what purpose do you arise, Sir? Change Representative Bianco from 'no' to 'aye'. Okay, Representative Barkhausen, further questions?"

Barkhausen: "Representative Richmond?"

Speaker Daniels: "Representative Richmond? Bruce Richmond. The Gentleman's in the chambers."

Barkhausen: "Representative Beatty?"

Speaker Daniels: "Who?"

Barkhausen: "Beatty."

Speaker Daniels: "Representative Beatty? Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "He's not voting, Sir."

Barkhausen: "Representative McClain?"

Speaker Daniels: "Representative McClain? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him. Excuse me. Record Jane Barnes as 'aye'."

Barkhausen: "Mr. Speaker, did I ask about Representative Krska?"

Speaker Daniels: "Krska?"

Barkhausen: "Krska."

Speaker Daniels: "Krska, is the Gentleman in the chambers? How's

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the Gentleman recorded?"

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

Speaker Daniels: "He's not voting, Sir. Return Representative McClain to the Negative Roll. Further questions?"

Barkhausen: "Representative Younge?"

Speaker Daniels: "Representative Younge, is in the rear of the chambers."

Barkhausen: "Representative Schraeder?"

Speaker Daniels: "Fred Schraeder? Is the Gentleman in the chambers? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Barkhausen: "Representative Preston?"

Speaker Daniels: "Representative Lee Preston? Is the Gentleman in the chambers? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him. Representative Abranson has returned. Return him to the Negative Roll. Further questions; Sir?"

Barkhausen: "Representative Ozella?"

Speaker Daniels: "Representative Ozella? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Barkhausen: "Representative Ronan?"

Speaker Daniels: "Representative Ronan? He's in his chair."

Barkhausen: "Representative Brummer?"

Speaker Daniels: "Representative Brummer? He's over here by the Mayor of Rockford, the lawyer."

Barkhausen: "Representative Pierce?"

Speaker Daniels: "He's in his chair."

Barkhausen: "Representative Jaffe?"

Speaker Daniels: "Representative Jaffe is over by Representative



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Katz."

Barkhausen: "Representative O'Brien?"

Speaker Daniels: "Representative O'Brien? Dan O'Brien? The Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Barkhausen: "Representative Cullerton?"

Speaker Daniels: "Cullerton? The Gentleman, Representative Cullerton, is over here on the Republican side discussing Republican legislation."

Barkhausen: "Could we have a count, Mr. Speaker?"

Speaker Daniels: "Excuse me. Representative McPike, for what purpose do you arise?"

McPike: "A Parliamentary Inquiry. Representative O'Brien was standing in the front of the aisle and asked to be voted 'no' on this Bill, and at that point you told the Clerk to vote him 'no'. He was in the chamber. Now he's verified off. Isn't it a fact that once a Member is in the chamber and is voted, that's the end of it?"

Speaker Daniels: "No, Sir. He has been verified and he was...he's here right now so the question is moot. Representative O'Brien is running up the center aisle. Return Representative O'Brien to the Negative Roll. Your answer, Sir, would have been no. Proceed."

Barkhausen: "Representative Hanahan?"

Speaker Daniels: "Representative Hanahan? Is the Gentleman in the chambers? How's the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Barkhausen: "What's the count, Mr. Speaker?"

Speaker Daniels: "No further questions, Sir?"

Barkhausen: "Representative Giorgi?"

Speaker Daniels: "Representative Giorgi? Is the Gentleman in the

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chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "He's right here, Sir. Further questions?"

Barkhausen: "No further questions."

Speaker Daniels: "There are 82 'aye' and 81 'no' and the Amendment's lost. Eighty-two 'ayes', 81 'nos'. The Amendment's adopted. Further Amendments? Sorry, Sir. I didn't see you. Further Amendments? Representative Vinson."

Vinson: "Mr. Speaker, I see that we're going to get into a twit here, and I would point out that there was a precedent for this yesterday in exactly the same situation when Mr. Peters ruled that he had announced the vote in regard to Representative Stiehl (Steele) who had voted with us. It's a nonpartisan ruling. It's simply...That ain't nothing until you call them and after you call them, that's what they are. And so I would urge that we go on to the next Amendment."

Speaker Daniels: "Representative Hanahan."

Hanahan: "Mr. Speaker, I ran over. I am under medical care. I'm not supposed to be on the floor of this House. And a lot of Members know that. I spent two hours in the hospital this morning. I ran once before to come over here. We had some sort of Gentleman's agreement earlier that as long as I'm under medical care, and I am present, and I am here, and I am in Springfield and I'm sitting and listening. It took me this long to get from my office over here and up that elevator. As I walked in the back of the door there, I...immediately Farley..Representative Farley was standing there and he said, 'They just took you off that Roll Call. Get on'. And I immediately asked for recognition, coming down the aisle. I wasn't at my chair, but was in the chamber and on the floor of this House. It's important,

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Mr. Speaker, that some people keep their word with me that either I have to resign from Membership in the House of Representatives or be allowed to be at least recognized off of these Roll Calls when I am present. Representative Conti and I are both under medical care and we had a Gentleman's agreement that I would not be verified off as long as I was physically present. I am physically present here. I just made a verification five minutes or 15 minutes ago and I am not supposed to be on the floor of the House while I'm under this medical care. And the Gentlemen and Ladies of this House know this. This isn't something new. It's been going on a year. I had a stroke. I am under severe restriction from attendance. But I want to maintain my representation of district. If this persists, I have no alternative but to ask to resign so somebody could sit at this seat and vote. Now, I don't think this is fair that in my case, when I did seek recognition, and Representative Farley had immediately called, and the Roll Call had not been announced as I asked for recognition."

Speaker Daniels: "Representative Vitek."

Vitek: "Mr. Speaker, I would just stand up to support what Tommy just got through saying. Elmer Conti had the agreement with these...with the House here and that whenever they had voted and they were over at the hospital or in the nurses aid, they would not be taken off the Roll Call. And I'm sure Elmer will support that statement. I'm not questioning the Roll Call or anything, but I'm questioning the fact of this particular case."

Speaker Daniels: "Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, several weeks back I spoke to both sides of the aisle, the Leadership, and Representative Garmisa who's had some problems and Tom Hanahan...the Minority Leader's given me

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his word that when they're not in town, he will tell me they're not in town. When they're on several Roll Calls and they are back in their offices, or in the nurses quarters, that we would honor that and not verify them off the Roll Call. We have two Members on our side of the aisle that are in the same position. One's an acute diabetic and he has to be...has to have his hours..eat certain times and be off the floor in the nurses office. It was agreed to by both Leaderships that these requests be honored."

Speaker Daniels: "Representative Matijevich."

Matijevich: "Yes, Mr. Speaker. I raise a point of order. This situation is different than yesterday because both sides had been verified yesterday. Another reason this is different today is that the Chair had announced that the Amendment was defeated. So there was no reason at that point for Representative McPike to ask for the verification of the Affirmative Vote. As soon as you changed that, he was practically screaming on his feet. I think, in all fairness, after all, when you verify one side, it really isn't a total verification until the other side is verified. So, I would plead with the Chair to be fair in this instance. If you're going to win, you're going to win. If you're going to lose, you're going to lose. But let's do it fairly, the way it should be done."

Speaker Daniels: "Representative McPike."

McPike: "Mr. Speaker, I would just repeat what Representative Matijevich just said. You announced that Amendment #9 failed. There was no point at that time for me to ask for a verification. You announced, 'The Amendment has failed'. A few seconds later you reversed yourself, said the Amendment was adopted. I asked...had my light on. I wanted to ask for a verification. You were perfectly well

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aware that we have already gone through this on Amendment #6. We have no objections to losing. We verified both sides on Amendment #6 and lost. This is Amendment #9. You knew that after the verification of the Negative that if that verification prevailed, that I would ask for a verification of the Affirmative. Now, in fairness, you either have a choice to allow us the verification or you have to go back to the point where you said the Amendment failed."

Speaker Daniels: "Representative Murphy."

Murphy: "Mr. Speaker, Ladies and Gentlemen of the House, I've been pretty quiet along here and I've been on the Roll Calls. Now, if you're going to play hardball, I will assure you right now, deadlines are closing down. Every Amendment, every Bill that goes out is going to be a verified Roll Call as of now."

Speaker Daniels: "That is your right, Sir. And we invite you if you so choose. Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Not to speak to the issue of verification, but this business about the health of the Members raises, I think, a problem. Apparently, there may indeed have been some agreements made between Members of the other side of the aisle and Members on our side of the aisle. But I do not think that the Sponsor of the Amendment was aware of such agreements. I know that I, and I suspect most other people on this side and the other side of the aisle, were not aware of all such agreements that exist. Nobody likes illness, but where are we going to draw the line? Now, I know there have been times when Representative Lechowicz was questioned. The word was that he was in the nurses station. Fine. Representative Vinson then said, 'Okay, I won't question him'. We've had people on our side of the

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aisle who have been in town and been sick, but they've been in Memorial Hospital. Where do we draw the line on this? And I think not only should a few Members of Leadership know about it, and the Chair know about it, all of us should know about it. Just how far do we go with catering to the fact that somebody may be ill? I don't think it's right that these, if you will, sweetheart agreements, although they're certainly well-intentioned, are setting up rules of their own as to how votes are going to be considered or not considered on the floor of this House."

Speaker Daniels: "Representative Madigan, do you wish to add to this? Representative Madigan?"

Madigan: "I wish to take exception to Mr. Birkinbine's use of the word 'sweetheart deals'. What simply happened, Sir, was that Mr. Conti approached me the other day and said to me, 'Look, Mr. Swanstrom, at times, must be in the nurse's station, and I hope that you would honor our understanding of a year ago, that he not be verified off the Roll Call, and I will do the same for Mr. Hanahan. That was my conversation with Mr. Conti, which I did not initiate, he did."

Speaker Daniels: "Representative Madigan, Members of the House. It appears that there has been medical problems with some of our Members, and we will honor the request of the Members to the Leadership on both sides of the aisle, as it applies to Representative Conti, Representative Swanstrom, Representative Hanahan, and Representative Garmisa; and we would ask the Members of the House to honor that request, due to their health. The Chair will rule that, because of the that agreement to the Leadership, that Representative Hanahan may be returned to the Roll Call. The Chair will specifically rule, also, that the Roll Call, as announced, was accurate, with the 82 - 81, and even though it

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announced that it had been defeated, the actual vote was that it had passed; but, due to the commitment of the Leadership on this side of the aisle, we will honor the request of Representative Hanahan, as it applies to those four individuals. Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, let me make it perfectly clear that we are not honored, and that we can be knocked off the Roll Call, if we are not in the state building. We must be in the State Capitol Building. That's the understanding I have. Either in the nurse's office or in our own office. We cannot be at Memorial Hospital; we cannot be back home, or we can't be in any clinic. We must be under the roof of the State Capitol."

Speaker Daniels: "Representative Matijevich."

Matijevich: "I'd like a point of order now. You... you put Tom Hanahan on the Roll Call, as you should have, yet you announced that it's 82 - 81. Putting him on the Roll Call now would be 82 - 82, and the Amendment would fail. Is that true?"

Speaker Daniels: "No, Sir. We are going to, for that purpose..."

Matijevich: "You gotta be kidding."

Speaker Daniels: "The Chair did not see Representative Hanahan when he arrived, and did not hear him. We are going to open the Roll for that purpose, add Representative Hanahan to the Roll. Representative Robbins wishes to be recorded as 'aye'. Record Representative Robbins as 'aye'. Representative Henry has returned. He will be returned to the Negative Roll as 'no'. Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker. I just wanted to make it clear to the Minority Leader, my... my use of the term 'sweetheart deal' was in no way derogatory or a pejorative term. For want of a better word, an arrangement apparently was made that none of the rest of us knew about. Could I

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ask the Chair now, what is the understanding, that we have one or two sick people on each side that we will not verify, and if so, who are they?"

Speaker Daniels: "We... We would ask the Members of the House to be aware that four Members have serious health problems, which require care on occasion. They are; Representative Swanstrom, Representative Conti, Representative Hanahan, and Representative Garmisa; and we would ask the Members of the House to consider... consider their health problems in terms of a verification. No Member of the House is bound by any rule of the House to that agreement, but we would ask you all to abide by the request on both sides of the aisle, and we appreciate your cooperation. Representative Martire? Record Representative Martire as 'no'. Representative Ewing?"

Ewing: "Mr. Speaker, Ladies and Gentlemen, back to the agreement about those who were... have a health problem, and we might be wanting to verify. I would not think it would be unreasonable, if we're on a close vote, that their Leadership would know where they're at, so that that could be told to the Members when we're going through verification. I think if we don't have that, it will be very difficult not to question them, and I would certainly think that should be added to it, so that we can always trust our leadership, and they can tell us if they are, in fact, resting, and then we won't be taking them off."

Speaker Daniels: "Representative Ewing, your point is well taken, so the Members of the House are aware, you are not bound to... to any rule of the House. You may still verify the individuals. We are asking for your cooperation and understanding on these four people. Representative Stearney. I'm sorry. Representative Kucharski?"

Kucharski: "Change me from 'no' to 'yes'."



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Speaker Daniels: "Change Representative Kucharski from 'no' to 'aye'. Representative Stearney? How is Representative Stearney recorded?"

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

Speaker Daniels: "Leave him on his 'aye'. Representative Robbins, I think you were already recognized. Right, Sir? Your light was on. Representative Kulas?"

Kulas: "Yes, Mr. Speaker, we wouldn't be having all these problems here, if we had some kind of an idea of what the schedule's going to be in this House. Now, can we get one of the Leaders, or the... the real Speaker up there to tell us? If the sick people will know, then they'll know what they can do and what they can't do. There aren't... There aren't only those four sick people. There are other people who have certain timetables to follow, and so on. And, I think that it's... it's not proper to... you've got 177 adults, and you're keeping them in the dark, absolutely in the dark."

Speaker Daniels: "Right. What's the count, Mr. Clerk? Representative Ozella?"

Ozella: "Mr. Speaker, I was taken off the Roll Call. Would you put me back on, please?"

Speaker Daniels: "Return Representative Ozella to the Negative Roll. Representative Barkhausen, any further questions of the Negative Roll? Representative Barkhausen?"

Barkhausen: "What's the count, Mr. Speaker?"

Speaker Daniels: "Any questions of the Negative Roll, Representative Barkhausen? Representative Abramson? Representative Abramson? How is the Gentleman recorded? Oh, he's over here, over here on the Democrat side, Representative Barkhausen. Further questions, Sir? Representative O'Brien? Representative O'Brien? He was already verified, Sir. Representative Bea? Oh, I'm sorry,

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Sir. Who was that? Representative Rea? Representative Rea? Gentleman... He's in the press box, issuing a press release. Representative Braun? Representative Braun is in her chair. Representative Tate?"

Tate: "Speaker, I was rising on a point of an introduction, but my class has already left."

Speaker Daniels: "Representative J. J. Wolf?"

Wolf, J. J.: "Mr. Speaker, I'm not on the Board. Was I recorded?"

Speaker Daniels: "How is Representative J. J. Wolf recorded?"

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

Speaker Daniels: "The Gentleman is recorded as voting 'aye'. Representative Matijevec?"

Matijevec: "Point of order. Everybody in this House knows, and we're not all sick, that he completed his verification. Once someone has completed a verification, you cannot go back to that person for further verification, and you know that."

Speaker Daniels: "Representative Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, the verification of the Negative Roll was not completed. That's the point that we went back to, in response to Mr. Hanahan's request, and because it was not completed, it is totally appropriate for the Gentleman to continue questioning the... the Negative Roll."

Speaker Daniels: "Do you have any further questions, Representative Barkhausen? Representative Dunn? Representative Dunn? John Dunn. How is the Gentleman recorded? He's in the back, I think. Where is he?"

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

Speaker Daniels: "Here he is. He is not voting. Representative Giglio? Representative Giglio? He's... He's in the aisle. Representative White? Who was that, Sir? Representative

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White? Representative White? He's here. Representative Schraeder? Representative Schraeder? He's been removed, Sir. Further questions? Representative Jones? Representative Emil Jones? How is the Gentleman recorded?"

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

Speaker Daniels: "Is the Gentleman in the chambers? Representative Emil Jones? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him. Further questions, Sir?"

Barkhausen: "Representative Lechowicz?"

Speaker Daniels: "He was granted leave to be verified, Sir."

Barkhausen: "Check. No further questions."

Speaker Daniels: "Representative Vinson?"

Vinson: "Mr... Mr. Speaker, it's my understanding that Representative Roland Meyer is at the doctor's office, and I wonder if we could pair him with Mr. Hanahan and put him on the Affirmative Roll Call?"

Speaker Daniels: "Mr. Clerk, what's the count? Representative McPike, there are 84 'aye', and 83 'no'. Representative McPike."

McPike: "Well, thank you for your courtesy, Mr. Speaker. I would like to verify the affirmative."

Speaker Daniels: "All right. The Gentleman requests a verification of the Affirmative Roll. Proceed with the verification."

Clerk O'Brien: "Ackerman. Alstat. Barkhausen. Barnes. Barr. Bartulis. Bell. Bianco. Birkinbine."

Speaker Daniels: "Representative McPike, Representative Collins asks for leave to be verified. May he be verified?"

McPike: "Yes."

Speaker Daniels: "Thank you."

Clerk O'Brien: "Continuing the poll of the affirmative. Bouchek. Bower. Catania. Collins. Conti. Daniels. Davis.

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Deuchler. Deuster. Jack Dunn. Ralph Dunn. Ebbesen.  
Epton. Ewing. Fawell. Findley. Virginia Frederick.  
Dwight Friedrich. Griffin. Grossi. Hallock. Hallstrom.  
Hastert. Hoffman. Hoxsey. Hudson. Huskey. Johnson."

Speaker Daniels: "Excuse me, Mr. Clerk. Representative Emil Jones has returned. Return Representative Emil Jones to the Negative Roll. Representative Karpiel?"

Karpiel: "Leave to be verified, please."

Speaker Daniels: "Does she have leave to be verified, Representative McPike?"

McPike: "Yes."

Speaker Daniels: "Okay. Proceed."

Clerk O'Brien: "Continuing the poll of the affirmative. Johnson. Karpiel. Jim Kelley. Klemm. Kociolko. Koehler. Kucharski. Kustra. LaHood. Leinenweber. Macdonald. Mays. McAuliffe. McBroom. McCormick. McMaster. Ted Meyer. Miller. Neff. Nelson. Olson. Peters. Piel. Pullen. Reilly. Rigney. Robbins. Ropp. Sandquist. Harry Smith."

Speaker Daniels: "Does Representative Vinson have leave to be verified, Sir?"

McPike: "Yes."

Speaker Daniels: "Representative Vinson. Leave is granted."

Clerk O'Brien: "Continuing the poll of the affirmative. Harry Smith. Irv Smith. Stanley."

Speaker Daniels: "Representative Hastert, could you come up here for a second, please?"

Clerk O'Brien: "Stearney. E. G. Steele. C. M. Stiehl. Swanstrom. Tate. Telcser. Topinka. Tuerk. Vinson. Watson. Wikoff. Winchester. J. J. Wolf. Woodyard. Zwick."

Speaker Daniels: "Representative Hastert requests leave to be verified. Does he have leave, Sir?"

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McPike: "Yes."

Speaker Daniels: "Thank you."

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

Speaker Daniels: "Representative McPike. Questions of the Affirmative Roll?"

McPike: "Yes, I have quite a few questions, Mr. Speaker. This process has drawn... drawn along very slowly, and I know it's very upsetting... it's very upsetting to Members on this side of the aisle, because I know, earlier in this week, we counted a hundred Bills on the Calendar, and there were nearly ten of them Democratic, so we're very upset that this process doesn't move along a little faster."

Speaker Daniels: "Do you have a question, Sir, of the Affirmative Roll?"

McPike: "Yes. It was very upsetting that... that you didn't, in a timely manner, close the Roll Call and declare this lost, but... but in that vein, I do have a few questions."

Speaker Daniels: "Proceed. Representative Piel requests leave to be verified, along with Representative Sandquist. They're up here."

McPike: "We've got four already, now. This is six, and I... and I'll stop with six. Would you repeat those names?"

Speaker Daniels: "Sandquist, Piel, and Stanley."

McPike: "Piel, Sandquist, and Stanley."

Speaker Daniels: "Correct."

McPike: "Yes, I... Yes, we'll give them leave."

Speaker Daniels: "All right. Questions of the Affirmative Roll?"

McPike: "Yes. Representative Ackerman."

Speaker Daniels: "Representative Ackerman is in his chair, as always."

McPike: "Representative Alstat."

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

McPike: "Is Representative Barkhausen still here?"

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Speaker Daniels: "He surely is."

McPike: "Representative Barnes."

Speaker Daniels: "Representative Jane Barnes is in her chair."

McPike: "Representative Barr."

Speaker Daniels: "Representative Barr, the powerful Cook County  
Republican Chairman, is in his chair."

McPike: "Representative Bartulis."

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

McPike: "Representative Bell."

Speaker Daniels: "He's in the chamber."

McPike: "Representative John Birkinbine."

Speaker Daniels: "He's in his chair. Representative J. J. Wolf."

Wolf, J. J.: "Yes, point of order, Mr. Speaker. I believe the  
Gentleman's tactics are obviously dilatory. He's going  
down the Roll Call in alphabetical order. If he has  
serious questions, I would suggest that he make those  
questions."

Speaker Daniels: "Further questions, Sir?"

McPike: "Yes, I do. Representative Conti."

Speaker Daniels: "Do you really... you really want to start that,  
Sir."

McPike: "No. I take Conti back. That was a mistake on my part."

Speaker Daniels: "Okay."

McPike: "Representative Collins."

Speaker Daniels: "Representative Collins has been verified. I  
think he's on your list. He's the first one."

McPike: "Yes, he is. He's on my list. I apologize."

Speaker Daniels: "Do you have any questions of the Affirmative  
Roll, Sir?"

McPike: "Yes, I do."

Speaker Daniels: "Proceed."

McPike: "Representative Stearney."

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

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McPike: "Representative Stanley."

Speaker Daniels: "Representative Stanley you granted leave to be verified. He's on your list, Sir."

McPike: "Thank you."

Speaker Daniels: "You're welcome."

McPike: "Representative Irv Smith."

Speaker Daniels: "Representative Irv Smith is at his chair."

McPike: "Representative Harry Smith."

Speaker Daniels: "Representative Harry Smith is in his chair."

McPike: "Representative Ropp."

Speaker Daniels: "Representative Ropp is here."

McPike: "Representative Robbins."

Speaker Daniels: "Representative Robbins is in the rear."

McPike: "Representative Rigney."

Speaker Daniels: "Representative Rigney, 'Tall Oak', is in his chair."

McPike: "Representative Reilly."

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

McPike: "Representative Reed."

Speaker Daniels: "Representative Reed? Betty Lou Reed? How is the Lady recorded?"

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

Speaker Daniels: "Would you like her to vote, Sir?"

McPike: "Well, if she's present and wishes to, she may."

Speaker Daniels: "Any further questions?"

McPike: "Yes, Sir. Representative Pullen."

Speaker Daniels: "Representative Pullen is in her chair."

McPike: "Representative Piel."

Speaker Daniels: "Representative Piel is also on your list, Sir, if you'd read the list that you made out."

McPike: "Thank you."

Speaker Daniels: "You're welcome."

McPike: "Representative Olson."

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Speaker Daniels: "Myron Olson is in his chair."

McPike: "Representative Leinenweber."

Speaker Daniels: "He's in his chair."

McPike: "Representative Macdonald."

Speaker Daniels: "Representative Macdonald is by Cissy Stiehl."

McPike: "Representative Mays."

Speaker Daniels: "He's in the rear."

McPike: "Representative McAuliffe."

Speaker Daniels: "Representative McAuliffe? Roger McAuliffe?

How is the Gentleman recorded?"

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

Speaker Daniels: "Is the Gentleman in the chambers? Remove him."

McPike: "Representative McBroom?"

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

McPike: "Representative McCormick."

Speaker Daniels: "Who? McCormick?"

McPike: "C. L. McCormick."

Speaker Daniels: "He's in the rear."

McPike: "Representative McMaster."

Speaker Daniels: "Representative McMaster is in his chair. Have  
you finished the Roll Call yet?"

McPike: "No, Sir, I haven't."

Speaker Daniels: "Okay."

McPike: "Representative Neff."

Speaker Daniels: "Representative Neff? He's in his chair."

McPike: "Representative Nelson."

Speaker Daniels: "Representative Nelson is in her chair, as  
usual."

McPike: "Representative Jack Davis."

Speaker Daniels: "Representative Jack Davis? Is the Gentleman in  
the chambers? Representative Jack Davis. How is the  
Gentleman recorded?"

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



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Speaker Daniels: "Remove him."

McPike: "Representative Deuchler."

Speaker Daniels: "She's in her chair."

McPike: "Representative Jack Dunn."

Speaker Daniels: "He's in his chair."

McPike: "Representative Ralph Dunn."

Speaker Daniels: "He's at his chair."

McPike: "Representative Ebbesen."

Speaker Daniels: "He's in his chair."

McPike: "Representative Favell."

Speaker Daniels: "At her chair. Return Representative Jack Davis  
to the Affirmative Roll. You are verified, Sir."

McPike: "Representative Hallock."

Speaker Daniels: "He's at his chair."

McPike: "Representative Grossi."

Speaker Daniels: "In his chair."

McPike: "Representative Griffin."

Speaker Daniels: "In his chair. May Representative McBroom be  
verified? He's right here, Sir."

McPike: "Yes."

Speaker Daniels: "All right. Further questions?"

McPike: "Representative E. G. Steele."

Speaker Daniels: "In his chair, as always."

McPike: "Representative C. M. Stiehl."

Speaker Daniels: "Next to her chair, as you can see.  
Representative McAuliffe has returned. Return him to the  
Affirmative Roll."

McPike: "Representative Winchester."

Speaker Daniels: "He's in the rear."

McPike: "Representative Wikoff."

Speaker Daniels: "In his chair."

McPike: "Representative Zwick."

Speaker Daniels: "She's talking to Representative Nelson."

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McPike: "Representative Bianco."

Speaker Daniels: "Representative Bianco. Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

McPike: "No further questions."

Speaker Daniels: "What's the count, Mr. Clerk. ...Stanley? His light was on. There are 83 'aye', and 84 'no'. Amendment #9 fails. Further Amendments?"

Clerk O'Brien: "Amendment #10, McPike - Cullerton."

Speaker Daniels: "Representative McPike, Amendment #10. Withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Daniels: "Third Reading. House Bill 2563, Representative Collins. Out of the record. House Bill 2564, Representative Collins. Out of the record. House Bill 2569, Representative Barr. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2569, a Bill for an Act abolishing park districts, forest preserve districts, and river conservancy districts. Second Reading of the Bill. This Bill has been read a second time previously, and Amendment #1 was tabled."

Speaker Daniels: "Further Amendments?"

Clerk O'Brien: "And, Amendment #2 lost."

Speaker Daniels: "Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Farley. Amends House Bill 2569, as amended."

Speaker Daniels: "Representative Farley, Amendment #3."

Farley: "I would move to withdraw Amendment #3, Mr. Speaker."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk O'Brien: "Amendment #4, Farley."

Speaker Daniels: "Representative Farley, Amendment #4."

Farley: "Thank you, Mr. Speaker. Amendment #4 is a Bill that I

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introduced that, unfortunately, did not come out of the Rules Committee. What Amendment #4 does, is increase the bonding authority from one percent to one and a quarter percent, for the Chicago Park District. We feel that this is needed for the ordinary operating funds for the Chicago Park District, for their improvements, for their field houses, their playgrounds, and all of the other operations that they are involved in, and I would move for the adoption of Amendment #4."

Speaker Daniels: "Any discussion? The Gentleman from Cook, Representative Barr."

Barr: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment proposed by Representative Farley is most inappropriate for adoption at this time. Many of us on both sides of the aisle have been working to attempt to save the Chicago Park District and the wonderful Chicago Park System, which exists for the benefit of not only the people of the City of Chicago, but of all of, at least the northern part, of our state, who use its facilities constantly, trying to save this park system from the degradation in which it has been sunk in recent years. Representative Farley's Amendment, Amendment #4, would give the Park District authority to... it would increase the bonding authority of the Park District substantially. This is another one of those 'cart before the horse' Bills. If we're going to give the Park District authority to issue additional bonds, increase its tax rate, things of that sort, we must first, we must first institute significant reforms in the Chicago Park District, the operation, administration, and control of the Chicago Park System, so that we have a district in which the people of the City of Chicago, the people of Northern Illinois, can have confidence and trust, a system which operates the parks for

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the benefit of all the citizens of that city, and not just for a few. This Amendment should be soundly defeated."

Speaker Daniels: "Further discussion? Being none, the Gentleman, Representative Farley, to close. Excuse me, Representative Braun, did you wish to speak on this? Representative Braun."

Braun: "I have a question of the Sponsor."

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

Braun: "This Amendment #4 increases the bonding limit from one percent to one and a quarter percent. Is that correct?"

Farley: "That's correct."

Braun: "And, how many dollars are represented by that one half... one quarter percent increase?"

Farley: "Approximately 15 million dollars."

Braun: "And, the 15 million dollars to which you refer, are to be used for what purpose?"

Farley: "For improvements."

Braun: "For improvements to the parks. Representative Farley?"

Farley: "I'm sorry. Would you repeat the question?"

Braun: "With regard to the improvements that you're referring to, this... is there any limitation on this Amendment, on which improvements we're talking about? Are we talking about a dome over Soldier Field, or anything like that?"

Farley: "No. No. I... I... I understand what you're asking. No. This has nothing to do with any dome or any plans for any dome over Soldier's Field. This is for Field Houses, for Lincoln Park, for Jackson Park, for all of the... of the parks and programs that are in place now. This is not for any future development of a dome."

Braun: "It was my understanding..."

Farley: "This includes South Shore Country Club..."

Braun: "Representative, with regard to this bonding... so what we're doing then is bonding basically for operating

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expenses in the parks. Is that right?"

Farley: "That's correct."

Braun: "Thank you very much. No further questions on this Amendment."

Speaker Daniels: "Further discussion? Being none, the Gentleman from Cook, Representative Farley, to close."

Farley: "I think we understand the issue. I would appreciate an affirmative vote."

Speaker Daniels: "The Gentleman, Representative Farley, moves for the adoption of Amendment #4. All those in favor signify by saying 'aye', opposed 'no'. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Gentleman from Peoria, Representative Tuerk. Representative Karpel? It's still open."

Tuerk: "Mr. Speaker, Members of the House, in explaining my vote, downstate park districts are now able to bond at one half of one percent. The Chicago Park District is already at one percent. This proposes to raise to one and a quarter percent. I think the disparity between the one half of one percent for downstate and the one percent for Chicago is sufficient. I think the Amendment should be defeated."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Take the record. There are 79 'aye', and 85 'no'. This Amendment fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, Farley."

Speaker Daniels: "Representative Farley, Amendment #5."

Farley: "Thank you, Mr. Speaker. Amendment #5 is an increase of 30 million dollars for the museums and aquariums. We feel that this is needed, because, as we all know, the museums have a very limited revenue in their... in their fees, and we are trying to increase their capability of providing one of the most outstanding programs and facilities in the

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Chicago Metropolitan Area, so I would move for the adoption of Amendment #5."

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

Barr: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is another 'cart before the horse' Amendment. This is an Amendment to... which would substantially increase the bonding power of the Chicago Park District; increase their indebtedness; increase the authority of the presently constituted Park District to.. to spend the money of the taxpayers of the City of Chicago without first taking needed steps to reform the Park District, to improve the operation and administration of the Chicago parks, and I urge the defeat of this bad Amendment."

Speaker Daniels: "The Lady from Cook, Representative Pullen."

Pullen: "I'd like to ask the Sponsor a question, please."

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

Pullen: "Is there a referendum provided for in this Amendment, Sir?"

Speaker Daniels: "Representative Farley, Representative Pullen is asking you a question. Proceed."

Pullen: "Is there a referendum provided for in this Amendment, Sir?"

Farley: "No, there is not."

Pullen: "Thank you."

Speaker Daniels: "Further discussion? The Lady from Cook, Representative Braun."

Braun: "Thank you. Question of the Sponsor."

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

Braun: "Mr. Farley, with regard to this 30 million dollars, I understand that the museums in the City of Chicago are in need of capital construction and capital development. Some of them are falling apart. Is that what this money is to be used for? Well...I understand."

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Speaker Daniels: "Representative Farley?"

Farley: "That's correct."

Braun: "And, this money is limited to construction and for permanent improvements for those museums?"

Farley: "Yes. Leaking roofs, deteriorating building exteriors, exactly."

Braun: "Okay. Thank you. On the Amendment, Mr. Speaker, as you know..."

Speaker Daniels: "Proceed."

Braun: "And I'm... We will get into this further with other Amendments. I am committed to the parks. I am a friend of the parks. I have worked diligently to see to it that the Chicago Park District reform its operations. It is not normally a good idea, in my opinion and in many others', to use bonding money for operating expenses, but I think this Amendment presents a slightly different situation, in that the museums, the Art Institute, the aquariums, and the like, really are falling apart. The... The... The buildings, the roofs are caving in, and they are having serious problems just keeping body and soul together with those facilities. While there are other issues pertaining to reform that will come up as this Bill is considered, I do believe that this Amendment really is necessary, for those of you who come to Chicago, who are not Chicagoans, who come to Chicago to use those facilities, I think many of you can see firsthand the... the sad deterioration, and the... and the difficulties that we are having, just keeping those buildings together. This money is separate and distinct from the operating expenses for the Park District. It is for the museums; it is for capital improvements, and I would encourage an 'aye' vote on this Amendment."

Speaker Daniels: "Further discussion? Representative Farley, to

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close."

Farley: "I think we understand the issue, and I would appreciate an Affirmative Roll Call."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #5. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Representative Vinson? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. There are 85 'aye', and 79 'no'. This Amendment passes. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, Barr - Braun - Collins."

Speaker Daniels: "Representative Barr, Amendment #6."

Barr: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #6 is a very modest attempt to make the Chicago Park District accountable to the people of the City of Chicago. If... If the Amendment #6 is adopted, it would require that the commissioners of the Park District, once every five years, beginning this year and every five years hereafter, develop a five year comprehensive plan regarding the use and maintenance of... of the property under the supervision and control of the Chicago Park District. And, it would further provide, that in the promulgation of this five year plan, the commissioners of the Park District would hold public hearings, at least three public hearings, within the territory of the Chicago Park District; that is, within the City of Chicago; hearings at which the people of Chicago could attend, express their views as to the condition of the parks, the use of the parks, the things that they think should be done and should not be done, with regard to the park system which they pay for, and which exists for this... for their benefit. It would also require... would require that, prior to holding these three



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public hearings, the commissioners would have to publish a notice of the time and place at which the hearing would be held, so that the people in the... in the neighborhoods of the City of Chicago would be aware that the hearing was going to be held, would be... be able to plan their presentations, attend the hearing, make their views known as citizens have the right to do everywhere in our state, to the commissioners of the Chicago Park District. It would also require the commissioners of the Chicago Park District, each year other than the fifth year, when the plan is promulgated, to review the plan, see how it's going, see if any changes are necessary. This Bill, Mr. Speaker, would not change the governance of the Chicago Park District. It wouldn't change the present system of operating the parks, but it would give the people of the City of Chicago, the people who pay for and own these parks, the people for whose benefit they are main... maintained, the opportunity to make their views known directly to the Park District Commissioners, that it would require the Park District to... to publish, periodically, every five years, a... a comprehensive plan for the use of the parks, so that the people would have an opportunity to know what was planned, what was being done with their parks, and give them input into those decisions. This is a good Bill. I... I can't imagine that it's even controversial, and I would urge affirmative vote."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #6. The Gentleman from Cook, Representative Farley."

Farley: "Yes, Mr. Speaker. I would agree with the Gentleman's comments. The Chicago Park District has nothing to hide. The Chicago Park District is a service unit to the people of the State of Illinois, and I don't see anything wrong

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with Amendment #6. I think it's an excellent idea, and I would move for the adoption, also."

Speaker Daniels: "Further discussion? The Lady from Cook, Representative Stewart."

Stewart: "I'm delighted to hear that the Chicago Public School System... Public...Pub... the Park District has nothing to hide, Representative Farley. I'm also delighted to see that you support this... this Bill calling... this Amendment calling for a comprehensive plan. I, too, rise in support of this Amendment. I think that with the... with the conditions of parks throughout the city, that more people would like to know what's going on with the parks, and I'd urge the 'aye' votes."

Speaker Daniels: "Further discussion? The Lady from Cook, Representative Braun."

Braun: "This is a wonderful Amendment. I would hope everyone can vote for it. We have some beautiful parks in the City of Chicago, some of which could be world-renowned. We have more Olmstead Parks - Mr. Olmstead was a very famous parks designer and architect - Olmstead Parks in the City of Chicago than just about anywhere else in this country. We really could have parks that work for people, if we were to... to open up the process more, and that's what this Amendment does. I hate... It's a... It's a good thing that this Amendment is being supported today, particularly in light of the fact that, for the last several years, we've had a Park District Board President in the City of Chicago who has tried to make that process more open to the citizens of the City of Chicago, who has tried to do something in regards to comprehensive planning, so that the parks are not just left to grow and grow over in a willy-nilly fashion. 'Ray Simon' has allowed for more input in that park district operation than anyone else. It

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is my understanding, as of today, that he has been asked to step down from that post, and that is a real tragedy; and I would hope, that in memory of the efforts that 'Ray Simon' tried to bring to the Chicago Park District, we would unanimously adopt Amendment #6 to the..."

Speaker Daniels: "Further discussion? The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, just an inquiry. Is it my understanding that, if this Amendment goes on, it negates the previous Amendment that was just adopted to this Bill? Inquiry of the Chair."

Speaker Daniels: "Yes, Ma'am."

Satterthwaite: "If this Amendment is adopted, does it negate the previous Amendment which was just adopted?"

Speaker Daniels: "May I see Amendment #6, Mr. Clerk? Mr. Clerk?"

Satterthwaite: "Well, I wondered whether Carol and a few of those people were aware of that."

Speaker Daniels: "May I see Amendment #6?"

Satterthwaite: "They do know it."

Speaker Daniels: "Amendment #6 deletes everything after the enacting clause, so it would strike the preceding Amendment that was adopted."

Satterthwaite: "Thank you."

Speaker Daniels: "You're welcome. Representative Greiman?"

Greiman: "Thank you, Mr. Speaker. I, also, was swept up in the euphoria of the moment, but I wondered if the Gentleman... if the Sponsor could get back to his microphone and let me know whether we have a mandate act issue as now amended. Mr. Barr, if you could stop... Representative Barr? Representative... Who? Yes, Representative... I wonder if you would."

Speaker Daniels: "Representative Barr, would you yield to a question from Representative Greiman? He indicates he

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will. Proceed, Sir."

Greiman: "Thank you, yes. Is the Bill, as now structured, require... require a mandate act examination? Does it fall within the Mandate Act, where... where mandating something for a unit of local government?"

Barr: "Well, the... the only... the Bill, as now structured, really is Amendment #5, which we just adopted, Representative Greiman."

Greiman: "Well, we're... If we adopt Amendment #6, I... which will be the Bill, then, I take it. I'm asking if we, then, fall into a Mandate Act problem, if the state then has to pay for the... the... all of the hearings, the notices, and the publications, and all that."

Barr: "This is what's referred to as a due process mandate, I believe, Representative Greiman. It doesn't require anything at all. It doesn't require any action. It's what they call a due process mandate, I believe."

Greiman: "Well, maybe we should find out, what do you think... whether we have, you know... specifically, there will be a... a Mandate Act problem. Perhaps you could look into the Mandate Act..."

Barr: "We filed the... Representative Greiman... We have... Representative Greiman, if... if I may answer your question, a State's Mandate Act Fiscal Note has been filed."

Greiman: "Oh. Well, what... what is the answer? What does it provide?"

Barr: "Pardon me? I can't hear you very well. I apologize."

Greiman: "Okay. What is... What does it provide, and has it been filed to this Amendment, or to the original Act? This Amendment now becomes the Act... the Bill, I should say."

Barr: "Yes, Representative Greiman. The answer to your question is, that a State Mandates Act Fiscal Note regarding House

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Bill 2569 as amended by Amendment #1, which has been tabled, previously now, at the time was on it..."

Greiman: "Would you... Okay."

Barr: "... Has been filed. Amendment #1 was, of course, a much more sweeping matter than this simple Amendment. It... That's the Amendment which would have abolished the Park District as it exists now, and turned all of its duties, functions, and the like, over to the Cook County Board."

Greiman: "I recall it. Yes, I recall it."

Barr: "Yes, and that... that note stated that, under the State Mandates Act, a local government organization and structure mandate means, a State Mandate concerning such matters as the form of local government, and the adoption and revision of statutes in the organization of local government, and the adoption and revision of statutes in the organization of local government, House Bill 2569 constitutes a local government organization mandate; because it reorganizes the form and organization of the Chicago Park District. Reimbursement is not required for a local government organization's structure mandate, under the State Mandates Act."

Greiman: "Well that was... that was to the Act as it was under the original Act, as amended with Amendment #1. This does not appear to be a structural mandate. The... The... The Act does not... The Amendment does not restructure the Park District. It, instead, imposes some duties and obligations on the Park District, which, by the way, I... I think may be perfectly good, and I... like Representative Braun. I follow her lead, and I'm going to... and Representative Farley I'm going to euphorically vote for this, but I... I think it violates the Mandates Act, and I think we may be called upon to pay for it."

Barr: "No, Representative Greiman. Representative Greiman."

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Greiman: "Yes?"

Barr: "I can only answer your question further, in this respect. Amendment #6, the Bill, if it were to be amended by Amendment #6, let me put it that way, would constitute... this is my opinion, a due process mandate, meaning a State Mandate concerning such matters as the notification and conduct of public hearings, and, in situations of that sort, the Department of Commerce and Community Affairs issues the opinion that this does constitute a due process mandate, for which no reimbursement is required."

Greiman: "I see. Okay, but..."

Barr: "That's my opinion, Representative Greiman."

Greiman: "They have not yet done that, right? They have not yet made that appointment. You may be right. They... They haven't made that appoint... that opinion, right?"

Barr: "No, Sir. That's my opinion, based on... based on... on mandate notes issued by the Department with regard to other, similar types of Bills, but not this Bill. That's correct."

Greiman: "Okay. Thanks."

Speaker Daniels: "Further discussion? The Gentleman from Peoria, Representative Tuerk."

Tuerk: "I move the previous question."

Speaker Daniels: "The Gentleman moves 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 Barr, to close. Excuse me. Representative Leon? For what purpose do you rise?"

Leon: "Point of personal privilege, Mr. Speaker. I wish to have this Body acknowledge the presence of a former Member of this Body, Bert Baker, who is President of Rand Lake Conservatory District. He's on the floor, back there where he used to sit."

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Speaker Daniels: "Representative Barr, to close."

Barr: "Thank you, Mr. Speaker. You've heard Members from both sides of the aisle express their support for this rather simple, and I still gather non-controversial Amendment, and I would urge the affirmative vote of the Members of this House on Amendment #6."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #6. All those in favor signify by saying 'aye', opposed, 'no'. The 'ayes' have it. Amendment #6 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #7, Farley."

Speaker Daniels: "Representative Farley, Amendment #7."

Farley: "I would move to withdraw Amendment #7."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #8, Farley."

Speaker Daniels: "Representative Farley, Amendment #8."

Farley: "I would move to withdraw Amendment #8."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk O'Brien: "Amendment #9, Farley."

Speaker Daniels: "Representative Farley, #9."

Farley: "I would move to withdraw Amendment #9."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk O'Brien: "Amendment #10, Braun - Barr - Currie."

Speaker Daniels: "Representative Braun, Amendment #10."

Braun: "Mr. Speaker, I have a parliamentary inquiry. It seems that the Amendment that was just adopted, Amendment #6, deleted everything after the enacting clause. Amendment #10 does that also; and so, it appears, on the face of it, not to be a cumulative Amendment, and, if that's the case, then, well, I'd like a ruling whether or not the Amendments are cumulative or exclusive of one another. Sorry."

Speaker Daniels: "Adoption of Amendment #10 would delete Amendment #6."

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Braun: "In that case, I'll withdraw adoption of Amendment 10."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #11, Braun - Barr - Currie."

Speaker Daniels: "Representative Braun, Amendment #11."

Braun: "We have a conflict, here. I'd like to withdraw it.

Withdraw Amendment #11."

Speaker Daniels: "Withdrawn. Further Amendments."

Clerk O'Brien: "Amendment #12..."

Speaker Daniels: "Representative Barr, Amendment #12."

Clerk O'Brien: "... Barr - Braun - Collins."

Barr: "Yes, Mr. Speaker, withdraw Amendment #12."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk O'Brien: "Amendment #13, Barr - Braun - Collins."

Speaker Daniels: "Representative Barr, Amendment #13."

Barr: "Yes, Mr. Speaker. Withdraw Amendment #13."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk O'Brien: "Amendment #14, Collins - Barr."

Speaker Daniels: "Representative Collins, Amendment #14.

Withdrawn. Further Amendments?"

Clerk O'Brien: "Amendment #15, Collins - Barr."

Speaker Daniels: "Representative Collins, Amendment #15.

Withdrawn. Further Amendments?"

Clerk O'Brien: "Amendment #16, Farley."

Speaker Daniels: "Representative Farley, Amendment #16."

Farley: "Thank you, Mr. Speaker. Amendment #16 is needed, because of Amendment #6. What we have here, in Amendment #16, is the increase from one percent to one... one and a quarter percent. We also have the museum and aquarium program, which is a 30 million dollar bonding authority increase, and we also have from 25 million to 40 million working cash fund for the Chicago Park District. I would be repetitious if I explained why we needed these things. I already did that, so I would hope for the adoption of



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Amendment #16."

Speaker Daniels: "Any discussion? The Lady from Cook, Representative Braun."

Braun: "Mr. Speaker... Well, to the Sponsor of the Amendment - this Amendment includes both the bonding for operating expenses that this House just rejected a few minutes ago, as well as the bonding for the museums. Is that correct?"

Speaker Daniels: "Representative Farley."

Farley: "That is correct."

Braun: "And what else is in here, if you could describe it? I'm sorry, Sir, I... I did not hear the last part of your..."

Farley: "A working... A working cash fund."

Braun: "A working cash fund. Mr. Speaker, Ladies and Gentlemen of the House, I think... I rise in opposition to Amendment #16. I think this is one of the more cynical Amendments I've seen come down the pike in a while. What we have here, is an attempt to mix the different functions, to mix together, money for capital improvements with money for operating expenses with money for whatever else the Park District wishes to throw it away on, into a single Amendment, so that the Members of this House will not be able to be heard on any one of those issues standing alone. It really is a very cynical approach, I think, to this issue, and I rise in opposition to it. I have supported, as the previous Amendment said, money for the capital improvements of the museums, and I think that, at some point, on some Bill, we should authorize those dollars. However, just to give the Park District a carte blanche to beef up its already inefficient operation, I think is probably... is a mistake, and I would encourage a 'no' vote on Amendment #16."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Barr."

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Barr: "Yes, Mr. Speaker, I'd just like to second what Representative Braun said. This is obviously an attempt to undo what's already been done here on the floor within the past few minutes. We have a Bill now, as it stands, which has across the board support, good support from both sides of the aisle. If we... if we put this Amendment on, we reverse what we just accomplished. We put back on some items that were defeated before. If the Gentleman wishes to present proposals for discussion, and vote by this Body, with regard to the bonding authority of the Park District, in various respects, there will be plenty of opportunities to do that; but I would like to remind you, if this Amendment is adopted, then the provision that we just put on, as I say, without controversy, which is an important matter, for the people of Chicago to require the formulation of a... of a five year plan, require some... some minimal public input. If we like what we just did, then we've got to defeat this Amendment, and I would urge 'no' votes."

