

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

63rd Legislative Day

June 15, 1981

Speaker Ryan: "The House will come to Order and the Members will be in their chairs. The Chaplain for today is Rabbi Barry Marks from the Temple Israel located in Springfield. Rabbi."

Rabbi Marks: "Lord, Our God, in humility and gratitude we approach You in prayer. We're grateful for Your gifts, for life and health and sustenance, for love and friendship, for opportunities to serve and to work for the betterment of our communities. We're overwhelmed by the magnitude of Your universe. By its beauty, its order and its complexity. But throughout this vast world with its myriad creatures. We sense the presence of You, the One, our Creator. We seek Your continued guidance and Your blessings of wisdom and strength. May we ever look upon Your creation with awe and wonder. May our conduct toward each other reflect our awareness of our kinship in You, our Creator. And may Your presence bring us that most precious of all gifts, Shalom, Peace. Amen."

Speaker Ryan: "Thank you, Rabbi. We have a visitor from the Senate today that will lead us in the pledge. Senator Sommer will lead the pledge."

Senator Sommer: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all."

Speaker Ryan: "Roll Call for attendance. Representative Kosinski, for what purpose do you seek recognition?"

Kosinski: "Information, Mr. Speaker. Unusual situation I'm sure the Chair will be able to solve. In my absence last Wednesday, I think it was, in Committee a Bill, Senate Bill 515 was put into Interim Study. On presumption that it was on the Speaker's table I filed a Motion then discovered it

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was in Interim Study and my.. the people who know tell me that a Bill cannot be put into Interim Study in a Committee without the presence of the Sponsor of that Bill. Senate Bill 5.."

Speaker Ryan: "What's your pleasure, Representative?"

Kosinski: "It was put in Interim Study without my presence."

Speaker Ryan: "What would you like to have done with that Bill?"

Kosinski: "I would like to have it in such a position that I could release it to the floor. The Chairman of that Committee is in agreement with me. I have been rushed.. taken to the hospital. I don't know whether you know it or not with pains across the chest and in that period it got shuffled somehow into Interim Study which is not according to the rules. Now, if we can remove it somehow and be put on the table or whatever so that I can move it out on the floor."

Speaker Ryan: "We will get back to you with that. We'll research it here for you."

Kosinski: "Thank you."

Speaker Ryan: "Take the record, Mr. Clerk. 167 Members answering the Roll. A quorum of the House is present. Representative Telcser, do you have any excused absences?"

Telcser: "Representative Sandquist is absent because of a death in the family, Mr. Speaker. Representative Margalus is absent because of illness."

Speaker Ryan: "Representative Getty."

Getty: "Would the record indicate that Representative Redmond is excused due to illness in the family and Representative Van Dyne is excused due to illness?"

Speaker Ryan: "Illness?"

Getty: "Yes, Sir."

Speaker Ryan: "The record will so indicate. On page one of the calendar under the Order of Senate Bills, Third Reading,

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Short Debate Calendar appears Senate Bill 98, Representative Giglio. Is the Gentleman in the chamber? Representative Giglio. Out of the record. House (sic) Bill 118, Representative Bullock. Representative Bullock in the chamber? Out of the record. Senate Bill 186, Representative Telcser. Representative Telcser, do you want your Bill called? Senate Bill 186? Out of the record? Out of the record. Senate Bill 255, Representative Kustra. Do you want your Bill called? Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 255, a Bill for an Act relating to postage stamp vending machines, Third Reading of the Bill."

Speaker Ryan: "Representative Kustra, we're on Short Debate. You've got two minutes to explain your Bill."

Kustra: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a Bill that arose from a specific situation in suburban Cook County where some municipalities have begun licensing for revenue some postage stamp vending machines. And, of course, the Illinois Constitution forbids licensing for revenue and this Bill would prohibit that. It's a Bill that passed the Senate by a vote of 45 to 3. It passed the House Revenue Committee 22 to nothing. It is preemption of home rule power and would require, as I understand it, a vote of 177. I ask for your favorable consideration."

Speaker Ryan: "How about 107?"

Kustra: "107, yes."

Speaker Ryan: "Any opposition? The question is, 'Shall Senate Bill 255 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 117 voting 'aye', 4 voting 'no', 1 voting 'present' and this Bill, having received the

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several years ago and basically, what the law did was allow one Park District to raid another Park District. It has the endorsement of the Park Association District. There were some questions that came up in Second Reading. I think we got them straightened out. And I would appreciate a favorable vote."

Speaker Ryan: "Representative Getty, two minutes in opposition."

Getty: "No, Mr. Speaker, I believe this was taken off of Short Debate on Friday. That's my recollection."

Speaker Ryan: "Mr. Clerk, do you have a ... Did you file a ... The Clerk says it was amended on the floor. She received leave to leave it on Short Debate Calendar."

Getty: "Was this Bill... maybe this is another Bill. This isn't the Bill that was called on Third Reading on Friday and taken out of the record?"

Speaker Ryan: "Talk into the mike would you, Representative?"

Fawell: "I don't believe there was any Motion to take it off the Short Debate, Representative Getty. I did take it off so I could come over and explain to your side what it was all about."

Getty: "My recollection was that it was taken off of Short Debate at the request of Representatives Brummer, Giorgi and Greiman. I have no particular position.. (cut off)."

Speaker Ryan: "Representative Getty, I understand you can knock this off the Short Debate Calendar with some ten other Members joining you in that request. Representative Getty."

Getty: "Well, Mr. Speaker, I don't particularly have a position on it. I was just... my recollection is distinctly that Representative Giorgi, on Friday