Speaker Daniels: "Further discussion? Representative Farley, to close."

Farley: "Thank you, Mr. Speaker. Amendment #6 was agreed to, of course, and it's a good idea. However, this Amendment is just as important. In fact, this is the most important Amendment. The Gentleman is correct when he says that we are trying to put together a program. We adopted Amendment... I think it was #5, which is the museums. Well, I think the Park District is just as important as the museums. There are a lot of people that like to... like to vote for the museums because of connections, because of the people involved with aquariums and museums. Well, the Park District is just as important as those museums, so, I think this is a total package. I think it's a program, and I

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think one should be just as equal as the other, and I would appreciate a... an 'aye' vote on this Amendment, Mr. Speaker."

Speaker Daniels: "The Gentleman's moved for the adoption of Amendment #16. All those in favor will signify by saying 'aye', opposed 'no'. Roll Call? The Gentleman requests a Roll Call. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Representative Hastert, would you record me as 'no', and Representative Vinson as 'no'. Have all voted who wish? Have all voted who wish? Representative Farley?"

Farley: "Yes, I'd like to be recognized for a verification."

Speaker Daniels: "Have all voted who wish? The Clerk will take the record. On this question, there are 85 'no'... or, 77 'aye', 85 'no', and 1 voting 'present'. The Gentleman, Representative Farley, requests a verification of the Negative Roll. Representative Farley requests a Poll of the Absentees. Representative Hoffman? Representative Farley, Representative Hoffman requests leave to be verified. Does he have leave, Sir? Leave is granted. Representative Kelley, Jim Kelley, requests leave to be verified. Representative Reilly? Record Representative Reilly. Change him from 'aye' to 'no'. And, Representative Johnson requests leave to be verified. Does he have leave, Sir? Leave is granted. Representative Farley? Do you wish to be recognized, Sir?"

Farley: "I was just wondering if it would be easier just to have an Oral Verification."

Speaker Daniels: "Representative John Dunn?"

Dunn, John: "Well, I had my light on to request leave to be verified, but I'm a 'green'. I suppose you won't let me do that, will you?"

Speaker Daniels: "Not timely at this moment, Sir, but if it gets

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to that point, you can ask. All right. Proceed with a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Bartulis. Beatty. Kustra. Levin. Margalus. McAuliffe. McBroom. McCormick. R. J. Meyer. Peters. Reed. Stanley. J. J. Wolf, and Mr. Speaker."

Speaker Daniels: "... With a verification of the Negative Roll."

Clerk Leone: "Poll of the Negative. Alstat. Ackerman. Alstat. Balanoff. Barkhausen. Barnes. Barr. Bell. Bianco. Birkinbine. Boucek. Bower. Bowman. Braun. Catania. Collins. Conti. Currie. Daniels. Davis. Deuchler. Deuster. Jack Dunn. Ralph Dunn. Ebbesen. Ewing. Fawell. Findley. Virginia Frederick. Dwight Friedrich. Griffin. Grossi. Hallock. Hallstrom. Hastert. Hoffman. Hoxsey. Hudson. Huskey. Johnson. Kane. Karpiel. Jim Kelley. Klemm. Kociolko. Koehler. Kustra. LaHood. Leinenweber. Leverenz. Macdonald. Mautino. Mays. McMaster. Ted Meyer. Miller. Neff. Nelson. Oblinger. Olson. Pechous. Piel. Pullen. Reilly. Rigney. Robbins. Ropp. Sandquist. Satterthwaite. Harry Smith. Irv Smith. E. G. Steele. Stewart. C. M. Stiehl. Swanstrom. Tate. Telcser. Topinka. Tuerk."

Speaker Daniels: "Excuse me. Representative McCormick wishes to be recorded as 'no'. Representative McBroom wishes to be recorded as 'no'. Representative Mautino?"

Mautino: "Mr. Speaker, I'd like to have my vote recorded from 'no' to 'yes'."

Speaker Daniels: "Change Representative Mautino from 'no' to 'aye'. Representative Beatty, 'aye'. Representative Younge? Change Representative Younge from 'no' to 'aye'. Representative Peters, 'no'. Continue, Mr. Clerk."

Clerk Leone: "Continuing with the Poll of the Negative. Tuerk. Turner. Vinson. Watson. Wikoff. Winchester. Woodyard.

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Zwick. No further."

Speaker Daniels: "Question of the Negative Roll. Representative Farley."

Farley: "Do you have the count, Mr. Speaker?"

Speaker Daniels: "79 'aye' and 87 'no'. Questions of the Negative Roll?"

Farley: "Yes, Mr. Speaker. Representative Ackerman?"

Speaker Daniels: "Ackerman is in his chair."

Farley: "Alstat?"

Speaker Daniels: "Alstat? Representative Alstat? Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Farley: "Balanoff?"

Speaker Daniels: "Representative Balanoff? She's here."

Farley: "Barkhausen?"

Speaker Daniels: "Barkhausen is here."

Farley: "Representative Barnes?"

Speaker Daniels: "Representative Barnes? Representative Jane Barnes? Is the Lady in the chambers? How is the Lady recorded?"

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

Speaker Daniels: "Remove her. Further questions?"

Farley: "Yes, Mr. Speaker. Representative Bell?"

Speaker Daniels: "In his chair."

Farley: "Representative Birkinbine?"

Speaker Daniels: "Representative Birkinbine? Is the Gentleman in the Chambers? Representative Birkinbine? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Farley: "Representative Boucek?"

Speaker Daniels: "In his chair."

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Farley: "Bower?"

Speaker Daniels: "In his chair."

Farley: "Bowman?"

Speaker Daniels: "In his chair."

Farley: "Braun?"

Speaker Daniels: "In the aisle."

Farley: "Representative Ewing?"

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

Farley: "Representative Friedrich?"

Speaker Daniels: "In his chair."

Farley: "Representative Macdonald?"

Speaker Daniels: "She's here."

Farley: "Representative Catania?"

Speaker Daniels: "She's here."

Farley: "Collins?"

Speaker Daniels: "He's here."

Farley: "Davis?"

Speaker Daniels: "He's here."

Farley: "Representative Johnson?"

Speaker Daniels: "Representative Johnson? He was given leave to  
be verified, Sir."

Farley: "I'm sorry. Representative Wikoff?"

Speaker Daniels: "He's here."

Farley: "Representative Ted Meyer?"

Speaker Daniels: "Representative Ted Meyer? Representative Ted  
Meyer? Is the Gentleman in the chambers? How is he  
recorded?"

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

Speaker Daniels: "Remove him, and return Representative Alstat to  
the Negative Roll. Further questions?"

Farley: "Yes. E. G. Steele?"

Speaker Daniels: "He's here, as usual."

Farley: "Representative Pullen?"

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Speaker Daniels: "She's here, as usual."

Farley: "Representative Peters?"

Speaker Daniels: "He's here."

Farley: "Representative Grossi?"

Speaker Daniels: "In his seat. Further questions, Sir?"

Farley: "Yes. Representative Hastert... Hastert?"

Speaker Daniels: "Who?"

Farley: "Hastert."

Speaker Daniels: "Hastert is in his chair."

Farley: "Representative Hoffman?"

Speaker Daniels: "Representative Hoffman was given leave to be verified."

Farley: "Oh, all right. I'm sorry. I... I... Excuse me, I don't have that list, Mr. Speaker. Representative Hoxsey?"

Speaker Daniels: "Who?"

Farley: "Hoxsey."

Speaker Daniels: "Representative Hoxsey is in her chair."

Farley: "Hudson?"

Speaker Daniels: "In his chair."

Farley: "LaHood?"

Speaker Daniels: "Representative LaHood? He's over here, talking to Representative Cullerton."

Farley: "Representative Tate?"

Speaker Daniels: "Return Representative Ted Meyer to the Negative Roll. Representative Tate? He's down here. Representative J. J. Wolf, you request to be recorded as 'no'? Record Representative J. J. Wolf as 'no'. Representative Alexander?"

Farley: "Representative Zwick?"

Speaker Daniels: "Change Representative Alexander from 'present' to 'no'. Representative Farley, further questions?"

Farley: "Representative Bianco?"

Speaker Daniels: "Bianco? Representative Bianco? Is the

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Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "He was verified before, Representative Farley."

Farley: "Bianco was verified before? No, he wasn't, Mr. Speaker."

Speaker Daniels: "Representative Bianco, was that your question, Sir?"

Farley: "Yes, Sir."

Speaker Daniels: "Representative Bianco? Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him. Representative Leverenz?"

Leverenz: "Record me 'aye', please."

Speaker Daniels: "Change Representative Leverenz from 'no' to 'aye'. Representative Birkinbine? Return Representative Birkinbine to the Negative Roll. Representative Alexander, you changed from 'present' to 'no'. Now, what do you wish to do? Change Representative Alexander from 'no' to 'aye'. Further questions? Representative Turner?"

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

Speaker Daniels: "How is the Gentleman recorded?"

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

Turner: "Change me to 'aye'."

Speaker Daniels: "Change Representative Turner from 'no' to 'aye'. Further questions, Representative Farley?"

Farley: "Representative Winchester?"

Speaker Daniels: "Winchester? Representative Winchester? The Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him. Representative Karpziel, for what purpose do you rise?"

Karpziel: "Mr. Speaker, have I been removed from the Roll?"

Speaker Daniels: "No."



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Karpiel: "Thank you."

Speaker Daniels: "Further questions, Representative Farley?"

Farley: "Topinka?"

Speaker Daniels: "Representative Topinka? The Lady in the chambers? How is the Lady recorded?"

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

Speaker Daniels: "Remove her. Representative Ebbesen?"

Ebbesen: "Yes, I was off the floor. Was I removed from the Roll?"

Speaker Daniels: "No, Sir, you weren't... were not."

Farley: "Representative McCormick?"

Speaker Daniels: "Representative McCormick has been recorded as 'no'. He stood and asked to be recorded as 'no'. Further questions?"

Farley: "No further questions."

Speaker Daniels: "What's the count, Mr. Clerk? 82 'aye', 82 'no', and the Amendment fails. Further Amendments?"

Clerk Leone: "Amendment #17, Collins - Barr, amends House Bill 2569."

Speaker Daniels: "Representative Collins. Representative... Withdrawn. Further Amendments?"

Clerk Leone: "Amendment #18, Collins - Barr, amends House Bill 2569, as..."

Speaker Daniels: "Amendment #18, Representative Collins, withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #19, Farley, amends House Bill 2569, as amended."

Speaker Daniels: "Representative Farley, Amendment #19, withdrawn. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Representative Cullerton?"

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Pursuant to Rule 34 (d), since the title of

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this Bill was amended, I would ask that it be returned to the Order of Second Reading, First Legislative Day."

Speaker Daniels: "Can we see the Amendment, Mr. Clerk? Representative Barr?"

Barr: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm a little surprised at this... at Representative Cullerton's request. I understand the rules, Representative, but I also understand that this Bill, as it now is amended, was approved by virtually unanimous vote, and therefore, Mr. Speaker, I move to suspend the appropriate rule and move House Bill 2569 to the Order of Third Reading."

Speaker Daniels: "Representative Cullerton?"

Cullerton: "I would ask that we have a Roll Call on that Motion. And I would..."

Speaker Daniels: "The Gentleman, Representative Barr, moves to suspend the provisions of Rule 34 (d). On that Motion, Representative Braun. Your light is on, Ma'am."

Braun: "Oh, I... I'm sorry."

Speaker Daniels: "Representative Farley?"

Farley: "How many votes does this take, Mr. Speaker?"

Speaker Daniels: "89. The Gentleman, Representative Cullerton, has raised the provisions of Rule 34 (d). The Gentleman, Representative Barr, has moved to suspend the provisions of Rule 34 (d). The question is, 'Shall the provisions of Rule 34 (d) be suspended?' All those in favor of Representative Barr's Motion will signify by voting 'aye', opposed by voting 'no'. It takes 89 votes. Representative Cullerton, on the Motion."

Cullerton: "Thank you, Mr. Speaker. I just want to explain my vote. The rule is Rule... temporary Rule 34 (d), and my attitude is; what are temporary rules for if we can't follow them? And, I think that's why we should, in this

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case, vote 'no' on this matter, so that we have a chance to view this Bill and to follow... to follow the... the Rules of the House, and if this Bill does receive 89 votes, I would request a verification."

Speaker Daniels: "Representative Barr?"

Barr: "Well, Mr. Speaker, Representative Cullerton's devotion to the rules, temporary or permanent, whatever they may be, is well known to all of us, and; however, as he also well knows, being a student of the procedures in this House, that a return or re... retaining this Bill on Second Reading, a Bill which is approved across the board support, strong support on both sides of the aisle. No opposition whatsoever, in fact, on this floor. Keeping it on Second Reading means it's dead, under the rules of this House, and... and so that's what he's trying to do is kill it. I can't imagine why, since it... he didn't oppose it in Debate. But, of course, that's his right. I would urge a few more green votes up there. Let's get this well over 89. It's not controversial, and get this Bill on Third Reading, where we can debate it when it's called on third reading."

Speaker Daniels: "Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Motion ought to be supported by every person here who believes that the Chicago Park District ought to have plans for what it does. That is the Bill in its present form. It calls for comprehensive planning. That simple matter is something that we can well agree to go to Third Reading on, particularly in light of what I, again, consider to be a very cynical attempt to bring the Bill back in order to load it up with some more garbage that this House will have to spend hours and hours working on. That is what will happen if we do not put 89 votes on this

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Motion to take the Bill to Third Reading, and I would appreciate your 'aye' vote."

Speaker Daniels: "Representative Farley?"

Farley: "On the Motion, Mr. Speaker."

Speaker Daniels: "Proceed."

Farley: "I certainly want to follow the House rules. I think Representative Cullerton's objection is very valid. The Amendments that we offered to this Bill, as I explained earlier, were... were a package, and it was a program, and as far as the former speaker mentioned, we do need these monies to run an outstanding Park District, and with Amendment #16, I gave everyone in this House, and everybody that's concerned about museums, aquariums, and the Chicago Pak... Park District an opportunity to provide those funds. They didn't seem fit to do that, so now, I would say to the Motion, that a 'no' vote is a correct vote, and let's leave this Bill right here, and let's all talk about it some more."

Speaker Daniels: "Representative Stewart?"

Stewart: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm sure there are a lot of programs going around here; a lot of us might have our own designs on certain programs. However, I think that this program is a... that Represent... that Representative Farley wants to run is really a disservice to the legislative process. It's certainly a disservice to those of us who voted for Amendment #6 and would like to see it live, and I would urge a few more green votes."

Speaker Daniels: "Further discussion? Have all voted who wish? Representative Emil Jones."

Jones: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I see a controversy has arisen over the rules... the temporary rules at which we are operating on."

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Now, as I look at my calendar on the Speaker's table, I see the House Resolutions to deal with the permanent rules of the House, and perhaps the maker of the Motion will convey upon the Speaker that we move to the order of the... dealing with the permanent rules of the House, because I don't... I never..."

Speaker Daniels: "Representative Jones, to the... to the Motion, Sir."

Jones: "Well, I never did like the rules that we are currently operating on, that the Motion..."

Speaker Daniels: "To the Motion, Representative Jones, to the Motion, Sir."

Jones: "I am dealing with the Motion, Mr. Speaker."

Speaker Daniels: "The Motion of Representative Barr."

Jones: " I have... I have never been in favor of the rule in the... in the temporary rules that automatically require a Bill to go back to the First Legislative Day when the... the Bill is amended and the title of the Bill is changed, and perhaps what we can do is, move to the Order on the Speaker's table and deal with permanent rules, and I convey upon the maker of the Motion to deal with that, and perhaps we can move this Bill along, because I... I'm quite certain every Member in this House do not like operating under temporary rules, Mr. Speaker."

Speaker Daniels: "Representative Jones..."

Jones: "And if this is part of the temporary rules..."

Speaker Daniels: "The Lady from Cook, Representative Stewart."

Stewart: "I have an inquiry of the Chair, please. Is there a rule prohibiting harassment and intimidation of Members on the floor?"

Speaker Daniels: "Yes. Representative Giglio."

Farley: "Thank you."

Speaker Daniels: "Excuse me."

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Farley: "I'm Representative Farley, from Giglio's..."

Speaker Daniels: "Representative Farley at Representative Giglio's..."

Farley: "I've got an administrative problem with my desk, and unfortunately, I'm recorded as 'aye', but I want the record to show that I am a 'no'. I lost my key somewhere."

Speaker Daniels: "Record Representative Farley as 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 88 'aye'... Pechous? Record Representative Pechous as 'aye'. We have a bad print on the machine, so we have to wait until we get a good one. Representative Pechous is 'aye', and Farley is 'no'. Representative Carey wishes to be recorded as 'no'. There are 89 'aye' and 71 'no'. And Gentlemen, Representative Cullerton requests a verification of the Affirmative Roll. Representative Peters?"

Peters: "Change my vote from 'yes' to 'no'."

Speaker Daniels: "Change Representative Peters from 'aye' to 'no'. Proceed with a verification of the Affirmative Roll. Do you have any questions? No questions? Representative Bower?"

Bower: "Poll of the Absentees, Mr. Speaker."

Speaker Daniels: "Poll the Absentees."

Clerk Leone: "Poll of the Absentees. Barnes. Bullock. Ewell. Jackson. Krska. Margalus. Martire. McClain. Roland Meyer. Reed. Satterthwaite. Schneider. Stanley. No further."

Speaker Daniels: "Representative Madigan?"

Madigan: "I would prefer that you recognize Mr. Pechous, and then return to me."

Speaker Daniels: "Recognize him, and then go back to you? Representative Pechous?"

Pechous: "Mr. Speaker, would you please change me to a

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'present'."

Speaker Daniels: "Change Representative Pechous from 'aye'. Is the Gentleman recorded as 'aye', Mr. Clerk?"

Clerk Leone: "Yes."

Speaker Daniels: "Change him from 'aye' to 'present'. Representative Peters?"

Peters: "Now you can change me back to 'yes', Mr. Speaker."

Speaker Daniels: "Change Representative Peters back to 'aye'. Representative Madigan?"

Madigan: "Just announce the Roll Call, Mr. Speaker."

Speaker Daniels: "88... Representative Turner? Representative Turner, did you wish to be recognized, Sir? Representative Farley? Representative Farley, your light is on, Sir. Representative Bianco. Change Representative Bianco from 'no' to 'aye'. Now, there are 89 'aye', 71 'no'. Representative Cullerton asks for a verification of the Affirmative Roll. Proceed with a verification of the Affirmative Roll."

Clerk Leone: "Poll of the Affirmative. Ackerman. Alstat. Balanoff. Barkhausen. Barr. Bartulis. Bell. Bianco. Birkinbine. Boucek. Bower. Bowman. Braun. Catania. Collins. Conti. Currie. Daniels. Davis. Deuchler. Deuster. Jack Dunn. Ralph Dunn. Ebbesen. Epton. Ewing. Fawell. Findley. Virginia Frederick. Dwight Friedrich. Griffin. Grossi. Hallock. Hallstrom. Hastert. Hoffman. Hoxsey. Hudson. Huskey. Johnson. Kane. Karpziel. Jim Kelley. Klemm. Kociolko. Koehler. Kucharski. Kustra. LaHood. Leinenweber. Macdonald. Mays. McAuliffe. McBroom. McCormick. McMaster. Ted Meyer. Miller. Neff. Nelson. Oblinger. Olson. Peters. Piel. Pullen. Reilly. Rigney. Robbins. Ropp. Sandquist. Harry Smith. Irv Smith. Stearney. E. G. Steele. Stewart. C. M. Stiehl. Swanstrom. Tate. Telcser. Topinka. Tuerk.

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Vinson. Watson. Wikoff. Winchester. J. J. Wolf.  
Woodyard. Zwick, and Mr. Speaker."

Speaker Daniels: "Questions of the Affirmative Roll?  
Representative Cullerton? Representative Piel asks leave  
to be verified. Does he have leave, Sir?"

Cullerton: "Leave."

Speaker Daniels: "Representative J. J. Wolf wishes leave to be  
verified. I'll write these down for you. And Ted Meyer."

Cullerton: "Leave."

Speaker Daniels: "Dwight Friedrich."

Cullerton: "Leave."

Speaker Daniels: "Bev Fawell, and Representative Stearney. He's  
down here, Sir."

Cullerton: "All right."

Speaker Daniels: "Questions of the Affirmative Roll."

Cullerton: "Representative Alstat?"

Speaker Daniels: "Representative Alstat? The Gentleman in the  
chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Cullerton: "Representative Barnes?"

Speaker Daniels: "Representative Barnes? Representative Jane  
Barnes? How is the Lady recorded?"

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

Speaker Daniels: "She's not voting, Sir."

Cullerton: "Sorry. Representative Johnson?"

Speaker Daniels: "Representative Johnson? Tim Johnson? The  
Gentleman in the chambers? How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's not recorded as voting... I mean,  
the Gentleman is recorded as voting 'aye'."

Speaker Daniels: "Remove him."

Cullerton: "Representative Winchester?"

Speaker Daniels: "Winchester? Representative Winchester? Is the



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Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him. Representative Tate? Leave.

Requests leave to be verified. Leave is granted."

Cullerton: "Leave. Representative McCormick?"

Speaker Daniels: "C. L. McCormick? Representative McCormick? Is the Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Cullerton: "No further questions. Thank you."

Speaker Daniels: "What time is it? Return Representative McCormick to the Affirmative Roll, Representative Winchester to the Affirmative Roll, Representative Johnson to the Affirmative Roll. Representative Bullock. Record the Gentleman as 'aye'. 89 'aye' and 70 'no'. The Motion prevails. Third Reading. House Bills, Third Reading. House Bill 2008, Representative Macdonald. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2008, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Daniels: "Representative Macdonald. Representative Giorgi, excuse me, Sir. We inadvertently moved onto Third without moving your Bill. So, Representative Macdonald, one second. We'll get back to you. Back to House Bills, Second Reading, House Bill 2588. Has a fiscal note been filed, Mr. Clerk?"

Clerk Leone: "Yes, the fiscal note has been filed."

Speaker Daniels: "Are there any Amendments?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Third... Representative Ebbesen."

Ebbesen: "Yes, is that fiscal note from the Department of Revenue, signed by the Director?"

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Speaker Daniels: "Fiscal note is from where, Mr. Clerk?"

Clerk Leone: "The fiscal note has been filed by the Department of Revenue, signed by Director J. Thomas Johnson."

Speaker Daniels: "Third Reading. Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker. I have a point of order. I know that being in the..."

Speaker Daniels: "State your point, Sir."

Cullerton: "I have a question about the procedure for verifications. I don't mean to be offensive in my comments. I just want to know if we have some ground rules. I had a number of people that I was going to... I could have verified on that last issue. I knocked off four people, and the Chair, you know, that comes with power. You know, you can stall a little bit, but there should be a reasonable period of time, I would think. Maybe a thirty second clock or something. Now, after the Clerk took his time totalling up the totals and gave it to you, then you just waited. You took a phone call, and I just wondered if we have some... because there's going to be some verifications, I'm sure, for the rest of the day. Is there some way in which I can know, if I'm doing another verification, if I should take an hour going through all the names, or is there some...Can you give me some guidance here, is what I'm looking for."

Speaker Daniels: "Yes, Representative Peters was going in the Chair, and I'll be right here if you'd like to ask me. I'll tell you how to handle it."

Cullerton: "Thank you."

Speaker Daniels: "Representative Peters in the Chair."

Speaker Peters: "House Bill 2008, Representative Macdonald. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2008, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

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Speaker Peters: "Representative Macdonald."

Macdonald: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First of all before we start, I would like to say that House Bill 2008 has no impact on downstate Illinois. The Bill is an attempt to make real estate taxes more equitable in Cook County. It will do so by equalizing assessments for homeowners in each township, including inactive townships in Chicago, to the same percentage of fair market value each year. That percentage will be determined by the Cook County Board of Appeals. That means that homeowners' assessments will be assessed at about ten and a quarter percent county-wide average, which is the amount that the '79 averages are called for. You might ask why homeowners' assessment should be equalized on a township by township basis. The reason is simple. The average assessment level for each township within each quadrant is not the same. I passed out charts to each House Member, and I hope that you had an opportunity to look at them. If not, I do have some extra copies over here at my desk, and these charts will show the disparity. If you take a look at the table of the 1979 assessment levels for homes and small apartments which are the Class 2 in the classification of property in Cook County, you will see that wide differences exist within each quadrant. In one, there is a 50% difference between the highest and lowest assessed township. There are also sufficient sales in each township to allow the type of equalization mandated by House Bill 2008. For all classes, except the one containing single-family residences, however, there are not enough sales to allow an average assessment to be calculated for each township for commercial, industrial and each other class; therefore, House Bill 2008 does not mandate the impossible. It asks for all quadrants to be

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equalized to whatever average assessment level exists in the given year for the Class as a whole. In House Bill 2008, we have proposed that the most recently available year's assessment to sales ratio study results be used with adjustments for changes since then. As you know, the Revenue Department uses a three-year average for the county multipliers. A one-year average was selected for inter-county equalization, because we are trying to apportion this year's tax burden, not the burden of two or three years ago. There were two possibilities of what governmental agencies we could use to equalize assessment within Cook County. We could have used the Revenue Department to set the equalizer factor. In those 101 counties, the Boards of Review are the equalizing factors. 2008, therefore, allows the Cook County Boards of Appeal to do the inter-county assessments. Cook County Assessor, Thomas Hines, has also had a genuine concern for the skyrocketing of property taxes over the past few years. While he naturally prefers the Bills that he has introduced in the General Assembly this year to my Bill, his compassion for the taxpayers is very real and to be commended. I don't know about each of your districts, but, my good county colleagues, I will tell you that certainly the taxpayers have answered questionnaires and the Governor's referendum, in my area, by consistently putting property taxes at the head of their priority list of oppressive taxes that must be changed in Cook County. The housing market is about at a standstill and, yet, the fair market value continue to soar because of inflation. By requiring township by township multipliers, we can at least bring fairness and equity within each quadrant and each classification. I am happy to say that the Department of Revenue is now in favor of this Bill, and I also urge your

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support for House Bill 2008."

Speaker Peters: "Representative McPike."

McPike: "Thank you, Mr. Sponsor... I mean, thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Peters: "She indicates she will."

McPike: "Ms. Macdonald, this chart that you passed out, I just wanted to confirm what some of these figures mean. For New Trier Township, you have a figure here of 8.11. What does that mean?"

Macdonald: "That's the percentage of fair market value."

McPike: "And the figure of 10.24 on the top of the page, the county-wide average. Is that 10.24... That's a percent of fair market value?"

Macdonald: "For the county."

McPike: "Yes. Now, you would apply a multiplier to New Trier to bring them up from 8.11 to 10.24. Is that correct?"

Macdonald: "Yes, that's correct."

McPike: "Mr. Speaker..."

Macdonald: "We would equalize, that's correct."

McPike: "Yes, thank you. Mr. Speaker, may I address the Bill? Mr. Speaker. Mr. Speaker, may I address the Bill?"

Speaker Peters: "Proceed, Sir."

McPike: "Ladies and Gentlemen of the House, I think it's up to the individuals that live in these townships to decide for themselves whether or not they want to vote for these tax increases. I think that everyone, before they vote on this Bill, should know exactly what it's going to mean to their district. So, I have the following statistics available for those that would be interested. In New Trier Township, it would mean a tax increase of 26%. In Northfield Township, it would be a tax increase of 17%. In Wheeling Township, it would be a tax increase of 11%. In Palatine Township, it would be a tax increase of 15%. In

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Barrington, 15% tax increase. In Hanover, a 22% tax increase. In Schaumburg, a 6% tax increase. In 'Maine', 11% tax increase. In Leyden Township, it would be an 18% tax increase. In Norwood Park, it would be a 21% tax increase. In Proviso Township, it would be a 10% tax increase; and, in Riverside Township, it would be a 24% tax increase. The individual Legislators that represent those districts should be aware of those... of those statistics before they vote on this Bill. It is a huge tax increase in a sizeable number of districts in Cook County."

Speaker Peters: "Representative... Let's see. This side. Fawell. No? Your light is on Represe... Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Will Representative Macdonald yield for a question? Representative, is this the same legislation that the former Representative Skinner had a couple of years ago?"

Macdonald: "It has been changed. Representative Skinner and I both have worked on this Bill in prior... in a prior Session, but this is not the identical Bill."

Bullock: "Okay. As I read your computer print out here, it shows certain quadrants in the City of Chicago, specifically, on the southeast side. I live in one that has a rather high ratio of assessment. Could you tell me, if we request that these assessments be equalized, which of those southeast quadrants would see an increase in assessment?"

Macdonald: "Representative Bullock, I must say that, if you have read the source of the sales ratio study that Representative McPike quoted, you will note that they were for 1979. What this Bill would do, and what has happened in the past is that those southeast quadrants have been assessed at a much higher level than the average level in general. Now, what we're trying to do is to make those

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equal with the general level throughout Cook County; and, if the Board of Appeals were fair and set a township by township multiplier, that quadrant would not be over assessed as it is today. I can't give you..."

Bullock: "Thank you for your..."

Macdonald: "... a percentage, because I don't know what... what multiplier they would apply."

Bullock: "And so that would be up to the assessor..."

Macdonald: "It would be up to the Board of Appeals."

Bullock: "... Board of Tax Appeals to make that determination?"

Macdonald: "I can't hear you, I'm sorry."

Bullock: "The Board of Tax Appeals would make that determination?"

Macdonald: "Yes, yes."

Bullock: "And so, at this point, you can't give me an indication one way or another if there would or would not be a decrease in the southeast quadrant, specifically, Old Township Line Hyde Park."

Macdonald: "I... I would believe that, because we are asking for a uniform assessment within quadrants to bring each township to an equal level, I would say that, at least, you would have the opportunity of being equal and not over assessed within the quadrant."

Bullock: "Okay. Thank you."

Speaker Peters: "Representative Keane."

Keane: "Thank you, Mr. Speaker. In the course of this Session and last year, I introduced a number of Bills that would allow for property tax relief. The problem with this Bill is that, while it addresses property tax relief, it results in substantial increases in real estate taxes for a good part of Cook County. It also fails to right the wrong, which it purports to address. If legislation such as this becomes law, in the County of Cook, 14 townships would have

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had lower tax bills, while the rest, which include all of the northeast and northwest quadrants, of the rest of those, 24 go up. So, we have a total of 38 townships. Well over half would go up. The taxes would go up immediately. One of the reasons for this is, is that, and one of the reasons that we want tax reform, the Assessor of Cook County put a Bill in this year, I submitted in the House, which would have two assessments in two phases, every other year. One year, the City of Chicago would be assessed, and the next year, Cook County would be assessed. That Bill failed in Rules. I believe there is a Bill alive in the Senate that would also do the same thing. This would be a much better and a much more equitable approach for the homeowner. If township multipliers are put on in Cook County and you look, also, to the classification system that Cook County uses, we will end up with something like 64 multipliers. 64 multipliers, when you put the township multiplier in. That will create chaos in terms of the taxpayer knowing where and how much he's going to be taxed. It has too many factors for the average homeowner to comprehend. We have been attempting to simplify his tax Bill, rather than to make it more difficult. We don't know what the multi... Within a township, one should take the township and you say, 'Okay. We're going to equalize that township between townships.' That does not, if there's irregularities in taxes within a township, all your multiplier system is going to do, when you go to a township multiplier, is heighten those inequities. In the brochure... or.. In the brochure that the Sponsor of the Bill passed out, there's a map. Now, I think, while it's a complicated field, the quadrennial assessment, if you look at the numbers in that map, you will see that the southeast quadrant has the highest... is at the highest



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level. That's simply because that was the re... the most recently assessed quad. The northeast quad was the lowest simply because that had been done three years previously. In order for... There's over a million parcels of real estate in Cook County. If the Assessor were to increase to an annual or even to a biannual, it's going to take a substantial increase in the number of personnel he has. The County of Cook is not, to my knowledge, in the position to afford the Assessor that kind of support financially. The township... The multiplier that is put in by the state is put in equally, but what happens is, over a four-year period, it averages out. In fact, I think you would find most taxpayers in Cook County, once they understand, they do get a jolt every four years, because they've been reassessed; but, if we went to an annual assessment, they would be paying more over a four-year period than they do now, because their assessments would go up each year. The other... A couple of other very technical points that this Bill does not address and problems that it creates is, is that the sales in the real estate market, especially in real... in the... the residential class today, are very unreliable. A lot because of the mortgage system. A lot of people are boosting up the purchase price, taking lower interest rates, but realizing the higher... the higher... interest rates by an inflated price. A very few more... or a few more remarks on, I think, you can get a sense of the chaos that this Bill would cause. People now understand the four-year cycle. The Bill here would throw in a totally new level of multipliers for the people who understand their Bill. They would be hit with... Their assessed... equalized assessed valuation would be hit by class by assessment by township. If the Bill would have been law in 1979, it would have increased the residential

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assessments, depending on the townships, somewhere between 10 and 26%, but the average overall townships in Cook County would have meant a 17% increase with the northwest quad having an increase of, as someone else mentioned, 14 and a half. It basically has the impact... The Bill has the impact of lowering the most recently assessed quad to an average with the oldest, and it would totally turn around the present assessment situation. For this reason and for many more that are somewhat technical and probably would be of little interest, I oppose this Bill. It has... It will have a very, very bad effect on Cook County. I have all of the respect in the world for the Sponsor and for this Bill's previous Sponsor. I think that the better approach, however, would be to go with a biennial assessment where Cook County is assessed... out Cook County is assessed one year and the City the next. Thank you."

Speaker Peters: "Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Peters: "She indicates she will."

Vinson: "Representative Macdonald, I have before me a map, and I wonder if I'm reading it correctly. As I read that map, in Hyde Park Township, which is most of the south side of the City of Chicago, the assessment rate is at 12.4%. Is that correct?"

Macdonald: "That's correct for 1979 assessments, which are the latest figures we have."

Vinson: "And, as I look at that map, in West Chicago Township, which is the west side of the City of Chicago, assessments are at 12.9%. Is that correct?"

Macdonald: "That's correct."

Vinson: "But, as I look at the lake front, those figures seem to drop substantially. 9.9%, 8.3% along the 'Gold' Coast,

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8.5% along those condominiums along the lake in Lakeview,  
8.4% in Roger's Park. Is that correct?"

Macdonald: "That's correct."

Vinson: "Now, can I interpret those figures to mean that people  
who live on the southside and people who live on the west  
side are paying at a higher percentage than people who live  
along the lake front, in those condominiums?"

Macdonald: "Well, of course, there is a quadrennial assessment  
and, in each quadrennial assessment, they... you will find  
higher... higher taxes in general. The thing we are trying  
to get at in this Bill is to equalize within a quadrant,  
because we do have quadrennial assessment procedures in  
Chicago; and, we're not altering that at all. But what you  
were saying is absolutely right, and this has been typical;  
because, that disparity is really great as we look at the  
maps and the different quadrants. The thing that is even  
more startling is that, within that quadrant, there are...  
there is a 50%... In one of the quadrants, there was a 50%  
difference, a 50% higher difference in... in the township  
levels that were within... the assessments that were within  
that specific quadrant, and that's what this... we are  
trying to get at within this Bill."

Vinson: "So, if I would... could direct your attention to the  
quadrant that includes south Chicago and Hyde Park..."

Macdonald: "That's right."

Vinson: "As I understand what you're saying, at 400 East Randolph  
Street, that condominium... those condominiums that stick  
out into the lake which are, in south Chicago, those people  
are paying at a lower rate than the people who live in  
Woodlawn in Hyde Park."

Macdonald: "That's absolutely correct."

Vinson: "And your Bill would help resolve that problem."

Macdonald: "Absolutely. It would equalize. It would put in a

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multiplying factor that would equalize the assessment. Of course, there are differences in... in... in the property itself, but it would certainly equalize the property taxes by putting the same multiplier in... in each township. You would not have that disparity within each township."

Vinson: "Can you think of any reason why we should give a special tax break to those people along the lake front, as opposed to the people in the neighborhoods?"

Macdonald: "I certainly do not."

Vinson: "Thank you. I would urge support of your Bill, Representative."

Macdonald: "Thank you."

Speaker Peters: "Representative Schraeder."

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

It's quite obvious that this assessment procedure is not treating the homeowners in Chicago in a fair manner. The previous speaker mentioned some statistics, and I think it's quite interesting to... and I'm not familiar with Chicago other than I go there and I leave; but, if you look at some of these statistics that are granted, apparently the ... the mean is 12.3% and yet south Chicago is way down at 9.9 and Hyde Park over the 12.14. It seemed to me, and that's consistent in every one of these quadrants, whenever they've been assessed, last year, the year before or in that four-year period. It's interesting to see that, in the northeast quadrant, New Trier is assessed 13% higher than Niles Township. That doesn't make good sense at all. If you're talking about an assessment procedure, it ought to be equal. We're not talking about treating some people because they have a ... a little clout a little different. You can expect that in some cases, but not in the whole township. It's interesting to note that the previous speaker mentioned West Chicago. That's assessed 50% higher

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than Oak Park. I don't know where those two locations are located, but they certainly ought to be assessed in the same procedure and that's consistent in every one of these quadrants and in every one of these townships in the whole County of Cook. And, for that reason, this Bill should be passed without too much dissent."

Speaker Peters: "Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield for some questions?"

Speaker Peters: "She indicates she will."

Satterthwaite: "Representative Macdonald, in your experience, you're saying, by this map before us, that there is a substantial variation in the assessment level from one township to another, but some of the comments earlier were relating to tax. May I make it clear, it is your intent by this simply to be affecting the assessed valuations, not to be affecting the total tax Bill as such, for that district."

Macdonald: "Representative Satterthwaite, we are attempting to let the Board of Appeals apply the multiplier, which will indeed equalize the property and the taxes within the classification which is Class 2. Cook County is the only county in the state that has classification of property. I believe there are four classifications. Classification #2 is single-member homes and small apartments, and we are saying that, within a township, the greatest complaints that our township assessors have and that Assessor Hines has; that identical pieces of property or similar pieces of property are assessed at variable levels so great in disparity that it is a great concern to the taxpayer. And we believe that, by using the township assessors as immediate deputies of assessor Hines, which would eliminate some of the problems that have been mentioned before, that it would not create an administrative problem. There are 30

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instant deputies that could be used to help assess accurately and fairly to an equal, at least an equal value of similar homes and apartments within a township."

Satterthwaite: "Well, Mr. Speaker..."

Macdonald: "And within a quadrant."

Satterthwaite: "... and Members of the House, if I may speak to the Bill, I would speak in favor of this process. What happens when there is a substantial variation in the assessment levels from one portion of a county or a township to another, the people who are being assessed, at the appropriate level, end up, usually, paying more than their fair share, because the multiplier is given across the total unit of government. The better we can do in targeting individual units of government, to make the assessment uniform within that area, the better we will be in terms of actually equalizing. We have found, in the downstate areas, and I'm sure the same principle applies in the City of Chicago and the County of Cook, that the problem is that, when one area does a poor job of assessment, everybody else in the county has to suffer, unless you go to the township multiplier system. We have found that the township multiplier system is, in fact, effective in helping to eliminate the kinds of disparities that will still exist, even within the township, and so I would highly recommend a favorable vote on this Bill so that the assessment equalization can be done at as local a level as possible."

Speaker Peters: "Representative Kustra."

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

Speaker Peters: "The question is, 'Shall the previous question be put?'. Those in favor will signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Representative Macdonald, to close."

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Macdonald: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Many of the remarks were confusing regarding this Bill. I want to say that I do not believe that this will involve an increase in taxes other than that which will be natural with the... re-evaluation in the assessment quadrant by quadrant. What this Bill attempts to do is to bring equity and reasonable sameness to each township in each quadrant. As we have seen by the charts that I have passed out and by the discussion, we are seeing great disparity within townships and with the assessment in those townships. That is clearly unfair. We have to sometime, within the process of this Session or certainly even within the last two or three Sessions, pay attention to what our constituents are saying to us back home. The taxpayers are saying, 'We want some kind of reasonable relief'. We cannot, in these times, give them total tax relief as we had hoped that we could; but, at least we can give them fairness, and that's what House Bill 2008 is all about. It brings fairness to the property taxpayers of Cook County, and I would urge your support of this Bill. I would say to you in answer to some of the remarks that were made by Representative Keane that, because we do have in place trained, certified assessors within each of the 30 townships surrounding Chicago, I think that the administrative costs will not be that great to the Assessor, and I think, indeed, it would be a great advantage to him and take a great deal of the pressure off of the Cook County Assessor if this method were used. And I urge your support of this good Bill. Thank you."

Speaker Peters: "The question is, 'Shall House Bill 2008 ... be adopted?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, the voting is open. Representative Cullerton, to explain his vote."

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Cullerton: "Thank you, Mr. Speaker. In explaining my 'no' vote, as I understand this Bill, what is intended is to have each of the townships have their own equalization factor. It would make... It would be... It wouldn't be as bad a Bill if perhaps you did it within the entire quadrant; but, not too long ago, we abolished, in effect, all of the functions of the township assessors within the City of Chicago, and last year I had a Bill that would have abolished the office of township assessors outside the City. They don't do anything. In fact, one township assessor got elected on the platform that he was against the... the office itself. People get reassessed every four years. After their assessment is done, they know that their taxes will not go up, except for the rate going up, for the next four years. This would, in no way, make it easier for taxpayers to understand the system, but make it more confusing for them. And it would ultimately result in a... in a tax increase for many of the people in the City of Chicago; and, for that reason... (cut off)..."

Speaker Peters: "Representative O'Connell will explain his vote. One minute."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To explain my 'no' vote, I'm concerned with regard to the approach that the Bill is taking, in terms of assessment. It seems that, in the questioning and the debates thus far as well as the material that's placed out on this Bill, is that the emphasis on assessment is placed on a sales ratio. Contrary to that, I believe that the sales ratio is only one factor in an overall assessment procedure. There must be some mechanism for individual assessment not to take the sales quotient as the primary assessment criteria. Every area is a different area, in the sense that you can take townships that are a bedroom



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community and compare that township with an inter-city township area where you have a mixture... (cut off)..."

Speaker Peters: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 74 voting 'aye', 71 voting 'nay'... 10 voting 'present'. 74 voting 'aye', 71 voting 'nay', 10 voting 'present', and this Bill, having failed to receive a Constitutional Majority, is hereby declared lost. House Bill 2013, Representative Henry. Out of the record. 2039, Representative Huskey. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2039, a Bill for an Act in relationship to public aid recipients and the enforcement of support obligations. Third Reading of the Bill."

Speaker Peters: "Representative Huskey."

Huskey: "Ladies and Gentlemen of the House, House Bill 2039 is a Bill that is designed to improve the child support, which was formerly House Bill 24 and then House Bill 77. Now, the Cook County Clerk and the various administrators in Cook County of the Child Support Enforcement Act has asked that we straighten up some of the inequities in the Bill. In our original agreement with the County of Cook, in order to get them to support child support, we promised them that we would see that this Bill would not cost the County of Cook any administration costs; and, with the Federal Government Program of where the Federal Government pays 75% of the cost, we...we've been able to fairly well maintain, except there is some courts and mandates that were in the original Bill that has cost the Clerk of the Cook County monies, which the Public Aid agreed to support up until June 1st. So, after June 1st if we don't straighten up the law, the excess cost would fall on the County of Cook. So, in keeping my word with the County of Cook, I have agreed

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to support the Bill that would straighten up some of their problems. It also straightens up some of the other problems in Public Aid, in the Child Support Division, that we did have some problems with at first, but we met with Carol Braun, Representative Carol Braun, Representative Woody Bowman, and Representative Getty's staff, and the Democratic staff and all the... But before I ask for a favorable Roll Call, Mr. Speaker, I'm just reminded. I need to take this back to Second Reading to put on the Amendments that...that we agreed to. So, if you'll pull it back to Second, I'd..."

Speaker Peters: "Representative Huskey."

Huskey: "Mr. Speaker, Ladies and Gentlemen of the House, I would respectfully ask you to give leave to take House Bill 2039 back to Second Reading for Amendments."

Speaker Peters: "Gentleman asks leave to bring House Bill 2039 back to the Order... The Gentleman moves to bring House Bill 2039 back to the Order of Second Reading for purposes of an Amendment. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 125 voting 'aye', 6 voting 'nay', and the Gentleman's Motion prevails. House Bill 2039, Second Reading. Any Amendments, Mr. Clerk?"

Clerk Leone: "Amendment #4, Huskey, amends House Bill..."

Speaker Peters: "Representative Huskey."

Huskey: "Mr. Speaker and Ladies and Gentlemen of the House, I would like to table Amendments 1 and 3, which were previously adopted."

Speaker Peters: "The Gentleman asks leave to table Amendments #1 and 3. Is there objection? Leave being granted, Amendments #1 and 3 are tabled. Any further Amendments?"

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Clerk Leone: "Floor Amendment #4, Huskey, amends House Bill..."

Speaker Peters: "Representative Huskey."

Huskey: "Mr. Speaker, I would respectfully ask that we withdraw Amendments #4 and 5."

Speaker Peters: "Withdraw Amendment #4. Further Amendments?"

Clerk Leone: "Floor Amendment #5 is withdrawn."

Speaker Peters: "Gentleman withdraws Amendment #5. Any further Amendments?"

Clerk Leone: "Amendment #6, Catania."

Speaker Peters: "Representative Catania, Amendment #6. With... The Lady asks to withdraw Amendment #6. Further Amendments?"

Clerk Leone: "Floor Amendment #7, Huskey, amends House Bill 2039..."

Speaker Peters: "Representative Huskey, on Amendment #7."

Huskey: "Amendment #7 is now the Bill. It includes the...It includes the original Bill and two changes requested by the Child Support Division of the Public Aid and approved by the House Democratic Staff and the Cook County people. It strengthens the corporation provision and by... and by... and by bypassing the administrative procedures not intended for child support cases."

Speaker Peters: "Any discussion? There being none, the Gentleman moves the adoption of Amendment #7 to House Bill 2039. Those in favor will signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #7 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #8, Huskey, amends..."

Speaker Peters: "Amendment #8, Representative Huskey."

Huskey: "Thank you, Mr. Speaker. Amendment #8 is a technical..."

Speaker Peters: "Excuse me. Do we have too much paper downstairs? I'm sorry. Go ahead. Amendment #8."

Huskey: "Amendment #8 is a technical Amendment to... to clear up

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a couple of mistakes in Amendment #7."

Speaker Peters: "Gentleman moves the adoption of Amendment #8.

Any discussion? There being none, the question is, 'Shall Amendment #8 be adopted?'. Those in favor will signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #8 is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #9, Catania, amends House Bill 2039..."

Speaker Peters: "Representative Catania, Amendment #9."

Catania: "Thank you, Mr. Speaker and Members of the House. I'm offering Amendment #9, because this Bill is changing something that we did a couple of years ago. We said that we wanted the Clerk of the Court, in Cook County, to be the collector of child support in all cases, unless both parties agreed to waive their right to such collection. This Bill is going to say that people no longer will have that opportunity in Cook County, unless they sign up with the Department of Public Aid, which does this for people. So, Amendment 9 says that the Illinois Department will cause to be published and distributed information to let the public know that they can sign up to have their child support collected that way, and it further says that it should be made very clear to these people that this is not a service that is provided by the Public Aid Department because they are a Department that provides public assistance payments to people. It is only because they are the designated child support collection agency. I move for the adoption of Amendment #9. The Sponsor agrees to this Amendment."

Speaker Peters: "Sorry, Representative. The Lady moves the adoption of Amendment #9. On Amendment #9, discussion? Representative Yourell."

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Yourell: "Just a parliamentary inquiry, Mr. Speaker. I'm a little confused with all the Amendments that have been withdrawn and new Amendments put to the Bill. I don't know what the Bill does, but I would call the attention to the Parliamentarian to Amendment #7, which changes the title of the Bill; and, I don't know where the heck we are now. Would... I think Rule 34-D is the Rule that we're referring to. Can you tell me, Mr. Parliamentarian, what the situation and the condition of this legislation is now?"

Speaker Peters: "Mr. ... Representative Yourell, the... your inquiry is a proper one, but it would be more proper for the Chair to answer that inquiry when the House has concluded acting on the Amendments; and, we have ... then ready to proceed to move it to wherever it should be moved."

Yourell: "I think that's proper. I just wanted to save the time of the House and get right to the Bill."

Speaker Peters: "Any discussion on Amendment #9? Representative Kane."

Kane: "Would the Sponsor yield?"

Speaker Peters: "She indicates she will."

Kane: "Does your Amendment do anything to the situation in which both parties agree to not go through the court?"

Catania: "Representative Kane, the Amendment says that the opportunity to go through the court has to be publicized by the Department of Public Aid, and that it has to be made clear that this is a service that is available to everyone, whether or not they are public aid recipients, and that it has nothing to do with the provision of public aid payments. That's all the Amendment does. The Bill itself, as amended now in Amendment #7, limits the collection service to people who sign up in this way. So, it's no longer going to be a requirement that the Clerk of the

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Court collect the Child Support payments for everybody, unless those parties agree not to go through the court."

Speaker Peters: "Further discussion? There being none, the question is, 'Shall Amendment #9 to House Bill 2039 be adopted?'. Those in favor will signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #9 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Third Reading. Just a second. We'll back up. Representative Yourell did have an inquiry which we will now attempt to answer. House Bill 2039 is still on the Order of Second Reading. It would be the opinion of the Chair, Representative Yourell, that the Amendment #7 does not, in fact, change... Representative Getty, on that point. Be happy to listen? We have different documents than you have. Amendment #7 is an Act in relation to public aid recipients and the enforcement of support obligations. The original Bill is an Act in relation to public aid recipients and the enforcement of support obligations. Have we got it wrong? Representative Yourell."

Yourell: "Mr. Speaker, on page one of the Bill, on page one, line one, it reads, 'an Act to amend certain Sections of the Illinois Marriage and Dissolution of Marriage Act'. In the Amendment, Amendment #7, on page... on line four, page one, it says, 'an Act in relation to public aid recipients and support...enforcement of support obligations'. They're two different Acts."

Speaker Peters: "Representative Yourell."

Yourell: "I don't want to mean to delay the deliberations of this House, and I think... I think the Bill is necessary and I would like to offer the Sponsor of the Bill a suggestion,

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if he... He generally isn't too success... susceptible to my suggestions; but, if he wants to get this Bill out, I think that why don't he ask for a Motion, and we'll see that he gets 89 votes."

Speaker Peters: "On this point, Representative Getty? Representative Getty."

Getty: "Mr. Speaker, I would respectfully suggest to the Chair that the original title of the Bill was an Act to amend Section 709 and 710 of the Illinois Marriage and Dissolution of Marriage Act, approved September 22nd, 1977. Subsequently, the Bill was amended by Amendment #3 to an Act in relation to public aid recipients and enforcement of support obligations. Representative Huskey asked leave to table Amendments #1 and 3, Amendment #3 having amended it in the title. Thereafter, Amendment 7 was adopted. Amendment 7 has the same title, an Act in relation to public aid recipients and the enforcement of support obligations. The Chair could rule in either of two ways. If the Chair rules that by putting it back to its original form that it then stood with the original title, I suppose the Rule 34-D would apply. If the Chair ruled, and I think appropriately, that since it was sitting on the Speaker's Table with the title, an Act in relation to public aid recipients and enforcement of support obligations, that Amendment 7 did not, indeed, change the title, and it would not have to be subject to 34-D."

Speaker Peters: "Representative Yourell, on that point."

Yourell: "Yes, I want to, again, hurry the business of the House along, because I have things to do as well as anybody else, other than sit here all day. Perhaps the Gentleman can have leave to change it on its face. I have no objection."

Speaker Peters: "No, Representative Yourell..."

Yourell: "The Amendment I'm talking about."

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Speaker Peters: "... yeah. Whatever Motions can follow after the Chair rules, and the Chair will rule that, although your point is one of interest, it is one that is not well taken; that Amendment #3, in fact, did change the title of the Bill, and that is the title with which both the Clerk's Office and the Calendar and the Members of the House then were involved and would rule that your point is not well taken. Third Reading. Representative Huskey."

Huskey: "Mr. Speaker and Ladies and Gentlemen of the House, in order to dispose of this Bill and clean our Calendar, I would like to move that it be ... that the appropriate..."

Speaker Peters: "The Gentleman asks suspension of ... The Gentleman asks suspension of the appropriate rules. Read the Bill a third time. Wait a minute. The Gentleman now asks leave to suspend the appropriate rule so that House Bill 2039 can be now heard on the Order of Third Reading. Is there objection? There is no objection. Leave is granted. Representative Huskey. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2039, a Bill for an Act in relation to public aid recipients. Third Reading of the Bill."

Speaker Peters: "Representative Huskey."

Huskey: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I think there's enough delay on this Bill. I'd just ask for a favorable Roll Call."

Speaker Peters: "Any discussion? Representative Yourell."

Yourell: "Now that the Bill is on Third Reading, I do have several questions about the Bill. The Gentleman, in his original presentation when the Bill was on Third and before he moved it back to Second Reading for the purpose of Amendment, indicated that the... the County Clerk was somehow involved in this Bill, and I would hope the Gentleman could tell us about that."



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Speaker Peters: "Representative Huskey."

Huskey: "The County... The County of Cook has requested that this Bill.. that these... They're the ones that made the request through their people down here that we present this Bill; and, in fact, the Amendments were originally drawn by them. I don't know whether that... what effect that has on the Bill, though, Mr. Speaker, but I'll try to answer his question."

Yourell: "Well, since you want to answer the questions, I wish you would. What has the County Clerk got to do with this Bill?"

Huskey: "A Clerk of the Circuit Court of Cook County, Mr. Yourell. If that's a technical question that you want me to straighten up, I will."

Yourell: "Thank you, very much. You mean the Clerk of the Circuit Court and not the Clerk of the County. Is that right?"

Huskey: "I don't think the Assistant Recorder of Deeds, Sir. I think it was the Clerk of the Circuit Court of Cook County. I'm not familiar with all them big titles all you people have up there."

Yourell: "Well... Well, Mr. Representative, if you're presenting this Bill, I'd suggest that you get better acquainted with the provisions, before you present it."

Speaker Peters: "Further discussion? There being none, the question is, 'Shall House Bill 20...' Well, Representative John Dunn, a small piece of paper was covering your area of the board. Representative John Dunn. Proceed, Sir."

Dunn: "Yeah, what does this Bill... Question of the Sponsor. What does this Bill do now that it is amended?"

Huskey: "Well, John, really the probl... Representative Dunn, the problem with the Bill was, between the Clerk of the Court and the Department of Public Aid..."

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Dunn: "What does the Bill do now? That's..."

Huskey: "It collects child support through the Department of Public Aid, using the facilities of the... of the Clerk of the Circuit Court, the State's Attorney of Cook County, the Sheriff's Department and all the various facilities of the law enforcement, the people that serve the judgements and so forth and so on; that collects the child support for mothers that come and ask that the courts collect their child support that the court orders have granted."

Dunn: "This is only for mothers who are on public aid?"

Huskey: "Or, it could be fathers. It could be fathers, in a few cases maybe."

Dunn: "And who does this now?"

Huskey: "They do do it now. They do do it now..."

Dunn: "Then, why do we need the Bill?"

Huskey: "Well, in the... there was some discrepancy between the Department of Public Aid and the County... the Clerk's Office. There was a... On the original Bill, we mandated the Clerk of the Circuit Court to collect these child support payments. The... regardless of whether they signed the 4-D Program or not. Now, if they signed the 4-D Program, the Federal Government paid 75% of the cost. Under the existing Bill, if a woman doesn't want to sign the 4-D Program, she doesn't have to, but... and the County... and the Clerk of the Circuit Court is forced to collect... He's mandated to collect the money anyway. This Bill relieves him of that mandate, if the woman doesn't want to sign the 4-D Program to collect the money, and then that way the Federal Government will pay the 75% of the cost."

Dunn: "So then, under the provisions of the Bill, it's likely that we will collect less money than we are collecting now. Is that correct? Because anyone who doesn't sign up for

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the Program to which you refer, the Clerk will not now be mandated to collect; whereas, before he was."

Huskey: "You mean for child support or...?"

Dunn: "That's what I thought we were talking about, yeah."

Huskey: "Yeah. No, it is a... I don't think so. I think the woman will sign now, where she didn't have to sign before, and the Federal Government will pay the 75% cost which it relieved them of paying before; and, the Department of Public Aid or the County Clerk had to make up the difference on state money or county money. This just gives us federal money to make up the difference with."

Dunn: "Are the Circuit Clerks in support of this legislation?"

Huskey: "Oh, absolutely."

Dunn: "And the Department of Public Aid?"

Huskey: "Absolutely."

Dunn: "And, was this Bill declared an emergency by the Rules Committee of this House?"

Huskey: "Yes."

Dunn: "Thank you."

Speaker Peters: "That was it, Representative Vitek. The question is, 'Shall House Bill 2039 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 157 voting 'aye', 3 voting 'nay', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2076, Representative McMaster. Out of the record. House Bill 2079, Representative Watson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2079, a Bill for an Act to amend the Illinois Controlled Substance Act. Third Reading of the Bill."

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Speaker Peters: "Representative Watson."

Watson: "Thank you, Mr. Speaker. House Bill 2079 directs its attention to the look-alike drug problem that we have in our state. It's a growing problem, not only in Illinois, but throughout our country, and... Thank you, Mr. Speaker. House Bill 2079 is the look-alike drug Bill, which addresses the growing problem of look-alike drugs in Illinois. It includes a preamble which expresses the legislative intent of the Bill to create a penalty provision distinct from that applicable to the controlled substances, based upon the different type of harm stemming from distribution of look-alike drugs. It penalizes the manufacture, the distribution, the possession with intent to manufacture, advertising, possession with intent to manufacture and simple possession of look-alike drugs. All the offenses, with the exception of simple possession, are Class 3 felonies with a maximum fine of 20,000 dollars. Simple possession is punishable as a petty offense carrying a statutory maximum fine of 500 dollars. A second or subsequent offense is a Class C misdemeanor, 30 days in jail and a 500 dollar fine. This penalty structure will withstand the scrutiny of the courts, based upon the recognition of the special dangers connected with look-alike drugs, and this was done in light of the recent People versus Wagner case. The Bill provides that look-alike substances, as well as materials, products and equipment used in their manufacture or distribution and any valuable consideration used or intended to be used in the exchange for look-alike substances, including traceable proceeds, would be subject to forfeiture. A look-alike drug is a non-controlled, non-legend substance. It does not require a prescription. The ingredients, generally, are caffeine, ephedrine or phenyl propanolamine. The

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current law legalizes them, unless they are misrepresented. As I mentioned before, this is a problem that's growing in popularity and, unfortunately, it's among our young people in the schools, school grounds, high schools and colleges throughout Illinois. We currently have seven confirmed deaths from overdose of look-alike drugs; and, of course, there have been many other problems of individuals who have overdosed on medication, as a result of the look-alike drug problem. There's several states who have addressed this problem which include Arkansas, Colorado, Connecticut, Pennsylvania, Delaware, Florida, Indiana, Kansas, Louisiana, Maryland, Oklahoma and South Dakota. Hopefully, Illinois will be added to that list. I just want to take a minute to show how blatant these people who deal in this drug traffic are. I have with me a letter that was sent to many people throughout Illinois soliciting the purchase of look-alike drugs. I just want to read this to you, if you'd just bear with me a minute. It says, 'Dear Friends and Customers, T. R. McWitt would like to take this time to suggest a great gift for Christmas. That's right, stimulants. Just think of the stimulation you would be giving to a close friend or relative if you give T. R. McWitt this season. Just think of the possibility. Remember, pet rocks are out, but pep pills are in. Thank you, T. R. McWitt', and along with that solicitation comes this information in regard to one of their products. 'T. R. McWitt ephedrine speed is real speed. One of the main ingredients of ephedrine speed is ephedrine sulphate. Ephedrine sulphate is a legal stimulant that imitates amphetamine. Amphetamine and ephedrine sulphate are both direct central nervous system stimulants. They both promote alertness and combat fatigue. They suppress the appetite effectively and relieve depression temporarily.

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The current street value for a single hit of ephedrine speed', and remember now, 'ephedrine speed is considered a legal substance sold as a look-alike, where they are consumed as one dollar. The street value of a hit of amphetamine is the same. A bottle of a thousand hits of ephedrine speed is...', and they sell it in bottles of a thousand, '...is a hundred dollars, or ten cents a hit. If large quantities are bought, you can get them for 25 dollars or two and a half cents a hit. At a street value of 1000 dollars per bottle, when sold by single hits, somebody is making quite a profit. Why not let it be you?' Now, we had two young people from the Crossroads Youth Services out of Chicago come to our Committee, the Judiciary II Committee, and testify on this legislation, and they testified that thousands and thousands of dollars were being made through this drug traffic; and, as they mentioned in Committee, unfortunately, it's on our school grounds and young people of Illinois. And another statement that's made in this solicitation says that, 'Remember, that you can sell them as speed. The law can do... can...'. Excuse me. 'Remember, that you can sell them as speed. The law can do nothing, as long as you don't sell them as amphetamine or any other controlled substance.' Well, what we want to do is put an end to this type of drug traffic, and I would appreciate support of this legislation and will answer any questions and would like to ask that Representative Getty be allowed to close."

Speaker Peters: "Any discussion? Representative Johnson."

Johnson: "Mr. Speaker and Members of the House, I think Representative Watson, and the Dangerous Drugs Advisory Council and Attorney General Fahner, along with the Sponsor of this Bill, Representative... I guess Representatives Watson and Getty are to be commended on addressing what has

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become a serious nation-wide problem, and the most unwitting but real victims are the ones who are least able to protect themselves against the sort of activities that this Bill directs itself to. This is a moderate, tightly written, but still hard-hitting Bill that's going to mean more, in terms of saving people on the streets, than probably 99% of the legislation that we pass out of Judiciary II or any related Committee. I think it's a good Bill, and I urge a 'yes' vote."

Speaker Peters: "Representative John Dunn."

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

Speaker Peters: "He indicates he will."

Dunn: "All right, this Bill was amended on Second Reading, was it not?"

Watson: "Yes."

Dunn: "How did the Amendment process change the Bill from the way it was originally introduced and passed out of Committee?"

Watson: "The major change was in the area of possession."

Dunn: "I didn't hear your answer."

Watson: "The major... major change was in the area of possession. It was through an agreement with the Dangerous Drugs Council, and the Attorney General's Office and the Sponsors of similar Senate legislation."

Dunn: "And what... Specifically, what did the Bill... did the Amendment process change, with regard to possession?"

Watson: "Well, it was not in the original legislation. This has added it."

Dunn: "Did the Amendment then make it a criminal offense to possess look-alike drugs, and that was not in the original Bill? Is that what you're saying?"

Watson: "Yes, it's a petty offense, and it was not in the original Bill."

Dunn: "And did it, also, add the provision for possession with

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intent to manufacture?"

Watson: "Yes, it did."

Dunn: "Did the Amendment process do anything else?"

Watson: "No, Sir."

Dunn: "When was this Amendment added to the Bill?"

Watson: "May 3rd. No, I'm sorry. No. It was day before yesterday."

Dunn: "And that was Tuesday, was it not?"

Watson: "Yes."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, to the Bill. To the best of my knowledge, this is a good piece of legislation, and I think all Members of the House should support this legislation. However, there are a couple of things that ought to be made known here. One reason I was asking why... what the Amendments were and when they were added is that I wasn't sure whether Attorney General Fahner was in support of the Bill now that it has been amended. There hasn't been an ad in my newspaper for two days now about any of this kind of legislation. So, I'm uncertain. What I am certain ... What I am certain of, however, is that, with regard to this piece of legislation, the Attorney General of this state sent a letter, a copy of which I have right here in my hand, to my local newspaper back home in which he referred to the look-alike drug Bill, House Bill 2079. The letter is dated May 11, 1982 and is addressed to Mr. Bob Sampson, Special Writer, Decatur Herald and Review, 601 East Williams, Decatur, Illinois 62525. In that letter, Attorney General Fahner says that I... to Mr. Sampson, 'I think if you will let Representatives Dunn and Donovan know your views on this Bill, it can make a significant difference in their attitude'. This is something, in my judgement, without precedent. In the State of Illinois, I have never heard of



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an elected official writing to the news media asking them to color their news stories in such a way that the effect would be to influence the decision of Members of this General Assembly. I condemn that practice. I hope the Attorney General never engages in anything like that again. If anyone is interested, I have the letter at my desk. You're welcome to come and look at it, and I point that out because what I want you... I... It's just been brought to my attention, as a matter of fact, and my colleague, Representative Donovan, is a Cosponsor of this legislation. I intend to vote for this legislation, and I ... Representative Donovan, of course, can speak for himself about whether he intends to vote for the legislation or not; but, I feel certain that both of us are going to make our decision on the merits. Fortunately, the local newspaper, to which this letter was addressed, chose to ignore the letter of the Attorney General, and I do commend them for that. The action of the Attorney General was reprehensible, in this regard, and I would certainly urge him never to engage in conduct like this again. I will be voting my conscience on this Bill, and I hope every Member here does. And I hope that we are free to act in the manner in which the people have elected us to do, without pressure or intimidation of any kind from outside sources and intimidation through the news media in this form. Thank you, Mr. Speaker."

Speaker Peters: "Is that it? Oh. Representative Getty, to... Any further discussion? There being none, Representative Getty, to close."

Getty: "Mr. Speaker and Members of the House, over a year ago, the Dangerous Drugs Advisory Council undertook to investigate the phenomenon known as look-alike drugs, sometimes referred to as 'turkey speed'. Some Members of

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this House, for example, Representative Kelly, were very concerned because of problems in their district. Representative Kelly and Representative Steczko happen to represent an area which was one of the king-pin areas for distribution throughout the state of these so-called look-alike drugs or 'turkey speed'. As a result, the Dangerous Drugs Advisory Council held hearings. We asked for participation... We asked for participation on every level of government, law enforcement. The Attorney General, himself, spent almost a whole morning at one of our hearings, both testifying and observing. We had law enforcement officers. We had school administrators, teachers, police from all parts of Illinois. We had people who misused and abused these things and, more tragically, young people who were hooked on more dangerous substances but were originally brought into it by these look-alike drugs. They're young. They get hooked very young on this sort of thing. It is indeed a problem of much greater dimensions than I had imagined. As a matter of fact, it may well be that this is more dangerous than some forms of controlled substances. The evidence indicates, for example, that there were seven deaths in the State of Illinois alone. It appears that, for about one in ten people, there is an idiosyncratic reaction to the use and abuse of these products. This was testified to by one of the foremost toxicologists in the State of Illinois, before our Council hearings. This Bill will go a long way, I think, to cure that problem that we have in our state, and it also cures the problems created by People versus Wagner which held unconstitutional the Section dealing with substances that are represented to be counterfeit; and, it also does away with the artificial distinction between controlled substances and counterfeit substances. This is

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a very good Bill which I think the legislative intent in the preamble makes clear the Legislature is finding as a special problem. To guide the Supreme Court when they construe this, I will refer them directly to that. I would ask my colleagues to support this legislation. It contains almost all of the provisions that were originally suggested by the Dangerous Drugs Advisory Council and introduced as House Bill 2400 are now incorporated in this piece of legislation, by Amendment the other night. I ask for your 'aye' vote."

Speaker Peters: "Question is, 'Shall House Bill 2079 be adopted?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. Voting is open. Have all voted who wish? Representative Koehler, to explain her vote."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This... To explain my vote, this legislation will not only be a valuable tool for our law enforcement officers, but also serve as a powerful incentive for local community groups who are opposed to the look-alike drugs and the real thing. In Washington, Illinois, which is in my district, the Tough Lug Anti-Drug Citizens' Group organized and held an informational meeting to... with this piece of legislation as their...as their focal point. They have had a problem in Washington, Illinois, because many students have fought this particular piece of ... Okay. That's fine. I'll stop here."

Speaker Peters: "Take the record, Mr. Clerk. Take the record. On this question there are 170 voting 'aye', none voting 'nay', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Sandquist."

Sandquist: "Yes, Mr. Speaker, Ladies and Gentlemen of the House,

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the Committee on Registration and Regulation was to meet today one-half hour after we adjourned, and because of the way we're going today, I have cleared this with both sides of the aisle. We only need a very short meeting, and I'd like to ask leave of the House that we can meet for five minutes, while the House is in Session."

Speaker Peters: "You've heard the Gentleman's request. Is there objection? There being none, leave is granted."

Sandquist: "All right. I'd like to say, we will meet immediately in room 122-A. As soon as we have the quorum, we can get on with our quick business. Thank you."

Speaker Peters: "House Bill 2081, Representative Topinka. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2081, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of the Bill."

Topinka: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 2081 basically comes out as a recommendation of the Illinois Insurance Laws Study Commission. It is to reduce auto insurance rates for those automobiles equipped with anti-theft devices. I'm quite aware that this was passed last term, last Session by a most illustrious Sponsor whose intentions I honor, because I think they were very, very good; however, the problem which we came up with, after two rather exhaustive hearings on this, listening both to insurers as well as to companies which made these auto-theft devices, as well as to the Department of Insurance. The law, as it reads now, cannot seemingly be administrated equitably and, as a result, is often times not being even offered, because no one can get through the language of it and no one can make it work. And, as a result, we are seeking, through House Bill 2081, to repeal this legislation."

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Speaker Peters: "Any discussion? Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill, 2081, has two lines in it. It says, 'Section 143.28 of the Illinois Insurance Code is repealed'. That's all the Bill does. It repeals the Bill that we passed here last Session overwhelmingly. What did that Bill do? That Bill said that the Director of Insurance shall have the authority to set up a committee that would review anti-theft devices for cars. That committee was set up. That committee made recommendations. The recommendations are, if you have a certain type of an anti-theft device in your car, then insurance companies have to reduce your automobile insurance rates. Now, I just got off the phone with the Director of Insurance to make sure, in my own mind, what the position of the Department of Insurance is. They are opposed to this Bill. They have absolutely no problem with the way the Bill is working, and they have administered the Bill and it does work. I have in my own hand now an affidavit set out by the State Farm Mutual Automobile Insurance Company, which is a form which they send to everyone in the state who has insurance with that company, and you fill it out indicating you have an anti-theft device on your car. You send it in, and you get a discount, an appropriate discount on your... on your automobile insurance. The Bill passed overwhelmingly in both sides of the Hou.. of the aisle, and it is law now. Now, to say that it does not work, it's not administer... it can't be administered is not true. What the insurance companies are trying to do is trying to get out of having to give a discount to people who have an anti-theft device on their car. Now, I told representatives of insurance companies who opposed this Bill, if they can come in, after a year, and show that this Bill doesn't

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work, that they have actuarial studies that indicate that, even though discounts were given, those cars were still stolen or they were still involved in wrecks, then fine. Then we'll look at the rules. Maybe we'll even abolish the Bill, but they haven't done that. They haven't done that. They've gone to the Insurance Advisory... the Insurance Laws Study Commission, and I, unfortunately, was not able to make that meeting and testify, although I doubt that it would make much difference as to whether or not this Bill would be introduced. It is... It is nothing more than a blatant attempt by the insurance companies to come back and repeal a law which we overwhelmingly passed to give a break on insurance for people who went out and invested in an anti-theft device. This has the effect of lowering insurance rates for everyone; because, if people are encouraged to get anti-theft devices, there will be fewer cars that are stolen and everyone's rates will go down. If the insurance companies would do this voluntarily like they give discounts for people who get straight A's and people... discounts to people that don't smoke, and that would be fine. We wouldn't need the law, but they haven't done it. They were forced to do it, because they wouldn't do it voluntarily. The Bill is working. The Director of Insurance is opposed to this Bill, and I, obviously, am opposed to this Bill. And I would appreciate a 'no' vote."

Clerk O'Brien: "Representative Collins in the Chair."

Speaker Collins: "Thank you, Ladies and Gentlemen. The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, very much, Mr. Speaker and Ladies and Gentlemen of the House. To this Bill, I have one of these devices on my car, and I got that notice from my insurance company and it said, you know, a 10% or 15% discount. I forget what it was, and I thought, well, gee, that's a...

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that's a pretty good deal and that makes sense, until I found out it was 10 or 15% on the comprehensive. It was.. In fact, you couldn't even afford to buy a device like this for the life of your car for the discount. So, I called my agent. I said, 'What about this? This is like \$2.13.' He said, 'Yeah, that's about right'. I said, 'Ah, a guy with my money, it isn't even worth it'. So, I just forgot it. I didn't even send it in."

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

Kosinski: "Mr. Speaker, Ladies and Gentlemen of the House, I was very much involved in the legislation that originally was passed by this Assembly. The point of the legislation, of course, and it was agreed to, if I remember correctly at that time by the insurance companies, was to generate the use of anti-theft devices, not only to protect the citizen and his automobile, but to make the loss factor for insurance companies less. There is much controversy on just what percentage of rebate or consideration should be given. It varied from five to 15%. Certain companies provided one type of alarm, other companies provided another type of alarm. So, the committee appointed by Director O'Connor, to investigate the technicalities of these alarm systems, called in these people at their own expense to provide testimony as to how best to create this situation of five to 15% rebate. Everybody was in agreement that it was a good thing. Now, if it, in fact, does prevent the loss of some automobiles, which saves the insurance companies money, and with all the rigamarole and everything we went through in the General Assembly in all the... in the various committees to get this thing achieved with the assistance of Director O'Connor and with the compliance of the insurance companies, I can't see why,

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suddenly, we want to repeal this thing. I don't think it makes sense, and I'm opposing it."

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

Epton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm really quite sorry that the Sponsor of the original Bill would take it personally. I can't quite understand how he can read the mind of the Illinois Insurance Study Commission. We're a product feature of the House and the Senate. We're not owned by the insurance company, by the lawyers or by any individual Member. As a matter of fact, this was called to us by the Department of Insurance; and, if Director O'Connor has indicated otherwise, perhaps we would be happy to give you a copy of the transcript of the four-hour hearing where the Department of Insurance testified, the insurance companies testified, the repair people testified and those making alarm devices testified, and they all testified that the intention was indeed a good one. Unfortunately, they didn't know what to do with it. Now, the Sponsor of the original Bill indicates that the Director has the right to set the standards. I don't know where, in the Bill, that is. It may be. I try to read every Bill, but maybe I missed it. Secondly, there is nowhere a provision in the Bill that says the discount will be on the comprehensive, on the theft portion or on the total bill. So, again, you don't have any rules or regulations covering that. Finally, those who suggested - and State Farm is a good company - but there are many other companies in Illinois. I suggest that those of you on the floor of the House who have spent three and four hundred dollars for anti-theft devices, I would ask you, how much of a discount have you gotten from your insurance carrier, if any? The very simple fact is the carriers don't know what to give you. I



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have, in my hand here, after many, many calls and many, many arguments, a manual from the Traveler's Insurance Company; and, as I read it, and I might add that it took a good deal of effort to go through my agent and get through to the Traveler's and get their manual. They have, under Rule 32, 33, 34, anti-theft classification. They have passive restraint. They have alarm restraint. They have redundant starting means. They have lock... They have Category I, the ignition switch-off, and they also have the fact that, when they sent the bill to me, I got no discount whatsoever, even though I have the Chapman Alarm. The Chapman Alarm people testified at the hearing that my colleague across the aisle failed to attend, which was set up especially for his convenience, they testified that, hell, they didn't know what discount to give, because a Chapman Alarm, which is one of the best ones, could be established 20 different ways. No one is quarrelling with the thought that we should get a discount for putting an anti-theft device on our car. That is a good idea. It should be implemented, but nothing makes us look more foolish than to have a Bill which is not implemented. The Illinois Insurance Study Commission questioned 232 insurance carriers. Of the 232 insurance carriers, we received the response from 97 saying, yes, they were giving some sort of a discount. Of the 97, only 12 told us the exact discount. Those 12 had to send out investigators to find out whether the actual alarm was placed. So, if you're talking about having someone go out on a gesture and find out if an alarm is there, that adds to your policy. If you're talking about having self-certification, which would seem reasonable, that wouldn't be so costly. But to suggest that those of us on the Commission are trying to defeat the Sponsor's intention, is unworthy of him. We

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simply have before us a Bill, which I voted for, which just is not workable in its present state. We will certainly try, and Director O'Connor will be happy to...welcome to read a transcript of the hearing to see if he can come up with a Bill which will satisfy all of us and still be possible of implementation. With all due regard for my colleague, who rises constantly to berate me, I simply suggest that it was a well intentioned Bill that went astray, and Representative Topinka's Bill, the Commission Bill, should be passed."

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

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

Speaker Collins: "She indicates she will."

Getty: "Representative Topinka, Amendment 2, which was sponsored by Representative Terzich, was added to this Bill, and I have had conversations with Representative Terzich concerning making appropriate corrections in that Amendment; and, I would like to ask you if you will cooperate, when this Bill gets in the Senate, and request that the Senate Sponsor properly amend it so that it will read that 'the insurer issuing the policy, if the insured recovers damages from the', and it says 'owner'. It should read 'uninsured or underinsured owner or operator of another vehicle and the damages of the insured exceed the amount so recovered from the other', and insert there the words, 'uninsured or underinsured owner or operator'. Would you so agree?"

Topinka: "This would be basically a technical change to it, correct?"

Getty: "That's correct."

Topinka: "Yes, I'd have no problem with that."

Getty: "Thank you."

Speaker Collins: "The Gentleman from Will, Representative

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Leinenweber."

Leinenweber: "Well, thank you, Mr. Speaker. We've spent about a half hour, I think, on this Bill, and it just goes to show that, when we willy-nilly pass these goofy Bills out relying on the Senate to kill them, occasionally they don't do it. So, let's dispa... Let's pass this Bill and dispatch that bad Act that we passed last year that somehow made it through the system. We all have to be a little more careful what we throw in the legislative hopper and, more importantly, what we vote for."

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

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, too, stand before you in support of House Bill 2081, as presented with the initial proposal and Amendment #2. I think that, in echoing the sentiments of Representative Epton, he's exactly correct. There is no standardization for the discount under the existing state law. We must address it in a different fashion; but, most importantly, Amendment #2 addresses a question that all of us have been hearing concerning uninsured and underinsured motorists. If, in fact, you've had constituents that have been in an accident with an uninsured individual, this Amendment will solve that particular problem. I, therefore, stand in favor of House Bill 2081 and recommend that we do fly it out of here with sufficient votes to get over to the Senate. Thank you."

Speaker Collins: "The Lady from Cook, Representative Currie."

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

Speaker Collins: "She indicates she will."

Currie: "Representative Topinka, does this repeal or apply to noisy anti-theft devices as well as the quiet kind?"

Topinka: "It applies to all kinds of anti-theft devices, the

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whole concept, whether they're noisy or not or go rattle, rattle, thunder, clatter, boom, boom, boom."

Currie: "Thank you. To the Bill, Mr. Speaker, it strikes me as a good proposal. I'm in favor of quiet neighborhoods, and it's pretty clear that this Bill does not, in fact, offer the consumer very much, or the Bill that this would repeal did not offer the consumer very much. From the testimony on this House floor, nobody was getting anything very much from it, except perhaps, the makers of the anti-theft devices themselves. There's no question in my mind that they advertise their devices by showing the consumer that they would be entitled to all manner of special kind of deductions from their insurance companies, deductions that, apparently, have not, in any substantial way, materialized. I've always been a strong supporter of free-market principles, and I'm delighted to stand on this House floor and join my good friend, Representative Leinenweber, a strong supporter of those principles himself, in support of House Bill 2081. I not only support the free market, but I support the quiet market, and I think 2081 will offer that... us that option."

Speaker Collins: "The Lady from DuPage, Representative Fawell."

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

Speaker Collins: "Lady moves the previous question. The question is, 'Shall the main question be put? All those in favor will indicate by saying 'aye', opposed 'no'. The 'ayes' have it. The Lady from Cook, Representative Topinka, to close."

Topinka: "Mr. Chairman, Ladies and Gentlemen of the House, I thank you for listening to all of this. I think this is a solid Bill. Once again, I would like to say that I appreciate the efforts that the original Sponsor of this

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Bill put together. The intent is honorable and so is he. This is no... This is no slur upon him, in any capacity. This is a highly impersonal matter and comes strictly out of extensive hearings. The variables that are involved in these type of installations and any type of discounts therein, at this point and under this Act, cannot be controlled. It is still optional for insurance companies to try and work out discounts. So, we have not taken that option away from them. Likewise, I would like to note that I have no vested interest in any insurance company and don't shill for them. I would like to ask for a favorable vote so that we can get back down to other business."

Speaker Collins: "The question is, 'Shall House Bill 2081 pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 113 voting 'aye', 42 voting 'no', 3 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2096. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2096, a Bill for an Act to modify the Common Law Doctrine of Comparative Negligence. Third Reading of the Bill."

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

Tate: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2096 deals with the Doctrine of Pure Comparative Negligence, which was debated yesterday, and I would... I would semi-apologize to the Members of this Assembly for taking up their time; but, for some reason today, it seems like we have a much better attendance than we did yesterday, and we do have an expert that is present on the floor today that has had some new information on the subject. And I would like to yield the rest of the debate

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to Representative Epton to speak on the Bill."

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

Epton: "Thank you, Mr. Speaker, Ladies and Gentlemen. I can't think of a better way to kill the Bill than to classify any one of us as an expert on any Bill. So, I apologize for that. I apologize for my absence from the floor, during the debate yesterday, and this certainly will not be long. As some of you know, I am subject to headaches, and Representative Klemm was busy feeding me knock-out pills yesterday. So, I was unable to participate. I did want to bring to your attention, however, the fact that I have a conflict of interest in this Bill, as I have in most Bills. In this case, I am a member of the Trial Lawyers' Association as well as the Defense Bar. Thanks to Representative Leinenweber and others, we tried to come up with a reasonable compromise. The defense lawyers wanted much more than the trial lawyers were prepared to give and vice versa. The fact is, and I admire the trial lawyers. I think that they have every right to express their opinion and convey to you their feeling on this Bill, but the fact remains that sometimes, as in a trial, some statements made on the floor of the House are not accurate and are misstatements. For example, let me refer you to the State of Wisconsin. On May 3rd, 1982, I spoke to Chief Justice of the Wisconsin Supreme Court, Bruce F. 'Bielfuss', who told me that the comparative negligence in Wisconsin law was most effective and was very, very instrumental in effecting almost no backlog. In addition, I spoke to Senator Gerald 'Large', the Chairman of the Senate Insurance Committee and Senate Judiciary Committee. He, too, incidentally, is a lawyer from Bear Creek, Wisconsin, wherever that is, and he, too, has indicated that they are fully in favor and so is the Wisconsin Bar. Obviously,

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lawyers have a right to disagree and to disagree without venom. To add to the information to my colleagues who might be listening, this morning I called Chief Judge Harry 'Cumberford', the Chief Judge of the Circuit Court, and contrary to what you may have been told yesterday, the fact is there has been a tremendous increase, a tremendous increase in the number of lawsuits that have been filed in, since comparative negligence. Today, you have lawyers filing cases in matters in which they never would have handled before, because it's almost impossible not to get a verdict. And let me read to you just a few of the verdicts that have come out. Here is a verdict for 450,000 dollars. The jury reduced it by 20%. Seems reasonable. Here is a verdict for 530,000 dollars. The jury reduced it for 50%. Seems reasonable. Then they went on and they entered a judgement for 70,000 dollars in another case, and they reduced that for 70%. That means that the plaintiff got 21% and the defendant, who is guilty of only 30% negligence, would undoubtedly be able to file suit and already has filed a suit. I won't stop with 70%. Even that doesn't bother me too much. We have one reduction of 2,291 for 60% to 1375, and then we go to a judgement of 5,000 dollars where they found the plaintiff negligent for 75%, and he got one thousand... 1250 dollars. And perhaps, to top it all, let me read you the case where there was a judgement for 250,000 dollars against the city and an individual, and there was a reduction of 95%. The person who went through the red light, the person who was intoxicated received 12,500 dollars from a jury, before Judge Gerald 'Sabarborough'. I have no quarrel with any who feel that this is morally right or just. I, however, fall in another category. I think that the law is not always just. I think that the law sometimes does an

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injustice. To me, that which is morally right, is that which should be the law of the land. I think it inherently unfair to have a wrongdoer, an individual guilty of consummate negligence, of negligence beyond a shadow of a doubt, going through a red light, being drunk, hitting the pedestrians; I think there's something inherently wrong with the Judicial system which allows that; and, to those of you who have heard of the 38 states who have this comparative negligence, let me tell you that 27 of them do not have the pure comparative negligence. We won't even go into the subrogation aspect which is as thoroughly screwed up. Should the company give back to the insured 30% of the deductible, 70%? One jury found 63.27%. Ladies and Gentlemen, I don't want to prolong the debate. You've been very patient with me, not only this year, but for the years passed. I do think that we are in error in not correcting this mistake of the Illinois Supreme Court. Some of you may know that, in the past, they have occasionally made error. I think they did overreach themselves in this instance; and, to those of you who are too fearful of what might come to pass, let me assure you. If you think the Trial Bar is strong in the House, wait 'til you see what they do to this Bill, if it ever gets to the Senate. I would appreciate a favorable vote."

Speaker Collins: "Is there discussion? The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I stand in opposition to this Bill. It is exactly the same Bill as the Bill defeated yesterday to institute modified comparative negligence in Illinois. Let me begin by telling you that this Bill is not my bread and butter. I do not make a living on trying personal injury cases or negligence cases, nor have I ever. All the extent of my



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trial practice has been with the Defense Bar in defending insurance claims against these... these cases. I have tried them under the contributory negligence theory and have found them very unfair. I believe that the pure comparative form is the truest form, the most equitable form that our citizens should be held to. It says to all people that you should, in all instances, exercise due care; and, in no case, where due care is not exercised shall you profit from it. That means, if you are 40% at fault in a case, you pay 40% of all of the damages incurred. Forty percent of your own and 40% incurred by other people. If you are 60% negligent, then you carry 60% of the damages. It encourages due care among our citizens. This Bill, in its pure form, has been accepted in England, where it originally was the contributory form. It is accepted in its pure form in all of the provinces of Canada, not just in ten of the 36 states in the United States, but in all of negligence law for U. S. law. That includes the FELA, the Merchant Marine Act, the Jones Act, the Death on the High Seas Act, and it has been so for many years. I think that it is good public policy. Under the modified form, there have been an extreme number of problems, which I believe we brought out in questions of Representatives yesterday. Those problems dealt with an uninformed jury, with a jury that does not do the calculations themselves that have resulted in a tremendous number of appeals, not just in Wisconsin, but in other states that have adopted a modified form. There is no provision for set off. There is.. There was no indication as to what would happen when the... any of the parties are found to be willfully and wantonly negligent, which is a standard of care presently also used in Illinois. Those problems are all eliminated under the pure form of

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comparative negligence. Those of you who are concerned by the fact that there might be a situation where somebody who is 99% negligent can still recover for their damages, remember that, in those cases, those places where there are people who are suit happy, those people who... who chase ambulance and make cases, there is still the possibility, and it is presently used in Illinois, of the use of a directed verdict. In other words, the Judge can hear the facts in the case and direct the verdict as to negligence, as to the fact that the plaintiff was totally responsible for the case and throw it out, or to the fact that the plaintiff contributed not at all to that negligence of that case; and, as a consequence, they don't have to try it on those issues. That was presently decided in Illinois in 1974, and the directed verdict has been used in Illinois in the one year that the pure comparative form has been used in this state. I would also tell you there have been no appeals of the... of this form in that one year. I suggest a 'no' vote. Thank you."

Speaker Collins: "The Gentleman from Champaign, Representative Wikoff."

Wikoff: "Move the previous question."

Speaker Collins: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?'. All those in favor will indicate by saying 'aye', opposed 'no'. The 'ayes' have it. Who's going to close? The Gentleman from Cook, Representative Epton, to close."

Epton: "Thank you, Ladies... Mr. Chairman... Mr. Speaker, Ladies and Gentlemen. Again, I appreciate your patience. You've all heard this argument many times before. I know that many of you had your minds made up, but I simply leave it to you. Shall we give justice, or shall we create inequities by allowing the drunken driver to collect

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substantial monies? I hope you will translate your feeling into your switch and vote favorably for this Bill."

Speaker Collins: "The question is, 'Shall House Bill 2096 pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 51 voting 'aye', 109 voting 'no', 4 voting 'present', and this Bill, having failed to get a Constitutional Majority, is hereby declared lost. Has Representative McAuliffe returned to the floor? No. House Bill 2102. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2102, a Bill for an Act to amend Sections of the Criminal Code. Third Reading of the Bill."

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

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, I'd like to have leave of the House to move this Bill back to Second Reading. Representative Kosinski and myself have an Amendment we'd like to put on."

Speaker Collins: "Gentleman asks... Gentleman asks leave to return this Bill to Second Reading for the purpose of an Amendment. Does he have leave? Hearing no objections, the Bill will be returned to Second Reading. Are there... Are there any Amendments, Mr. Clerk?"

Clerk O'Brien: "Amendment #4, Kosinski, amends House Bill..."

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

Kosinski: "Mr. Speaker, Ladies and Gentlemen of the House, the combined hyphenated sponsorship of this Bill, with grateful acknowledgement to Representative Getty who was assisting us in formulating Amendment #4 to tight language, offers Amendment #4. Amendment #4 contains everything in the Bill, and it's... the Amendments that have been applied,

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plus tighter language for enforcement, and I ask for acceptance of the Amendment."

Speaker Collins: "Is there any discussion? The Gentleman asks... moves the adoption of Amendment #4. All those in favor will indicate by votin... by saying 'aye', opposed 'no', and the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Collins: "Third Reading. The Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Mr. Speaker, I'd like to ask leave of the House to have this Bill heard today on Third Reading, even though we amended it."

Speaker Collins: "The Gentleman asks leave that this Bill now be heard on Third Reading. Is there objection? Hearing none, the Bill will be read out a third time. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2102, a Bill for an Act to amend Sections of the Criminal Code. Third Reading of the Bill."

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

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill, as amended with the help of the Illinois Rifle Association, I...I know of no opposition to the Bill; although, I may be wrong. Representative Kosinski, Representative Levin and myself have worked on the Bill. This is a Bill that would... is the so-called cop-killer bullet Bill. We've worked out all the problems, I think. I don't think anybody has any further objections. It would ban the sale, and manufacture and possession in Illinois of these so-called cop-killer bullets, and I'm sure that Representative Kosinski wants to make a few comments and perhaps Representative Levin."

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

Kosinski: "Much deliberation and technical expertise has gone into this armor-piercing bullet Bill, and we hope it can save lives with our police officers throughout the state and I recommend its total passage."

Speaker Collins: "Is there further discussion? The question is... The Gentleman from Macon, Representative Tate."

Tate: "Yes, would the Sponsor yield?"

Speaker Collins: "Indicates he'll yield."

Tate: "Representative, is...is this Bill dealing with the Teflon bullet?"

McAuliffe: "It is."

Tate: "And the... the Illinois State Rifle Association had...had testified you had worked that out in Committee."

McAuliffe: "We sat down with them, and they drafted the Bill for us."

Tate: "Alright. Thank you."

Speaker Collins: "The question is, 'Shall House Bill 2102 pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Gentleman from Wayne, Representative Robbins, to explain his vote."

Robbins: "On the Amendment, in Section C, I would like to have asked the question, does it take a special type of handgun to shoot this bullet?"

Speaker Collins: "The.. the Sponsor may wish to respond by way of explaining his vote. Representative McAuliffe."

McAuliffe: "Well, these bullets can be fired out of any type of gun. You don't have to have a special gun to fire them."

Speaker Collins: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 171 voting 'aye', none voting 'no', none voting 'present', and this Bill, having

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received a Constitutional Majority, is hereby declared passed. House Bill 2134. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2134, a Bill for an Act to amend the Election Code. Third Reading of the Bill."

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

Brummer: "Thank you, Mr. Speaker, Members of the House. This Bill was introduced by Representative Dwight Friedrich and I as a result of the great deal of attention that was in the media after the election in November of 1981 about the tremendous cost of conducting that election, in terms and in relationship to the number of...of people that turned out to vote. As you all understand, the November or the odd-number election year is what we typically refer to as the school board elections. At that election, school boards are elected, community college trustees are elected; and, in a few isolated instances, trustees of fire protection districts are elected. This Bill, in an attempt to address the cost of that election which, incidentally, was \$6.30 per every vote cast across the State of Illinois. In some areas, it was as high as \$17.46 per each vote cast. In an attempt to address the cost of.. of conducting that election, this Bill does three things. Number one, it changes that election schedule for the odd-numbered November election from Tuesday to Saturday. Number two, it changes the polling hours to 12:00 noon to 6:00 p.m. As you recall, school elections for the last 50 years, I suppose, have been conducted on Saturday from noon to six. This changes the entire... that consolidated election schedule date to the Saturday from noon to six. The third thing, because the judges are working six hours rather than 13 hours, it reduces the...the minimums and maximums that the county clerks can pay to the judges for salaries by

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one-half. So that they will be working six hours rather than 13 hours, and they will be receiving one-half of the salary. This Bill has the support of the Illinois Association of School Boards, IDRED, the IEA, the Illinois Farm Bureau. It saves money in every county in the state, and I would be glad to respond to any questions, if there are any."

Speaker Collins: "Is there discussion? The Gentleman from Marion, Representative Friedrich."

Friedrich: "Yeah, Mr. Speaker, I've had quite a bit of demand for some change in the school election laws, and one here particularly. A letter from the County Clerk of Fayette County, in which he points out the total cost of the election in Fayette County was 26,576 dollars, or \$8.81 per vote. In some precincts, the judges were sitting there, of course, those 13 hours; and, in one precinct, they got 21 votes. I assume five of those were the election judges. This seems to me like a real waste of the taxpayers money, and I think Representative Brummer has come up with an idea here to save thousands of dollars and still give the people an opportunity to vote for their school directors."

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

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, there are many of us in this chamber and in the Senate as well that worked for seven years to develop the Consolidation Election Law schedule and appropriate legislation to implement that Act. Now, I can tell you and, if you'll recall for a moment the debate on this Bill which provided for the five-date schedule of elections under the new consolidation of elections, was opposed by many Members of this House to begin with. When the rhetoric was all used up and we decided to go with the

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Election Consolidated Law, we said, very specifically and quite succinctly, that we knew that there would be problems with several aspects of the new law, and it certainly would take time to iron out those difficulties that seem to be apparent. After the first go around, 1981, was the first time that we had the three scheduled elections dates. The consolidated primary in February of that year, the...the consolidated election in April and the non-partisan election in November, which is the Bill we're dealing with presently. As you know, under the schedule of elections now, there is provided that only one election date of the scheduled five can a referendum be placed on any one of that dates. Now, if we go to back to the old Saturday, a way of doing business for school districts' school elections for elementary, secondary and junior colleges and reduce the number of hours that the polling places will be open, we'll be inviting a...a referendum; that the ... those who are interested in the those referendum will be able to pass without too much difficulty. Now, you've heard certain figures cited, as to the cost per... per capita of the... of the non-partisan elections in November, where the...the schools have the election. I can suggest to you that the county clerks, in some counties, are not exercising the provisions of the entire Bill that provides for clustering of precincts, the use of paper ballots, the reduction of judges.... the reduction of judges and all of the things that we considered... excuse me, in 72 public hearings throughout the State of Illinois in the past seven years. Now, to suggest that we need a change when we've had only one non-partisan election in 1981, just is not reasonable. It's not accurate to cite figures, because we know that state-wide, the turnout in the non-partisan election in November attracted a great deal more voters



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than it ever did on a Saturday. And the reason for that, of course, is that the polls were open longer, and the election was held on Tuesday. Now, when the elections are held where, perhaps, 70% or more of your tax dollars being spent through the exercise of the real estate property tax, it seems to me that that's the election that we should watch closely and provide for the greater voter participation. With this, we're going to have a lack of interest again on a Saturday election for school board members and for referendum, and I suggest that we defeat this Bill.

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

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, never did I ever believe that I would get up and defend the consolidation of election. As you all remember, Representative Bluthardt and I stood here and yelled for two hours trying to defeat that Bill. If there's anything good about that Bill that was passed, was getting the school elections on the general election. If you all remember, when we had a school election, it used to be in April when all the students were in school, and the people were in town; and, at that time, there were 20 million dollars worth of bond issues passed in a period of seven years in Leyden Township. Twenty million dollars worth of bond issues passed in a seven-year period in Leyden Township, with 52,000 registered voters. The largest amount on any referendum was 2,000 registered voters. Now, look what this Bill does, Ladies and Gentlemen of the House. It puts the school board elections back on a Saturday, but in November, in November, when most of the people are either vacationing or that around the holidays have the Christmas spirit, the Thanksgiving spirit. They're doing their shopping, and you're going to have

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referendums, again, being passed with seven, 800 people out of maybe 50, 60,000 registered voters. This is going to be a worse rape on the taxpayers. They will have no protection, whatsoever, to hold an election on a Saturday wintry afternoon, and then you're going to cut the hours down. Besides cutting the hours down, we're having trouble now, trying to get people to serve as judges. You're also going to cut their pay in half. I never thought I would defend the consolidation elections; but, if any part of it's going to be repealed, certainly this part should not be repealed, and this Bill should be defeated for that one issue alone. There are too many hidden referendums, too many large bond issues passed in a six or seven-hour period at the most opportune time for them to pass something like this, when everybody's in the holiday spirits or the Thanksgiving spirits at that time. I recommend a 'no' vote on this Bill."

Speaker Collins: "The Gentleman from Mc... from Adams, Representative McClain."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I rise in support of House Bill 2134. I... notwithstanding the last two Gentlemen, especially Mr. Yourell, who is the father of the consolidated election, this issue will save, outside of the County of Cook, 735,000 dollars for property taxpayers throughout the State of Illinois. I think that's a legitimate issue for us. Secondly, when you have... There are five election dates now that you can have bond issues, like Mr. Conti was talking about. Those bond issues can still be held on this Saturday that Mr. Brummer is addressing. The bottom line is that, as you know, the per voter cost was extremely high in that voter election. All Mr. Brummer is trying to do with this Bill is to lessen that cost, save those property

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taxpayers 735,000 dollars, and I would urge your support."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I understand why we cannot pass tax relief and why we cannot pass tax limitation in this Session of the House. I...I did not expect that we would be successful in that; although, we had to make the effort. What I don't understand is why we have efforts to pass the most...most anti-taxpayer Bill of the Session here. That's all this is. This is a blatant attempt to sneak by referenda in low turn-out elections. We ought to reject this Bill. We ought to provide some protection for the taxpayers, and rejecting this Bill is the best way to do this. I urge a 'no' vote on this anti-taxpayer Bill."

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

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

Speaker Collins: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?'. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the Gentleman from Effingham, Representative Brummer, to close."

Brummer: "Yes, thank you. I'm just amazed, when we're saving the taxpayers 735,000 dollars across the state, not including the figures from Cook County which I don't have available, that anyone can call this an anti-taxpayer item. This is an item that will save a direct amount in each county in the State of Illinois. In Lawrence County, for example, it will save 3800 dollars. In... In Gallatin County, 1200 dollars, some of the smallest counties. In DuPage, County I think the figure is 59,000 dollars. All of those.. All of those counties, added up, amount to 735,000 dollars, not including Cook County. This is a Bill that is.. that is

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supported by the Illinois Farm Bureau, that is supported by the Illinois Education Association, that is supported by the Illinois Association of School Boards, that is supported by IDRED, the school district association in the suburban area. It will save major amounts of dollars state-wide. The turnout at the November, 1981 election was 16.67%. We had never had a general election with such a low turnout in the State of Illinois. I would suggest to you that this will not affect turnout whatsoever. In fact, people are used to voting for school elections on Saturday. They will continue to vote when there are races, and they will continue to turn out, if there is opposition; and, when there isn't opposition, quite frankly, they won't turn out. I have never, in my life, known of an instance where someone wanted to vote in a school election and was deprived of that opportunity. This is a good Bill to save money for the taxpayers of the State of Illinois, and I would appreciate your 'aye' vote."

Speaker Collins: "The question is, 'Shall House Bill 2134 pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. The Lady from DuPage, Representative Fawell. Vote me 'no', please. I recognized... Representative Fawell, didn't you wish to explain your vote? The Gentleman from Cook, Representative Barr."

Barr: "Yes, Mr. Speaker, in explanation of my vote, I'm voting 'no' on this Bill. It's a terrible Bill. It's terrible, because Representative Brummer hasn't gone far enough. If his.. his motive, as he has expressed so eloquently here, is to save money, he's not saving enough money. The way to save money, Representative Brummer, is abolish elections. Then we don't have to pay these election judges. We don't have to rent polling places. We don't have to print

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ballots. We don't have to do any of those things. We can just abolish school board elections, and let somebody or other appoint them. Of course the Association of School Boards are for this. It keeps the turnout down. They can get their favored people in, pass their referenda without any voter participation. This is an anti-taxpayer and an anti-democracy Bill, and it ought to be defeated. We ought to get more red votes up there."

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this bad Bill for many of the reasons that have been expressed by very eloquent previous speakers. I might just add to it that, in accordance with what Representative Barr had said, the cheapest way is to abolish elections; and, in fact, that's what's this Bill does in some respects. In many districts, members of the Seventh-Day Adventists faith would be un...unable to vote on Saturdays, members of the Jewish faith would be unable to vote on Saturdays. In some districts, the entire school board is made up of members of one or another of those faiths who would not even be able to run for office, if the election was held on Saturday, which would be the Sabbath in some religions. So, I would ask for those and many of the other reasons, primarily, the reason that we have not given the Consolidated Election Law the opportunity that it deserves. We fought it... We fought for it. We passed it, and now we're changing it. For those reasons and others, I would ask for a 'no' vote."

Speaker Collins: "Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker. I wanted to ask one question, if Representative Brummer would just wave yes or no. Under this Bill, does this now mean that this election would move

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back into the school districts out of the current precincts, in which we all vote now under the Consolidated Election? No, what? No, they don't move out of the precincts? Okay, thank you."

Speaker Collins: "You spoke in debate, Representative Yourell. The Gentleman from Coles, Representative Stuffle."

Stuffle: "Well yes, since you did turn my light on, my question was answered. I was going to ask and explain my vote, but let me simply say, while we're here, I think all these groups do support it. In our area, the vote actually was higher before the Consolidated Election took effect with regard to this. I think the people who are running is what counts; and, as to the Gentleman who remarked about not being able to vote because of your religion on Saturday, I'm sure, coming from Chicago, he understands the absentee ballot process quite well and knows that they can vote in that manner."

Speaker Collins: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this Bill there are 119 voting 'aye', 44 voting 'no', 2 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2139. Read the Bill, Mr. Clerk. Take it out of the record. House Bill 2149, out of the record. House Bill 2168. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2168, a Bill for an Act relating to motor fuel tax disbursements in certain road districts. Third Reading of the Bill."

Speaker Collins: "The Lady from Cook, Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, currently, under the Motor Fuel Tax Act, townships and road districts have to levy a certain minimum tax in order to qualify for getting the money back to them that they are,

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otherwise, entitled to because of their population. The tax is collected in these townships and road districts, of course, as it is in all municipalities and counties; but, because they don't levy a particular minimum tax, they do not receive any disbursements back. This law has the effect of encouraging townships and road districts to levy a tax that they don't actually need to levy, in the amount that they would...do not actually need to levy, that is, in order to get so called free money back from Springfield. This Bill would remove that minimum tax requirement so that these townships and road districts would be entitled to the motor fuel tax that all other townships, road districts, cities, villages, counties receive, and I move its adoption and favorable consideration."

Speaker Collins: "Is there any discussion? The Gentleman from Lake, Representative Pierce."

Pierce: "Would the Lady yield for a question?"

Speaker Collins: "She indicates she will."

Pierce: "You mean there are townships that are levying money just to get state money? Is that what they're doing?"

Pullen: "That is what this law encourages, Sir."

Pierce: "That's what the present law encourages."

Pullen: "Right."

Pierce: "Well, it seemed to me that townships, being closest to the people, would want to raise money and then turn down the state money, because the state money is something that brings state control and so on and so forth. So, it would seem to me these townships, like I get a lot of complaints from McHenry County that these townships don't like the little subdivisions and won't take over the roads because they don't meet some state standard, and they make these poor little subdivisions suffer. If townships want to stand on their own two feet and be useful jurisdictions, as

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I think maybe they can be, they should levy the tax and then not take the state money, because state money is taxpayers' money, too. Isn't that right?"

Pullen: "Yes, including the taxpayers who live in those townships."

Pierce: "Well, it would seem to me that, if the...if money is being levied only to get state funds, then the people of the township should throw out that town board or just turn down the state funds, if they are not needed. If the money can be raised locally, they shouldn't go to the state. What you're asking for is to get state money and not raise money locally. You can't have it both ways. You can't have township government that's closest to the people and then say, 'Yes, we want government close to the people. We want the money from up above so that we can have our...our township government.' Township government should stand on its own two feet. It would seem to me that responsible township officials should say, 'We can raise the money locally. We don't need state funds.' And, therefore, continue township government, the government that's closest to the people and not go begging to the state to keep township government going. So, I don't see why the Bill is needed."

Speaker Collins: "Is there further discussion? The Gentleman from Adams, Representative McClain."

McClain: "Thank you, very much, Mr. Speaker. Ladies and Gentlemen of the House, I think it's important, for those of you that are interested in Road Fund dollars or motor fuel tax dollars, to pay attention to this Bill. There are about 1500 taxing districts in the State of Illinois. Miss Pullen is directing herself to approximately 26 taxing districts who, because of high property values, do not tax at the minimum level in order to receive state motor fuel



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tax dollars. What she is doing is removing that minimum requirement so that those local governments no longer have to tax at that minimum level and still receive that state... those state dollars. There are many, many and scores of taxing districts that need this motor fuel tax dollars from the State of Illinois and do not have the luxury of having the luxury of these 26 taxing districts. So, I would be like Mr. Pierce and urge you to oppose the Bill and defeat it."

Pierce: "God bless Mayor Byrne."

Speaker Collins: "The Gentleman from Cook, Representative Birkinbine. Is there further discussion? The Lady from Cook, Representative Pullen, to close."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, I'm really delighted to hear the Gentleman from Lake encouraging the support of township government. I think that that's a... a real first in Illinois legislative history, and perhaps he can't have it both ways either. I would like to call to your attention, as I think I said to begin with, that all the other taxing districts in the state are entitled to the motor fuel tax distribution without having to levy... levy any minimum tax. So, what I'm calling for in this Bill, Ladies and Gentlemen, is equity among taxing districts, to ask that the minimum tax required of certain taxing districts be deleted from the law, so that they can be entitled to... to motor fuel tax distributions the same way cities, and village and counties are. I urge a favorable vote."

Speaker Collins: "The question is, 'Shall House Bill 2168 pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this Bill, there are 69 voting 'aye', 91 voting 'no', 3

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voting 'present'. The Lady from Cook, Representative Pullen. Did you seek recognition? Representative Stearney desires to be recorded as voting 'aye'. There are 70 voting 'aye'. I've already announced... Representative Pullen, did you seek recognition?"

Pullen: "Mr. Speaker, I was going to request Postponed Consideration, but I think maybe I'd rather take the Roll Call and let it go into concrete. Thank you."

Speaker Collins: "On this question there are 70 voting 'aye', 91 voting 'no', 3 voting 'present', and this Bill, having failed to receive a Constitutional Majority, is hereby declared lost. For what purpose does the Gentleman from Winnebago, Representative Giorgi, rise?"

Giorgi: "I wanted to know if she wanted fast-setting concrete or slow-setting concrete."

Speaker Collins: "They told me you might know something about that."

Giorgi: "I'm an expert, especially subterranean concrete use."

Speaker Collins: "House Bill 2243. Read the Bill, Mr. Clerk."

Unknown: "Turn me off."

Clerk O'Brien: "House Bill 2243, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

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

Brummer: "Yes, Mr. Speaker, Members of the House, this Bill is a very simple Bill. It...I sponsored it at the request of the State Association of the Regional Superintendents of Schools. They are charged with responsibility of truancy laws in the State of Illinois. The current law provides that, once a student has begun to attend school after achieving the age of 16 years of age, he must continue for the rest of that term. This Bill, very simply, provides that a student, upon reaching age 16, is not required to

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attend school any longer."

Speaker Collins: "Is there discussion? The question is, 'Shall House Bill 2243 pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 143 voting 'aye', 16 voting 'no', 2 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2274. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2274, a Bill for an Act to amend Sections of the Workers' Compensation Act. Third Reading of the Bill."

Speaker Collins: "The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Mr. Speaker, Members of the House, House Bill 2274 makes some minor but very significant changes in the Workers' Comp. Statute. As you well know, back in 1975 over a hundred separate changes were made in workers' comp. and Occupational Disease Acts. The impact has been rather significant over the years and, since 1975, we've been able to make some changes which have been meaningful and effective changes in the Act. House Bill 2274 attempts to further amend the Act to bring about three changes, and I'll try and be as brief as possible and move the debate on this Bill along as quickly as we can. House Bill 2274 addresses itself, as I say, to three things. Number one, it changes the weekly benefit formula from two-thirds of gross wages to 80% of spendable income. Number two, it gives a credit for pre-existing conditions. Number three, it gives credit for other employer contributive benefits against workers' compensation benefits. Let me say that the National Council of Compensation Insurance estimates

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that the cost savings employers could expect from these changes would range between eight and a half to twelve percent of premium, and that is significant. I could go into each and every one of these provisions at length. I think everybody in this chamber knows precisely what's in the Bills. I would ask for your favorable support."

Speaker Collins: "Well, there being no discussion... The Gentleman from McHenry, Representative Hanahan."

Hanahan: "I'm not too sick, Representative. Mr. Speaker and Members of the House, the Representative alluded to the fact that somehow he has some magic information that somehow we're going to have a reduction in the premiums concerning passage of this Bill. Well, I find that pretty hard to believe that, when we can't even get a reduction in the premiums, when the courts have ordered the insurance companies to rebate forty and fifty million dollars a year minimum of overcharging with the existing law, that somehow some magic will take place for the insurance companies to forfeit some of their excess premiums that they're now charging for the benefits that would be reduced in this Bill. I just sent to all the Members of the House yesterday, and I hope most of you received, a copy of the latest insurance... Department of Insurance report concerning the costs of workmen's compensation in the State of Illinois, and it shows, since 1973, the various amounts paid for by the employers of this state, for the coverage of workmen's compensation insurance. Along with that, it shows the expenses of what the insurance companies have actually paid out to injured workers or to deceased workers' families for the injuries and the deaths occurred in the workplace. It clearly shows, clearly shows, percentage-wise, that prior to 1975 law that everyone had gotten so upset about; that the percentage of pay out is

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relatively the same in 1981 as it was in 1973, before the law took... the new law took effect. This leaves all of you with one thing to grapple with and that is the... not the issue of reduction of benefits to an injured worker. That's not the real issue that the letters that you receive time and again that are coming into your offices are all about. The real issue is the cost of the workmen's compensation insurance. Now, they could allege, and that's what I call it, an allegation that somehow they have to collect a billion dollars in premiums in order to pay out 600 million dollars in benefits. Now, you and I know, all of us know, it takes no magic to realize that there's 400 million dollars floating around there, to, not only pay the commissions, not only pay for all those big buildings that the insurance companies love to build and not for all the other kinds of gobbledygoop that they get into in expending their money and paying taxes, but there's still plenty left, plenty left to hold in reserve and to play around with. For example, we just had an accident... we had an accident in Chicago at the State of Illinois Building where those five workers were killed. And yes, Sir, families may be entitled to a quarter million dollars in benefits over a ten year period, over 500 months... 500 weeks of payouts that they will receive that quarter million dollars, but you and I know that, if you put 50,000 dollars into a trust fund and compound it, that you'll earn enough money to pay that and not pay out 250,000 dollars. You take a look at all the various ways the insurance company hinders the actual collections of the weekly disability that injured workers are suppose to be getting, and mandate that they almost have to succumb to a settlement and almost penalize injured workers like I hear day in-day out where an injured worker cannot pay his mortgage, cannot buy groceries,

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cannot pay his bills because the insurance company now is contesting the weekly disability payment. This Bill proposed by the Gentleman will not, and I say this honestly, will not reduce the premiums. The courts haven't been able to reduce the premiums. Certainly, not a little Amendment to the law is going to do it, and I urge each and every Member to think very carefully; that who are you trying to help by making the insurance companies richer at the cost of the deceased, at the cost of the injured who gave of themselves to produce the greatest country in the world, the United States of America? Are we going to be just standing up for the insurance companies, or are we going to stand up for the injured worker and their families that have given so much of themselves to produce the economy that was great and will be great, once again, when we go back to work? I urge a 'no' vote on this Bill."

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

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, the last few days, I heard on the other side of the aisle about how we're hurting the small business people, but it's important to note that, when we're talking about workmen's compensation, just who benefits from such reform. One group is going to be the small business community, the ones that you've been crying about that you want to help, in the last couple of days. Over the last seven years, small business communities have been ravaged by the soaring costs in workmen's comp. To illustrate my point, a recent report was put together detailing the impact of the workmen's compensation change of 1975 on small businesses. Example: Business in the retail industry have had their rates increased 145% since 1975; in manufacturing, by 176%; in service, 108%; in wholesale, 181%; in construction, the business that can make or break our economy, 198%. I am

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told, that in transportation, I am told that one out of every four employees, in our wonderful RTA program that we have up north, are receiving benefits. One out of every four. That's gone up 184%. If these illustrations don't shock you into realizing we must have ... restore some sanity in these intolerable laws that was passed in 1975, we're going to see the business decline more and more, and it's going to be very easy for you people, who put us in this position with some of these laws that you've passed, to vote against this Bill because you can always say, 'What you've done in 40 years, we can blame to Reaganomics'; that the poor guy's only been in office for one year in such deplorable conditions the economy finds itself in the State of Illinois. Now, of course, if you're really interested in protecting the economy in the State of Illinois, you'll vote 'no' and then you will get yourself nice three flags or four flags from the unions; but, if you want to help the economy, I say vote 'yes' on this Bill."

Speaker Collins: "The Gentleman from Madison, Representative McPike."

McPike: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I think, if we wanted to help the economy of this country, we'd throw Reagan out of office. But, to the Bill, I haven't the faintest idea where the previous speaker came up with those statistics, because statistics are available for us from the Department of Insurance as to exactly what the rate increases have been over the last six years. I came to the General Assembly in January of 1977 and, since then, we've had two Bills that had major changes in workers' compensation. The results of those changes that were made in 1979 and again in 1981 are as follows: In 1979, there were 77,000 new claims. In 1980, there were 70,000 new claims. In 1981, there were 59,000 new

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claims. That's a decrease in claims of 30% in the last two years, in regard to the insurance companies, who are making millions of dollars on the reduction in claims. The premiums earned exceeded the losses incurred in 1980 and in 1981 by 300 million dollars both years. Now, let's look at the rates, as set by the Department of Insurance in this state. Since 1977, the rate increases granted by the Department of Insurance; that is, over the last six years, are as follows: On September 1, 1978, there was a rate decrease of 7.6% and 60 million dollars was refunded to Illinois employers. In August, August 16 of 1979, the acting Director of the Department of Insurance granted a 23.8% increase and was immediately taken to court by the AF of L-CIO. The Circuit Court in Chicago, in June of 1981, reversed that increase which will result in a one billion dollar refund to employers in this state. That suit has been appealed directly to the Supreme Court. If the Supreme Court concurs in the ruling of the Circuit Court, it will mean a one billion dollar refund. It will also mean that, in six years, the only increase granted in workers' compensation is a 7.6% decrease. So that, in six years as inflation has gone up 48%, work comp. rates in this state have not only stabilized, but have gone down 7%. So, the Sponsor of this Bill really doesn't have anything else to offer. He can't reform workers' compensation. He can't reduce rates in any way, except one way, and that is to reduce the amount of benefits going to the injured worker. He tries to do it in three ways. Number one, under current law, an injured worker, who is temporarily totally disabled; here is a man or a woman who was crippled on the job and is laying at home recovering. The most that they can receive while they are recovering is two-thirds of their weekly wage. Now, no one pretends that the savings



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and loan suddenly says to this injured man or injured woman, 'We're going to reduce your mortgage payments by one-third', or no one says, 'We're going to reduce your weekly cost of food by one-third', or no one says anything about the insurance for his car or the car payment. All of these things continue, but the injured guy at home receives two-thirds of his pay and still has to pay 100% of this bills. So, what the Sponsor of this Bill would like to do is reduce that two-thirds. He would like to cut it even more. So that, if you're earning five dollars an hour working in a factory, he would like to reduce it by 7%; or, if you happen to be a machinist making 10 dollars an hour, he would like to reduce your take-home pay by 15%; or, if you happen to be an outside construction individual, who falls and injures himself seriously and is laying at home recovering, he wants to reduce it by 19%. In other words, the only way left to reduce premiums any further in this state is to cut the cost, is to cut the amount being received by the injured man; or, as that goes, for the dead man or the dead woman, to the individuals that are surviving. Let's just cut the payments going to the children and the spouse. The second way he wants to... The second way he wants to cut it is this thing that's called pre-existing condition. We've already debated that this year, and I think Alan Greiman's example was the best one. He wants to say to us that, if you wear glasses, somehow your eye isn't as valuable to you if you don't wear glasses. He wants to say to us that, if you wear a hearing aid, somehow the fact that you wouldn't hear the rest of your life is not quite as valuable to you as someone who doesn't wear a hearing aid. Or, in fact, if you have a cavity in your teeth and your teeth are knocked out, suddenly your teeth were not important to you and on, and

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on, and on, and on. We like... or he would like to say that a man or a woman is a piece of equipment, and let's just have an accelerated depreciation schedule for a man or a woman and say that, as they grow old, they just aren't valuable anymore, and let's pay them less for the fact that they're now crippled or dead. And, finally, he says, 'Let's reduce the cost of worker's compensation by having the employee pay for it. Let's take it out of his Social Security payments.' That's the height of everything. Not only do they want to reduce payments, but now they want to say, to the poor guy injured on the job, 'Why don't you pay for it?'. I think the resp... the Sponsor of this Bill should be embarrassed, should table the Bill, go home and apologize to his district."

Speaker Collins: "The Lady from Lake, Representative Frederick."

Frederick: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of House Bill 2274 because of Illinois' ranking in a recent poll as 43rd out of the 50 states, as far as a favorable climate for the operation of business is concerned. It is time, I believe, to take some additional pro-business measures, if we are to prevent further erosion of the economy in Illinois. We provide benefits, under our current laws, that are too liberal, relative to those of other states. A worker's present and pre-existing disabilities are disregarded, under the current law, so that the employer gets stuck with the total problem of the employee, regardless of where or how the original disability occurred. I do think that, unless we settle the problem of pre-existing conditions, we will continue to see costs rise for employers, and that's a real tragedy in my mind. Finally, the computation of weekly benefits, on the basis of the average weekly wage, is more generous than it should be. Representative Tuerk's Bill makes provision for

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corrections of pre-existing disability, provision for offsetting worker's compensation benefits against pension or retirement plans that contain disability clauses, and for a more realistic computation of benefits on spendable income, rather than the average weekly wage. While there is need for a more comprehensive overhaul of the Workers' Compensation Law to cut the cost of doing business in Illinois and to move our state out of the 43rd spot and closer to the top of states where business can flourish, House Bill 2274 does certainly provide improvement and deserves your 'yes' vote on this important Bill. Thank you."

Speaker Collins: "The Gentleman from Bureau, Representative Mautino. Well, if you'd rather talk to the Lady, that's alright with us."

Mautino: "Thank you, very much, Mr. Speaker, Ladies and Gentlemen of the House. I think some questions should be responded to concerning the increases that were mentioned by one of the previous speakers on the other side of the aisle. I think it's important for the small business people in the State of Illinois who, before the agreed Bill in 1977 that was presented by the Chamber of Commerce and the Manufacturers' Association, had an experience rating and a workers' compensation rate, as well as an unemployment compensation rate of one-tenth of one percent. That rate was increased to approximately one percent, about a thousand percent increase. The same provision that authorizes payment under our existing system of 66 and two-thirds for the injured worker is paramount and parallel to those sister states considered to be in the industrial complex. I thought it rather unique that, at this point in time, someone would mention the climate, the business climate in the State of Illinois. I would like to remind

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all of my colleagues, on that side of the aisle, the State of Illinois has passed the most progressive and probably the most understanding product liability statute in the nation that effects, most certainly, the industrialists of this nation and this state. We have taxed it... passed the tax abatement provisions that removes their taxes for up to one million dollars and ten years if, in fact, authorized by their local area. We have made those changes that were recommended, at least eight out of the ten priorities over the past four years. It would seem to me that the State of Illinois, who also has re... removed the sales tax on manufacturing items and new investments, does provide an excellent business climate. At the same time, they have the same formula of our sister industrial states in central United States. I think it is very difficult for anyone, on that side of the aisle, to say that we must attempt to lower insurance rates on the backs of the injured individual in this state. I would like to point out, as well, for those industries that are self-insured, on a survey of central Illinois, I find that less than two percent of gross sales are included in the exact rate for workers' compensation. The fact of the matter is, most people working on a commission for a salary get paid eight to ten percent of their production; yet, at the same time, those self-insured individuals are saying that their rate for worker's comp. is only two percent. I think that Representative McPike was correct in his observation that the most difficult aspect of this legislation is the fact that it must be reduced dollar for dollar from Social Security if, in fact, a person becomes eligible, as well, for Social Security disability. I agree, Fred. You should apologize for this legislation, or take it on a golf course and crack it three or four times. I don't think it's fair

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either."

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

DiPrima: "Yes... Yes, Mr. Speaker, I would like to move the previous question."

Speaker Collins: "Gentleman moves the previous question. The question is, 'Shall the main question be put?'. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the Gentleman from Peoria, Representative Tuerk, to close."

Tuerk: "Well, Mr. Speaker, Members of the House, everybody in the chamber knows how he's going to vote. The fact remains, I don't apologize for bringing to this chamber this type of legislation, because I, frankly, think it's needed. In fact, I don't think - I know it's needed. The fact remains that I said, in my opening remarks, that it was estimated that the premiums could be lowered from eight and a half to twelve percent. I don't have a Ouija board. I don't own an insurance company. I can't give you an exact figure. All I'm telling you is that it's been estimated that this would save employers some insurance premium, and we know that, for those self-insured, it's going to save to some extent. Now, regarding the benefit structure, the reason I don't apologize is the fact that, in my viewpoint, the benefits on workers' comp. that have risen over the years, because it's based on the average weekly wage, is going to keep going up. Now, I ... I admit, there's been some freeze, and it's still in effect for permanent/partial for another 18 months or so. These were some changes that we effected in 1980. I think they were good changes. I think they were needed. The fact remains the benefit structure in workers' comp. today, is at a level that is quite satisfactory, in my judgement, to the injured worker. I'm

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not trying to penalize the injured worker. Lord knows that that injured worker is affected to the extent that he needs protection. I think he's going to have protection. He has it now. He'd have it in the future, if this Bill were to pass. There are some things about the pre-existing injury that I think make imminently good sense. They're equitable. They're fair to the injured worker, as well as the employer. The employers wants to employ those people who have some handicap. He can't do it in all good conscience today. The mere fact that the people on the other side of the aisle that object to this type of legislation are the ones that are saying, 'Let's protect the worker'. I'm, frankly, trying to protect the worker in terms of generation of jobs and retention of jobs. Since 1975, we have had a diminution of jobs in this state, and the 1975 changes have been, to the most part, the reason for a lot of the diminution of jobs in the State of Illinois. If you don't want to face that fact, you vote against this legislation. If you want to face that reality, then you support this legislation. That's all I'm trying to do. I'm trying to help the whole business climate by effecting some good changes. These are good changes. I would ask for your favorable support of them."

Speaker Collins: "The question is, 'Shall House Bill 2274 pass?'.

All those in favor will indicate by voting 'aye', those opposed by voting 'nay'. The Gentleman from Madison, Representative Everett Steele, to explain his vote."

Steele: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. In explaining my 'yes' vote, as most of you know, Illinois is losing more jobs than any other midwestern state. Our largest job providers are expanding elsewhere and creating jobs in other states near our borders, but not here within the borders of Illinois. Now,

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this Bill corrects and it allows credit for pre-existing injuries. Our existing law is working a tremendous hardship, a tremendous injustice on many of our citizens in our state with some back problems or some hearing loss who, otherwise, would be good workers. The, otherwise, able-bodied men, who are qualified for jobs, but they can't be hired because of this pre-existing ailment which the employer would have to be buying into and have to pay those, if those injuries reoccurred in the future. So, they're cut out of the job market. I say that this Bill is good for the workers, because it's going to open up possibilities for some of these able-bodied workers who have some pre-existing injuries. It's also good for the employer, because it's going to put his costs in line with other states in the midwest so that Illinois will not be losing more jobs to other states than any other state in the midwest. I think it's good for workers. It's good for employer, and I think that we should pass this Bill out of the Illinois House."

Speaker Collins: "The Gentleman from Winnebago, Representative Giorgi, to explain his vote."

Giorgi: "Mr. Speaker and Sponsor of the Bill, I think he's trying to confuse the issue, trying to blame workmen's compensation with what's wrong in the market place. No matter what you do, you can't deny unemployment is up to 11 and 12%. Interest rates are still at 17%. Bankruptcies are at an all-time high. Housing starts are down. You ought to motivate economy's shop. At the same time, Reagan gives lease-back arrangements where a company like General Electric can make two billion dollars and not pay a cent of tax. He's got lease-back arrangements where they can make money, faster depreciations. This Bill, from the Representative from Peoria, ought to be a Bill to indict

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the insurance industry, which is making exorbitant profits on workmen's compensation. The principle carriers in the United States that underwrite personal injury, malpractice, product liability and workmen's comp., increased their portfolio 50 billion dollars in five years over the backs of the supposedly injured worker. You read about the scaffolding accident in East Chicago where 13 people were killed. Here's an article from East St. Louis where five people were mangled. What you ought to be doing here is... is you ought to support your Director of Insurance, who wants an investigation and an indictment of the insurance industry. You could save a billion dollars of insurance premiums a year in the United States, and you can save almost 100 million a year in the State of Illinois alone. And you know what the insurance companies are doing to us? They're lying to us when they make their reports. They're taking the money that they've set aside for claims and called them losses. Certainly, you ought to be calling for time ...time, because you're ashamed of what you're trying to do here. You're trying to save the insurance company a buck on the backs of the people that are..."

Speaker Collins: "Would the Gentleman bring his remarks to a close?"

Giorgi: "... bloodied and hurt in the market place, and it's not their fault that our economy is shot. It's your planners of the Republican Party."

Speaker Collins: "The Lady from Cook, Representative Hallstrom."

Hallstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Bill, especially for this whole area of pre-existing condition. As some of you know, I have spent most of my adult life working for the disabled, and this whole area of pre-existing condition really presents the greatest area of cost abuse. The



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potential liability is so great that many employers are discouraged from considering applicants with physical or mental disabilities. This is of such concern that the Task Force on Employment on the International Year of the Disabled Person has proposed that legislation be supported that provides where a pre-existing condition or a disablement is involved in a disablement rising from a current accident. That proportion of the disability, which pre-existed, must be established, and the employer pays only for that proportion caused by the current accident. I feel this is fair, and the proposal should significantly reduce the potential liability an employer entertains by hiring a disabled person."

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

Stuffle: "Yes, Mr. Speaker and Members, last year I stood here and announced that court decision to the cheers of people on both sides. That called for nearly a 26% cut, if it stands, in the workman compensation premiums in this state. That kind of a cut would more than take care of what this Bill suggests, but I don't hear any call now for that cut. That legislation was put in, since then, to create a rating law in this state by four Democrats. I haven't heard anything from the other side of the aisle about that since then. I haven't heard them admit that we've written five billion dollars worth of comp. premiums in this state since the new law took effect in '75, but there's over two billion dollars in reserves sitting there at 15% interest. Over 300 million dollars a year taken in that's never figured in, on interest, on those reserves in the rates. They don't want an open-rating law. They don't want to put the clamps on the insurance companies. They want to cut the benefits. That's the only way you guys know how to do it."

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Why won't you come back and join us in cutting those premiums, in opening the door and letting the public know what the insurance company's doing to the employer and the employee alike? Why won't you talk about that, too? In closing, let me simply say I got nine calls this week asking me to vote for this Bill, and I asked them all where they got their information. They said, 'Vote for the Bill, because the Chamber of Commerce says so'. In each case, I asked them if they'd ever read the Bill, and they said, 'No. We don't know what's in it. We just take our orders from headquarters.' That's all they do. This ought to be defeated. It looks like it will be. There's no reason why we should be taking money from workers when it can be taken from the people who are ripping this state off, whether they're employers or employees alike. It's not fair. It's not the structure of the benefits that's the problem in this state. It's the insurance companies that's the problem in this state, and we ought to recognize that. The Senate's even looking at that, and we ought to open our eyes and let a Bill, like the one we've got, out of Rules Committee and do something for the public in this state and quit making a partisan political issue out of this between labor and management, because they ought to both be on the same side of the issue. They ought to both be helping each other. They ought to both stop trying to do things that are political, and we ought to all recognize who the culprit is in this thing and it ain't the worker."

Speaker Collins: "The Gentleman from Henderson, Representative Neff."

Neff: "Thank you, Mr. Speaker. I would encourage more green lights up there, because all of us in Illinois know the many businesses we've lost the last few years and this is due, no doubt a good part of it, to the high cost of

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workmen's compensation. Now, the National Commission on Compensation Insurance found that Illinois employees' workmen's compensation costs are much higher than those of three neighboring and competitive states. Now, this report is based on annual benefits costs for one thousand workers in 1981. The cost of these one thousand workers in Illinois was 18.30 million dollars; Iowa was 12.54; Wisconsin, 10.78; Indiana, 5.98. So, that gives us an example how much out of line we are in comparison with the surrounding states; and, as long as we have this, we're going to continue to lose business to the surrounding states. I hope we'll get more green lights."

Speaker Collins: "The Gentleman from Champaign, Representative Wikoff."

Wikoff: "Thank you, Mr. Speaker. Some comments were made earlier about the high costs of unemployment compensation. Many people... or workmen's compensation. Many people were quoting all sorts of facts. The fact that I can quote, because I pay the bills. I'm one of those small businessmen. I'm in the contracting business whose workmen's compensation has increased over 200% over the last... since 1975, and I've got a continuous roll of certificates and plaques on the walls for no-lost-time injuries from prior than and after that, up until last year. We've got, as I said, a little over 200% increase on that. So, there is a problem, and this is one of the biggest complaints that we get on... from all over the State of Illinois, is the high cost of workmen's comp. I'd like to read you just a couple of notes from the interim report of the bipartisan Commission for the Economic Development Commission of the State of Illinois. Many of the things that they recommended for the following workers' compensation changes were credit for pre-existing

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condition, establishment of standards, weekly benefits should be reduced by using take-home pay rather than total weekly earnings, and coordination of benefits. That's what this Bill covers. Those proposals are included in 2274. Many of them... or some of the Members on that Commission include Senator Dawson, Representative Carol Braun, Representative Rea, Representative Ewing, Senator Netsch and Senator Weaver. Let's have a few more green votes up there."

Speaker Collins: "Gentleman from Marion, Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House, very briefly, North American Rockwell has a plant in Centralia, and they also have plants in seven other states. I just got the figures on their workmen's compensation costs, and Illinois is almost four times as high as some of the states and double what it is in most states. I also have a letter here from the Marilee Corporation. They say they operate in three states. In Illinois, they have 700 employees, and it's costing them a thousand dollars per employee more than it does in the other states. Now, you know where they're going to expand. They're not going to expand in Illinois. They're going to expand in those other states, and so is North American Rockwell. It's that simple. It just means jobs for Illinois, unless we get our act together. Getting back to this matter of pre-existing conditions, you know, we talk about helping people, but an... but an employer is almost a fool to hire anyone who has any disability of any kind, under the existing law. Now, if you really want to help these people who have some disability, then you ought to be for this Bill, because an employer is not going to hire those people. You're really discriminating against them by making it impossible for the employer to hire

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them."

Speaker Collins: "The Gentleman from Kane, Representative  
Murphy."

Murphy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. I happened to be on Committee when this Bill was  
introduced, and I chastised the Sponsor at that time for  
not taking action against the insurance company; and, I  
don't see him doing any movement towards the insurance  
companies that are doing to the workers since 1975. Now,  
he gets back, and he... he wants to take the benefits away  
from the injured worker after we find out, on a national  
policy, they're taking all benefits from the poor. Now  
they want to take it from the injured worker, even the  
dead. I just can't understand some of the policies that  
are coming from the other side of the aisle. Now, if we  
had a war tomorrow, if you had crutches, you had one leg,  
industry would hire you and wouldn't argue about your  
pre-existing injur... (cut off)..."

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

Robbins: "I don't really understand the issue. I've heard it  
debated here for about four years. During this same four  
years, I can name you 15 people that have pre-existing  
workmen's compensation claims that they are not being  
adjudicated and handled properly. If you're interested in  
a worker, why don't you try to help him? The pre-existing  
condition could at least let this guy that has run out and  
being starved out, because the system in the State of  
Illinois won't allow him to be paid for his injury; and, at  
least, let them exempt the pre-existing conditions and let  
him go back to work. Think about it. Some of you people  
that speak for labor over there, think about the working  
man. Think about that man that has been... (cut off)..."

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

Kelly: "Yes, Mr. Speaker, we've debated this issue a great deal tonight. These votes haven't changed one bit since anyone has spoken for and against it. We have, year after year, talked and discussed this issue, and I know that none of the votes are going to change. Can we move to another Bill, please?"

Speaker Collins: "I'm glad somebody pointed that out. The Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, just I felt, briefly, to comment that one of the prior speakers, on the other side, talked about all the things we've done for business and industry to make our business climate good, but the thing they fail to understand is what they asked for in this state was workmen's comp. reform, unemployment reform; and, instead, we have tried to soothe their sores with other less desirable programs, and we have failed to create a good business climate. We won't have one until we address this issue. It's obvious we won't do it now. Possibly, after November."

Speaker Collins: "Gentleman from Macon, Representative Dunn."

Dunn: "Mr. Speaker, there are no cameras up in the gallery, but I guess some of the Members are still confused. If you'd turn the TV light off, maybe they could catch on and stop explaining their votes. Turn it off, please."

Speaker Collins: "Well, the rules prohibit filming during explanation of vote anyway. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 74 voting 'aye', 91 voting 'no', none voting 'present', and this Bill, having failed to receive a Constitutional Majority, is hereby declared lost. Messages from the Senate."

Clerk O'Brien: "A Message from the Senate, by Mr. Wright,

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Secretary, 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following title in the passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bills #1577, 1593, 1609, 1627, 1656, 1657, 1658, 1390, 1500, 1436, 1520 and 1559, passed by the Senate May 20, 1982. Kenneth Wright, Secretary.' A Message from the Senate, by Mr. Wright, Secretary, 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in passage of Bills of the following title, to wit; House Bill 497, together with Senate Amendment #2 and Senate Amendment #3, passed the Senate, as amended, May 20, 1982. Kenneth Wright, Secretary.' A Message from the Senate, by Mr. Wright, Secretary, 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate concurred with the House in adoption of their Amendments to a Bill of the following title: Senate Bill 1394, with House Amendment #1, action taken by the Senate May 20, 1982. Kenneth Wright, Secretary.' A Message from the Senate, by Mr. Wright, Secretary, 'Mr. Speaker, I am directed to inform the House of Representatives the Senate has refused to recede from their Amendment #1 to a Bill of the following title: House Bill 252. I am further directed to inform the House the Senate requests a First Conference Committee, action taken by the Senate May 20, 1982. Kenneth Wright, Secretary.' A Message from the Senate, by Mr. Wright, Secretary, 'Mr. Speaker, I am directed to inform the House of Representatives the Senate has adopted the following Senate Joint Resolutions, the adoption of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Joint Resolutions #70, 72, 81 and 95, adopted by the Senate May 20, 1982.

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Kenneth Wright, Secretary.' A Message from the Senate, by Mr. Wright, Secretary, 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in adoption of the following Joint Resolution, to wit; House Joint Resolution #86, concurred in by the Senate May 20, 1982. Kenneth Wright, Secretary.'"

Speaker Collins: "House Bills, Third Reading. House Bill 2276. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2276, a Bill for an Act in relation to the maximum rate of interest on bonds and warrants. Third Reading of the Bill."

Speaker Collins: "The Gentleman from McLean, Representative Bradley."

Bradley: "Well, Mr. Speaker, I'd like to return this to Second Reading for purpose of an Amendment."

Speaker Collins: "Gentleman asks leave to return this Bill to Second Reading for the purpose of Amendment. Is there objection?"

Bradley: "Thank you..."

Speaker Collins: "Hearing none, the Bill will be returned to Second Reading. Representative Bradley."

Clerk O'Brien: "Amendment #1, Bradley, amends House Bill 2276 and so forth."

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

Speaker Collins: "Representative Bradley."

Bradley: "To explain the Bill, we started out with the legislation, as originally introduced, to take care of a problem that was then addressed by Senate Bill 59, which the Governor signed just last week. We saw the opportunity to clean up the statutes. So, what the Amendment does now, it addresses itself to units of local government, which are not home rule units, and other public corporations, which



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issue bonds, other evidence of indebtedness, tax anticipation warrants and those units of local government that have been experiencing difficulty borrowing money through the sale of bonds and notes. The Act, of course, is generally considered the controlling public indebtedness interest rate, because... because it is likely local government leaders and attorneys look to this Act to provide guidance in selling the bonds. The Amendment is offered to change the now antiquated interest rate language in several special Acts so that they will conform with Senate Bill 59. The Amendment provides that this amendatory Act shall not be construed to restrict or limit the equitability of the Public Corporation Interest Rate Act to other units of local government not mentioned in this Amendment. And, of course, this provision is necessary, I think, to guide local government officials on bond issues. What we're trying to do ... those units of local government who are finding it very difficult to sell bonds so that they can make necessary repairs, or maintenance or building, in those units of local government, make it possible to sell the bonds, and I move for the adoption of Amendment #1 to House Bill 2276."

Speaker Collins: "The Gentleman moves the adoption of Amendment #1 to House Bill 2276. Is there discussion? The question is, 'Shall Amendment #1 to House Bill 2276 be adopted?'. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Collins: "Third Reading. The Gentleman from McLean, Representative Bradley."

Bradley: "Yes, Mr. Speaker, now I'd like to move the... that we suspend the appropriate rule so that we may address the

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Bill on Third Reading."

Speaker Collins: "Gentleman asks leave that this Bill be considered on Third Reading at this time. Is there objection? Hear... Hearing none, the Bill has been read a third time. The Gentleman from McLean, Representative Bradley."

Bradley: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I could give you the same rhetoric that we just... that I just did give you. The Amendment is now the Bill, as I said when closing on the Amendment. I think it's necessary that we give various units of local government, we put them in conformity with Senate Bill 79 to make it possible... or 59 to make it possible for units of local government to be able to sell bonds at an interest rate that would reflect the charge of the cost of... of interest on bonds in the marketplace today, and I ask for a favorable vote. Thank you."

Speaker Collins: "Is there discussion? The Gentleman from Cook, Representative Getty."

Getty: "Will the Gentleman yield?"

Speaker Collins: "He indicates he will."

Getty: "Representative Bradley, I understand that the Municipal League supports this. Is that correct?"

Bradley: "I would hope so. I haven't... Yes, they do, I am informed."

Getty: "Okay. I wonder if you would indicate so that we have some record of the problem that municipalities are having in selling their bonds, since, presently, it's 9% or 70% of the prime, and these are tax exempt municipal bonds. What is the specific problem that they're having in selling these tax exempt bonds that would justify the General Assembly in authorizing a substantial increase in the rate?"

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Bradley: "The... the bond market, as you well know, people have to buy the bonds, and the interest rate that they can receive, in other various investments, is... is at a higher rate than these various units of local governments can now pay. So, it's not an attractive situation to the investor. If you can receive a 13, 14, 15% interest on your money, you're going to do that, rather than invest in these... these bonds that are the local units of government are limited, by statute. If you'd go through the... the Amendment, which is rather long, some of the units of local government are limited to 4, 5... I think it's anywhere between four percent and nine percent is what they can pay in interest, which is way too low, and it's impossible to sell those bonds when, obviously, they can make more money investing their money in other places."

Getty: "But these are all tax exempt bonds. Are you comparing them with other tax exempt bonds that are available on the market, or are you comparing them with other bonds, non-tax exempt, that are on the market?"

Bradley: "I'm... I'm comparing them to...I'm comparing them to any other place that an investor, who has money that he wants to invest; that he can get a ... a larger return when he invests his money, even though these are tax exempt. There are cases where they can invest their dollars and make more money, in the long run, even though they're tax exempt bonds, regardless of which type you're talking about."

Getty: "Well, it wouldn't make sense to me, and I... and I wish you'd clarify that, if you're saying that we should compare these with non-tax exempt bonds. I could understand your posture, if you're saying that other states have permitted a... an increase in the rate so that we're on competition with other states that have higher tax exempt bonds

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available for purchase, and; therefore, we need it, but I couldn't understand your last answer, if you're saying we have to be competitive with the taxable bond rate."

Bradley: "Well, I'm sorry that you don't understand it. The... You did when we passed Senate Bill 59. You voted for that without any question. We're doing the same thing with this Bill that we did with Senate Bill 59. Evidently, you understood that. It's too bad that you don't understand this piece of legislation. We're conforming... We've conforming the statute to Senate Bill 59 exactly as you supported at that time and giving some guidance to local government officials, which I think we need and, with the statutes, will be conforming to Senate Bill 5... or 7... or 59."

Getty: "Well, could you tell us what states have a rate that's similar to this, Representative?"

Bradley: "I'm not familiar with that."

Getty: "So, you... you have no data to substantiate that any other municipalities anywhere have rates that are this high."

Bradley: "I don't... I... I can't say that they do or they don't. I would assume that, if they're going to sell bonds, any local unit of government that is going to sell bonds are going to have to have done something to have raised their rates so that they can sell them. Otherwise, they... they can't sell the bonds. It's just that simple. If you want to keep them... If you want to oppose the legislation and keep the interest rate that local government can... can pay, go ahead and oppose the legislation, but you're handicapping various units of local government and you're tying their hands. And that's up to you."

Getty: "Well, Mr. Speaker, may I... I address the Bill?"

Speaker Collins: "Proceed."

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Getty: "I did not rise to oppose it. I rose... and I wish Representative Bradley would listen. I rose because I thought there ought to be adequate intent to justify an action by the General Assembly, to indicate that, indeed, the bond market for municipal bonds is such that Illinois would have to raise the rates. Instead, Representative Bradley has said he knows of no instance where the bond market is such that we would have to raise the rates, as regards to municipals. He says that, in effect, we're only in competition with... not... with bonds that are taxable. Well, as you know, the purpose of municipal bonds having a tax exemption is to make them more desirable and, at the same time, reserve and reduce the amount that a municipality would, otherwise, have to be paying in interest rates. I would suggest, respectfully, that until we can get that data to justify an action by the General Assembly, which would cause a tremendous increase in interest payments by municipalities, and we would be taking responsibility for doing this; that we ought not to vote on this. I think he ought to take it out of the record 'til he gets his facts correct and then bring it back before us. If he proceeds on it, I will vote 'present'."

Speaker Collins: "I have been asked to make an announcement. It would be advisable, for anyone that's hungry, to send out for dinner. It is the intention to go completely through the Calendar. Is there further discussion? The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, on the matter of interest rates, last Session, in the General Assembly, we took all interest rates off all types of loans in the State of Illinois, and besides that, we put a five percent penalty, when that poor guy that couldn't pay his note on time was, late. Amoco... Standard Oil Company just sent out a solicitation for

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people that use their credit card. Of the 25 states listed on their solicitation, the highest interest rate was Illinois'. Our interest rate on those credit card uses was the highest, because we took the lid off interest rates. We thought we were doing a grand thing last Session in the General Assembly. I'm proud to tell you here I voted against that, and I voted against the penalty."

Speaker Collins: "The Gentleman from Cook, Representative Smith, Harry Smith."

Smith: "Thank you, Mr. Speaker. In answer to the last two Gentlemen's statements, I would like to point out to the Representatives that the interest rates on credit cards have nothing to do with municipal bonds. In today's market, we... the villages such as River Grove or Elmwood Park can't hire the Chairman of the First National Bank of Chicago to go sell their bonds in New York for them. The bonds in Illinois issued by municipalities and almost through out the United States are, generally, bought up by mutual funds in today's market; and, if our bonds are not of such a rate to make them attractive, they will not be picked up, and; therefore, many public projects will go to naught. That is the status, at the present time. I think this is a very good Bill. It's a good Bill for all municipalities, and I would ask the support of it."

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

Wolf: "Thank you, Mr. Speaker. Would the Sponsor yield to a question?"

Speaker Collins: "Indicates he will."

Wolf: "Representative Bradley, at these rates, is it possible that the bonds can be sold at less than par?"

Bradley: "Yes."

Wolf: "In other words, there's nothing in the Bill to provide,

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under these escalated rates, that would require that the bonds shall be sold at least at par value."

Bradley: "Absolutely not. We're just... What we're doing is raising the limit so that we will conform with what the demand of the marketplace is right now."

Bolf: "Thank you."

Speaker Collins: "The Lady from DuPage, Representative Fawell."

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

Speaker Collins: "The Lady moves the previous question. The question is, 'Shall the main question be put?'. All those in favor will indicate by saying 'aye', opposed 'no'. The 'ayes' have it, and the Gentleman from McLean, Representative Bradley, to close."

Bradley: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I really didn't think that this Bill was that difficult. We're just trying to indicate that we... We have to have a rate that's high enough to, at least, equal the yields that is measured by the bond buyer's index; and, if we don't have a rate up in that area someplace as we did with Senate Bill 59, and we're just trying to conform the other statutes to Senate Bill 59, if we're not that high... It doesn't indicate... I'm not raising the rates. I'm putting the... I'm raising the limits; and, if they can sell them at less than the limits, that's fine. I appreciate Representative Getty's concern about the legislation. I'm sure that other units of local government in other states, although I did not research it, I'm sure that they're having to increase their... their rates, or else they're not going to be able to sell their bonds either. It's a good piece of legislation, and I ask for a favorable Roll Call."

Speaker Collins: "The question is, 'Shall House Bill 2276 pass?'."

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All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Gentleman from Cook, Representative Jack Dunn, to explain his vote."

Dunn: "I think it's significant, Ladies and Gentlemen, that the Illinois Municipal League has got behind this Bill, and it's come home to me in my own community. We had a capital improvement going. We got the okay of the voters, but ten months down the line, before we got rid of the bonds; and, by that time, the cost of living... the cost of construction had gone up to a point where we didn't have enough money to do the capital improvement. So, we had to go back to the voters a second time. It's kind of embarrassing. I support this."

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

Bullock: "Well, Mr. Speaker, it's a fait accompli, but I just think the Body ought to know that the remarks made by Representative Getty, in my estimation, are absolutely correct. When you increase the interest rate from 9 to 15%, somebody's got a service debt on those, even though... even though those notes are sold to people looking for tax exemptions in the 50% tax bracket, but you know who's going to pay the debt on these bonds. We all know who's going to pay the debts. Your municipal officials, and you know who's going to pay the debt. And it's going to increase the cost of units of local government who have to service this type of increase in debt. It's an irresponsible vote; and, until the Sponsor clarifies the questions raised by Representative Getty, I think an intelligent vote would, in fact, be a 'present' vote."

Speaker Collins: "The Gentleman from Cook, Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the



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House. I'm supporting this Bill; and... and, for the record, I'm supporting it, because this Bill will take the confusion out of what municipality or what form of unit of government can charge what rate of interest. Chapter 74, as I understand it, is the general statute which addresses the general question of interest rates, which has been amended by Senate Bill 59 to be 125% of the bond buyers market. The individual statutes, which this Bill addresses, simply clarifies that these ... these individual statutes will refer to the general rate of interest of 125% or the bond buyers market, as opposed to the 9% or 70% of the prime. And, for that reason, to avoid the confusion and to enable these local units of government to charge a competitive rate of interest..."

Speaker Collins: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 122 voting 'aye', 3 voting 'no', 30 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2280. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2280, a Bill for an Act creating a commission concerning prison discipline incarceration. Third Reading of the Bill."

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

Peters: "Mr. Speaker, Ladies and Gentlemen of the House, over the past couple of years this General Assembly as well as the public and the news media has focused great attention, along with the public, upon the great epidemic increase in crime and specific related problems concerning gang activity and juvenile crime, especially as that affects both our school systems and our big cities. Along with that... Along with that, we have to consider that if, in

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fact, we pass legislation which makes it easier, in a sense, to put the lawbreakers in the prisons, and that's where they ought to be; at the same time, we ought to be working on plans in regard to the kind of prison system that we have, and the kind of prisons that are going to have to be built. There is a difference between the hard core criminal and that individual who is not a violent criminal. I think our correction system has to take those kinds of considerations into...into effect. Along with this, I think, we have got to get some ideas from other states and maybe from either...even some foreign countries, in terms of what the appropriate judicial function is, in terms of what the sentencing options could be, bail, probation, parole as...also, including what we might call creative sentencing in regard to prison, community work and things of this nature. These are all things that will be coming before this General Assembly within the next couple of years. I ask your approval for the creation of this group which will...which, according to the legislation, does sunset when it does submit its report to the General Assembly during the next Session. Mr. Speaker, I would move adoption of House Bill 2280."

Speaker Collins: "Is there discussion? The Gentleman from Cook, Representative Leverenz."

Leverenz: "Sponsor yield?"

Speaker Collins: "Indicates he will."

Leverenz: "Representative, we have now a Joint Legislative Committee on Corrections. We have a Criminal Sentencing Commission. We have an Adult Advisory Board to Corrections, a Juvenile Advisory Board to Corrections. We have the standing committees, and the commission to visit and examine state institutions. Would this, then, be the seventh commission or committee basically doing the same

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type of work? Or, what would be different?"

Peters: "No. Representative, I'm not sure that tho...some of those proposed committees and commissions that you mentioned have, in fact, gone through the legislative process and, in fact, are operating. I am not sure the extent of the activity of the advisory commissions to the Department of Corrections. I do know, however, that the entire problem of crime, how we handle crime, how we protect our police, how we protect our citizens and what we do with the criminals once they are apprehended and convicted is going to be, probably, one of the biggest topics, outside of the economy generally, during the 1980's. And it seems to me the more information that we could get, as a General Assembly, the better off we are going to be in terms of making the decisions we have to make."

Leverenz: "Well, I asked staff to provide me with a list of all the existing, and these all do exist, at this particular point in time. And, one that you serve on and do an outstanding job on, sometimes addresses problems that you bring up, and that is the Legislative Investigating Commission. So, it just...I just really wonder. You know, I don't mind a commission here or a commission there, but wanted to find out if this was going to replace any, and apparently not, and it would just be an additional one. But I understand my good friend, Representative Al Ronan, is for this. Then, I guess, I understand."

Speaker Collins: "The Gentleman from Knox, Representative McMaster."

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

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

McMaster: "Pete, several questions, I guess. How big a commission is this intended to be?"

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Peters: "Nine members: three from the Senate, three from the House, and three public members."

McMaster: "How do you intend to fund it? To what extent?"

Peters: "The appropriation Bill is a separate Bill which will be presented to this House by an Amendment; and, it's my understanding, that that will be in the neighborhood of 50 thousand dollars. 50 or 60 thousand, Representative, I'm not sure."

McMaster: "Well, I noticed you talked about the possibilities of this traveling quite extensively. You even mentioned foreign shores, I believe, and the possible itinerary..."

Peters: "No. No, Representative. What I said is that...is that what we, as a General Assembly, should be looking at is what other states are doing, and what, in fact, is being done in other countries in terms of how they handle juvenile crime and women's crime, which is increasing, and those kinds of things."

McMaster: "What does concern me, Representative Peters, the continual proliferation of commissions by this General Assembly, and I'm not sure that we couldn't do this with an existing one rather than piling on another commission. I think that should be...could be done with an existing commission. Thank you."

Speaker Collins: "Gentleman from Cook, Representative Bullock."

Bullock: "Speaker, I move the previous question."

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

Peters: "Mr. Speaker, just to ask the General Assembly's understanding and approval of House Bill 2280."

Speaker Collins: "The question is, 'Shall House Bill 2280 pass?'."

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All those in favor will indicate by voting 'aye', those opposed by voting 'no'. The Lady from Champaign, Representative Satterthwaite, to explain her vote."

Satterthwaite: "Well, Mr. Speaker, I'm sorry I didn't have a chance to ask this question. I've been reading the Bill, and there's a term in here that I don't understand. Perhaps the Sponsor could explain; but, in line 25 it talks about emphasis on new methods in Illinois such as shock imprisonment, and I want to know whether the Sponsor can explain to me what shock imprisonment means. I don't know if, you know, if it's like shock treatment for mental conditions. I don't want that. And I don't know what this means."

Speaker Collins: "He indicates he will answer by way of explanation of vote."

Peters: "Representative Satterthwaite, it has nothing to do with shock treatment in the sense that we are conditioned to think about it. What this idea is is that if you have a young juvenile offender that, in many cases, both psychiatrists, psychologists, sociologists, community workers have found that, when that individual gets involved in delinquent crime, that it is many times very beneficial for him to be sent, in fact, to a prison setting of some kind for a Friday, a Saturday or a weekend so, in fact, he sees what a prison system really is and how debilitating and dehumanizing it can be. And, hopefully, it ends up giving him that early on kind of, quote, 'shock', unquote, to lead him on the straight and narrow path, so to speak."

Speaker Collins: "The Lady from Cook, Representative Margaret Smith."

Smith, Margaret: "Thank you, Mr. Speaker and, I would like to direct a statement to the Sponsor. I am a little bit leery about all of these new commissions that are being formed.

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This is almost similar to the House Bill 2577, where they were going to create a Labor Law Advisory Commission, and now we're in the process of creating a Prison Study Commission. I'm just wondering if we are preparing for war in time of peace. I am wondering if these persons who are sponsoring these Bills - and they are my colleagues, and I love you dearly - if you are not sort of setting something up for the future and making money available for the future, when we were talking about money...being short of money. And I just wanted to know the...how serious and how important, with all the commissions that we already have on crime, is this Commission really necessary? So, I vote 'no'."

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

Henry: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'm concerned about what happens in our prisons; and I'm concerned about our juveniles; and I'm concerned about the mothers that are in prisons that must take care of families. And I think this Commission should be well equipped to do this, and I want to applaud the two Sponsors for coming up with this idea. And I support it wholeheartedly."

Speaker Collins: "The Gentleman from Winnebago, Representative Giorgi, and the timer's on."

Giorgi: "I'm in support of these...this effort by Representative Peters, because if there's one thing that will take Reaganomics off of the minds of people it's the fear of the people in the communities in their homes. And if this will make one more citizen safe in his home, I'm for that Commission."

Speaker Collins: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 107 voting 'aye' 51 voting 'no', 9

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voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2281. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2281, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

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

Stearney: "Well, Mr. Sp...House Bill 2281 would amend the Pension Code. It would increase the Members' contributions in the General Assembly retirement system. It would increase the number contributions by one-half a percent; that is from eight and a half to nine, for service after December 31, 1982. It would make total contributions for a Member would be...and would increase two percent for the widows and widowers annuity and one percent for the automatic increase in the pension. The half percent increase in Member contribution would help fund current benefits. With the system being small as it is, there is a considerable amount of unfunded liability. And my concern is this, there are 59 who will not return in the future, and many of us are young and it will be some 12 or 15 or 18 years before they seek to collect on their pension and, hopefully at that time, the General Assembly pension plan would be funded sufficiently to pay those pension benefits. So, what I'm doing is planning and preparing ahead for that time, and I think it's in the interest of all Members of the General Assembly to be in favor of this. I would ask for a favorable Roll Call on House Bill 2281."

Speaker Collins: "Is there discussion? The question is, 'Shall House Bill 2281 pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question

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there are 90 voting 'aye', 63 voting 'no', 7 voting 'present'. And this Bill, having received a Constitutional Majority, is here...hereby declared passed. House Bill 2285. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2285, a Bill for an Act to amend the Retailers' Occupation Tax Act. Third Reading of the Bill."

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

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2285 is necessary because of the rampant sales tax evasion that some dealers and distributors in Illinois of gasoline are doing. The Department of Revenue estimates the sales loss is at least 20 million dollars a year. Other sources estimate the loss closer to 75 million dollars a year. Either way, it's a sizeable loss to the State of Illinois. The Department of Revenue, major oil companies, the distributors and most of the gasoline dealers in Illinois support House Bill 2285. Does this Bill, basically, place an unfair burden on the dealers of Illinois? No, it doesn't. It is important to note that the prepayment requirement in House Bill 2285 would not necessarily force the dealer to prepay when he receives shipments of motor fuel. The great majority of dealers in Illinois are on ten to 30 day payment, as far as their suppliers go. In other words, he would be billed for the 10...for his gasoline. Actually, it's a prepayment revision of 22...in 2285, would affect the major oil companies, which requires anyone with a sales tax liability of over 10,000 dollars a month to pay on a weekly basis. So, the distributors are paying on a weekly basis, and they are not receiving it till anywhere from ten to 30 days. So, it's not a situation where it's a boondoggle for the big oil companies. Most dealers who remain under the 10,000 liability, it would only have to pay at the end of



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each month, since most dealers are in the ten to 30 day payment plan. In summary, 2285 does not represent a bonanza for either the major oil companies or the large distributors. House Bill 2285 will provide a mechanism to stop most of the sales tax cheating that is shortchanging the State of Illinois, the RTA and the road fund, and the other entities that depend on sales tax collections. I would ask for passage of House Bill 2285."

Speaker Peters: "Is there discussion? The Gentleman...The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Would the Sponsor yield?"

Speaker Collins: "He indicates he will."

Satterthwaite: "Can you tell me, Representative, would there be any situation where the wholesaler would be out of the State of Illinois and, therefore, exempt from the tax?"

Piel: "Not that I can think of, no, Representative."

Satterthwaite: "If the wholesaler were selling to a retailer in the State of Illinois, would the tax still be collectable?"

Piel: "Yes, Ma'am."

Satterthwaite: "Thank you."

Speaker Collins: "The Gentleman from Cook, Representative O'Connell."

O'Connell: "Question of the Sponsor."

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

O'Connell: "Representative, is the sole purpose of this Bill to shift the collection of the retailers' occupation tax to the distributor? Instead of the retailer it would go to the distributor."

Piel: "Yes."

O'Connell: "Would that make it, then, a service occupation tax?"

Piel: "No. No, it would not."

O'Connell: "So, the distributor would be collecting the retailers' occupation tax."

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Piel: "Correct."

O'Connell: "A portion of it or all of it?"

Piel: "Five cents. Five cents a gallon."

O'Connell: "And then the... the balance is...is made up at the point of sale by the retailer."

Piel: "Right. Correct."

O'Connell: "Does this represent any increase in taxes?"

Piel: "No. None. None whatsoever."

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

Keane: "Thank you, Mr. Speaker. If I'm an independent gas dealer and I buy 100,000 gallon of gas, do I have to pay 5,000 dollars out in the tax before I get the gas?"

Piel: "I'm sorry, Jim. I fir...I missed the first part of your question."

Keane: "All right. If I am an independent gas dealer have a station on the corner and I buy 100,000 gallons of gas, do I have to pay 5,000 dollars out before I can sell the gas and recover that five cents a gallon?"

Piel: "No. No."

Keane: "Is this guaranteed in all cases? When would I have to pay the five cents a gallon?"

Piel: "Yeah, when your bill's due."

Keane: "When is my bill due?"

Piel: "Anywhere from ten to 30 days afterwards."

Keane: "There aren't...Aren't there..."

Piel: "Yeah, whatever...whatever your arrangement is with your wholesaler. And..."

Keane: "So, it..."

Piel: "In the majority of the cases it's ten to 30 days."

Keane: "All right. Let me ask you about this. The wholesaler...Let's say I'm buying from Mobil or some...one of the major manu...one of the major refiners in the area, and I have a deal of ten to 30 days to pay this. What if

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they change their deal with me? Then I pay it when I get it or I don't get it. In other words, what you're doing, Bob, what I'm asking you is are you putting the man who runs a private gas station under the thumb of the big refiners who deliver the oil or who control the source of gas...gasoline to the stations? Whatever agreement I might have today might be gone, you know, next month."

Piel: "That's basically the same as what your motor fuel tax is though, Jim. So, I mean, it's basically what your agreement is with your...with your supplier."

Keane: "Well..."

Piel: "The majority of them...The majority of them in the state are on a ten to 30 day basis."

Keane: "Well, let's say I'm buying from Mobil Oil. Let's just pick a big...one of the big names. I'm buying from Mobil Oil, and Mobil Oil finally says well...or maybe Arco would be a better one. They're the ones that blew up their credit cards. They don't want to have any credit owed them. And then we go with...they say, 'Well, we want money right out front now, so here's 100,000 gallons, and give us five grand. It's payment on demand or else find yourself another guy'. If...Especially this might happen, if there's an Arco across the street or down the block where it's a company owned station. They may deliver and then it's only a bookkeeping entry, in that case. Could you...Could you explain as to how your Bill would pro...prohibit the big companies...the big...the major big oil from wiping out the little mom and pop gas station?"

Piel: "Okay, first of all, did...you're speaking...when you speak of mom and pop gas station, I think you're talking about cut-rate gas stations. Those are in the great majority in Illinois, comparing to your Amoco, your Mobil, whatever have you. But, what they would do, the smaller gas

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stations, and this is where your where your...big question is coming in, the majority of them get from more than one distributor anyway, and if one distributor said, 'Hey, I want my money right now', you know, he would just switch over to another distributor, which is done on a daily basis, anyway."

Keane: "Well, I know that the last thing that big oil does is that...I am sure that they would never get into a price fixing situation; because we saw, as we had the oil crisis in the United States, that the...that they all stayed pretty much independent. It seemed that they were independent at least for a day, and then they followed the leader up...in kicking up prices. My...My problem with this whole Bill is, is that it's - maybe I'm overly suspicious - but, in the Revenue Committee when the big oil companies came in and told us that their rationale...their rationale for supporting this Bill was that they wanted to do...perform a civic duty to be sure that the people that they supply gas to, no longer cheated the state out of money, especially when, at the same Revenue meeting, we heard from the Department of Revenue that they did not think that there was substantial cheating on revenue; that there were other revenue producing areas that were...we were getting taken a lot worse than in oil. A couple of other questions, and then I'll be done. What happens in areas where there's a seven cents gas tax? Who collects the other two cents or where does the other two cents come from?"

Piel: "The rest of the tax will be collected the same way it is at the present time."

Keane: "So, in other words, we are...we are not...we are not keeping the guy who owns the small gas station...he's still going to have to file sales tax returns with the Department

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of Revenue."

Piel: "Correct."

Keane: "Why..."

Piel: "This is giving us a better audit trail; and that's the whole...whole crux behind this Bill. It's that there is...I'll give you an example. I received a list last week that took one week in the month of April, and the sales tax liens from gas stations in Illinois were over 500,000 dollars. And this is the problem. What we've got to do is to speed up our collection as far as the state goes, and getting the money into our coffers that is due us. There is a lot of money where the tax evaders are not paying the state, and, as I say, your costing the state money; you're costing the RTA money. This is money that we definitely need at the present time."

Keane: "How do we work an audit trail? We have to develop a new audit trail, then, and that's the audit trail with big oil; because we don't know when a truck goes out as to where that truck is going. I'd think it would be a lot easier to audit...to have our people go out and look at the meters on a gas pump and check those on a regular basis than to have them going out to a refinery which is shipping inter...interstate, and determining what truck...as that truck goes out how many gallons it has for Illinois and how many is has for Indiana or Wisconsin or whatever."

Piel: "But, as I stated a minute ago, they can check the pumps all they want to; but if these people don't pay the tax, it's not in our coffers. And this is the whole thing."

Keane: "How do we know that the big oil is going to pay the tax? How are we going to get an oil...an audit...trail?"

Piel: "The...Okay, first of all, you have your dealer and you have your wholesale both reporting; and the one thing, I think, that you continually referring to, Jim, is big oil."

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I mentioned to...before that the small majority of stations in Illinois are your...let's say your top five oil companies."

Keane: "Well, those are what we call company operated; but company owned oil stations, a Mobil station with a local operator, they're very common."

Speaker Collins: "Yeah. Would the Gentleman bring his remarks to a close? I don't think that was a question."

Keane: "Well, I don't think I'm...am I only to ask questions? Can I not make comments on the Bill?"

Speaker Collins: "No, but you're indulging in dialogue with the Sponsor, and that is not in order."

Keane: "That's...That's what questions and answers are for, Mr. Speaker."

Speaker Collins: "Well, you were making a statement, I thought."

Keane: "I'll get to my statement in a second. A couple of more questions. Is this a value added tax? Is this tax going to be constitutional? Because what we're doing is, we are taxing a product before it is given to the retailer for sale. Is there any other tax or any other organization or any other business in the state that has the same situation?"

Piel: "I've talked to many different people. It's not a value added tax, and is...it is constitutional. It's not an unconstitutional situation."

Keane: "Who said it was constitutional?"

Piel: "Pardon me."

Keane: "Where's the opinion...Who said it was constitutional?"

Piel: "As I say, I've talked to distributors, I've talked to wholesalers, I've talked to dealers; and, you know, I've got quite a few letters here from dealers. I've talked to the Department of Revenue and they all feel it's constitutional."

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Keane: "All right. And one...Okay. To the Bill, if I may, Speaker. The Department of Revenue, for those of you who are reading the Demo...the Democratic Bill analysis, the Department of Revenue has told our analyst that it has no present system or ability to handle or administer the processes that we would be establishing by the Bill. The administrative problems that this Bill would bring on the Department of Revenue is that it would require a monthly filing of sales tax returns for any retailer; and it's a wholly new element of sales tax administration. It also provides that the retailers would be entitled to a credit for the tax they pay the wholesaler. Any of you who have...who have businesses in your districts that have paid...overpaid retail tax and have tried to get repaid or reimbursed by the credit...get a credit from the Department of Revenue know that it could be six months to a year before you're going to get reimbursed for that...for that Department of Revenue credit. It's going to create real chaos for the small gas station operator. In general, the...and I don't know, I have not had a chance to speak directly to the Department of Revenue other than for the Revenue Committee Meeting. The commentary analysis on the Democratic side indicates that the Department of Revenue is not at all enthused about this, and I would urge a defeat."

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

Brummer: "Yes, I move the previous question."

Speaker Collins: "Gentleman moves the previous question. The question is, 'Shall the main questions be put?'. All those in favor will indicate by saying 'aye', opposed 'no'. The 'ayes' have it. The Gentleman from Cook, Representative Piel to close."

Piel: "Thank you, Mr. Speaker. The previous speaker mentioned,

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many times, that it was going to do a hardship on the small gas dealer and this and that and the other thing. I'd just like to...I've got many letters here from small gas station dealers, and I'd just like to give you one. An independent dealer said, 'I believe House Bill 2285 is the answer to stop the tax cheat. At the present time...At the present, the honest dealer doesn't have a chance. I would like to be...I would be very happy to pay the sales tax up front in order to stop the tax cheat'. And I think that, basically, tells you what it is in the...in a nutshell. What we are trying to do is get, as the figures said, anywhere from 20 to 75 million dollars more in the state coffer, which will help all our taxing bodies in the State of Illinois. And I would ask for a favorable vote on House Bill 2285."

Speaker Collins: "The question is, 'Should House Bill 2285 pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Vote me 'aye', Harry. The Gentleman from Will, Representative Davis."

Davis: "Well, thank you, Mr. Speaker. The bottom line here, I think a lot of red herrings have been thrown across the path of this, it is certainly not a value added tax. That requires a change in the taxation mode through progression; this certainly does not. It's an honest Bill. If you're on a cash basis with your...with your supplier, you're going to pay it in advance. If you've got a 10-30 deal, you're going to pay it in 30 days, and the tax will be paid on the 30 day basis, after you've sold the gasoline. No one is going to get wounded by this Bill but the tax cheats and the taxpayers of Illinois. And there's 111 votes, I guess I should stop. But the bottom line still is about 20 million dollars more for education."

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

Katz: "Mr. Speaker, Ladies and Gentlemen of the House, this is a



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rather confusing subject, and I look and note that the Department of Revenue appears to oppose the Bill. It would seem to me that that's never been adequately explained, and I'm going to follow the Department of Revenue with regard to it unless there is something else that is in the picture that has not been explained. Accordingly, I will vote 'no'."

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

Giorgi: "And while he's working..."

Speaker Collins: "The timer is on."

Giorgi: "Yes, Sir, thank you. This is a quick question. And while he's working on that answer, he might put in the record who gave him the constitutional ruling that this Bill was constitutional. He might put that in the record."

Speaker Collins: "The Gentleman from Cook, Representative...The Gentleman from Lake, Representative Pierce."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, this is...this is a prepayment of sales tax, retailers' occupation tax, by those least able to pay it, the small gasoline stations. The gasoline retailer is being pressed from every side. The five percent he prepays is often more than his profit on the gasoline that he sells, and I think you'll find when this becomes law, if it does, and you pull into your local gasoline dealer...locally owned gasoline dealer, you'll find that he finds this impossible to administer because of the change of price every day of gasoline, because of the prepayment provision. It's another case where he's being squeezed by his distributor or by the oil company. And, therefore, because it's a prepayment discriminating against the gasoline retailer, I will vote 'no'."

Speaker Collins: "Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 119 voting 'yes', 36 voting 'no', 8 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2294. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2294, a Bill for an Act to impose property tax limitations. Third Reading of the Bill."

Speaker Collins: "The Gentleman from Effingham, Representative Bower."

Bower: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Over the last 25 years, real estate taxes have increased an average of seven and a half percent in Illinois. It's become...It has increased at such alarming rates that people on fixed income, in particular, can...are finding that they cannot continue to pay their property tax bills. House Bill 2294 would impose a two year freeze on real estate taxes, except in four specific instances. It...Real property taxes extended on new construction, improvements or additions, amounts required for payment of principle and interest on bonds, amounts reserved for uncollected taxes and additional amounts approved by voter referenda. This legislation would also place a limit on the creation of new units of local government. It's a Bill that the people of Illinois have clearly said that they want. It is not a tax cut Bill. It is a tax freeze Bill for two years. I urge an 'aye' vote."

Speaker Collins: "Is there any discussion? The Gentleman from Cook, Representative Bowman."

Bowman: "Mr. Speaker, I have an inquiry of the Chair, and then I'd like to speak to the Bill. And you can have the..."

Speaker Collins: "State your point."

Bowman: "...Parliamentarian consult on this. I would like to know what is the requisite majority for passage of this

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legislation, because I believe that it infringes on home rule...home rule powers of local government."

Speaker Collins: "We'll look at the Bill and then get back to you. Do you want to address the Bill?"

Bowman: "Yes, I would...I would like to address the Bill, Ladies and Gentlemen. When we were hearing this Bill in Committee the Sponsor indicated that he had introduced this Bill in response to an outpouring of sentiment by the people of the State of Illinois in a referendum held in 1978, a referendum popularly called the Thompson Referendum. He introduced this legislation, now, in 1982. Now, it seems to me that, if it had been so urgent, he would have introduced it four years ago. I asked him, since the sentiment was expressed in 1978, why he doesn't, instead of a freeze, why doesn't he recommend a roll-back to 1978 levels. Well, he indicated that that might cause a bit of financial distress on the part of local governments. I would submit to you, Ladies and Gentlemen of the House, that we can expect financial distress prospectively as well as retrospectively. If...If it would create financial distress to roll back the rates, surely it would create financial distress to freeze rates for sometime in the future. Another question which we discussed in the Committee was an analogy. He...He suggested to the Committee that he would not support a freeze on taxation at the state level; in other words, holding our total state revenues constant for an equivalent period of time. Now, our nor...normal pattern is, even in distressed time, state revenues grow year by year. And, if this is such a good idea for local governments, why don't we in fact freeze state revenues and do whatever is necessary say lower the individual income tax rate in increments or whatever, to keep the total state revenue constant over the same period

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of time. Well, clearly, that would create a financial distress for State Government. We would not impose that on ourselves. We would be resentful if the Federal Government attempted, in its wisdom, to impose such a restriction on us. Therefore, we should not be hypocritical. We should not turn around and say to local governments that we know better; that we are going to impose these kinds of restrictions that we would be terribly resentful of if the Federal Government were to impose them on us. For these reasons, I urge a 'no' vote, and I ask the Chair now to...to rule on the requisite majority."

Speaker Collins: "We're not quite prepared to rule, but we shall. Representative Getty, the Gentleman from Cook."

Getty: "Mr. Speaker, on that point, I would like to respectfully suggest to the Chair, so that it's clearly in the record, that both by the very nature of this Bill, which limits the right of a home rule unit to tax, and by the express provisions of the language of the Bill limiting, pursuant to Article VII Section 6 Paragraph G of the Constitution, this Act applies to home rule units, and is a limitation on their power to raise revenue by taxes on real estate. Section G provides that, in order to do this, the General Assembly by law approved by a vote of three-fifths of the Members elected to each House, may deny or limit the power to tax. I suggest that if there was ever a case that required three-fifths, this is clearly it."

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

Van Dwyne: "Yes, thank you, Mr. Speaker, one quick question."

Speaker Collins: "Of whom?"

Van Dwyne: "Of the Sponsor."

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

Van Dwyne: "Thank you. Representative Bower, didn't we pass a

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so-called truth in taxation Bill last year which limits the local entities to raising their taxes by five percent? If they go beyond five percent, don't they have to hold a public hearing?"

Bower: "That is correct. If...They have to hold a public hearing. It does not limit what they can levy."

Van Duyne: "Well, just to clarify that, if they go over five percent, they must have the public hearing."

Bower: "That is correct."

Speaker Collins: "It is the opinion of the Chair that, by the Bill's own terms, it is clearly a limitation on home rule powers...a home rule unit's power to tax; and, therefore, it will require 107 votes. The Gentleman from Cook, Representative O'Connell."

O'Connell: "A question of the Sponsor, please."

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

O'Connell: "Representative, if a unit of local government does not levy a tax for Fiscal Year 1981, what would be the situation in that instance? Strike that. For Fiscal Year '82 or '81."

Bower: "If one was not levied, then the only way for these two years that it could be would be by the approval of the voters in a referendum."

O'Connell: "Then, if a local...unit of local government did not levy for Fiscal Year '81 or '82, then the only way that they could levy a tax would be through a referendum."

Bower: "That is correct, Representative. I happen to have faith in the voters that if they want services provided that they will vote for their tax referenda to approve it. If they don't, they won't."

O'Connell: "To the Bill. I don't want to be contentious with the Sponsor on this...on this point. I think it's a...the Bill has got an admirable quality to it. But, I'm speaking from

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a first-hand experience where there is a school...or, strike that, a police protection district, in my district, that was responsible enough not to have to levy a police protection tax...I should say that the township was responsible enough not to have to levy a police protection tax, because of a surplus. Now, this responsibility...this expression of responsibility, and not imposing an additional tax on the residents for 1981 or 1982 will result in a penalization wherein that this police protection district would have absolutely no funds for the Fiscal Year 1983 or 1984. I think it's ludicrous to think, in this day and age, that a tax referendum would be able to be passed, the...responsible or not. Whenever, in this day and age, you dangle the question of a tax referendum in front of the voters, they're invariably voted down. So, for that reason, because of a real live experience in my own district, I would have to vote against this Bill."

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

Dunn, Ralph: "Thank...Thank you, Mr. Speaker. Will the Sponsor yield? Representative Bower, I've had a call from a Mayor in my city worrying about revenue sharing in one of my cities. And he said that this year with the federal money, and they're not having a revenue sharing, this Bill would be disastrous to a city that has been experiencing some federal funds. How would you answer that? And how can I explain to him if I vote for this Bill? It's an admirable Bill. It's one you can hardly vote against, but what am I going to tell my Mayor and the people down there, in the cutback of their services?"

Bower: "I would tell the Mayor that if the people of his community want services provided that cannot be provided because of loss of revenue, that they will support a

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referenda to increase taxes to raise the revenue. If they really don't want those services, they aren't going to support such a referenda; and, therefore, that revenue is...is not needed to be raised."

Dunn, Ralph: "Thank you. I...It's admirable. I'll have you write him a letter if this Bill passes."

Bower: "I'll be happy to."

Dunn, Ralph: "But I think that we might...This is the year where Reaganomics is cutting back some of our federal money and federal funding. I think if the Bill...it might be...some of our fe...some of our federal money does track down to local cities and counties, particularly in...in the City of Carbondale and...and some of our larger cities. So, I...I just wondered. I'm a little worried about a Bill that would do this. Can't hardly vote against my friend, Glen Bower, but I hope something will happen and the Bill may not pass, Glen."

Speaker Collins: "The Gentleman from Jackson, Representative Richmond."

Richmond: "Thank you, Mr. Speaker. I wonder if the Sponsor will yield for another question or two."

Speaker Collins: "The...Indicates he'll yield."

Richmond: "Representative Bower, I have some projections as to what the impact would be on some municipalities...or on all the municipalities throughout the state if this proposal should become law, and I'd like, if you have some projections, I'd like to check the accuracy of mine with yours, if that might be possible. For 1983, it's projected that we...that the municipalities would be impacted by...to the extent of 460 million dollars. Is that accurate?"

Bower: "Did you say 460 million dollars?"

Richmond: "Yes, I did."

Bower: "Well, you know, there's two ways to look at this. Are

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you talking about additional money that they would raise if...if taxes continue to increase as they have been, or...and that would perhaps be a loss if it's the natural increase. But, under this legislation it's a freeze so that there would be no decrease. It would stay where it is for two years, but I have seen no such figures."

Richmond: "Well, I would presume that they were talking about the natural progression of the taxes as a result of inflation, and their cost would be affected by inflation; however, they would be handcuffed as...as to the revenues. And then..."

Bower: "Well, Representative Richmond, you...you have hit upon the exact problem we are addressing, which is the constant increase in real estate taxes."

Richmond: "Yes, I understand that, but it's rather..."

Speaker Collins: "I think we're getting into dialogue again, too. Would you either direct your questions to the Gentleman or address the Bill, Representative Richmond?"

Richmond: "Well, I was trying to get an answer, but I wasn't through asking. Also, in 1984, it's projected that it'd be 950 million dollar impact by...as a result of this Bill. So, it's...it becomes...To the Bill...Or to the Bill, Mr. Speaker."

Speaker Collins: "Proceed."

Richmond: "It would appear to me that, although as many have pointed out, it is an admirable thing, and it'd be very difficult to vote against. However, I think that we should leave the fate of our municipalities, our local units of government, up to them. Leave it in their hands. I'm surprised that this type of legislation would come from the side of the aisle that so...that favors local...or taking government off the back of their local units."

Speaker Collins: "The Lady from Sangamon, Representative



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Oblinger."

Oblinger: "Mr. Speaker, I would like to ask the Sponsor some questions."

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

Oblinger: "I'm going to have to put this on an example as a former assessor and a former county clerk at the same time. The City of Springfield has a rate, let's say, of 25 cents a hundred. This year they levied 21 cents a hundred and you, as county clerk, then, extend those taxes. Next year they're still within the law, they now levy 22 cents a hundred, which they're allowed to do. Are you, as county clerk, going to say I will not extend what you legally are req...are able to do? Don't you think, in this Bill, you should have frozen the levy, not the extension?"

Bower: "If this becomes law, it will then not be legal for them to do what you have suggested unless, by referenda, they want to increase their rate."

Oblinger: "Well, you've got...to me, you've got two contrary views. It's legal for the City of Springfield to levy up to 25 cents a hundred, but you're saying to the county clerk, 'It's not legal for you to extend it'. So, one of them says, 'Well, it's legal for me to...to give you this rate, because I'm entitled to it', and you're saying to the county clerk he can't do it. I think you should have looked at the levy, not at the extension. Speaking to the Bill, I think there are a number of people amongst our population, but also amongst people that are sitting in this room, who are not quite as familiar with what a levy is, what an appropriation is, what an extension is and what an assessed value is. And, in this case, if you want to freeze something, it seems to me you should freeze the levy, not the extension."

Speaker Collins: "The Gentleman from Cook, Representative

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Steczo."

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

Speaker Collins: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?'. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the Gentleman from Effingham, Representative Bower, to close."

Bower: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In answer to a comment made by Representative Bowman, legislation such as this has been introduced in previous Sessions of the General Assembly, and I have supported such legislation. Unfortunately, it...we were not successful in making it the law of the state. If you're on the side of the taxpayer, you're going to support this legislation. I'm a firm believer that the voters' will be done. In my own legislative district, two years ago in one of our counties, several of the county tax rates were cut. When certain services in that county were, then, cut because of the loss of revenue, the people in the last election voted to rein...to raise those levies back to where they were to raise that revenue. I believe that the voters of this state are smart enough to know what they want, and if they do not want taxes to be increased, they will not support referenda. If they will...If they do want it increased, they will. This is not a tax cut. It is merely a two-year tax freeze. I urge an 'aye' vote."

Speaker Collins: "The question is, 'Shall House Bill 2294 pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. The Gentleman from Lake, Representative Pierce, to explain his vote."

Pierce: "Yes, Mr. Speaker, I was going to ask a question, but I think I may have figured out the answer. The high school district that Representative Reed and I live in was

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successful in passing a referendum several years ago. They'd never gone up to the full rate in the referendum, because they're fairly conservative. But now, if this passes, they will be frozen in and can't even go to a prior approved referendum rate, under this Bill. So, therefore, I think there's things that should be in here that aren't; and that is to acknowledge a prior referendum of the voters, and not limit the school district to a rate below that already approved by the voters by this type of freeze. So, I'll vote 'no'."

Speaker Collins: "The Lady from LaSalle, Representative Hoxsey."

Hoxsey: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, it...this concept is long past due. It's about time we thought about the property owner and the burden of taxation that they've borne over the last years. One reason you're not passing referendum is because they are up to their neck with property tax. We must have a different source of revenue for the things that the...that we need at the local government, State Government level. And I suggest to you that we need this piece of legislation."

Speaker Collins: "The Lady from Cook, Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, the Gentleman who told us the figures about what was going to be lost to local government was, in fact, telling us what local governments are intending to raise; because this is not a cut, it is only a freeze. So, what he is telling us is that if this Bill passes, the taxpayers will save 460 mil...million dollars in projected increases for the next..."

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

Leverenz: "Thank you, Mr. Speaker. I think the record should show that the Gentleman's Bill has reached the century club

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in red votes. He's over a hundred. A limitation that also provides exemptions to go around it, is not a limitation at all. I think it's his reelection Bill, but he lost it. I think it's the Reagan pass-it-on theory, until it gets so tight it just explodes on the local government unit. It's just disaster."

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

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, some people have expressed concern for local governmental units in regard to this Bill. I'd just like to make the point that I'm sure that every local governmental unit will find some Sponsor to come in here to sponsor a Bill to hold the referenda, if this thing passes, on a Saturday or a Saturday night or a Sunday morning, when no taxpayer can get out to vote for it, and when the tax-eaters can get their votes out to vote for it. So, you have no concern...no real reason to be concerned about voting for this Bill, and you ought to vote 'aye'."

Speaker Collins: "Gentleman from Winnebago, Representative Kelley."

Kelley: "Thank you...Thank you, Mr. Speaker and Members of the House. It would appear to me, by looking at the debate...or listening to the debate, there's too many of us that serve in this Assembly that listen to our towns and our villages more than we listen to our people. If you talk to the people on the street as you're campaigning, I think you'll find they want this type of legislation."

Speaker Collins: "Gentleman from Macon, Representative Dunn."

Dunn, John: "Mr. Speaker, Ladies and Gentlemen of the House, I'm proud of the General Assembly at this moment. All of us who work the streets back home know that the people back home know that local government is best. It's the

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government that should be protected. With federal funds being cut off, that's the people that ought to have the greatest responsibility. This Bill is nothing but a campaign tactic, and with this Roll Call, anybody who tries to use this for campaign purposes is going to have the paperwork of that campaign ad fly right back in their face. Congratulations, Ladies and Gentlemen, you've done a good job here tonight."

Speaker Collins: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 49 voting 'yes', 110 voting 'no', 3 voting 'present'. And this Bill, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill 2344. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2344, a Bill for an Act to create the Labor Law Revisory Commission. Third Reading of the Bill."

Speaker Collins: "This Bill is sponsored by me, but it will be presented to the House by Representative Ronan. Does the Gentleman ask leave to hear House Bill 2344 and 2345 as a package?"

Ronan: "Who objects? Do we have leave to hear those as a package? I so move, Mr. Speaker."

Speaker Collins: "Hearing no objection, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2345, a Bill for an Act making appropriations to the Labor Law Revisory Commission. Third Reading of the Bill."

Speaker Collins: "Gentleman from Cook, Representative Ronan."

Ronan: "Thank you, Mr. Speaker, Members of the House. This is a very simple concept. It's an important commission. We want to look at a lot of the labor legislation that's coming out of the Illinois General Assembly. We've got bipartisan support for this fine Bill. I know of no

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opposition. I move for its passage."

Speaker Collins: "Is there discussion? The Gentleman from Cook, Representative Kornowicz."

Kornowicz: "Will the Sponsor yield?"

Speaker Collins: "Sub...The substitute Sponsor will yield."

Kornowicz: "Mr. Sub, will you yield?"

Ronan: "Yes."

Kornowicz: "Exactly what will this Commission cost?"

Ronan: "The Commission has an appropriation of 50,000 dollars."

Kornowicz: "50,000 dollars. For what?"

Ronan: "To...To hire a competent staff to review the labor condition in the State of Illinois today. There's...There's a number of competent staff who are, at the present time, looking very seriously at this Commission."

Kornowicz: "You mean this is another commission. Is that it?"

Ronan: "That's a very astute observation, Representative Kornowicz."

Speaker Collins: "Is there further discussion? The Lady from Cook, Representative Catania."

Catania: "Thank you, Mr. Speaker, Members of the House. As I recall, a Bill passed in the House yesterday, sponsored by Representative Stearney, to create a Labor Law Revisory Commission, and I don't think we need to do one of these every day. The one that passed yesterday was one more commission than we need, and I certainly don't think we should have this one. I think everybody ought to vote 'no' before the press notices all the new commissions that are being created."

Speaker Collins: "The Gentleman from Cook, Representative J. J. Wolf."

Wolf, J. J.: "Yes, would the Sponsor yield?"

Speaker Collins: "The substitute Sponsor will."

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Wolf, J. J.: "Yes, isn't this Commission supposed to help senior citizens and women."

Bonan: "Yes, Representative Wolf. Those will be some of the areas we'll be looking at."

Wolf, J. J.: "Thank you."

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

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

Speaker Collins: "I don't think that will be necessary. There is no more lights seeking recognition. The Gentleman from Cook, Representative Bonan, to close."

Bonan: "Thank you, Mr. Speaker. I move for passage of this find piece of legislation. We need to...to be reviewing these problems, especially under the conditions that we'll be facing next year. So that...I move for a favorable vote."

Speaker Collins: "The question is, 'Shall these Bills pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Gentleman from Cook, Representative Bonan, asks for a Poll of the Absentees. Poll the absentees, Mr..."

Clerk O'Brien: "Poll of the Absentees. Braun. Deuster. Jones. Krska. Levin. Margalus. McGrew. Ted Meyer. Reed. C. M. Stiehl. Winchester and Younge."

Speaker Collins: "For what purpose does the Gentleman from Cook, Representative Kelley, rise?"

Kelley: "Mr. Speaker, would you please change me to 'yes'?"

Speaker Collins: "Change the Gentleman's vote to 'yes'. The Gentleman from Cook, Representative Levin."

Levin: "Noticing the illustrious sponsorship, could I be recorded as 'yes'?"

Speaker Collins: "Change the Gentleman to 'yes'. Gentleman from

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Sangamon, Representative Kane."

Kane: "Change my vote to 'yes'."

Speaker Collins: "Record the Gentleman as voting 'yes'. The Gentleman from Cook, Representative Abramson. Abramson."

Abramson: "Vote me 'aye'."

Speaker Collins: "I didn't hear that."

Abramson: "Please vote me 'aye'."

Speaker Collins: "Record the Gentleman as voting 'aye'. Representative Younge, 'aye'. Can I have a count? On this question there are 91 'aye', 75 'nos', 1 voting 'present'. And these Bills, having received a Constitutional Majority, are hereby declared passed. Representative Daniels in the Chair."

Speaker Daniels: "House Bill 2348, Representative Hastert. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2348, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Daniels: "Representative Hastert."

Hastert: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2348 is a Bill that deals with a multiplier in the property tax assessment process. What it simply does is bring the multiplier into the most current year instead of the previous method of figuring in the past three most current years. Over the last decade, we've experienced a great deal of inflation, especially in retail...in real estate, home and domestic values. During that period of time, we...we took the three most current years as kind of a drag on inflation. Recently, that...the raise in real estate values has either been static or on a downturn. This would do two things. First of all, it would take the advantage of the deflation in real estate values; but it also would do something much more important, and is really the focus and the scope of the Bill. It would put a...put



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the focus or the spectrum on the local assessor and, through a series of Bills that we have, try to make that local assessment up-to-date and much more responsible than possibly it has been in the past. I think it's a good Bill. Representative Keane offered Amendment to this Bill, and the...what the Amendment did, if there was a seven percent growth...over a seven percent growth in that area, it would revert back to the three most current years. I would entertain any questions, and ask for your favorable consideration."

Speaker Daniels: "Any discussion? Gentleman from Madison, Representative McPike."

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

Speaker Daniels: "He indicates he will."

McPike: "You changed this from a three year average to a one year only sales ratio study. Is that correct?"

Hastert: "That's correct, Representative."

McPike: "What...What year do you use for your sales ratio study?"

Hastert: "The most current year that's on record."

McPike: "So that for the multiplier for...for 1981, you would use...The multiplier that is being figured now for 1981 you would use as sales ratio studies for 1981."

Hastert: "No. It would be the most current year, which may be 1980. For instance, Representative, right now, the most current year for 1981 would be '80, '79 and '78."

McPike: "That...That wouldn't be bad, but the Bill says the same year. It doesn't say it's the most recent one available."

Hastert: "Representative, I think there was an Amendment that was offered in Committee, and it said 'most current year'. Otherwise, that old...if that's an old review or synopsis, that...that was changed in Committee, Representative, to 'most current year', not 'same year as'."

McPike: "Most current year available."

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Hastert: "Yes."

McPike: "Thank you. I would like to speak to the Bill, Mr. Speaker."

Speaker Daniels: "Proceed."

McPike: "Even with that change, I would rise in opposition to the Bill. And the problem with the Bill, as everyone would recognize, is that by removing the three year average, you go from a multiplier...or you go from a sales ratio study that would have some stability, some reliability, in fact, the averaging is probably the best part of it. When you move away from that, you pick up the swings from one year to a...to the next, and destroy any type of stability that you have in the taxing cycle. So that for example during depressed times like they are now, you will get a...a seven percent decrease, and the following year a seven percent increase, and the following year after that it could go back to a seven percent decrease, instead of providing any type of stability to the local government. I think one of the important ingredients of operating a local government and determining the budget and the budget process is to have some idea of what your taxes are...are figured on. And I think that has been the whole point of having a three year average, is to get away from any type of swings. Even a seven percent cap I think helps but I still think that it's...that it destroys part of the stability that we have now worked into the system. I think this could be argued either way, and I would agree that the Bill as amended is better than as introduced; but I still think that it is not an improvement over the current system, and would cause more problems than what we already have. For that reason, I would ask for a 'no' vote."

Speaker Daniels: "Gentleman from Livingston, Representative Ewing."

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Ewing: "I move the previous question."

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

Hastert: "Mr. Speaker, Ladies and Gentleman, I would like to reply to one of the comments of the speaker on the other side. The Bill does bring into focus the year. It does bring into focus something the taxpayers can begin to understand. I think one of the prop...the main problems with our ta...property tax system is it's con...it's confusing. It's...To the average taxpayer, they don't understand it. They don't understand what a sales ratio is for three years. I think this Bill brings it into the most current year. They can begin to understand that. It puts a focus on the tax assessor to do his job to bring his tax ratios up to a current standard, and I think it's a good piece of legislation. I think it's something that we need in our tax assessing system, and I would ask for your con...favorable consideration."

Speaker Daniels: "Gentleman moves for the passage of House Bill 2348. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Gentleman from Cook, Representative Keane, to explain his vote. The timer's on, Sir."

Keane: "Thank you, Mr. Speaker. I rise in support of this legislation. What the Bill does is, by dropping the three year average and going to a one year average, it reflects the downturn a lot better. It reflects the downturn in real estate costs. The three year average, if we kept it, would reflect on an assessed valuation level, a higher value than real estate actually is at the present time, by

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reflecting the situation as...as realistically as possible. In getting the best assessment level, the one year is a good average. We have put a safety net in it of 107...or seven percent increase, where it would go back if it increased that much, so that it wouldn't be a shock to the homeowner. I think it's a good piece of legislation, and I ask for your support."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 126 'aye', 28 'no', 1 voting 'present'. House Bill 2348, having received a Constitutional Majority, is hereby declared passed. House Bill 2366, Representative Birkinbine. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2366, a Bill for an Act in relation to legislative commissions service agencies and standing joint committees. Third Reading of the Bill."

Speaker Daniels: "Representative Birkinbine."

Birkinbine: "Thank you, Mr. Sp...Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2366 would abolish most of the commissions that have been created over the years, many of them outdated. It would also create nine standing...joint standing committees between the House and Senate. It's similar to a Bill that passed here fairly easily a year or two ago. I think, now, Senator Totten was the Sponsor of that Bill. It failed in the Senate. I think it's safe to say that such a Bill if...even if it were to pass out of the House this year, would also fail in the Senate. And since the House itself will be changing dramatically after the next election, being reduced by a third, I think it's something that we should look at, think about and, rather than tie up the House today in what is probably a futile effort to get a Bill through this year, I would now ask to table this Bill."

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Speaker Daniels: "Gentleman requests leave to table the Bill.

Any objections? Hearing no objection, leave is granted.

House Bill 2366 is tabled. House Bill 2381, Representative Vinson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2381, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Daniels: "Representative Vinson."

Vinson: "Mr. Speaker and Ladies and Gentlemen of the House, I would like leave to return House Bill 2381 to Second Reading for purpose of an Amendment."

Speaker Daniels: "Gentleman asks leave to return House Bill 2381 for purpose of an Amendment. Are there any objections? The Gentleman from Cook, Representative Getty."

Getty: "Mr. Speaker, am I misinformed? I thought that Representative Pullen was the Sponsor of this legislation, and here we have somebody else trying to pull her Bill back when it's at passage stage and amend it."

Speaker Daniels: "That's correct. Does the Gentleman have leave? Representative Getty, do you object, Sir?"

Getty: "All kinds of people object."

Speaker Daniels: "Representative Vinson."

Vinson: "Mr. Speaker, I have been authorized to handle the Bill. The proper slips have been filed, and I would, if Representative Getty persists in his objections, I would move to return House Bill 2381 to Second Reading for purposes of an Amendment. That has, in fact, been originally initiated by the Assessor's Office in Cook County."

Speaker Daniels: "Representative Getty."

Getty: "Well, Mr. Speaker, I rose on a point of order that this is sponsored by Representative Pullen, and I just...I think Representative Pullen is in the chamber. It would be easy enough to clarify this matter. I have no objection if

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Representative Pullen wants Representative Vinson to handle it. That's perfectly proper."

Speaker Daniels: "That is correct, Sir. That is the interpretation, and the slips have been filed. Representative Vinson is the Sponsor of the Bill. Do you object to him returning it to Second Reading."

Getty: "I didn't object to that. I think other Members did. I wouldn't object to that."

Speaker Daniels: "Gentleman, Representative Getty, withdraws his objection. Are there further objections? Hearing none, the Gentleman asks leave to return House Bill 2381 to the Order of Second Reading. Read the Bill, Mr. Clerk, Second Reading."

Clerk O'Brien: "Amendment #1, Vinson, amends House Bill 2381 on page 1, line 16 and so forth."

Speaker Daniels: "Representative Vinson, Amendment #1."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 would insert the language on line 16 after the word 'officials', 'property tax appeal board or court'. What that would do would be to permit correction of a mistaken individual homeowner's assessment, whether the mistake had been made and corrected and then ordered by a local official by the property tax appeal board, or by certificate of error in the judicial system. And I would urge adoption of the Amendment."

Speaker Daniels: "Gentleman has moved for the adoption of Amendment #1. Are there any questions? Any discussion? Being none, all those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Daniels: "Third Reading. Representative Vinson."

Vinson: "Mr. Speaker, I would ask leave to have consideration of

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the Bill on Third Reading at this point."

Speaker Daniels: "Gentleman asks leave...unanimous leave to have the Bill heard on Third Reading at this point. Are there any objections? Representative Dunn objects, Sir."

Vinson: "Mr. Speaker, I would move that we suspend the appropriate rule to hear House Bill 2381 on Third Reading at this point."

Speaker Daniels: "Gentleman, Representative Vinson, moves to have House Bill 2381 heard on the Order of Third Reading, suspend the appropriate rules. All those in favor will signify by voting 'aye', opposed by voting 'no'. It takes 107 votes. Have all voted who wish? ...Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, explaining my green vote on this, and then asking for help on it. All this does, it's no drastic change. It's no major reform or anything, but it corrects a problem where mistakes are subsequently found in assessment procedures where the officials have...have determined that the mistake is found; a mistake that would deny an individual the right to homeowners' exemption. It would permit, after that mistake is found and discovered, for the homeowner to eventually be able to get back his homeowners' exemption. And I would ask people to vote 'yes' on this. I don't think there's any controversy about the underlying principle. I would request a 'yes' vote on the Motion so that we can consider this Bill at this point."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. Representative Vinson."

Vinson: "...For a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Barnes. Bradley. Bullock. Capparelli. Deuster. DiPrima. Domico. Doyle. Ewell. Farley. Getty. Giglio. Giorgi. Hanahan. Henry.

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Huff."

Speaker Daniels: "Representative Getty."

Getty: "Mr. Speaker, I have had further conversations with Representative Vinson, and he has assured me that, indeed, the Assessor's Office has requested this and that they have no objections to this. And I'll change my vote to 'aye'."

Speaker Daniels: "Record Representative Getty as 'aye'. Representative Madigan 'aye'. What's the count, Mr. Clerk? There are 107 'aye', 31 'no', 1 voting 'present'. Gentleman's Motion prevails. Representative Vinson, House Bill 2381. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2381, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Daniels: "Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Particularly in those jurisdictions which classify property for purposes of property taxation, you...it is possible for the local assessor...assessing officials to make a mistake in classification, whereby a piece of property that should be classified as residential property ends up being classified as commercial property. Obviously, if it's classified as commercial property, even in mistake, it cannot be entitled to the Homestead exemption. After the problem is discovered and corrected, unless this Bill is passed in its current form, you still could not go back, correct the problem, classify it as residential property and entitle the homeowner to the general Homestead exemption which they are entitled to. This permits that problem to be solved whether the determination is by the local assessing official, the property tax appeal board, or a court in a certificate of error process. I don't believe there's any controversy whatsoever on the Bill, and I would ask for a favorable



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Roll Call on 2381."

Speaker Daniels: "Gentleman moves for the passage of House Bill 2381. Any discussion? Lady from Cook, Representative Margaret Smith. Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield?"

Speaker Daniels: "Indicates he will."

Satterthwaite: "Representative Vinson, what happens in those intervening years between 1977 and 1982? The Bill as written seems to apply only for '82 and subsequent years. So, why is there a five year gap in there? During which time the property owner still is penalized for this adjustment."

Vinson: "Representative, I would have no objection to a Bill by you that would correct that particular problem. I think you run into some problem in rebating taxes for a past year from a governmental jurisdiction. What this Bill does is to correct the...the error perspective and, you're correct, not retrospectively. And I would certainly support any legislation you would bring in to correct the problem retrospectively. But, I think you would run into substantial opposition from governmental units which were entitled to that money...or felt they were entitled to that money."

Satterthwaite: "Would this...Would...Would the property owner not be entitled even if they had paid under protest, for instance?"

Vinson: "No. Currently...Under current law, they would not be so entitled."

Satterthwaite: "But even after this piece of legislation would be enacted, presumably they still would not be entitled for that five year period, even if they had paid under protest during that time."

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Vinson: "That gap would still be a gap, but at least they'd be better off in the future. You are correct in that respect."

Satterthwaite: "Is this something that might be addressed in the Senate?"

Vinson: "Yes, but I will make no representation as to what the Senate will ever do on any particular Bill or problem."

Satterthwaite: "Well, I understand that."

Vinson: "I would...I would be willing to suggest to the Sponsor in the Senate that that would be a highly desirable change, and to work with you and whoever the Sponsor becomes in the Senate to advance that change. But I will make no representation about what the Senate, in its infinite wisdom, will ever do."

Satterthwaite: "Well, it would just simply seem fair to me if we are making the change to go back to the 1977 level of assessment, that we rectify the problem for the intervening years as well."

Vinson: "I think your sense of equity is well placed."

Speaker Daniels: "Further discussion? Being none, the Gentleman, Representative Vinson, to close."

Vinson: "I would simply ask for a favorable Roll Call on a Bill that simply makes it possible for government to correct errors when they are found."

Speaker Daniels: "Gentleman moves for the passage of House Bill 2381. The question is, 'Shall House Bill 2381 pass?'. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 156 'aye', 2 voting 'no', 1 voting 'present'. House Bill 2381, having received a Constitutional Majority, is hereby declared passed. House Bill 2384, Representative Hoffman. Read the

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Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2384, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Daniels: "Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. We spent a great deal of time a couple of days ago discussing this Bill. We have distributed to you, Representative Stuffle, Reilly, Kustra and Schneider and myself, a pink sheet which explains the contents of the Bill, as we explained them on the floor; and indicated on the reverse side the impact of...of those changes. I'm...I will be pleased to respond to questions. I will only say that this has been endorsed by the School Problems Commission, by the State Board of Education and outside groups such as the Large Unit District Association, which includes the 33 largest unit districts in the state including Chicago, have unanimously endorsed it. 'Head Red', the suburban group has endorsed it, and I would ask for a favorable vote."

Speaker Daniels: "Gentleman moves for the passage of House Bill 2384. Any discussion? Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The problem with this particular piece of legislation is that it is a cover-up. It is a cover-up for a very substantial reduction in school aid funding for the coming year. We are putting into the school aid formula 100 million dollars less than last year; even greater, 113 million dollars than last year. That is a scandal, ladies and Gentlemen. You know what that means to your units of local government. That means that we are shifting the burden to the local property taxpayer. Well, what do we do when we're confronted with a very substantial reduction in

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funding? What we do, of course, is to beggar some districts and to benefit others. We shift the money around. We take it out of one district; we put it into another district. We take it out of the hides of the high school districts and we put it into the elementary and the unit districts. Well, that's very nice if you're an elementary or unit district, but it's a double disaster if you are a high school district. This Bill rearranges money all over the state, Ladies and Gentlemen. I hope before you cast your vote you know exactly what this is doing to your own area. But, I don't like begging one kind of district...one part of the state for the benefit of another. Now, people will argue that this provides greater equity, more even-handed treatment or whatever. They...They will use all...all of the code words to cover their tracks. That would be fine if the formula funding level was growing. If there was a larger pie so we could adjust the pieces so that everybody would get a little bit more; but perhaps we could take care of these equity questions so that, indeed, nobody was hurt; that...that districts by and large were held harmless. Well, it's been a long time since we've heard the phrase 'held harmless' on this floor, and that's because we are undertaking, right now with this legislation and with other Bills which have preceded it, a deliberate policy of not holding harmless; a deliberate policy of devastating some districts for the benefit of others. That, Ladies and Gentlemen, I think, is a scandal. It is a scandal, and is a cover-up of the...of a disastrous underfunding of the school aid formula. I want no part of it, and I urge a 'no' vote."

Speaker Daniels: "Further discussion? Gentleman from Cook, Representative Bullock."

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

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House. Representative Hoffman, will you yield for a question?"

Speaker Daniels: "Indicates he will."

Bullock: "Dr. Hoffman, does this Bill, in any way, affect Title I funding?"

Speaker Daniels: "Representative Hoffman."

Hoffman: "The Bill does not affect federal Title I funding. It does change the level of Title I funding at the maximum of...from the current or the present .65 to .625. So, as a...a variable in the formula, there is an adjustment in that category, yes."

Bullock: "Were...Were there adjustments preceding this year in this same area, that you are aware of?"

Hoffman: "Yes, there have been...there was an adjustment last year from 6.75 to .65. Part of last year's program was to move the .65 back to 675; however, as we looked at the distribution mechanism, it became obvious that we were going to bump the percentage of the total take for the City of Chicago, which has 22 percent of the students, to 34...35 percent of the total. With the adjustment we made, we moved their 32 point some percent of the total up to 33.7. So, there was that change in it."

Bullock: "Representative Hoffman, you just cited a figure of 34 million..."

Hoffman: "Yes, in other words, if there was no change in the present distribution mechanisms, Chicago's percentage of the state total would have gone to about 34.6 percent, with 22 percent of the students. With the change we've made, that percentage is at 33.7 percent; about one percent up from what it was last year, and about one percent up...down from what it would have been if we hadn't made the change."

Bullock: "Now, let me get this straight. Here we are with some voodoo economics; except this time it's being applied on

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the state education formula. And we've got a cast of characters, some of whom I respect, some of whom I suspect. And they're telling us that this great placebo's going to taste good; and we're just supposed to try it and we like it, Larry. Now, Dr. Hoffman, I have great respect for you and I hope you respect me; but I don't think you expect anybody here from the City of Chicago to buy this placebo. A 12 million dollar loss to the City of Chicago is not going to help the kids in my school get better education. And staff tells me that not only have we reduced in FY'82 the state Title I weighting from .675 to .65; but now we come before this body and Dr. Hoffman says we should reduce it from .65 to .62, and we're supposed to like it. Now, Ladies and Gentlemen and those of you from the City of Chicago, I don't have to tell you how to vote on this Bill. And I suggest that what we should do, Dr. Hoffman, is that we should defeat this measure, put it appropriately in a Conference Committee where reasonable men can sit down, and women I presume, and work out something that's a little bit better; because this doesn't taste good, it doesn't look good and, consequently, I can't support it. And I would stand in opposition to it, and would urge Members from the City of Chicago, particularly those who have large numbers of economically disadvantaged students, that you should give it a resounding 'no' vote."

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

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

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', opposed 'no'. The 'ayes' have it. Representative Hoffman to close."

Hoffman: "Mr. Speaker, I would like to give Representative

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Stuffle an opportunity to close on this Bill."

Speaker Daniels: "Representative Stuffle to close."

Stuffle: "Yes, Mr. Speaker and Members, very briefly. The word cover-up was used tonight. We're not supposed to use code words, accordingly to Representative Bowman, but he used it four times, and 'deal' once and 'fix' once. There's no cover-up. The real issue is the appropriation. We've lost 200 million dollars in federal funds for state aid, for categorical and general programs in this year alone, basically. 113 million in general revenue and the balance in the rest of the programs. No one likes to see a cut anywhere; but the fact is, Representative Hoffman ac...accurately portrayed the situation. Chicago still gets a bigger cut of a smaller pie than they have gotten in the last few years. They've gone from 31.7 percent, roughly, of the money up to 32 and now to 33, even with the Amendment. I think it's the best we can do. There are 806 winners, so to speak, out of 1013 school districts in Illinois. We've got to cut the pie every year. We always have to because of changes in revenue and assessments. We're doing so again this year. This was no deal. It was cut before God, the School Problems Commission and everybody in the open. It's a fair deal, if you want to call it a deal. It's not a cover-up. For those reasons and those cited by Representative Hoffman, I don't know if I'm respected or suspected by the Gentleman from Cook, but either way I would appreciate an affirmative vote."

Speaker Daniels: "Gentlemen, Representative Hoffman and Stuffle, have moved for the passage of House Bill 2384. The question is, 'Shall House Bill 2384 pass?'. All those in favor will signify by voting 'aye', opposed by voting 'no'. The Lady from Cook, Representative Braun, to explain her vote. The timer's on."

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Braun: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Before you put a green vote up there on this bad Bill, the fact of the matter is, I understand the school aid formula is just so much gobbledygook to a lot of people. But, the fact of the matter is that this Bill effectively takes away the proportionate share that was worked out, that was agreed upon in terms of how the formula was to op...operate in the sta...in the State of Illinois. We are looking at significantly fewer dollars coming in to a school system that everybody in this room knows is already in trouble. You want to pour water on a dying man? You want to see the schools close in the City of Chicago? That may well be what you're buying into, and I...I'm hazard to say on both sides of the aisle there is no elected official that wants to look up and see the schools with...that serve most of the children in the State of Illinois in the City of Chicago close up in September. And I want to suggest to you that, had the formula been left alone, had you not been playing what Mr. Bullock called voodoo economics with this..."

Speaker Daniels: "Representative Braun, bring your comments to a close please."

Braun: "Thank you. At this time, we would not be looking at the cruelest cut of all, a cut against the children who are going to have to go to school and go to school and, hopefully, if they open in the City of Chicago this fall."

Speaker Daniels: "Gentleman from Cook, Representative Keane, to explain his vote. The timer's on, Sir."

Keane: "Thank you, Mr. Speaker. I will be very brief. In the...When we were talking about Amendments on this Bill, I mentioned it's the first time in 50 years that we've had a reduce...reduction in the size of school aid over the previous year. We've also got the slight of hand that the



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Governor's going to try to pull by having the 126 million final payment in June carried over to July. And we're also going to start cutting teachers' pensions. It's a bad Bill. The whole concept of educational funding this year is terrible, and I think it's going to rebound on us when we go to the electorate and they say, "Where have you put your priorities?!"

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. There are 122 'aye', 46 'no', none voting 'present'. House Bill 2384, having received a Constitutional Majority, is hereby declared passed. House Bill 2391, Representative Telcser. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2391, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Daniels: "Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, House Bill 2391 was heard in Judiciary Committee, and we took Amendments from Representative Getty to satisfy objections which he had. The Bill deals with two offenses; one of which is the offense of institutional vandalism in the amount of 300 dollars or more to an institution used for religious worship or a place used for burial or a place used for education or a community center. The second offense deals with the offense of ethnic intimidation, which is defined as an assault or criminal trespass to land or mob action because of that person's religion, race, color or national origin. This would be a class A misdemeanor. Mr. Speaker and Members of the House, I sincerely believe that House Bill 2391 deals with a number of problems in our society which are becoming, unfortunately, much too prevalent; those offenses of acts against people because of their

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race, color, religion or creed. I believe that the Members of the Assembly and the people of Illinois look down upon that type of action, and they want to protect the freedoms that everyone has to live and worship in freedom in this great nation of ours. Mr. Speaker and Members of the House, I believe that House Bill 2291 (sic - 2391) addresses those problems, and I would appreciate a favorable Roll Call."

Speaker Daniels: "Gentleman moves for the passage of House Bill 2391. Any discussion? Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield, please?"

Speaker Daniels: "Indicates he will."

Cullerton: "Representative Telcser, on page 1 under the offense of institutional vandalism, you have a mental state, here, of knowingly and without consent inflicting damage. Is it your intention that the person who commits institutional vandalism also has to knowingly and without consent...or I should say, he also has to know that the structure that he is inflicting the damage against is one of these structures."

Speaker Daniels: "Representative Telcser."

Telcser: "Yes, Representative, that is my intent."

Cullerton: "Okay. Because..."

Telcser: "Believe it's stated in the Bill, but I do want you to know, for the record that, indeed, is my intent."

Cullerton: "Well, I just want to make it clear, because it indicates a mental state of knowingly and without consent inflicting damage. That's to avoid someone who negligently inflicts damage."

Telcser: "Sure, you're..."

Cullerton: "But, it's also important, I think, to know that...to make...we're going to make this a criminal offense and a

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Class 3 felony; we're also going to make it clear that we want the state to have to prove that the person who inflicted the damage knew it was one of these enumerated facilities. Is that your intent?"

Telcser: "That is my intent, and the burden would then be upon the state to prove that."

Cullerton: "All right, thank you. No further questions."

Speaker Daniels: "Gentleman from Hill, Representative Leinenweber."

Leinenweber: "I have a question for the Sponsor."

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

Leinenweber: "Did I understand that institutional vandalism, after the Amendment, is no longer a Class 3 felony but is a Class A misdemeanor?"

Telcser: "No, Representative. The Class A misdemeanor refers to the ethnic intimidation Section of the Bill. The Section which you're dealing with, as Representative Cullerton said, would still be a Class 3 felony."

Leinenweber: "What is the penalty for a Class 3 felony?"

Telcser: "Two to...Two to five, with a fine of up to 10,000 dollars."

Leinenweber: "Now, institutional vandalism, in addition to churches, cemeteries and the like, includes schools and the educational facilities or community centers. Is that right?"

Telcser: "Yes, as long as the schools are used for religious purposes or for purposes associated with what you would consider religious needs or religious schools."

Leinenweber: "I don't read it as saying that, necessarily. Is it...It seems to me you list category one..."

Telcser: "No, Representative, let me clarify why I...what I said. If the vandalism is...the etiology of the vandalism is for religious or racial reasons, then any of those facilities

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or buildings would be covered, if that is what the cause of the act was."

Leinenweber: "Okay, that is a Class 3 felony. Is that right?"

Telcser: "Yes, Sir."

Leinenweber: "And the other one is a Class A misdemeanor."

Telcser: "Yes."

Leinenweber: "The assault and criminal trespass. What...What class are regular assault, criminal trespass to land and mob action? Isn't...Aren't they Class A misdemeanors?"

Telcser: "A regular trespass is Class C."

Leinenweber: "Criminal trespass. How about regular assault?"

Telcser: "We're looking it up now. I think it's a Class A."

Leinenweber: "So, really then, ethnic intimidation, at least as far as assault is concerned, would be no different than current. Is that right?"

Telcser: "Representative, I'd like to correct myself. Basic assault is a Class C. I was wrong a moment ago when I said A."

Leinenweber: "All right. So, if it's done by reason of race, color, religion or so forth, you've made it a more serious assault than if...if it's not. Is that right?"

Telcser: "Right."

Leinenweber: "All right. Now, in lines 20 through 24 of page 1, it reads, 'recovery under this Section C may be had in addition to and is not limited by any other provision of law which limits the liability of a parent or a legal guardian for tortuous conduct of a minor'. Is it your intention..."

Telcser: "That...Representative, that was changed by an Amendment offered by Representative Getty to limit that responsibility to the currently existing law under the Parental Responsibility Act."

Leinenweber: "In other words, the parent or legal guardian would

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only be responsible up to 500 dollars. Is that right?"

Telcser: "Whatever the current Act is, Representative. I think the current Act is 1,000 dollars. There's a limit."

Leinenweber: "All right. Thank you."

Telcser: "Thank you."

Speaker Daniels: "Further discussion? Gentleman from Cook, Representative Terzich."

Terzich: "Yes, Representative Telcser, this provides...Bill provides for a felony crime."

Speaker Daniels: "Gentleman indicates he'll yield. Representative Telcser."

Terzich: "Basically, the thing I'm interested in, if it applies to a felony, would this also be applicable to the three time loser Bill, as having a felony?"

Speaker Daniels: "Would you restate your question, please?"

Terzich: "Well, I believe we passed a Bill sometime back which Representative Kosinski called the three time loser..."

Telcser: "Representative, I believe - and we're looking it up right now - that the three time loser only referred to Class 2 felonies or worse; but I'm looking it up right now, if you could wait a moment. Representative, the three-time loser only deals with the Class X felony, and this would not be included."

Speaker Daniels: "Representative Giorgi."

Terzich: "Thank you."

Giorgi: "Representative Telcser, I see, again, you've got the fee structure in here...the attorney's fee structure in here and costs, and I am wondering if your fee structure...it's very elaborate. Do you have it according...do you have a suggested fee?"

Telcser: "What we're saying, Representative, is that you could recover damages for civil actions as in many other Acts. There are no...there is not a fee schedule. But, this is

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common in other Acts when you're recovering civil damages."

Giorgi: "Okay, now you're talking about ethnic...violations against ethnics, right?"

Telcser: "Religion, race, creed, ethnic, national origin."

Giorgi: "And is it true that your fee structure is based on the importance of the ethnic group?"

Telcser: "There is no fee structure, Representative."

Speaker Daniels: "The Lady from DuPage, Representative Karpiel."

Karpiel: "I move 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', opposed 'no'. The 'ayes' have it. Representative Telcser to close."

Telcser: "Well, Mr. Speaker and Members of the House, I think the questions covered a great deal of ground regarding House Bill 2391. We have put into the record my legislative intent - I think clearly stated. I am sure that all of the...most of the Members of the House agree that this Bill is necessary, and I would very much appreciate a favorable Roll Call."

Speaker Daniels: "The Gentleman moves the passage of House Bill 2391. The question is, 'Shall House Bill 2391 pass?'. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Representative Nelson, will you vote Representative Conti? Thank you. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 148 'aye', 5 'no', 10 voting 'present'. House Bill 2391, having received a Constitutional Majority, is hereby declared passed. House Bill 2412, Representative Terzich. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 24...2412, a Bill for an Act to amend certain Acts in relationship to the Chicago Transit

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Authority retirement plan. First Reading of. Third Reading of the Bill."

Speaker Daniels: "Representative Terzich."

Terzich: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like leave to put this Bill on the Fall Calendar."

Speaker Daniels: "There is no Fall Calendar."

Terzich: "Well, whatever one we're going to have. The Fall Calendar will be nice, though."

Speaker Daniels: "Would you care to place it in Interim Study, Sir?"

Terzich: "Are we going to have a Fall Calendar?"

Speaker Daniels: "None that..."

Terzich: "Well, I'll just leave it there for the time being then. Just take it out of the record."

Speaker Daniels: "Alright. Out of the record. We have a problem with the machine again. House Bill 2413, Representative Kustra. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2413, a Bill for an Act to amend Sections of the Illinois Banking Act. Third Reading of the Bill."

Speaker Daniels: "Representative Kustra."

Kustra: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2413 is a Bill which would allow limited service facilities to make applications for a loan and process those applications. At the present time, Illinois law provides for three limited service facilities under the banking laws of this state. This is a Bill which would simply allow one more function to be performed at that limited service facility. It is extremely important, especially in downstate Illinois, that this particular provision be added to Illinois law. Senate Bill 578, which authorized the third bank facility last year to be located anywhere within the bank's home county, limited the banks

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and their deployment of that county-wide facility by the restriction that the facility cannot be located within one mile of the home office of an existing bank. The effect of the home office protection is that the third facility generally will be located in an unbanked community. This means that if you live in one of those towns where you have this limited service facility, you could not go in and make an application for a loan. The fact of the matter is that it would be illegal. The fact of the matter is that it would be illegal to make an application for a loan in one of those facilities. It is also my understanding, I might add, that some banks are doing this anyway. This Bill would simply place them under the law. As I have talked to people about the effects of this legislation, one of the reactions I get is that we ought to let the dust settle on the multi-bank holding company Bill. However, this is a much different issue than the multi-bank holding company Bill. It is a customer convenience Bill. It is a Bill that does not add any branches. It is a Bill that simply allows the customer to go to one of those limited service facilities and take out a loan, or at least even just apply for a loan. You should know that the banking community, and I am sure you're...it comes as no great surprise, is not unanimous in favor of this legislation. The Illinois Bankers' Association, for example, is opposed to it. However, a recent poll of the IBA's membership showed that only 57% of the Association's membership is opposed to the addition of consumer loans as a permissible activity at a facility. I have a letter in my possession from the National Bank of Savannah, a member of the IBA, which is in favor of this Bill; and I am sure you, perhaps, have received some similar letters. You don't have to read the financial pages of the newspapers for very long to know



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that there is a financial revolution underway in this country. The winds have changed in the banking community, and in financial institutions, in general, are blowing strong. They are coming from the Federal Government with deregulation. They are coming from Sears - Roebuck where in this July in its 820 retail stores, they will open up automatic tellers where you can take out your loan right at Sears. For Merrill - Lynch, from Warner Cable TV and American Express, which will team up to provide you home banking on your TV. And what can the Illinois General Assembly do about these developments which I would assume some of you would think or matters that would limit the opportunities of banks in Illinois. But we can do little or nothing about those developments. Those are national forces over which we have no control. But we can do something to make life a little easier for the customer, and we can do something to open up competition for banks in Illinois and to allow banks an opportunity to compete with some of these impersonal forces over which we really have little control. It is for that reason that I am sponsoring this Bill, because I feel it is in the best interest of the banking community. I think the relatively lukewarm opposition which this Bill has received from certain elements of the banking community is testimony to the fact...fact that bankers in Illinois know that this Bill is needed. It is necessary. It is what will move Illinois forward, allow banks to compete with so many other financial institutions that have made banking a very difficult chore in Illinois these days. I would ask for your favorable consideration of House Bill 2413. Thank you."

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

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Stuffle: "Yes, I would like to speak to the Bill and also request of the Chair that a rule, at the appropriate point, in my remarks on the number of votes that this takes. Clearly Representative Kustra has presented a Bill that, I think, is a branch banking Bill. Every court case, virtually, that has considered the issue of multi-bank holding companies, facility operations and what have you, has held that the making of a loan is a a function not authorized at the time of the 1970 Constitution's ratification. They have indicated, even on this floor in arguing for MBHCs that, in their judgment, the proponents of those Bills which one is now law, weren't branch banking, because they didn't allow the making of loans at facilities. This Bill does allow the making of loans at facilities. Therefore, I think it is branch banking. Representative Kustra indicated that 57 or 58% even of the IBA members oppose this Bill. I'd like to win an election by that percentage. Almost every bank member in the independent community banks, which there are several hundred in this state, oppose this Bill. For those reasons and the fact that we've already gone far enough, I think, in this state in granting electronic funds transfer, in granting a new facility, in granting holding company banking; there is little else they haven't asked for except practicing medicine, selling insurance and things of the like. This is getting ridiculous. This is another step to letting the big banks take over the state. They've gotten enough, a pound of flesh year after year now. This is branch banking. It is not going to help a little community. It is not going to help the bulk of downstate. It helps that banker in a little downstate area that wants to control the little downstate area. That's who it helps. It helps big banks that want to branch out even more. And now, Mr.

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Speaker, on a point of parliamentary inquiry. I ask you, since every court case virtually has held that making of a loan is branch banking, I ask you to determine whether or not this Bill takes a three-fifths Majority, which I believe it does under Article XIII Section 8 of the Constitution of 1970."

Speaker Daniels: "At the close of debate, we'll make such a ruling, Representative Stuffle."

Stuffle: "Thank you."

Speaker Daniels: "Representative Robbins."

Robbins: "...Question of the Sponsor."

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

Robbins: "Around over Springfield, we see several of these little automatic tellers setting on the lots. Under these types of situations in some cities, you can borrow money just by putting in the plastic card in these tellers. Is this the type of situation that you envisioned, that it will be handled totally non-personal with the plastic cards?"

Speaker Daniels: "Representative Kustra."

Kustra: "Representative Robbins, you're speaking, I suppose, of the automatic teller machines. I am speaking of one of the three limited service facilities which is provided under banking law. Those are not impersonal mechanisms. Those are manned or personed by people who would be providing services to banking customers and, therefore, would not be impersonal."

Robbins: "What...what part of your Bill says that?"

Kustra: "The Bill simply adds three words of making...two words, 'making loans', in already existing banking law. The law already provides for the exist...the limited service facility. And it is the law that is now on the books which defines a limited service facility. My Bill does not do that."

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Robbins: "In other words, these automatic machines, automatic teller things are not a limited service facility?"

Kustra: "No."

Robbins: "Then...then at these ser...at these automatic service machines, you will not be able to write loans."

Kustra: "Not under my Bill."

Robbins: "Do you...do you personally consider this an addition or as a part of branch banking?"

Kustra: "To me, branch banking means just what it is, a full service bank which is another facility in addition to the home office bank. I can think of a full range of services or things like safety deposit boxes, trust services, investment analysis, security purchases, small business advice; all of those functions are performed at the home office bank. Those cannot be performed, under law, in the limited service facility, and that is the reason why I would differ with Representative Stuffle. I do not think that this Bill makes this a branch banking facility...branch banking Bill."

Robbins: "Okay, thank you."

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

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

Speaker Daniels: "Indicates he will."

Preston: "Representative Kustra, can you tell me, as a practical matter, how the loans would be made at one of these drive-up facilities? I...many of us are familiar with taking out car loans or home mortgages, and that is not a procedure that could easily be done while you are standing out somebody's window trying to do it."

Kustra: "Well, that certainly isn't provided for in the law, and I think the bank...the individual banks would use common

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sense and good judgment in a situation like that. The facility where...limited service facility where I bank has at least four different lanes. I suppose that either the bank could decide that if you wanted to make application, you had to go inside around the other side of the bank, which I can do. Or, perhaps they would want to put one lane aside for loans alone. I think those are decisions that the banks have to make. I don't think that Illinois law should be specifying the details of how you would make a loan."

Preston: "I was just asking the question. One other question. The 3,500 feet or the 1,500 feet requirement from the maintaining bank, how is a maintaining bank defined? Does that mean only in the case, for example, of First National Bank? Does that mean within 3,500 feet of its main banking facility in Chicago's Loop, or would that include a potential drive-up facility that was...that could be giving loans at...within 1,500 feet of one of its present community facilities, outlying facilities?"

Kustra: "The maintaining bank definition stays the same. That is in the law, and that is what applies."

Preston: "Well, could you tell me what it is, because I am not familiar with it?"

Kustra: "Illinois statutes now allow one facility within 500 yards of the bank's full service facility, a second within 3,000 yards and the third within the bank's home county."

Preston: "Well, does that mean that there could be a new drive-up facility for the purpose of getting loans that would be now constructed within 1,500 feet or 3,500 feet of one of the community facilities of First National Bank? Could they now go and make a drive-up facility within 1,500 feet of that area for the purpose of giving loans?"

Kustra: "I don't think so, because, as I said before, the limited

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service facility is still defined in the law, and this adding just the making of a loan still does not include things like safety deposits, trust services, a variety of other services. Then, as far as I'm concerned, the limited service facility still cannot be defined as the home office bank."

Preston: "I see. Thank you."

Speaker Daniels: "Further discussion? The Gentleman from Knox, Representative McGrew."

McGrew: "Thank you very much, Mr. Speaker. I rise to support House Bill 2413. I have a district that includes many small towns that aren't even big enough to support one total banking facility and have been using this as a alternative so that they do have at least some sort of banking available in that town. But, I'd like to relay a story to you that happened recently to me. I attended the Illinois Banking Association meeting in Peoria, Illinois, of which they had a speaker from Stanford University who was there talking about the banking industry. During the course of his comments, he alluded to the great non-banking event of branching in Illinois and asked the members there if they were not indeed surprised and amazed at the little changes that happened in the banking community as a result of the legislation we passed here. After the meeting was over - and incidently, many people agreed with him, and these are the ones that they tell you are against branching - after the meeting was over, the President of the Illinois Community Banking Association is from my home town, in fact, now part of my district, and he came up and assured the speaker, indeed, that it had been a non-event in Illinois. And I submit to you that this is nothing but a continuation of the same practice. It provides for an opportunity for banking in small towns and growing areas

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and certainly will be a non-event for those that think it is going to be their demise. I would ask for an 'aye' vote."

Speaker Daniels: "The Gentleman from Henderson, Representative Neff."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise to oppose House Bill 2413. I don't see if we can call this anything else but branch banking. A recent Illinois Supreme Court ruling signifies that any additional activities which banks perform at facilities, besides those that were performed under the passage of the 1970 Constitution, would have to be considered branch banking. Now the overwhelming majority of banks in Illinois, and I would say this is probably between eight and nine hundred, are opposed to this House Bill 2413 because they believe that current electronic fund transfer legislation is working very well. And there has been no demand for this legislation by banking customers. Those customers who have spoken on the issue have spoken in opposition. Therefore, I would hope that we would defeat this piece of legislation."

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

Dunn: "Thank you, Mr. Speaker. I wonder if the Sponsor would yield for a question."

Speaker Daniels: "Indicates he will."

Dunn: "Representative Kustra, I didn't understand you a while ago when you was talking to Representative Robbins. You were holding a little conversation over there on its own. He talked about electronic banking or about the facilities, but is it not true now that we have three drive-in facilities for each...each bank can have three."

Kustra: "That is correct."

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Dunn: "So if we pass this Bill then, instead of having one bank, we will have four banks, because each one of those three facilities would then become a bank of its own practically, wouldn't it not? Not...it would be a branch bank; one within so many feet of all of them, one within the county, and the other two within 3,500 yards, I believe, or 3,500 feet. Is that right?"

Kustra: "I don't believe so, Representative Dunn. I...the Bill does nothing but add the making of a loan to those limited service facilities' functions."

Dunn: "What do limited services functions allow them to do now?"

Kustra: "They can receive deposits. They can cash and issue checks and drafts, change money, receive payments."

Dunn: "Sell money orders, cashier's checks, or whatever. Money orders. They can do all of these things, and if they add the making of loans, I don't see that that would be anything other than another bank. And it certainly...maybe that is desirable. Maybe that is what the people want. If I may address the Bill, Mr. Chairman, Mr. Speaker."

Speaker Daniels: "Proceed, Sir."

Dunn: "I notice that Representative Kustra, in his opening remarks, said that he was offering this in the best interest of the banking industry. I think that some of us here are interested in the best interest of the consumers or the people that work...that have business at the banks, and I think that most of them would agree that they would rather go to, and we should have one banking facility, or at least it should be a full service bank in its biggest sense and not a bunch of branch bankings around the territory where they, when you went in to get a loan, they would have to call back to the home office to see if they could make you a loan. This is, indeed, branch banking,



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and unless...and I don't think it will serve the best interest of the people in the community. I would urge a 'no' vote on House Bill 2413."

Speaker Daniels: "The Gentleman from Rock Island, Representative Darrow."

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

Speaker Daniels: "He indicates he will."

Darrow: "According to our analysis, Public Act 82-21 allows a bank to establish a facility anywhere in the county of the main bank or ten miles into the next county. Would this apply to these facilities? Would they be able to branch ten miles from their home office?"

Speaker Daniels: "Representative Kustra."

Kustra: "No."

Darrow: "Well, I don't understand that. Why would they not? Our staff analysis seems to indicate they would. ...Happens to be Senate Bill 578 that I'm talking about."

Kustra: "Under the provisions of the multi-bank holding companies, the provisions remain the same regarding what those three limited service facilities can do, where they can be located. This adds the making of a loan to those three limited service facilities. It doesn't give..."

Darrow: "I understand the two facilities, but it is my understanding, from the staff analysis, that there could be a third facility ten miles away. Is that incorrect?"

Kustra: "Within the county."

Darrow: "Anywhere within the county."

Kustra: "That's right."

Darrow: "So we could have three...three facilities then?"

Kustra: "The multi-bank holding Bill last year authorized a third facility anywhere within the county. That's..."

Darrow: "And that would apply to Cook County also?"

Kustra: "That is law, and it applies to Cook County also. Yes,

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Sir."

Darrow: "Right. Thank you."

Speaker Daniels: "Representative Hoxsey."

Hoxsey: "Mr. Speaker, I would move the previous question."

Speaker Daniels: "The Lady moves 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 Kustra to close."

Kustra: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As we were discussing the issue, a couple of interesting things were called to my attention; one, that it's really not that uncommon, under the existing law, to see, in some of these smaller communities, an individual bank...banker leave the limited service facility, go outside, sign the application for the loan, and go back inside. That makes it legal. Well, that doesn't make much sense to me. I think we ought to just legalize the process which is already going on now. Also, it is my understanding that when the Illinois Bankers' Association's Board met to take a stand on this Bill, that it was a one vote majority which decided to go against the Bill. And I think that demonstrates, again, as I said, that there is sentiment out there in the banking community for this Bill, and it doesn't just come from any one association. I have before me a letter given to me just during debate from the 'Bremmon' Bank in Tinley Park which is a small bank, and it, as so many letters that I have read like it, are in favor of this Bill. I would like to address myself, once again, to the question of whether or not this is considered branch banking, because, Mr. Speaker, that will, of course, determine your ruling. And again, as I say, as far as I'm concerned, the limited service facilities still cannot do certain things which the home office bank does: safety

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deposits, trust services, etcetera. For that reason, I think this Bill requires 89 votes. The only other thing that I can add is that it is hardly a, if there is any real threat to bankers in the State of Illinois, it doesn't come from a Bill like this. It comes from those forces, national, impersonal forces over which we, in this General Assembly, have no control, over which banks have no control. Those forces: the Merrill Lynches, and the Sears Roebucks, the American Expresses and Cable TVs of this world; they are going to determine what the future is going to look like in the world of financial institutions. What we can do by this Bill is make life a little easier for the consumer, make life certainly a little bit more competitive for the banker, and give him something to deal with in a very competitive banking world. I would certainly appreciate an 'aye' vote on this Bill."

Speaker Daniels: "Representative Kustra and Members of the House, the Chair has studied the legislation and the Constitution of the State of Illinois and finds that branch banking has been consistently determined by the courts as a functional test relating to the facilities' powers. House Bill 2413 expands the powers and functions of facilities to include the making of loans. Since the key indicia of a bank is the receipt of money for deposit and the making of loans to its customers, it is the opinion of the Chair that House Bill 2413 constitutes branch banking, and under Article XIII Section 8 of the Illinois Constitution, this Bill will require a Majority of the elected Members or three-fifths of those voting, whichever is higher. 'Present' votes will not be counted in determining the three-fifths requirement. That is the ruling of the Chair. The Gentleman moves for the passage of House Bill 2413. The question is, 'Shall House Bill 2413 pass?'. All those in favor will signify by

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voting 'aye', opposed by voting 'no'. Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To explain my vote. Representative McGrew made a very good point. When Senate Bill 578 was passed, it said that the third facility that a bank could have could not be located in the...within one mile of the home office of an existing bank. The result of that is that generally these third banks find themselves in unbanked communities. Now, Representative McGrew mentioned that he has a number of small communities in his district that have no banking whatsoever. Think of it. When you use a bank, and I use a bank most often, it's to cash a check, put money in your checking account. That is what most people do day in, day out, week in, week out. But every now and then you want to make a loan. It is simply for the convenience of the consumer out there that we would allow these banks, this third bank, if you will, in an otherwise unbanked community, to be able to do that, to raise the fear that some..."

Speaker Daniels: "Further explanation of vote? The Gentleman from Cook, Representative Leverenz, to explain his vote. The timer's on, Sir."

Leverenz: "A couple of years ago we let the camel get his nose under the tent. Last year we let this first hump under the tent. This year it is trying for the second hump. God knows what we're going to get next year. Vote red."

Speaker Daniels: "The Gentleman from Marion, Representative Friedrich, to explain his vote. The timer's on, Sir."

Friedrich: "Well, Mr...Representative Leverenz said, I think, said it all in a more eloquent way than I can. A few years ago, the banks said, 'Well, we're locked in downtown. We'd just like to have some place where we can have a few

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drive-up facilities'. Well, the next time they say, 'Hey, one wasn't enough. I think we want two'. Then they came back and said, 'Well, we'd like to have another one three...ten miles away, but we'd also like to be able to be able to own five or six banks and put it in a chain'. Now here we go. We've got branch banking. And that is the same people that said, 'Oh no, we're not for branch banking. We just want to serve the people better in our own community'. Well, here you go. Branch banking. You got it."

Speaker Daniels: "The Gentleman from Cook, Representative Piel, to explain his vote. The timer's on, Sir."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Everytime we come up with a Bill that deals with holding companies or one thing or another, anything dealing with the facilities, all we hear is the same old diatribe, branch banking, branch banking. We're talking about a facility that is already there. The majority of banks in the State of Illinois are closed on Wednesdays. All you're doing - I heard one speaker before say, 'Think of the customer'. What you're doing, you're making the facilities available to the customer on Wednesday so they can go in, they can fill out the application if that happens to be the case. But, don't come towards us and tell us it is branch banking, because the facility is already there. All you're doing is saying that you will or will not be able to accept loan applications."

Speaker Daniels: "The Gentleman from McLean, Representative Ropp, to explain his vote. The timer's on, Sir."

Ropp: "Thank...thank you, Mr. Speaker and Members of the House. I think that what we're trying to do, in some small way, is to provide some service to consumers. For those of you who are voting red, it is almost like if you own your

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automobile and go to a gasoline station, and all you can buy is gas. Then you'd have to go down another three or four thousand feet and get oil, another three or four thousand feet and check your...your water. It looks to me like this is a good approach to providing consumers with a good service. In...in no way, by just permitting loans to be issued, to say, 'Okay, big banks, here we are. Take us over'."

Speaker Daniels: "The Gentleman from Cook, Representative Kustra, to explain his vote. Timer's on, Sir."

Kustra: "Thank you, Mr. Speaker. I just wanted to check on your ruling. I wonder if you could explain that ruling again. As I understand it, a 'present' vote is not counted in the final tally of adding up the three-fifths. Is that correct, Mr. Speaker? We'll work on the 89."

Speaker Daniels: "Require a Majority of the elected Members or three-fifths of those voting, whichever is greater."

Kustra: "Well, I'm just assuming there's a lot holding off until the last minute, and I figure that they probably want to vote 'present' if they are going to vote against it, and they might be able to hit the 'present' switch instead of the red switch if they are not going to vote 'aye'. But they are probably holding off to vote 'aye'."

Speaker Daniels: "The Lady from Sangamon, Representative Oblinger, to explain her vote."

Oblinger: "Mr. Speaker and Members of the House, with all of our small towns now having banks, I don't think we're put out that much. I can drive three miles one way and get to Riverton. I can drive five miles the other way and get to Williamsville, and two miles the other way to Sherman. I don't have to go all over, and I don't think we need this facility and this branch banking."

Speaker Daniels: "The Lady from DuPage, Representative Fawell, to

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explain her vote."

Fawell: "Thank you, Mr. Chairman. I would just like to add a couple comments that my seatmate has stirred up in me. I...I remembered when I was home this weekend to call several of my bankers to ask them, in DuPage County, what they wanted. And I was informed, overwhelmingly, that they did want this, that they feel that the people, even though they can, of course, go fairly close and get the loan, want this convenience of being able to drive up to the local facility and make these small loans. I would suggest that perhaps other of my colleagues in the collar counties should have done the same thing that I did and ask the bankers, and I think they would have gotten the same results. I would suggest, perhaps, a few more green votes up there, at least from the collar counties, would be applicable. Thank you."

Speaker Daniels: "The Gentleman from Cook, Representative Jack Dunn, to explain his vote."

Dunn: "Mr. Speaker, Ladies and Gentlemen of the House, we've created a specter here of passing out loans like McDonald's hamburgers, and I don't think that is the case. We must have a very affluent group here who have never taken out bank loans, because any I ever took out took about two hours to sign all the papers, and I had to prove that I did need the money before I got it. I don't think that is going to happen. I think this is a good piece of legislation. My little bank supports it, and I do, too."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 72 'ayes', 65 'no', 28 voting 'present'. This Bill, having failed to receive...The Gentleman requests Postponed Consideration. Representative Karpiel. Representative Karpiel, your light

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is on. House Bill 2437, Representative Karpiel. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2437, a Bill for an Act in relationship to zoning and amending certain Acts herein named. Third Reading of the Bill."

Speaker Daniels: "Representative Karpiel."

Karpiel: "Yes, Mr. Speaker, I would like leave of the House to bring this Bill back to Second for purposes of a technical Amendment."

Speaker Daniels: "The Lady asks leave to return House Bill 2437 to the Order of Second for a technical Amendment. Are there any objections? No objections being heard, leave is granted. House Bill 2437, Second Reading. Any Amendments filed?"

Clerk Leone: "Amendment #4 there is a Motion. 'I move to table Amendment #4 to House Bill 2437'. Representative Doris Karpiel."

Speaker Daniels: "Representative Karpiel on the Motion to table."

Karpiel: "Yes, I would like to table Amendment #4."

Speaker Daniels: "The Lady asks leave to table Amendment #4. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Amendment #4 is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #5, Karpiel, amends House Bill 2437..."

Speaker Daniels: "Representative Karpiel on Amendment #5. May the Lady please have your attention?"

Karpiel: "Yes, Mr. Speaker. I would like leave to withdraw Amendment #5."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #6, Karpiel, amends House Bill 24..."

Speaker Daniels: "Representative Karpiel, Amendment #6."



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Karpiel: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #6 really is a technical Amendment and doesn't make any substantive change over Amendment #4, and I would like to adopt Amendment #6."

Speaker Daniels: "Any discussion? The Lady moves for the adoption of Amendment #6. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Amendment #6 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Third Reading."

Karpiel: "Mr. Speaker."

Speaker Daniels: "Excuse me."

Karpiel: "May I have leave to hear this Bill on Third Reading now?"

Speaker Daniels: "Representative McClain."

McClain: "Mr. Speaker, I would move that this Bill be placed on First Reading First...or Second Reading First Legislative Day, because it changed the Amendment, and it changed the title of a Bill."

Speaker Daniels: "Representative McClain, Amendment #4 had already amended the title of the Bill. Amendment #6 is a technical Amendment to that, so we'll rule your inquiry out of order. The second point is, the Bill had already been moved to Third Reading. Representative McClain."

McClain: "Thank you, Mr. Speaker. Mr. Speaker, I would suggest to you that that is in violation of Rule 34 (D), which states that whenever a Bill is amended and that the title of the Bill is changed; that then upon the demand of any Member, the Bill shall not be...be advanced, and it shall go back to Second Reading First Legislative Day."

Speaker Daniels: "Your objections will be noted. House Bill 2437. Representative McClain."

McClain: "Sir, secondly, I would suggest to you that my light was

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on, and you moved to Third Reading very quickly without even looking at your panel."

Speaker Daniels: "Your objections are noted, Sir. House Bill 2437, Third Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2437, a Bill for an Act to amend an Act in relationship to zoning. Third Reading of the Bill."

Speaker Daniels: "Representative Karpiel."

Karpiel: "Mr. Speaker and Ladies and Gentlemen of the House..."

Speaker Daniels: "Excuse me. Excuse me. Representative McClain."

McClain: "Mr. Speaker, if you'll check the record, you...before you moved...you moved it to Third Reading."

Speaker Daniels: "That is correct, Sir."

McClain: "And then you asked if there was leave."

Speaker Daniels: "That is correct, Sir. You are..."

McClain: "At that time, I made my point."

Speaker Daniels: "You are correct, Sir."

McClain: "And I object to leave."

Speaker Daniels: "The Lady is asking leave. I'm sorry, Sir. I'll back up. The Lady is...House Bill 2437, Third Reading. The Lady now asks leave to hear House Bill 23...2437. Does she have leave? There are objections. Representative Karpiel."

Karpiel: "Mr. Speaker, parliamentary inquiry. Pursuant to Rule 35 (1), which states, 'A Bill on the Order of Third Reading shall be returned to the Order of Second Reading at the request of the Chief Sponsor for the purpose of offering an Amendment proposed by the Legislative Reference Bureau to correct technical errors in the Bill or to resolve formal or technical problems arising from Amendments already adopted'. This can be voted on the same day."

Speaker Daniels: "Representative Karpiel, was this Amendment, Amendment #6, requested by the Legislative Reference

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Bureau?"

Karpiel: "Well, actually it was...I was told that Enrolling and Engrossing requested that I have to amend this Bill."

Speaker Daniels: "Was this Amendment proposed by the Legislative Reference Bureau pursuant to the request of Enrolling and Engrossing?"

Karpiel: "It was not stamped by the Reference Bureau, Mr. Speaker."

Speaker Daniels: "Then Representative McClain's point is in order. Do you wish to move that this be heard at this time?"

Karpiel: "Yes."

Speaker Daniels: "It will take 107 votes, Ma'am."

Karpiel: "Yes. I'd like leave of the House. I move to hear this on Third Reading today due to the time constraints. This is an important Bill for my district, and I would appreciate an 'aye' vote on the Motion."

Speaker Daniels: "The Lady, Representative Karpiel, moves to suspend the appropriate rules to hear House Bill 2437 on the Order of Third Reading. All those in favor...Representative McClain."

McClain: "I'll explain my vote, Sir."

Speaker Daniels: "All those in favor will signify by voting 'aye', opposed by voting 'no'. It takes 107 votes. Representative McClain."

McClain: "Mr. Speaker and Ladies and Gentlemen of the House, I would ask for 'no' votes on this Motion of Ms. Karpiel's. This is a very complicated zoning piece of legislation. It is a Bill that we ought to have a full debate on, and I would urge Members to vote 'no' or 'present' and not allow this Bill to receive 107 votes."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Representative Karpiel to explain her vote?"

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Representative Karpel, to explain your vote."

Karpel: "Yes, Mr. Speaker. I don't know why this is causing such commotion. This is really a very innocuous Bill. The original Bill that was introduced that this...these Amendments have amended, was a very controversial Bill, and there were many suggestions made in Committee as to the Amendments on it. I have worked with the Urban Counties' Council, the Municipal League people to get this Bill into shape. I have worked with Representative Getty who had some questions on the germaneness of the Amendments, which is why I worked on these Amendments, and I really don't...I would like to see more votes on there. I don't really see that this Bill is a problem. If you don't like it, vote against it on Third Reading, but I would like to have a chance, due to the...the deadline tomorrow, to at least hear this Bill before the deadline runs out."

Speaker Daniels: "Representative Mautino."

Mautino: "I find myself in a very unique position once again, Mr. Speaker, and if I may address her Motion and my rationale for the 'yes' vote. I personally believe it is more than just a technical Amendment, Amendment #6, but what it does do, and I would like to have the downstate Members be aware of this, is that it puts local control in the siting selection of possible hazardous waste, and it addresses the question of the overlap between cities and counties. I can understand the concern of some Members here, but if, in fact, you do want to put some controls back at the local levels on this most important questions, I would recommend an 'aye' vote. I would also...I'm sorry to take the opposite side of Members of my Leadership, but this question is very important. I had an Amendment that I was going to present to this Bill. I will, of course, not do so, but I do agree that it should be aired. It should be

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addressed here, since it is probably the only viable local control issue that is left in the House since 1193 is on Nonconcurrency on the Calendar. I vote 'aye'."

Speaker Daniels: "Representative Carey, the Gentleman from Cook."

Carey: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I believe this Bill is a long time coming for a lot of areas, not only the areas that Representative Karpziel, Stanley and myself represent right now. The areas where the people have nothing to say about it, the county boards just put them in. The local people can't do a thing about it. This Bill still leaves the county to vote on it. It doesn't take the authority away from the county 100%. They have to file certain papers to get them approved. If it a...it is either by three-quarters or two-thirds of the county board members, show them that they have the proper papers, then they all vote on it. I think it deserves an 'aye' vote, and I'd appreciate it if everybody would vote 'aye' on it. Thank you."

Speaker Daniels: "Representative Dwight Friedrich."

Friedrich: "Mr. Speaker and Members of the House, we have granted this privilege to people on both sides of the aisle, and I know very few times it hasn't been granted. I don't know whether I am going to vote for this Bill or not, but you know, we're down to two days to go. The Lady had to take the Bill back to Second Reading for...for an Amendment, technical Amendment, and I think she ought to have a right to have it heard, and I can't understand why you object. I may not vote for the Bill myself, but at least she ought to have a right to have it called, and I think you ought to give her the privilege of doing it."

Speaker Daniels: "The Gentleman from Madison, Representative McPike."

McPike: "Well, I wasn't going to speak until the last speaker got

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up and said, 'I can't see why you would object to this'. The Democrats have had no Bills on the Calendar all week. Every Democrat should be objecting to this. This hasn't happened in the last twenty years in the State of Illinois. We had 100 Bills on the Calendar earlier this week, and ten of them were Democratic Bills."

Speaker Daniels: "Representative McPike. To the Motion, Representative McPike."

McPike: "I'm speaking to the Motion. The Motion..."

Speaker Daniels: "To the Motion, Sir."

McPike: "Yeah, well, I'll speak to the Motion and talk to the point of equity in the Motion. The Motion is, 'Should every Member of this House have a chance to hear a Bill?'. And what we've been told time after time this year is that if you're in the Democratic Party, if you sponsored a Bill, you get off the Bill. Then maybe it will come out of Rules. And so now we're asked on the House floor...not only that, now we're asked on the House floor that after all our Bills were killed in Rules, now we should extend courtesy to the other side of the aisle to allow them to amend the Bill, put it back on Third Reading, and have it heard the same day. It is about time that some people on this side of the aisle get a little bit disgusted with this and vote 'no'."

Speaker Daniels: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker. If this Bill gets 107 votes, I would like to be recognized for the purpose of a verification."

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

Stanley: "Yeah, I think...get up to speak in support of Representative Karpel's Motion. There is a uniqueness to this particular situation in the Second Legislative

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District, and I think that can be only responded to by local control, and we're looking at an issue of a possible...another Love's Canal in a certain section that takes in parts of four townships and two counties. And I would ask for support in reaching 107 votes."

Speaker Daniels: "Representative Karpziel."

Karpziel: "I'd like to take this Bill out of the record."

Speaker Daniels: "Out of the record. House Bill 2440, Representative McPike. This is House Bill 2440, Representative Terzich."

Clerk Leone: "House Bill 2440, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Daniels: "Representative Terzich."

Terzich: "Mr. Speaker and Members of the House, Amendment #2 is the Bill which addresses a problem of a...of a woman whose husband passed away in January of 1981, at which time she was not able to commute her benefits because of the effective date of the plan was January 1. This simply changes the date back. There is no cost to it, and it will allow her to commute her benefits, and also it provides, under the state system for the State Superintendent. We passed the Bill 20...2412, which allows pension premiums to be tax deductible for federal income tax purposes, and this is all the Bill does. There is no cost to it, and I would be more than happy to answer any questions and appreciate your support."

Speaker Daniels: "Any discussion? Being none, the Gentleman, Representative Terzich, moves for the passage of House Bill 2440. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? The Lady from Cook, Representative Stewart. Have all voted who wish? Take the record. On this question there are 99 'aye', 45 'no', 16

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'present'. House Bill 2440, having received a Constitutional Majority, is hereby declared passed. House Bill 2442, Representative Macdonald. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2442, a Bill for an Act to amend the Workers' Compensation Act. Second Reading of the Bill. Third Reading of the Bill."

Speaker Daniels: "Representative Macdonald."

Macdonald: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like permission to bring this Bill back to Second Reading for the purpose of Amendment."

Speaker Daniels: "The Lady, Representative Macdonald, requests leave to move House Bill 2440 back to the Order of Second Reading. Just a second. The Lady, Representative Macdonald, requests leave to move House Bill 2442 back to the Order of Second Reading for purpose of Amendment. Does she have leave? Leave is granted, hearing no objections. House Bill 2442, Second Reading. Are there any Amendments filed?"

Clerk Leone: "There is a Motion filed. 'I move to table Amendment #1 to House Bill 2442'. Representative Macdonald."

Speaker Daniels: "Representative Macdonald, Motion to table."

Macdonald: "I think it was to...to...Amendment #2. Representative Davis has 2, and mine was 3. Motion to table. Yeah, Motion to table, but there is an Amendment before it, Representative Davis' Amendment #2."

Speaker Daniels: "The Lady moves to table Amendment #1. Does she have leave? Amendment #1 is tabled hearing no objections. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Davis, amends House Bill 2442..."

Speaker Daniels: "Representative Davis, Amendment #2."



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Davis: "Withdraw Amendment #2."

Speaker Daniels: "Withdrawn. Further Amendments? Mr. Clerk, further Amendments? Amendment #2 is withdrawn."

Clerk Leone: "Floor Amendment #3, Macdonald, amends House Bill 2442..."

Speaker Daniels: "Representative Macdonald, Amendment #3."

Macdonald: "Withdraw Amendment #3."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Macdonald - Hallstrom, amends House Bill 2442..."

Speaker Daniels: "Representative Macdonald, Amendment #4."

Macdonald: "This is the...this actually is the thrust of the Bill at this time, and it says that, 'Each arbitrator appointed after the effective date of this amendatory Act of 1982 shall be subject to review under the provisions of the Illinois Personnel Code once each six years. Such reviews shall include the performance of that arbitrator since last reviewed, as well as the arbitrator's knowledge of the expertise, and the law and judicial process of this Act and the Occupational Disease Act'. This Amendment actually is the Bill at this time. The thrust of the original Bill was to have review of arbitrators, and we had set it originally at eight years. There was an Amendment in Committee that reduced it to once every two years, and that was the Amendment that I filed the Motion to table. It was an unreasonable requirement, but since the 1975 Workmen's Unemployment Compensation Bill has passed, there has been a significant need. It has been felt, at least, in the communities where these hearings are being held, that the arbitrators should have review. And so, I...that is the thrust of this particular Bill, and I would ask for your vote on this Amendment."

Speaker Daniels: "The Lady moves for the adoption of Amendment

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#4. Any discussion? The Gentleman from Cook,  
Representative Beatty."

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

Speaker Daniels: "She indicates she will."

Beatty: "Could you tell me whether this affects the sitting  
arbitrator..."

Macdonald: "I can't hear you. I'm sorry."

Beatty: "Does this affect a man or a woman who is presently an  
arbitrator?"

Macdonald: "I'm sorry. We still couldn't hear you."

Beatty: "Does this affect someone who is currently an  
arbitrator?"

Macdonald: "No, on the enactment of this Amendment."

Speaker Daniels: "Further discussion? The Gentleman from Adams,  
Representative McClain."

McClain: "Mr. Speaker, all I'd ask for is a Roll Call on this  
Amendment, and I'll leave my time to Mr. Getty who has some  
other questions."

Speaker Ryan: "Further discussion? The Gentleman...being none,  
the Lady from Cook, Representative Macdonald, to close."

Macdonald: "Well, Mr. Speaker, Ladies and Gentlemen of the House,  
this is an attempt to make a reasonable compromise from the  
wishes of the Committee. We found that six years was a  
reasonable time. Two years would not have been a  
reasonable time. Eight years was considered too long to  
review the arbitrators' ability, and I would ask for your  
approval of this Amendment. I ask for your approval."

Speaker Daniels: "The Lady has moved for the adoption of  
Amendment #4. All those in favor will signify by voting  
'aye'. She just closed, Sir. All those in favor will  
signify by voting 'aye', opposed by voting 'no'. The  
voting's open. Representative Hanahan, do you care to  
explain your vote, Sir?"

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Hanahan: "Yes, Mr. Speaker, what I am really curious about, the Lady did not explain how much money this is going to cost. And to protect the interest of the state, I have asked for a fiscal note on this Amendment to be applied."

Speaker Daniels: "The Gentleman from Peoria, Representative Schraeder, to explain his vote. The timer's on, Sir."

Schraeder: "Well, Mr. Speaker, it seems to me that we've had no complaints about arbitrators decisions, to my knowledge. The arbitrators' decisions are subject to over...to be overridden by the full Commission. and if that isn't satisfaction, they can go into the court system. And I think what you're doing is circumventing the...the present removal system for a system that is not entirely acceptable at all, and I think this is a very, very bad Amendment."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Take the record. On this question there are 68 'aye', 67 'no'. Representative Mautino."

Mautino: "Please vote me 'no'."

Speaker Daniels: "Representative Leverenz."

Leverenz: "Record me 'aye'."

Speaker Daniels: "Record Representative Leverenz as 'aye'. Representative Mautino, 'aye'. Representative Conti, 'aye'. Representative Satterthwaite, 'aye'. 72 'ayes', 65 'no'. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #5, Davis, amends House Bill 2442 on page one and so forth."

Speaker Daniels: "Representative Hallstrom."

Hallstrom: "Yes, Sir. I had my hand up, because I wanted to explain my vote, Sir, before the vote was counted, as a hyphenated Cosponsor of that Amendment. And Representative Macdonald worked very hard on this with the Arbitrators' Association, with the IMA and with everybody concerned, and I just felt I wanted a chance to explain that there was not

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all of this concern that everybody seems to feel on the other side of the aisle."

Speaker Daniels: "I'm sorry. I didn't see your light, Ma'am. Excuse me."

Hallstrom: "Thank you."

Speaker Daniels: "Further Amendments?"

Clerk Leone: "Floor Amendment #5, Davis, amends House Bill 2442..."

Speaker Daniels: "Representative Davis, Amendment #5."

Davis: "Thank you, Mr. Speaker. This is a rather simple Amendment, and I think non-controversial. It simply allows retailers and individuals engaged in providing service to service corporations to allow their corporate officers, as defined as president, vice president, secretary, treasurer and any other officers so designated by the Board of Directors, to opt out from coverage under the Workers' Compensation Act by election of that Board. I think it is a small thing. It is a small step on the way toward creating downward pressure and obviously would be a permissive elective kind of operation, and it only affects the corporate officers of that particular corporation in industries or in service industries and in retail or manufacturing where the rates are fairly low, and it should experience some...some downward pressure on those premium rates for that small segment, and I would move for its adoption."

Speaker Daniels: "The Gentleman, Representative Davis, moves for the adoption of Amendment #5. On that question, the Gentleman from McHenry, Representative Hanahan."

Hanahan: "Mr. Speaker, I have no objection to the Amendment, but I think it is ill-founded in...just in the common sense approach, that any...anybody with an ounce of brains realizes the cheapest insurance an employer purchases. And

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this is a sincere answer. The cheapest insurance an employer purchases on his company, as far as life insurance and as far as liability insurance, is his workmen's comp. I mean, if somebody wants to elect to get out of it, that is their business, but I think it is silly. But, I'll certainly...I have no objection to your Amendment."

Speaker Daniels: "Further discussion? The Lady from LaSalle, Representative Breslin."

Breslin: "Yes, Representative. A question of the Sponsor."

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

Breslin: "What happened to your Bill on this same subject?"

Davis: "My Bill on this same subject, the same thing happened to it that happened to yours. It got buried in the Rules Committee."

Breslin: "But I was there when it was voted out of the Rules Committee."

Davis: "No, that is not true, Representative Breslin. Your Bill and mine, 2560...2365 and 63 were both killed in the Rules Committee."

Breslin: "Okay, thank you."

Speaker Daniels: "Representative Da...Representative Collins in the Chair."

Speaker Collins: "Trouble. The Gentleman from Cook, Representative Greiman."

Greiman: "Thank you, Mr. Speaker. Perhaps you could tell him...Well, would the Gentleman yield for a question or two?"

Speaker Collins: "Indicates he will."

Greiman: "Alright, thank you. Perhaps you could give me some understanding of what a corporate officer means under this Act. Is this one of the...one of those officers specified in the bylaws like: president, vice president, secretary, treasurer, secretary - treasurer, assistant secretary,

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third vice president."

Davis: "Yes, yes."

Greiman: "So that if, for example, a manager of a plant wouldn't necessarily be a corporate officer under this. Is that right?"

Davis: "This is limited to retailers and service occupations only."

Greiman: "To what? Well, a manager of a store then wouldn't necessarily be a corporate officer. Is that right?"

Davis: "That is correct."

Greiman: "And so that one would have to be designated specifically and elected as a corporate officer by the Board of Directors."

Davis: "That is correct. That is correct. That's correct."

Greiman: "Okay, thank you."

Speaker Collins: "The Lady from Cook, Representative Macdonald."

Macdonald: "Yes, Mr. Speaker, I think that this Amendment is a good Amendment, and I think it would strengthen the Bill; and therefore, I ask for your support of Representative Davis' Amendment."

Speaker Collins: "The Gentleman from Will, Representative Davis, to close."

Davis: "Well, it is obvious to me that it looks like it is going to go on, because Representative Hanahan has endorsed it, and I certainly do and others, and it was a subject of two Bills that didn't make it out of Rules Committee, Representative Breslin and myself. And...well, I thought he endorsed it, even though he just said he didn't. He said it is a pretty good idea, and I think it is too. I'd simply move for its adoption."

Speaker Collins: "The Gentleman moves the adoption of Amendment #5 to House Bill 2442. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and

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the Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Collins: "...Not comment on Rebecca's shape. The Gentleman from McHenry, Representative Hanahan, has requested a fiscal note. There has been a fiscal note filed. Representative Hanahan, for what purpose do you rise?"

Hanahan: "On a point of order. What fiscal note? On the Amendment #4?"

Speaker Collins: "On Amendment #4, yes."

Hanahan: "Signed by who? The fiscal note has to come from the Industrial Commission, signed by Georgianna M. Reilly. Unless she's president, I don't know how she got...Georgianna M. Reilly is the one that signed the last fiscal note on May 11th."

Speaker Collins: "The Lady from Cook, Representative Macdonald."

Macdonald: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, because we have merely changed from two to six years, the process is the same and the original fiscal note, and I would like leave of the House to read it. It says, 'The fiscal impact. This Bill would not require or result in increased or decreased expenditures of revenue to the Industrial Commission or to the parties appearing before the Commission; however, the Industrial Commission may require the assistance of the Department of Personnel in conducting its review of arbitrators. The Department of Personnel should be contacted to ascertain what possible fiscal impact this Bill may have. Now, that...that has been done with the Department of Personnel, and they said none. I cannot see that changing the number of the arbitrators, whether it be two, eight or six. We started out with every eight years. It was then amended to every two. We now have compromised with six and it has nothing

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to do with the Fiscal Note, and I would ask your leave to ..to withdraw the request after the Amendment for the Fiscal Note simply because there would be no change in the Fiscal Note if we're to go again to the Commission."

Speaker Collins: "The...The Lady has moved the provisions of the Fiscal Note Act do not apply, as pertaining to Amendment #4. On the Motion, the Gentleman from McHenry, Representative Hanahan."

Hanahan: "Well, the..the Lady...I understand the plight she's in. I've been there a few times in the past myself. And, you're right now in between the hard spot and the rock, and because what you really need is a Fiscal Note for your Amendment. That's what the statute calls for and that's what the rules of the House provide for. An Amendment to the Bill did change the context of the Bill with...what the May 11th Fiscal Note was and its intent. We adopted another Amendment that we don't know any fiscal impact or not to the whole operation. I'd suggest that the Lady do obtain a Fiscal Note. In fact, if she really wanted to be fair with the House, the Fiscal Note would not only come from the Industrial Commission, but also from the Department of Personnel in which the fiscal impact from the Industrial Commission clearly points out that they cannot answer without the help of the Department of Personnel. So, if you were to follow the strict rule and follow the letter and the intent of the law, you would need two Fiscal Notes to be filed on this Bill, as amended, because the Industrial Commission clearly points out that the Department of Personnel should be contacted to ascertain what possible fiscal impact this Bill may have on it. And that's on the May 11th Fiscal Note. So, I'm afraid I'll have to object to your asking for leave and oppose your Motion to bypass a Fiscal Note impact, because it clearly



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is indicated that not only does the Depart....the Industrial Commission not realize the fiscal impact, but they point out on May 11th that you should obtain information from the Department of Personnel, and you could have filed that and then I may not have been able to sustain my objection."

Speaker Collins: "The Lady from Cook, Representative Macdonald, has ruled...has moved that the Fiscal Note is not applicable to Amendment #4. Those in favor of the Lady's Motion will indicate by voting 'aye', those opposed by voting 'no'. Have all voted who wish? The Gentleman from DeWitt, Representative Vinson, to explain his vote."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's clear that these Amendments do not have any fiscal impact. There's no way in which they do. We're just dealing with a delaying tactic and I would urge everybody to vote green in this particular case."

Speaker Collins: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. The Lady from Cook, Representative Macdonald."

Macdonald: "Yes, Mr. Speaker. We will make every attempt as soon as we can get the Fiscal Notes prepared that we will have them here tomorrow."

Speaker Collins: "On this question there are 82 voting 'aye', 87 voting 'no', and the Lady's Motion fails. The Bill will remain on Second Reading. House Bill 2443. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2443, a Bill for an Act to amend the Worker's Compensation Act. Third Reading of the Bill."

Speaker Collins: "The Lady from Cook, Representative Macdonald."

Macdonald: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, we have had a very thorough discussion on this same question with preexisting disabilities earlier this

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afternoon and I'm not going to take a lot of your time, but I would like to make a statement. And we will try to make this as brief as possible. Perhaps the most specious and moral and unfair provision of the 1975 Amendments concerning the problem of preexisting conditions and disabilities - many of us have preexisting disabilities ranging from phlebitis to diabetes and coronary heart disease. These disabilities are not the result of any injury at work, but such preexisting problems may well complicate recovery from an injury, as well as confuse the problem of disability resulting from the injury compared to the preexisting disability. In 1980, the Industrial Commission and Department of Insurance employed a nationally recognized workmen's compensation expert to conduct a series of hearings on our workmen's compensation system. One of Dr. Tanenbaum's recommendations was, quote, '...that the Legislature of the State of Illinois consider modifications of the law such that disabilities existing prior to a work injury are given consideration in the determination of the extent of an employer's liability. I would also like to point out that the Task Force on employment of the International Year of the Disabled Person has proposed that legislation be supported that provides for a preexisting condition or disablement is involved and a disablement is arising from a current accident that proportioned the disability which pre-existed must be established and the employer pays only for that portion caused by the current accident. This proposal should significantly reduce the potential liability an employer entertains by hiring a disabled person...', unquote. In both cases, experts in the field acknowledge the serious problem presented by the language presently in the statute on preexisting condition. The U.S. Chamber of Commerce

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also pointed out how serious the problem is in this state. In the report of the Chamber, they pointed out that not only two states, Connecticut and Pennsylvania, allow more than Illinois for permanent partial disability. Permanent partial accounts for at least 60 percent of all workmen's compensation benefit dollars in Illinois. Yet, permanent partial benefits are not and never were meant to be a form of wage replacement. They are only paid after the employee has returned to work and are, in effect, compensation for having had the injury. They also present the greatest area of cost abuse. The Bill only applies to permanent partial and it provides some fairness to the system while at the same time attempting to reduce the present abuses. In addition to providing a credit for preexisting conditions, the Bill also removes the obstacle that presently exists which prevents the Industrial Commission from adopting standards. By adopting standards you make it possible, even easy, for the employer and the employee to arrive at a fair settlement, avoiding the expense of litigation. Further, I would like to note that on page 69 of the National Commission on the State Worker's Compensation Laws, the report states, and I quote, '...The use of standards to help establish the impairment rating and then use...and then use of the impairment rating in conjunction with other information, such as the worker's age, education and previous experience, to establish the extent of disability seems most appropriate. It is hard to see how any statutory schedule could substitute effectively for this process...'. The same report is the report that the Democrats used in pushing through the changes in 1975. But in pushing through the changes, they failed to adopt standards by which impairment could be judged. Ladies and Gentlemen of the House, we have had a thorough discussion

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earlier this afternoon, and I would implore you to reconsider your voting and to think carefully of what we're doing to working people of Illinois. I urge your 'yes' vote on this Bill."

Speaker Collins: "Is there any discussion? The Gentleman from Adams, Representative McClain."

McClain: "Thank you, Mr. Speaker. Would the Lady yield?"

Speaker Collins: "She indicates she will."

McClain: "Mrs. Macdonald, did I understand you correctly? This Bill now requires standards?"

Macdonald: "...Will allow the Industrial Commission to promulgate standards."

McClain: "Are you aware that the business community themselves now have taken this off their agenda for this Legislative Session because they're split on standards?"

Macdonald: "I'm sorry, but we can't hear you. Could you turn up the volume or else get some order?"

McClain: "Are you aware that one of the reasons...Are you aware that the business community themselves have taken standards off their Legislative program because they're split on the issue of requiring standards?"

Macdonald: "No, I was not aware of that."

McClain: "Are you aware that one of the reasons we put in the last reform of worker's comp that there would be written opinions was to replace the issue of requiring standards?"

Macdonald: "Would you please turn up the volume so that we can hear over here? The noise level is very..."

Speaker Collins: "Could we have a little order? It's the...The Lady is having trouble hearing the questions and I'm sure the Gentleman is having trouble getting it across to her."

McClain: "Thank you, Mr. Speaker. Ms. Macdonald, are you aware that the reason we reformed the Worker's Comp Act last time, which required written opinions, was to take care of

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the issue of standards so that over a period of time it would evolve that there would be precedence for worker's compensation awards rather than specific standards?"

Macdonald: "Well, that did not establish medical standards."

McClain: "Correct. What I'm saying is, did you understand that that was the reason why that was compromised and agreed to in the last reform of worker's compensation?"

Macdonald: "Well, it doesn't establish medical standards to judge impairment."

McClain: "Thank you."

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

Greiman: "I wonder if the Lady would yield for a question or two?"

Speaker Collins: "She indicates she will."

Greiman: "Representative Macdonald, just a hypothetical perhaps. Two workers work in a plant, assembly plant, and they...they're seated. During their work period they're seated at a fastening table where they fasten items. One has no injury to his legs. The other one had a shattered knee cap in Vietnam and works with a...and walks with a slight limp. But they both do their jobs sitting down. On the way out of the plant, but on company land, they're struck by a car, a company truck. They both lose a leg. Am I correct that the...that the veteran with the shattered knee cap from Vietnam who has the slight limp would not get his full amount for the loss of his leg, but that the other worker would? Is that correct?"

Macdonald: "Well, I don't see why the employer should pay for something which he was not responsible for, which was the original existing condition."

Greiman: "You're not...Are you kidding? You think that that leg then is worth less to him. Now, that's the only leg he's

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got to propel himself around and you think that because he has a bad leg, that somehow he should get less. That's what your Bill says. Is that right?"

Macdonald: "Well, I think it was a preexisting condition and I think it should have been taken into consideration. I think it was taken in in the hiring of that person, and therefore, I think that medically that the accident will have appropriate compensation and..."

Greiman: "Now, remember, Mrs. Macdonald, he was hired to sit at a table, not to stand around. He was going to sit at a table with the other fellow..."

Macdonald: "Now, well, why..."

Speaker Collins: "I'll...I'll remind the Gentleman to let the Lady finish her answer before he interrupts."

Greiman: "Thank you, Mr. Speaker. I appreciate the suggestion. Did you want to respond to my question, at that point?"

Macdonald: "Would you repeat the remark?"

Greiman: "Well, it was sort of a follow up. Let me give you another example. And I hate to personalize, but once in a while we do do this. I have a daughter who..who is visually handicapped. She sees. She's managed to get a college degree. She does see, but she is visually handicapped. She can see, you know...when she looks like this. She reads. She's very bright. But she is visually handicapped. Now, if she loses an eye..and she works for a university, if she loses an eye, is that eye worth less? Should that eye be worth less than your eye? I wear glasses. My eyes are probably worth less, too. But, should they be worth less?"

Macdonald: "Well, I..I still don't see why the company should be required to pay for some condition that existed prior to any accident."

Greiman: "Well, alright. On the Bill.."

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Macdonald: "...And that's what we were asking them to do."

Greiman: "Thank you. On the Bill, you know, we..we sit on this floor and we hear buzz words about, you know, it's good for business; it's good for the business climate; we have a bad business climate, and it all happened here in 1975, and we must desperately change this Bill. And there is sometimes just a bit of truth, I suppose, to some part of it. Nothing is all false. But in doing that we seek...we lower ourselves to just cruelty, plain, absurd, angry cruelty. Now, we heard the..the Sponsor of this Bill,tell us that that leg that propels that veteran from Vietnam, that that leg somehow isn't worth as much. Now it's the only leg he's got. It's the only leg he moves around on. And it doesn't affect his job because he sits at a...at a table and he fastens things together. And we heard how somehow this youngster who uses her eye - it's the only eye she's got - and she reads as well as I do, as well as anybody here, but that her eye is somehow worth less. My God, what inventories we'll have to take. What physicals we'll have to take before we hire anybody, incredible physicals. This is a cruel Bill, and the Sponsor of this Bill is not a cruel person. But this is a cruel Bill. This is..you know, the Chamber of Commerce of Illinois is not cruel. The manufacturers of Illinois are not cruel. And I cannot believe, I cannot believe that they endorse this kind of Bill, and I think that this Bill should be roundly defeated."

Speaker Collins: "The Gentleman from DeKalb, Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker. Four hours of discussion on any Bill on this subject is not going to change a vote. I move the previous question."

Speaker Collins: "The Gentleman moves the previous question. The

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question is, 'Shall the main question be put?'. All those in favor will indicate by saying 'aye', opposed 'no'. The 'ayes' have it, and the Lady from Cook, Representative Macdonald, to close."

Macdonald: "I think that this Bill has had adequate discussion, both earlier this afternoon and today. I might add to Representative Greiman's remark that the veterans that are working, the veteran example that he used is probably ..or, is on federal pension and therefore, I think, that he has been compensated earlier as well for the injury that he received. And I think that it is indeed essential for us to hire our veterans, and I would be the first one to say that that was important and to pay them adequately for any injury that is given to them. But I see no reason for us to be paying and for the businessmen to be having to pay, or any business to be paying for preconditions over which they have no power. And I..I still urge and ask you to reconsider. What is happening to business in Illinois, what is happening to jobs in Illinois is all because we have come to this impass where we simply cannot make any headway with any reasonable kind of legislation. I think this is needed legislation. I think it is reasonable legislation, and I would ask for your support of this Bill."

Speaker Collins: "The question is, 'Shall House Bill 2443 pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. The Gentleman from Cook, Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, the Gentleman across the aisle gives..gave some cruel hypothetical purposes against this Bill. Yes, they do sound cruel, and especially when you're referring to veterans. Let me give you some cruel hypothetical



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experiences that I've had. I've had a fireman on my Fire Department for 17 years. He's been a painter because you know firemen only work 24 hours and they're off 42 hours. He developed emphysema. Not only is he getting disability, but he's also suing the Village of Elmwood Park for thirty thousand dollars because he developed emphysema. I have another employee that worked for the Village of Elmwood Park. After receiving his pension and after 20 years...after 20 years he received his pension. Now, all of a sudden, he's got a heart murmur. And now he wants to start a suit against the Village of Elmwood Park. Yes, you can come up with cruel hypothetical figures, but on the other side, there are many more abuses on the other side, just as much as the cruel one that you've pointed out with the poor veterans."

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

Hanahan: "Once again, Mr. Speaker, Members of the House, the Lady failed to say how much it's going to reduce the premiums. Time and time again I've said to this Membership of this floor of this House, that the issue is not diminishing the benefits to an injured worker or to the family of a deceased worker. The real issue that you've heard about is the high premiums your small employers are paying. Tell me how much it's going to reduce their premiums. That's the real question before all of us. And another thing on an aside, there's a few of us that are going to retire at the end of this term. Pat Quinn's seen to that. And you're going to be out there looking for a job. And there's a lot of you who are hearing impaired and have a lot of stress. Should you be worth a lot less when you go to work in private industry next January because you happen to be not a whole person after working here for a few terms? I think

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that you should consider very strongly that you are...when you're hired, you're hired as a person as..."

Speaker Collins: "The Gentleman from Rock Island, Representative Bell. The Lady from DuPage, Representative Fawell."

Fawell: "Thank you, Mr. Speaker. In explaining my vote I'd like to tell you, I have a son who has a bad back. We discovered when he was child that he is missing a vertebrae. He cannot work lifting anything heavy. Personally I think if he'd try this kind of work he should not have the same kind of pension and ...that the average man does. We know of his condition. He knows of his condition. He's been warned not to do that kind of work. I think any company would be crazy to hire him, and I...for more reasons perhaps than one. But...Who knows better than his mother? But I think that there are times when companies are justified in not handling..hiring such an individual and I think we should take into consideration."

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

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I'm voting 'no'. But I'm only rising at this time urging the Speaker that he ought to look at some of the faces around here. We've heard of four Members who are sick. I've seen them on the floor almost all of this 12 hours, even though we're right near the deadline. I really think, in good common sense, we ought to be going home. And I would urge the Speaker to consider that and it's on the record, and if something happens to somebody later this night, don't say I didn't tell you."

Speaker Collins: "The Gentleman from Adams, Representative Mays."

Mays: "Thank you, Mr. Speaker. In explaining my 'aye' vote, I think a lot of people have missed the whole point of this specific Bill here. In my reading of the Bill, this

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doesn't mandate any credits for preexisting injury. It just states that they should be taken into consideration in determining the award. Now, currently, under existing worker's comp statute, there's only two..two ways you can get credit for preexisting injury. One is if you're already been awarded it under worker's compensation and the other is if you've got an amputation. All this says, once again, is that you should not completely disregard all those other instances. You should take them into consideration. I think it's a very reasonable Bill, and I don't think it's going to hurt anybody in this room."

Speaker Collins: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this Bill there are 79 voting 'aye', 85 voting 'nay', 2 voting 'present'. And this Bill, having failed to receive a Constitutional Majority, is hereby declared lost. House Bill 2450. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2450, a Bill for an Act relating to narcotic racketeering. Third Reading of the Bill."

Speaker Collins: "The Gentleman from DuPage, Representative Daniels."

Daniels: "Ladies and Gentlemen of the House, the Narcotics Profit Forfeiture Act proposes that the General Assembly statutorily prohibit narcotics racketeering in the State of Illinois and supplement existing sanctions by mandating forfeiture of money and other assets generated by narcotics racketeering activities. Under this Act, the proposed Act, a person commits the offense of narcotic racketeering when he: one, participates in a pattern of narcotics activity and receives income or property therefrom; or two, be employed by or associated with an Illinois business - he conducts the business' affairs through patterns of narcotics activities. Either the Attorney General or a

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State's Attorney may prosecute or commence a prosecution under this Act. The Act provides for both civil and criminal penalties and provides, upon conviction, of a four to 15 year prison sentence, a fine up to \$100,000 and a forfeiture of any interest in any property the individual has acquired or maintained as a result of narcotics racketeering. This Bill has been scrutinized very carefully, has support on both sides of the aisle, and I encourage your affirmative vote in favor of the legislation."

Speaker Collins: "Is there any discussion? The Gentleman from Cook, Representative Getty."

Getty: "Mr. Speaker, will the Gentleman yield? Representative Daniels, I'd like to call your attention to Section 5(C) of the Bill as amended that reads, 'In any action brought by the people of the State of Illinois under this Act, the Circuit Courts of Illinois shall have jurisdiction to enter such restraining orders, injunctions or prohibitions, or to take such other actions in connection with any property: real, personal or mixed; or other interests subject to forfeiture under this Act as they shall deem necessary'. Now, in view of that Section, it is my understanding that Section 5(C) is intended to protect the property that is subject to forfeiture under this Act from improper or unauthorized disbursement by authorizing the Circuit Court to issue whatever orders are necessary to protect such property. Is that correct, Sir?"

Daniels: "Yes, Sir, it is."

Getty: "And pursuant to this Section, is the Circuit Court empowered to enjoin, and is it your intent that the Circuit Court should enjoin a defendant from disposing of any of the property subject to forfeiture in appropriate cases upon the petition of the State's Attorney or the Attorney

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General?"

Daniels: "It is the power, and it is my intent."

Getty: "Thirdly, if any direct appeal is pending, will the Circuit Court, under Section 5(C), be entitled to issue whatever orders may be necessary to preserve and protect the defendant's property that is subject to a forfeiture pending the resolution of the appeal?"

Daniels: "Yes."

Getty: "Is it your intention that governmental office, whether it be the State's Attorney or the Attorney General that instituted the action during the proceedings in the criminal case, also proceed on the proceedings in the forfeiture proceeding?"

Daniels: "Yes."

Getty: "Thank you, Sir."

Speaker Collins: "Further discussion? The Gentleman from Champaign, Representative Johnson."

Johnson: "Mr. Speaker and Members of the House, I know we're late in the evening, and this should be a relatively non-controversial Bill; but I think it is important to point out what it does do for the first time in Illinois and for one of the first times of any state in the Union; and that is to recognize the terrific profit that is involved in illegal drug traffic and to direct itself towards divesting some of that profit and channeling it into areas for the good of society. I think Representative Daniels, and the Republican and Democratic Cosponsors of this Bill and the Attorney General are to be commended on coming up with a Bill that, for the first time, really directs itself in an effective way towards the serious problem, and I think will go a long ways towards making crime, and particularly narcotics crime, not pay in the State of Illinois. I urge a 'yes' vote."

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

Cullerton: "Will the Sponsor yield?"

Speaker Collins: "Indicates he'll yield."

Cullerton: "Representative Daniels, I think this is an excellent Bill, as many others, but I am curious as to why the Attorney General's name even appears anywhere in the Bill. Is there anything in the Bill that will protect against or prevent two separate court cases being filed, one by the Attorney General and one by the State's Attorney, in the same county? Mr. Speaker."

Daniels: "Representative Cullerton, there is nothing in the Bill that actually prohibits that...exception that we anticipate cooperation on the Bill, because, as explained to you earlier, this Bill is patterned after the federal law, the 'Rico' Statute under federal law; and we anticipate that there will be cooperation. And there is called for provisions under the Bill for disbursement of any items forfeited under the legislation to go in accordance with the Bill that, as we stated earlier, under the provisions of the terms of the Bill."

Cullerton: "Are there...are you planning on...do you know if there is going to be a need to hire any more Assistant Attorney Generals to assist counties that can't afford to prosecute these cases themselves?"

Getty: "You had requested a fiscal note which was filed on May 6 pursuant to your request. And in that fiscal note, the Attorney General estimated that the responsibilities could be handled by existing staff and should not require expenditure of additional funds by the office."

Cullerton: "What are those Assistant Attorney Generals doing now?"

Getty: "Well, they are doing various types of cases right now. I

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might point out to you that it is also estimated that the enactment of this legislation, being very important, could generate and estimated to generate up to some \$20,000,000 per year in additional revenue."

Cullerton: "Well, to the Bill. I...I think you've raised a good point. I want...just want to make the point that I think it is a good Bill. I just don't understand why the Attorney General's specifically mentioned in the Bill. If it is necessary for a small county to need assistance of the Attorney General, they can always ask. It doesn't mean that the Bill shouldn't be voted on. I tried to amend it. It was unsuccessful, so I think it is a good Bill. But I just wanted to clarify on Third Reading And, I still am confused as to why the Attorney General's name is even included in the Bill. Thank you."

Speaker Collins: "The Gentleman from Kendall, Representative Hastert."

Hastert: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill came out of Executive Committee 20 to nothing, and in that light, I ask for the previous question. Move for the previous question."

Speaker Collins: "Who was asking for a point of order? Representative Greiman? State your point."

Greiman: "My point is merely that I think the Gentleman cannot give a speech or reasons when he moves the previous question. He must move the previous question, period, and he is out of order."

Speaker Collins: "Your point...your point is well taken."

Greiman: "And now I'd like to speak..."

Speaker Collins: "The...the Gentleman from Morgan, Representative Reilly...at Winchester's microphone."

Reilly: "I move the previous question."

Speaker Collins: "That or...that Motion is in order. The

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Gentleman has moved the previous question. The question is, 'Shall the main question be put?'. All those in favor will indicate by saying 'aye', opposed 'no'. The 'ayes' have it. State your point, Representative O'Brien."

O'Brien: "Well, very simply, Mr. Speaker. My point of order is that I am a hyphenated Cosponsor on what I believe to be a very, very good Bill that has become very, very political. And I would like to make my comments before they call the Roll. And, I think that courtesy ought to be extended a couple of more Members on the Democratic side of the aisle. I would ask the Representative to withdraw his Motion."

Speaker Collins: "Your point is not well taken; however, you do know that it takes an extraordinary vote to move the previous question. So, if you want to object, you may."

O'Brien: "Well then, if he persists, then I'll object."

Speaker Collins: "Representative Reilly withdraws his Motion. And now, Representative O'Brien, the Gentleman from Cook."

O'Brien: "Thank you. Mr. Speaker and Members, I became a hyphenated Cosponsor of this Bill, along with a couple of other Members on the Democratic side of the aisle, before this Bill became embroiled in partisan party politics. I apologize to Representative McClain, and Representative Giorgi and some of the other Representatives that have been unfairly picked on by the present Attorney General in relation to this Bill. He need not play that type of politics when he has a good piece of legislation. This Bill is excellent. I would encourage every Member on this side of the aisle to look at the merits of the Bill, to rise above the cheap political trick that was played by the Attorney General and to vote in favor of the Bill. This will give the State's Attorneys, the local State's Attorneys, and in addition to that, it will give the local police departments the funds that are necessary to combat



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drug trade here in the State of Illinois. It is an excellent Bill. Once again, I apologize, and I would ask all of the Members on the Democratic side of the aisle to be benevo...benevolent enough to support the Bill, in spite of the things that have gone on in the past week. Thank you, Mr. Speaker. Thank you, Representative Reilly, for the opportunity to make my comments."

Speaker Collins: "The Lady from DuPage, Representative Karpziel."

Karpziel: "I move the previous question."

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

Daniels: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I think that in terms of the legislation itself, Representative O'Brien stated a very good point when he said this is excellent legislation. This legislation has provisions in it that earmarks dollars for 50% of all proceeds of forfeiture shall go to the unit of local government whose officers conducted the investigation and caused the arrests leading to the forfeitures. 25% of proceeds shall go to the county in which the prosecution occurred, and 25% shall be paid into MEG units. It is a good piece of legislation. I ask your support and ask your favorable consideration."

Speaker Collins: "The question is, 'Shall House Bill 2450 pass?'. All those in favor will indicate by voting 'aye', those opposed 'no'. The Gentleman from Cook, Representative Stearney."

Stearney: "Well, Mr. Speaker and Ladies and Gentlemen of the House, it's difficult to be against this concept, because it is very noble. However, I do wish to advise the Members

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of the House or to warn the Members for next term when they begin to expand on this very, very dangerous concept. You're talking about the Racketeering Influence Corruption Act, and ostensibly, it would appear to be against organized crime. However, on the federal level, that is getting to mean that public officials are coming to be within the ambit of this Act. This Bill would not affect them. But, you will see it next year when they begin expanding on this concept when all public officials are affected. And not only will they bootstrap offense where it is three years imprisonment, but make it 20 years imprisonment through this Act. So, I only suggest to you people who will be back next year, and the year after and the year after to watch out when you see this concept expand, because it'll apply to you."

Speaker Collins: "Who's the one vote? The Gentleman from Macon, Representative Dunn."

Dunn: "Mr. Speaker, I had my light on to ask a question. I'll have to make it rhetorical now. Should this Bill become law, I was curious about how an action would be commenced. I have a hunch it could be commenced without the need for a statewide grand jury, but I wish the Sponsor would have been able to tell me that; because, this Bill could become useless if you needed a statewide grand jury to commence a prosecution underneath it. I doubt that. It's a...I don't think we need the statewide grand jury. It is a good Bill. We should all support this Bill. We should rise above the rubbish that has been put forth in the media about this particular piece of legislation. We should support it. We should support it no matter what. We've done that. Let's let the...let's let the Attorney General know that we run this chamber, and we run it regardless of newspaper ads. No matter what they say, no matter what they misinterpret;

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we vote our conscience in here, and we rise up to do what needs to be done."

Speaker Collins: "There is now 166 votes and no 'nays'. Anybody else want to explain their vote? The Gentleman from Knox, Representative McBroom."

McBroom: "Thank you very much, Mr. Speaker. As one of the State Representatives that is not supporting these Bills as yet - and I quote Ty Fahner - I would like to tell him that I do not appreciate his very, very thinly guised attempt to try to make the statewide grand jury Bill a combination of these two. They're not related. No one was ever asked. I think that he should learn that the State Attorney General is the chief law enforcement officer, not the man that tries to bring politics into the legal system. I object to it sincerely. I think that he is trying to hoodwink the public, and I am very disappointed in him."

Speaker Collins: "Have all voted who wish? Have all voted who wish? Take the record. On this question there are 169 voting 'aye', none voting 'no'; and this Bill, having received a Constitutional Majority, is hereby declared passed. I hear...Representative Matijevich, what is your point?"

Matijevich: "My point of order is that any Member has a right, under the rules, to explain their vote. A Member on this side of the aisle had not yet voted, was trying...two Members were trying to get your recognition - and you knew it - to explain their vote. Now, give them the rights that they've got under the rules, or let's get the hell out of here like I told you earlier."

Speaker Collins: "Well, I am with you in getting out of here, but I must have missed their lights. If they would like to state a point of personal privilege, let them go ahead. Representative Katz and then Representative Greiman."

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Katz: "Yes, Mr. Speaker, I've had my light on to explain my vote. I don't think I, necessarily, take the time of this House. I want to say to you, Mr. Speaker, that I note that this is another criminal law Bill that the Committee on Assignment referred to the Executive Committee. This happens to be one that is a good enough Bill that it would have passed out of Judiciary II, Mr. Speaker. I wish that you and the Attorney General would not abuse the processes of this House by misreferring Bills for the purpose of not getting adequate hearing. I am voting 'aye', because it is a worthwhile Bill. I would like to be added to the Roll Call. You never permitted me to vote, Mr. Speaker."

Speaker Collins: "Well, now you see that really wasn't an explanation of vote, but it was a point of personal privilege; and I gave you the right opportunity to explain that..."

Katz: "No, it was...I have a right to comment on the Bill, Mr. Speaker."

Speaker Collins: "Let Representative Katz...Representative Katz should be added to the Bill. And, Representative Greiman, I don't know if you voted or not, but you have a point of personal privilege also."

Greiman: "I also, Sir, did not have the opportunity, as afforded me in the rules, to express myself on that Bill nor to vote on that Bill, because I had intended...I was one of the 20 or so that voted it out of Committee; although, I also was offended by the fact that this very complicated Bill that will come...will truly have some difficult tracing problems and that should have been worked out, did not have the opportunity to go through the kind of scrutiny that the Judiciary Committee would have given it. I also would have liked to have voted 'aye', with some reservations, because I think the Bill is not properly in order. However, it has

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been railroaded. I have been denied my right to vote on it, and to speak on it and to explain my vote, Sir. I have been denied it. You abuse the process. Your Speaker abuses the process, and we are here, Sir, day after day with temporary rules. We are here day after day without respect, without respect for the Democratic Members who have no Bills anymore in this House."

Speaker Collins: "I believe you have been added to the Roll Call. I don't know how you wanted to vote on the Bill. The Gentleman wants to vote 'aye'. Does he have leave of the House to be added to the Roll Call? Hearing no objections, he will be added. House Bill 2482. Back up for a minute. I missed House Bill 2466. Representative Stearney, do you want that Bill called? Out of the record. 2482. Read the Bill...no wait. Is Representative Kustra on the floor? Out of the record. For what purpose does Representative Yourell rise?"

Yourell: "Thank you, Mr. Speaker. I want to clarify the Motion, and the ruling by the Chair and the leave of the House that was given to certain Members to be added to that Roll Call on House Bill 2450, I believe it was. I don't think that is going to work, Mr. Speaker, because there has been a Motion filed, an objection to any names being added to a Roll Call after the Roll Call has been announced. So, I think it is going to have to take a vote of the House and not leave of the House, because objection has been filed."

Speaker Collins: "Well, that is not my problem. You can work that out later. House Bill 2482. House Bill 2486. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2486, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Collins: "The Gentleman from Rock Island, Representative Bell."

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Bell: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. 2486 is a result of a...approximately a 12 month work that has been done by the Taxpayers' Federation in conjunction with the realtors. And what our purpose is is to weight the equalized factor, the multiplier calculation according to the percentage of valuation of various classes of property; be it residential, commercial, industrial and vacant lots. We had Amendment #1 put on the other day which listed the four classes of property and brought it into conjunction with what is already being done in Cook County. This Bill, therefore, only affects downstate Illinois. I would certainly appreciate a favorable vote and will attempt to answer any questions anyone may have."

Speaker Collins: "Is there any discussion? The...The Gentleman from Knox, Representative McMaster."

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

Speaker Collins: "Indicates he will."

McMaster: "Representative Bell, is this permissive or mandatory?"

Bell: "This is mandatory as a way to figure valuation. They must go by the percentage of industrial, percentage of commercial, percentage of residential property per township."

McMaster: "In every county and every township in the state."

Bell: "Yes, Sir, and these figures, I believe...outside of Cook, and these figures are already there on the green sheets."

McMaster: "How much extra work is this going to cause the supervisor of assessments in every county, the various tax assessors in every county?"

Bell: "From what we've been told, it would be minimal."

McMaster: "Is the Association of State Supervisors of Assessment in support of this?"

Bell: "They have not told us one way or the other. We have had absolutely no...no word from them at all on this Bill..."

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McMaster: "And do they know the Bill is in existence?"

Bell: "I'm pretty sure they do, because the Cook County Assessor had written on it and had worked with us to make...bring us in line with Cook County. And to the best of my knowledge, all the other assessors were equally aware."

McMaster: "And the assessors downstate are aware of it also?"

Bell: "To the best of my knowledge."

McMaster: "I question whether this is going to be a desirable Bill for the counties downstate. I know what you're doing. I question whether this is going to lower assessed valuations in homes and perhaps raise assessed valuations in industry. This is, I believe, what is going on now in Cook County."

Bell: "It is quite possible. In some areas, that is exactly what will happen. You'll see some of the valuation in industry and commercial properties could, in fact, be raised, while the valuation of homes could be dropped slightly depending on, again, the numbers of sales and the percentage of each classification of property in that particular township."

McMaster: "I've become concerned about legislation of this type, Representative, that has not, evidently had input from supervisors of assessments and from other assessing officials in downstate. I realize your intent. I question the advisability of it is all. Thank you."

Speaker Collins: "The Gentleman from Madison, Representative McPike."

McPike: "Thank you. Will the Sponsor yield?"

Speaker Collins: "Indicates he'll yield."

McPike: "Now, I talked to the Taxpayers' Federation on this Bill yesterday, and they...they said that they tended to agree with my assessment that this would probably increase multipliers. Did they tell you the same thing?"

Bell: "That it would increase multipliers?"

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McPike: "Yes. They said that they agreed. They went back and discussed it with their, they called it a mathematician or their statistical expert; and they came back and discussed it with me, and they said that I was...that they thought I was right, that they would like to have some time to check it out. But, that would probably lead to an increase in the multiplier."

Bell: "That is not what I have been told by them, but after the..."

McPike: "Doug.....told me that yes...last night."

Bell: "Perhaps in the situation that you were discussing, I don't know. The situation that they have...that we have had as an example here, it would actually have decreased it. So, I imagine it would depend upon the type of township or assessing district that you're talking about."

McPike: "Yeah, I think it would. I think your example is probably just the opposite of what would occur in an everyday...in an average township downstate. I think, Mr. Speaker, I should address the Bill."

Speaker Collins: "Proceed."

McPike: "There is no doubt that this is complex, and to be honest, I think it should have gone back to Committee so that there could have been some testimony on it. It was amended on Second Reading. I think Tom McMaster was correct that...that downstate assessors really haven't had a chance to look at the Bill, no opportunity to gather any statistics, and no opportunity to testify on it. So, there is no way of knowing what their position would be. But, I think the average situation would be that the...an assessor, for the most part, becomes an expert on assessing residential property. So over a year's period, he may assess 2,000, 3,000 homes. And for the most part, they become very accurate in their ability to do so. So that



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you will find that in downstate counties, for the most part, residential property is assessed at somewhere between 25, or 28 or 30% of fair market value; and therefore, the multiplier brings it up from that 25 or 28% up to 33%. But just the opposite applies with commercial and industrial property. An assessor really doesn't have very much expertise in this area, because he doesn't have that much commercial property or especially doesn't have that much industrial property to assess every year. So for the most part, you'll find that commercial property and industrial property tends to be assessed at a lower level, percentage-wise, than residential property. Therefore, if you break this into three categories, you will find that the multiplier for your township will have to be increased in order to bring up...in order to account for the slightly lower assessments that would occur for industrial - commercial properties. For that reason, the Taxpayers' Federation has tended to agree with me. Since they have no statistics at this point, they tend to agree that this would...this would result in larger multipliers for most downstate...downstate townships and for most downstate counties. You should take that into consideration before you support or...vote for or against the Bill."

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

Ropp: "Mr. Speaker, would the Sponsor yield?"

Speaker Collins: "He indicates he will."

Ropp: "Representative Bell, having passed in this chamber last Session the farmland assessment Bill, will this have any effect on farmland property?"

Bell: "No."

Ropp: "Very good."

Speaker Collins: "The Gentleman from Peoria, Representative

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Schraeder."

Schraeder: "Thank you, Mr. Speak...thank you, Mr. Speaker. I wonder if he'd yield for a question or two."

Speaker Collins: "He indicates he will."

Schraeder: "Representative Bell, I noticed in the digest, and I...when you called this Bill on Third Reading, I couldn't quite understand it, because I didn't remember hearing that in Committee. But I notice in the digest that it was heard in Executive Committee. Isn't that rather unusual for a Bill that has to do with assessment to end up in Exec?"

Bell: "Since I don't serve on the Committee on Assignments, I had nothing to do with what Committee it was assigned to. But I understand that it was one of the last Bills to go through Rules, and the Revenue Committee had already met for that week which is why it was assigned to Executive."

Schraeder: "Well, let me...let me ask you this then. Did any of the supervisor of assessments from any of the counties have notice, and did they testify?"

Bell: "I am trying to remember. I...I do not believe that they were there testifying. I know that we had Mr. Greiman...Representative Greiman brought up some points pertaining to Cook County, and we discussed them with the...with Heinz's office in Cook County, but I do not recall the supervisors of assessment being there. However, it was...the Bill had been posted."

Schraeder: "A couple other questions. Did anyone from any assessing office, particularly downstate assessing offices, appear at the hearing?"

Bell: "Not to the best of my recollection."

Schraeder: "And what groups did you say endorsed this program?"

Bell: "Taxpayers' Federation and the Illinois Association of Realtors."

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Schraeder: "Did they testify in the hearing?"

Bell: "Yes, Sir."

Schraeder: "Thank you."

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

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

Speaker Collins: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?'. All those in favor will indicate by saying 'aye', opposed 'no'. The 'ayes' have it; and the Gentleman from Rock Island, Representative Bell, to close."

Bell: "The purpose of this is to do exactly what was mentioned earlier. Most township assessors do not have enough experience in assessing commercial and industrial property in order to make a fair evaluation that way. What our purpose in this Bill is, is to guarantee that if 20% of a township is commercial, then the multiplier will be based on 20% being commercial. If there are not enough sales in that township, they'd have to go with...outside that township to the whole county. If there are not enough sales in the county, then the property must be professionally assessed. We feel this is a very fair Bill. It's...like I say, it was written after a...almost a 12 month study by the Association of Realtors as well as the Taxpayers' Federation of Illinois. It has their support. It affects downstate counties. I think it will be a very, very fair Bill to the...most all homeowners in the State of Illinois, and I certainly appreciate...would appreciate a favorable vote."

Speaker Collins: "The question is, 'Shall House Bill 2486 pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'nay'. The Gentleman from Sangamon, Representative Kane. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Take the record. On this question there are 129 voting 'aye', 29 voting 'no', 1 voting 'present'; and this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2489, out of the record. House Bill 2498, Representative Telcser. House Bill 2498? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2498, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

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

Telcser: "Mr. Speaker, Members of the House, House Bill 2498 is a Bill which deals with articulated buses under...up to 60 feet in length. Under current law, buses which are articulated in this length, are in violation of the current law. What House Bill 2498 would do was to put these vehicles in conformance with the law, since they are already being used on a number of our streets in certain mass transit services. It is used up in Chicago, and I think there is another mass transit district that uses it downstate. Mr. Speaker and Members of the House, I'd appreciate your favorable support."

Speaker Collins: "Is there any discussion? The question is, 'Shall House Bill 2498 pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 139 voting 'aye', 8 voting 'nay', 6 voting 'present'; and this Bill...this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2499, out of the record. House Bill 2501. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "House Bill 2501, a Bill for an Act in relation to state property. Third Reading of the Bill."

Speaker Collins: "The Gentleman from DeWitt, Representative Win...Vinson."

Vinson: "Thank you, Mr. Speaker. This is a Bill which would dispose of a piece of state property that the state no longer has use for and put it into a local governmental unit, which would be able to use it for community programs and public purposes. I would move for adoption of the Bill."

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

Brummer: "Would the Sponsor indicate where the property is?"

Speaker Collins: "He indicates he will."

Vinson: "Yes, Representative, I am sorry I neglected to do that. It is the old Illinois Soldiers' and Sailors' Facility in Normal, Illinois."

Brummer: "And to whom is it being sold?"

Vinson: "The City of Normal."

Brummer: "Has it been appraised?"

Vinson: "The...I am going to yield. If I can, I'd like to yield to my Cosponsor on the dollar values of the appraisal. There was an initial appraisal. Because nobody would buy it, it had to be cut substantially, and it is about to be cut again. But I think Representative Ropp can tell you the details on the dollar value of the appraisals better than I."

Speaker Collins: "Did you say you wanted to yield?"

Vinson: "Yes, I'd like to yield to my Cosponsor, Representative Ropp."

Speaker Collins: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. Representative Brummer, this piece of property was

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appraised at one time, after the closure, for \$8,000,000. One winter elapsed, and last December, of 1981, the appraised value was then appraised at \$5,000,000. Since then we have gone through another winter, and the intent is that the third winter should not come about without some constructive action for this piece of property, which the local people have, in mind, programs that will serve not only veterans, but service social service groups, educational groups and other governmental agencies."

Brummer: "Okay, was it...excuse me, was it offered for sale at the \$8,000,000 price and the \$5,000,000 price?"

Ropp: "It was offered for the \$8,000,000, and I assumed it was for the five; although, I can't guarantee that. They have gone through the normal process for..."

Brummer: "Okay, and it is being sold to the City of Bloomington for one dollar now?"

Ropp: "Normal."

Brummer: "The City of Normal?"

Ropp: "Yes, Sir."

Brummer: "Thank you."

Speaker Collins: "The Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I hope that everybody will take a close look at this Bill. Now, I happen to have part of Bloomington or part of McLean County in my new district, but I think there comes a time when boondoggles got to stop. And this is a very, very valuable piece of property. I have driven by it hundreds of times, and I don't see and have had no reason tonight given to me why we should enrich one community in this state at the value of one dollar. If every building on this institution rotted down, it is still extremely valuable land. We aren't fully funding education. We

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aren't paying the education money out when it's due. We have to do all of these things to cut, and yet we're going to sit here and give this away for one dollar. I certainly hope we'll get a lot of 'no' votes up there."

Speaker Collins: "The Lady from LaSalle, Representative Hoxsey."

Hoxsey: "Well, I may lose good communication with my seatmate on this, Mr. Chairman, Ladies and Gentlemen of the House; however, this property was used by the veterans of Illinois, and I think it should be sold. I think that they deserve consideration in the selling of this property. You know, we're not too far away from having to take care of World War II veterans in this state; and to give this property away seems a little bit ridiculous, because we need the money. If it doesn't go one place, it should go another. The property can be divided and sold. Real estate has not been moving. My own real estate for sale has not been moving, and neither has anyone else's the past year. I don't believe that we've given it a fair shake on the market. And to say at this point in time that it needs to be given away for a dollar, I think, is wrong. I would ask your consideration of a 'no' vote."

Speaker Collins: "Representative Matijevich, state your point."

Matijevich: "Well, Mr. Speaker, we've got a newcomer over there, Harry Smith, and he's over there waving his arms at somebody up in the gallery. And I don't know what he's doing there, but he keeps waving his arms. What's going on over there?"

Speaker Collins: "Well, perhaps he ought to go to the gallery and check things out. Yes, Representative Smith."

Smith: "I've been around here long enough to know. Now I get to say something on the microphone that they used my name. It is a matter of personal privilege, and even who I wave to is a matter of personal privilege."

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Speaker Collins: "Yeah, but do they wave back...do they wave back? The Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Collins: "Indicates he will."

Friedrich: "Not long ago we found out the state is paying \$40,000,000 a year in rent to people of private ownerships in areas where there are state buildings standing vacant and could be used. Have you or has general services explored the possibility of renting this to any state agency in Bloomington?"

Speaker Collins: "Representative Vinson."

Vinson: "Representative, in...I am going to respond at some length to your question so you understand just how bad this situation is. We attempted, number one, to work out a transfer to Illinois State University, a state agency. We attempted, number two, to try to get the state agencies which have facilities up there, to be relocated to the facility to use that property. In both cases, we failed. We failed for one overriding reason. The cost of operating the power plant for this facility is extraordinary. That is the real reason the facility was closed. The cost of operating the power plant makes the facility so expensive to operate that there is no way in which there is a market for it, in where there is no way in which the...the state can utilize it. And the reason that we propose to give it away is simply that by giving it away, the City may be able to sell off certain parts of it and be able to use the revenues from that to continue to use it for a public purpose. But there is no market for this piece of property whatsoever."

Friedrich: "In its present form."

Vinson: "That is correct."



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Friedrich: "Well, I am concerned, because we have been pretty disturbed about the fact that the state is spending \$40,000,000 for rent in some areas where they could use the facilities for other state operations. Of course, the other...now, just to the Bill, briefly. I think, again, if we have surplus property which has considerable value, the state ought to consider selling it at the highest price possible and put it in the pot, which is getting pretty low right now."

Vinson: "Well, Representative, in response to that point, I'd just make the point that the state has repeatedly tried to sell this thing and just cannot market it."

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

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

Speaker Collins: "The question is, 'Shall the main question be called?'. All those in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it; and the Gentleman from DeWitt, Representative Vinson, to close."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, I am going to explain this Bill, the genesis on this piece of property at some length so everybody understands it. This piece of property was given to the state. It was given to the state by local people in and around the City of Bloomington - Normal some 100 years ago. They gave it to the state for a purpose in trust to use it as a facility for the children of veterans. Now, the state just came to the point where it could not operate it for that purpose because of cost. We have tried a variety of ways to make it available for other state agencies. Someone asked me a second ago, 'Why not make it available as a prison?'. The problem with doing that is it is in the midst of a residential neighborhood. There are no walls around the

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thing whatsoever. It is simply unusable for a prison without substantially destroying a very pleasant neighborhood. The...the situation, at this point, is that for two winters this property has set vacant and has been...has deteriorated because of the vacancy. Pipes are beginning to crack. Paint flakes off the wall. Plaster flakes off the wall. We're beginning to be concerned that the situation is so bad that we may well have hobos living in the property, because the state is not even providing security for this piece of property. We have literally nothing the state can use it for. We tried to make it available for sale. The...everybody looked at it. A large number of real estate developers looked at it, but they had no use for it because there are so many improvements on it that even the cost of destroying the improvements would be extraordinary. As I indicated before, the cost of operating the power plant makes the facility just unusable in its present form. Now, our intention with this is to...is to give it to the City of Normal for the purpose of letting them use it for public service projects: YMCA projects, mentally retarded projects, mental health projects, city projects, park projects, recreation projects. It is the only feasible hope for keeping this in any form of the public domain, and I would urgently ask you for an 'aye' vote on this Bill. There is just no other, no final alternative. Thank you."

Speaker Collins: "The question is, 'Shall House Bill 2501 pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'no'. The Gentleman from McHenry, Representative Klemm, did you wish to explain your vote? The Gentleman from Adams, Representative McClain."

McClain: "Thank you...thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I would urge your 'aye' vote on

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this matter. The people back home, they don't care where the money comes from. They don't care if it comes from local government, state government or federal government. What they want to see is they have a facility here that has been vacant a long time. They City of Bloomington wants to utilize it. The people there want to see it used and not be vacant, and I believe it is a very fair Bill, ought to be passed; and it is fair to the people in Bloomington, and it is also fair to the taxpayers."

Speaker Collins: "The Gentleman from Madison, Representative Steele."

Steele: "Well, I see the votes are up there, but I think this property is presently owned by the taxpayers for public use, and it is still going to remain for public use, only by a local government which can better put it to public use at this time than can the state which has deemed it unnecessary. It originally came from the local community. Now it is going back to them. I think it is a good Bill."

Speaker Collins: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 122 voting 'aye', 31 voting 'nay', 7 voting 'present'; and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Calendar, page two on the Order of Second Reading appears House Bill 1425. Is Representative Henry on the floor? Out of the record. We got there by going to the first Bill on Second Reading. House Bill 1922. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1922, a Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Collins: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Yourell, amends House Bill

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1922 on page one..."

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

Yourell: "Yes, thank you. Mr. Speaker. Ladies and Gentlemen of the House, Amendment #1 to House Bill 1922 is a technical Amendment, and I move adoption of Amendment #1 to House Bill 1922."

Speaker Collins: "Is there any discussion? All those in favor will indicate by saying 'aye', opposed 'no'. The 'ayes' have it, and Amendment #1 is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Yourell - Koehler, amends House Bill 1922 on page one and line..."

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

Yourell: "Speaker, I move to withdraw Amendment #2."

Speaker Collins: "The Gentleman withdraws Amendment #2. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Koehler, amends House Bill 1922."

Speaker Collins: "The Lady from Marshall, Representative Koehler."

Koehler: "Mr. Speaker, I move to withdraw Amendment #3 please."

Speaker Collins: "The Lady withdraws Amendment #3. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Koehler."

Speaker Collins: "The Lady from Marshall, Representative Koehler."

Koehler: "Mr. Speaker, I move to withdraw Amendment #4."

Speaker Collins: "The Lady withdraws Amendment #4. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #5, Koehler."

Speaker Collins: "The Lady from Marshall, Representative

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Koehler."

Koehler: "Thank you. Mr. Speaker, please withdraw Amendment #5."

Speaker Collins: "The Lady withdraws Amendment #5. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #6, Yourell - Collins."

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

Yourell: "Thank you, Mr. Speaker. Amendment #6 to House Bill 1922 revises and clarifies the provisions of the Bill in connection with computer voting systems, and that is all it does. I move the adoption of Amendment #6 to House Bill 1922."

Speaker Collins: "The Gentleman from Hardin, Representative Winchester."

Winchester: "Was my button...I am in support of the Amendment. I would ask for a favorable vote or however we're going to do it."

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

Leverenz: "Would the Sponsor yield?"

Speaker Collins: "He indicates he will."

Leverenz: "The explanation you gave, Representative, said that it deals with the electronic data...the electronic computerized voting."

Speaker Collins: "Turn Yourell on."

Yourell: "Yes, Sir."

Leverenz: "In the first couple of pages, could you address the question of how a person goes about filing for a write-in candidate? Is that in the Amendment?"

Yourell: "That's...that's not in this Amendment, Sir. It is in Amendment #7."

Leverenz: "Next Amendment. Thank you."

Speaker Collins: "Any further discussion? The Gentleman moves

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the adoption of Amendment #6. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #7, Yourell - Collins."

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

Yourell: "Yes, thank you, Mr. Speaker. Amendment #7 adds various election clean-up and agreed provisions from the 1981 Session legislation. It was passed last year, along with all of the other Amendments we're discussing today. I move the adoption of Amendment #7 to House Bill 1922."

Speaker Collins: "The Gentleman moves the adoption of Amendment #7. Are there any...is there any discussion? Hearing none, all those in favor of Amendment #7 will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and Amendment #7 is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #8, Yourell - Collins."

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

Yourell: "Thank you, Mr. Speaker. #8 adds Amendments to various local government Acts for election clean-up - again from the 1981 Session that passed out of both Houses."

Speaker Collins: "Is there any discussion?"

Yourell: "Move the adoption of Amendment #8."

Speaker Collins: "Hearing none, the Gentleman from...the Gentleman moves the adoption of Amendment #8. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and Amendment #8 is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #9, Sandquist."

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

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the

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House. Floor Amendment #9 just extends from 45 to 50 days the amount of time to have ballots ready to be sent out for the military personnel. It is a request from the Adjutant General's Office and Department of Defense, and I think it is an important thing."

Speaker Collins: "Is there any discussion? The Gentleman moves the adoption of Amendment #9 to House Bill 1922. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #10, Catania."

Speaker Collins: "The Lady from Cook, Representative Catania. The Lady withdraws Amendment #10. Are there further Amendments?"

Clerk O'Brien: "Amendment #11, Yourell - Collins."

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

Yourell: "Thank you, Mr. Speaker. Amendment #11 to House Bill 1922 deletes the provisions in the original Bill as amended by Amendment #6 allowing the use of computer ballots after the election for experimental and research purposes. I move the adoption of Amendment #11 to House Bill 1922."

Speaker Collins: "Any discussion? The Gentleman moves the adoption of Amendment #11. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #12, Catania."

Speaker Collins: "The Lady from Cook, Representative Catania."

Catania: "Thank you, Mr. Speaker and Members of the House. Amendment #12 provides that changes in the boundaries of any unit of local government will not result in changes in legislative district boundaries. I move for the adoption

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of Amendment #12."

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

Getty: "Mr. Speaker, I object. I don't believe that that has been printed and circulated."

Speaker Collins: "Mr. Clerk, has it been printed and circulated? Apparently it has, Representative Getty. I see a lot of people waving them or waving something. Is there any discussion? There being none, Representative Catania, do you wish to close? The Gentleman from Cook, Representative Yourell."

Yourell: "Yes, we have no objection."

Speaker Collins: "The Lady moves for the adoption of Amendment #12. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Collins: "Third Reading. The Gentleman from Hardin, Representative Winchester."

Winchester: "Thank you, Mr. Speaker. I would like to have leave of the House to have the Bill heard on Third Reading now, please."

Speaker Collins: "The Gentleman asks leave to have House Bill 1922 heard on Third Reading at this time. Is there objection? Hearing none, leave is granted. The Bill has been read a third time. The Gentleman from Hardin, Representative Winchester."

Winchester: "Thank you, Mr. Speaker. The Bill, as amended, establishes technical and procedural requirements for using...the use of electronic tabulation equipment. The present requirements for use of electronic equipment do not provide safeguards for the security of the programs which direct how the ballots shall be counted. The requirements in this Bill are, for the most part, standard operating



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procedures to insure accuracy and reliability of the elections computer program. The need for this is long overdue, and the Illinois statutes to ensure honest elections when electronic tabulation systems are used. Plus, the Amendments that were recently adopted, which are clean-up Amendments for the State Board of Elections, and I would ask for a favorable Roll Call vote."

Speaker Collins: "The Chair may have been in error. I'm not sure it was read a third time. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1922, a Bill for an Act to amend Sections of the Election Code. Third Reading of the Bill."

Speaker Collins: "Is there discussion? The Gentleman from Vermilion, Representative Miller."

Miller: "I have a question for the Sponsor."

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

Miller: "Representative Winchester, is the County Clerks' Association still in opposition to this measure?"

Winchester: "I've been told that according to their lobbyist, at this time, they have no position on the Bill."

Miller: "Okay, thank you."

Speaker Collins: "Any further discussion? The question is, 'Shall House Bill 1922 pass?'. All those in favor will indicate by voting 'aye', those opposed by voting 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this...on this question there are 153 voting 'aye', 8 voting 'nay', 1 voting 'present'; and this Bill, having received a Constitutional Majority, is hereby declared passed. It is the intention of the Chair to call one more Bill on Third Reading and then hopefully we can call it a day. House Bill 2502. Well, this is the grand jury Bill. Look at it. House Bill 2502."

Clerk O'Brien: "House Bill 2502, a Bill for an Act to amend"

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certain Acts regarding various state taxes. Third Reading of the Bill."

Speaker Collins: "The Gentleman from Effingham, Representative Bower."

Bower: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is part of the tax enforcement program to crack down on tax cheats. It amends the Income Tax Act, the Motor Fuel Tax Act, the Retailers' Occupation Tax Act, the Cigarette Tax Act and the Circuit Breaker Act. It extends statutes of limitation for criminal prosecutions and makes various other changes in the tax laws increasing penalties. I'd be happy to answer any questions. It passed the Revenue Committee 15 to nothing."

Speaker Collins: "Is there any discussion? The Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, we have in the file here an Amendment #2. Is that on the Bill?"

Bower: "No."

Brummer: "Okay, what does the Bill do without Amendment #2 on it?"

Bower: "Amendment #2 was an idea the Department of Revenue thought was good, but decided not to proceed with. But, it really doesn't affect the Bill as it is written."

Brummer: "Okay, how does the tax...crack down on tax cheats?"

Bower: "It extends the statute of limitations on the various Acts. Each one of the Acts has different items that are...are affected by this. I can go through each one of them if you want to take the time."

Brummer: "How long is the statute of limitations on the various Acts?"

Bower: "The income tax is extended from three to five years, the motor fuel tax from three to five years, the retailers' occupation tax from 18 months to three years and the

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circuit breaker from 18 months to three years."

Brummer: "Okay, and what does Amendment #1 do?"

Bower: "Amendment #1, I believe, addresses an issue that you were very concerned about in the last Session relative to the liability of tax preparers under...for preparing tax returns that might be fraudulent. And it was felt by those that are expert in the field that it would be best to remove that provision completely from the Bill."

Brummer: "Does it remove the liability for...from tax preparers?"

Bower: "Yes."

Brummer: "So it would decrease the potential penalty against tax preparers who may assist in fraudulent tax preparation?"

Bower: "They are not currently covered, and this removes that so there would be no change in that. It was a provision that you objected to, as I recall, quite strenuously last year."

Brummer: "Well, I guess I don't understand. If they currently aren't covered, and you say this removes them, what the Amendment does."

Bower: "It removes it from the Bill. It would...if it had remained in the Bill and passed, then there would be a penalty. Under this, we are removing something from the Bill so that if the Bill passes, there will be no change."

Brummer: "Does this...I now have an analysis here. It says the original Bill permitted the Department of Revenue to employ investigators authorized to act as peace officers. And this Amendment, somehow, does something with the Department's authorization to hire those investigators."

Bower: "It just puts it in a different Section of the Civil Administrative Code. There is no other change."

Brummer: "Well, will the Department of Revenue investigators have the authorization to act as peace officers if this Bill passes?"

Bower: "They will."

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Brummer: "And what is the...what is the impact of having the power of a peace officer?"

Bower: "There is an Attorney General opinion which currently says that they already have this status. This would merely make it statutory."

Brummer: "Yeah, but what...what is the...if you're a peace officer, if you have the power of a peace officer, what power does that give you?"

Bower: "I am certain you're familiar with the statute on that regard. It would give the..."

Brummer: "No, I'm not, or I wouldn't be asking you the question."

Bower: "It would give them arrest powers and the powers to cover...to carry concealed weapons."

Brummer: "Do the..."

Bower: "Concealed weapons. That..."

Brummer: "Do the...do the investigators or the auditors of the Department of Revenue currently have arrest powers?"

Bower: "An Attorney General's opinion says that they do."

Brummer: "And do they currently have authority to carry concealed weapons?"

Bower: "The Attorney General's opinion is that they do."

Brummer: "When was that Attorney General's opinion?"

Bower: "Sometime last year."

Brummer: "Do you have the citation to that opinion?"

Bower: "I do not."

Brummer: "Do you have a copy of the opinion?"

Bower: "I do not with me."

Speaker Collins: "I thought I heard Representative Lechowicz say something, but his light's not on. The Gentleman from McHenry, Representative Hanahan."

Hanahan: "Well, Mr. Speaker, Members of the House, I think this is a very interesting Bill. It talks about one thing...the Sponsor claimed it to do one thing concerning...and he told

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the truth about what it was doing, but he failed to say a few things that we're now going to do. A week or so ago we authorized the Governor to hire hundreds of patronage workers, and tonight we're going to authorize them to all carry concealed weapons. That is what this Bill does. He didn't say that to us tonight. What you're going to do is allow about 700 investigators, all patronage carry little badges, and put guns in their belts and under...underneath their pillows, and carry them in their cars and act as police officers, because that is really what the power that is trying to be enacted here in this Bill. On top of that, there is a whole provision in here for special privileges on a pension. Now, if we're going to have any special privileges on pensions, I'd like to have some for the Legislators, too. I don't understand why this one area has to have special privileges snuck through on a Bill that is purporting to amend the Revenue Act providing for special privileges on pensions for employees working in this Department. I think that should be a separate Act and debated separately. I think your intent, originally what you said, may be fine, Sir, but to push through a bunch of guys carrying concealed weapons, taking care of a few people for their private pensions, and then purport it to be some revenue clean-up Bill and being somehow enhanced by an Attorney General's opinion that we don't know when it was given, and what it meant and why it was given; I think we should be holding up on this Bill."

Bower: "Representative, I can answer your...I can answer each of the points you've raised."

Hanahan: "I didn't ask a question. I made a statement, Sir."

Speaker Collins: "Sounded like a question to me."

Bower: "First of all, there are only 35 such people, approximately, who have...are revenue fraud agents. Those

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are the only ones that would have peace officer status, not the revenue collection officers or the auditors that you're referring to. Second of all, federal law does not allow peace officers to be covered by the Social Security Act. Therefore, special pension privileges that would be equal to those would have to be implemented to cover those people, which is fair and equitable, because we give pension rights to virtually all state employees. It's...it would be replacing social security for this."

Hanahan: "Sir, in my statement, Sir, I clearly stated I was not objecting..."

Speaker Collins: "Now wait a minute. Representative Hanahan, you're out of order, Representative Hanahan. He didn't ask you a question. Representative Hanahan, you've relinquished the floor. The Gentleman from Kankakee, Representative McBroom."

McBroom: "Mr. Speaker, Members of the House, I move the previous question."

Speaker Collins: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?'. All those in favor will indicate by saying 'aye', the opposed...opposed 'no'. The 'ayes' have it; and the Gentleman from Effingham, Representative Bower, to close."

Bower: "Mr. Speaker, Ladies and Gentlemen of the House, this is a Bill to crack down on tax cheats so that the people of Illinois will get the tax revenue that is justly due Illinoisans. It increases the statute of limitations as stated. I would urge an 'aye' vote."

Speaker Collins: "The question is, 'Shall House Bill 2502 pass?'. Those in favor will indicate by voting 'aye', those opposed by voting 'nay'. The Gentleman from Lake, Representative Matijevich, to explain his vote."

Matijevich: "Mr. Speaker, I am going to vote 'no', but I was

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going to ask a hypothetical question. I'll ask it rhetorically. What would happen if Stevenson won as Governor, and he has got one of his campaign managers as Al Ronan. Let's say he became head of the Department of Revenue. Would that mean that 900 or so people under Al Ronan would carry guns? Do you realize what would happen in the State of Illinois?"

Speaker Collins: "Ronan would double the number. The Gentleman from Cook, Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. I was unable to ask a question. I know the Department of Law Enforcement Director got a little upset when the arson investigators in the Fire Marshal's Office were allowed to carry guns. We didn't get an answer on that, and I think what you have here is statewide bounty hunters."

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

Stearney: "Mr. Speaker and Ladies and Gentlemen of the House, I thought this was a rather innocuous Bill in the beginning till I heard the Gentleman on the..."

Speaker Collins: "Turn him back."

Stearney: "If you look at page 15 of Amendment #1, it provides that these investigators shall conduct all investigations, searches, seizures, arrests and other duties imposed on the provisions of any law administered by the Department. The Federal Internal Revenue Service does not conduct searches and seizures. They proceed by administrative subpoenas. Under this Bill, they can come right into your office or to your home and seize your books, records and everything else. This is a rather dangerous concept. I don't believe that the State of Illinois Department of Revenue, that their investigators should have such...such inordinate powers. Federal Government doesn't even give that to the

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Internal Revenue Service. This Bill should not be passed in this form. It's rather dangerous. And you Gentleman may suffer by it, especially those who are voting 'yes'."

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

Madigan: "To respond to Mr. Stearney, at least he'll know that the Department of Revenue agents are looking around. But you don't know in the case of the IRS agents."

Speaker Collins: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 97 voting 'aye', 30 voting 'no', 27 voting 'present'; and this Bill, having received a Constitutional Majority, is hereby declared passed. There are two Bills on the Calendar. The next two Bills on Third Reading. Let me explain. The Minority Leader and I have discussed this, and he requested that one of these Bills be brought back to Second Reading. The first Bill is Representative Nelson's Bill, 2520. The second Bill is Representative O'Brien's Bill, 2531. They have identical requests. They would like to take the Bills back to Second Reading, have Amendments offered and adopted, advance to Third and heard tomorrow. House Bill 2520, Representative Nelson. Does the Lady have leave to return her Bill to Second Reading for the purpose of Amendment? Hearing no objection, read the Bill on Second Reading."

Clerk O'Brien: "House Bill 2520, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. Amendments #1 and 2 were adopted previously."

Speaker Collins: "Are there any Motions relative to Amendments #1 and 2?"

Clerk O'Brien: "No Motions filed."

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

Clerk O'Brien: "Floor Amendment #3, Nelson, amends House Bill



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2520 as amended and so forth."

Speaker Collins: "Representative Nelson, Amendment #3."

Nelson: "Thank you, Mr. Speaker and Members of the House. I'll try to be brief, and we can perhaps debate this tomorrow if there are some people who have questions about it. We created the Rape Victims' Assistance Act - a problem has arisen. Because the Department of Public Health pays those victims who require hospital treatment from the first dollar, they often do not pick up their insurance coverage, because they know that the hospital will get paid and that it will pay the entire amount of what it costs them to have the treatment. What Amendment #3 does to House Bill 2520 is help to, hopefully, correct that problem. The Amendment becomes the Bill, and the intent is to provide that the insurance companies will help these rape victims. In the first Section, the exemption to coverage, its eliminated deductibles and coinsurance provisions regarding insurance coverage on physical exams for these victims. This would, in effect, require anyone who has an accident and health policy to have the coverage cover their treatment at the hospital if they were the victim of a rape regardless of any deductible or coinsurance. The second Section requires that the insurance companies disclose the names of those insureds, who have this coverage, to the Department of Public Health. And the third Section allows the Department of Public Health to be reimbursed by the insurance companies. I would move for adoption of Amendment #3 to House Bill 2520."

Speaker Collins: "Is there any discussion? The Gentleman from Cook, Representative Jaffe."

Jaffe: "Yes, Mr. Speaker and Members, I would have no objection to the first and third portion of that Amendment. However, the second portion of the Amendment does bother me, because

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basically what the Sponsor says is that the insurance companies must now disclose the names of women who have been raped to the Department of Public Health. You know, many of those women just don't want to have their...their names disclosed by insurance companies to the Department of Public Health or to any other agency in this particular state. I think that second portion is really a portion that bothers me. I think it would bother women who have been raped who don't want to really disclose their names to public agencies. And because of that, I would vote against this particular Amendment."

Speaker Collins: "Any further discussion? The Lady from Cook, Representative Nelson, to close."

Nelson: "Thank you very much, Mr. Speaker. I would like to say, just very briefly, in reply to Aaron, excuse me, Representative Jaffe that it is the people who are entitled to the benefits, the people who are insured; and it is not going to be the case that the Department of Public Health is letting those names out. The people who are the insureds will have the actual possibility of receiving that coverage that they are entitled to, and there also is, in the Bill, a provision for confidentiality. It says, 'All information received by the Department of Public Health, under this provision, shall be held on a confidential basis'. Thank you very much. I'd appreciate your support for the Amendment."

Speaker Collins: "The Lady moves for the adoption of Amendment #3. All those in favor will indicate by saying 'aye', opposed 'nay'; and the 'ayes' have it. Amendment #3 is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Collins: "Third Reading. Repre...Representative...or House Bill 2531. Read the Bill. Oh, I didn't get leave to

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take it back. Is there objections? Hearing none, House Bill 2531 will be read on Second Reading."

Clerk O'Brien: "House Bill 2531, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker Collins: "Is there any Motion relative to Amendment #1?"

Clerk O'Brien: "No Motion filed."

Speaker Collins: "Are there any Motions from the floor?"

Clerk O'Brien: "Floor Amendment #2, O'Brien - Huff, amends House Bill 2431..."

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

Cullerton: "Thank you, Mr. Speaker. I am a hyphenated Cosponsor with Representative O'Brien. Ask to withdraw Amendment #2 and go with Amendment #3. Withdraw Amendment #2."

Speaker Collins: "The Gentleman withdraws Amendment #2. Are there further Amendments?"

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

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

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

Cullerton: "Thank you, Mr. Speaker. This Amendment prohibits the Secretary of State from issuing or renewing any drivers' license or issuing any driving permit to any person who has 10 or more unpaid traffic tickets or one moving violation and provides for a system for notifying the Secretary of State of those unpaid tickets. I'd ask for the adoption of Amendment #3."

Speaker Collins: "Is there any discussion? The Amen...the Gentleman offers and moves for the adoption of Amendment #3. All those in favor will indicate by saying 'aye', opposed 'nay'. It would appear the 'nays' have it. You want to try it again?"

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Cullerton: "No, I didn't hear you."

Speaker Collins: "All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Collins: "Third Reading. House Bills Second Reading, House Bill 2448. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2448, a Bill for an Act to amend Sections of the Regional Transportation Authority Act. Second Reading of the Bill. No Committee Amendments."

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

Clerk O'Brien: "Amendment #1, J. F. Dunn, amends House Bill 2448 and so forth."

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

Dunn: "I ask leave to withdraw Amendment #1, Mr. Speaker."

Speaker Collins: "The Gentleman withdraws Amendment #1. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Daniels."

Speaker Collins: "The Gentleman from DuPage, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #2 requires the RTA to have a balanced budget so that estimated expenditures do not exceed anticipated revenues. The second provision of this Amendment, as requested by Representative Dunn, providing that downstate participants shall not receive a subsidy less than what was received during the previous fiscal year. I ask for the approval. There is no fiscal impact to the state."

Speaker Collins: "Is there any discussion? The Gentleman from Cook, Representative Levin."

Levin: "The Gentleman yield?"

Speaker Collins: "Indicates he will."

Levin: "I understand Amendment #1, which was withdrawn, would

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hold harmless downstate mass transportation. I have no problem with that, but it is my understanding that there is an additional provision in this Amendment dealing with balancing the budget of the RTA, requiring that balanced budgets include all outstanding debts. Is that correct?"

Daniels: "Yes."

Levin: "So in other words, the approximately \$150,000,000 in debt of the RTA would have to be accounted for in the next budget. I would suggest this is a very dangerous Amendment. Unless we're going to provide the money to pay for it, it is unreasonable to ask, in one fiscal year, for the six county area to come up with the money to pay all the outstanding debts, and I would ask for a Roll Call vote and the defeat of Amendment #2."

Speaker Collins: "Further discussion? The Gentleman from Adams, Representative McClain."

McClain: "Thank you, Mr. Speaker. Mr. Speaker, a parliamentary inquiry of yourself."

Speaker Collins: "Say...state your inquiry."

McClain: "Before you move the Bill to Third Reading, will you recognize me?"

Speaker Collins: "I just have...I just have recognized you, and that is not a proper inquiry."

McClain: "But I would say to you then that if Amendments 1 and 2 get adopted, I would move then for the Bill to remain on Second Reading First Legislative Day. I just put that in the record now so that I'd like to be recognized before you move it to Third."

Speaker Collins: "Amendment #1 has already been withdrawn."

McClain: "2 and 3."

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

Madigan: "Mr. Speaker, simply to reiterate the point raised by

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Representative McClain. If Amendment #2 is adopted to this Bill, that Amendment amends the title of the Bill; and therefore, under our rules, the Bill must be placed on the Order of Second Reading First Legislative Day."

Speaker Collins: "Can we see the Bill, Mr. Clerk? Further discussion? The Gentleman from Cook, Representative Garmisa."

Garmisa: "Mr. Speaker, Ladies and Gentlemen of the House, if we were to require the RTA to balance their budget and also include their prior debts in such calculation is absolutely ludicrous without there being some type of adequate revenue source being included. The RTA right now is over \$100,000,000 in debt, and to require the Authority to immediately balance their budget would result in service cuts and fare increases that would exceed the \$100,000,000 you're missing here, Mr. Speaker. So, I believe this is a bad Amendment and should be defeated."

Speaker Collins: "Is there further discussion? The Gentleman from Macon, Representative Dunn."

Dunn: "Mr. Speaker, I'd like to reiterate what the Sponsor of the Amendment said. This Amendment, in one regard...this Amendment does incorporate the provisions of Amendment #1 which was withdrawn. The purpose of Amendment #1 and the language which is incorporated in this Amendment is to provide some assistance to downstate mass transit systems. The downstate mass transit systems are at a peculiar spot. Because of the loss of federal funds, they will be only entitled to subsidies from the State of Illinois on the basis of their operating expenditures. If they lose federal funds, they will have lower operating expenditures, and when that lower figure is plugged into the formula for calculation of subsidies for downstate mass transit systems, that will...that will result in a further lowering

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of the help from the State of Illinois in the form of a subsidy. This is an intolerable situation. Amendment #2 and Amendment #1, which was withdrawn, did include a provision that would provide for a hold harmless to see to it that all of the downstate mass transit systems would be subsidized this year the same level as last year."

Speaker Collins: "Excuse me, Sir. The Gentleman from DuPage, Representative Daniels, for what purpose do you rise?"

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2448, as originally filed on behalf of many Members, those of us in the collar county - suburban areas, specifically called for the replacement of Chairman Hill as the head of the RTA. And we feel very strong about that point and feel that he has been incompetent in his operations of the RTA. We feel strong about that Bill, but Mr. Dunn came to us and talked about the downstate problem and the problem that they are having in downstate transportation. Furthermore, the RTA itself has asked us for more specific language dealing with a balanced budget. So we attempted to accommodate a very simple provision there, many of the questions that the RTA itself has asked along with Representative Dunn for the downstate transportation problems and the hold harmless provisions. Since the Minority Leader from Chicago does not wish to assist downstate transportation districts, I'll withdraw Amendment #2. Then the Bill has no fiscal impact. The title is not amended. I ask that it be placed on Third Reading."

Speaker Collins: "The Gentleman withdraws Amendment #2. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Collins: "Third Reading. The Gentleman from Cook, Representative Telcser."

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Telcser: "Mr. Speaker, I move that the House stand adjourned  
until 10 a.m. tomorrow morning."

Speaker Collins: "The House now stands adjourned until 10 a.m.  
tomorrow morning."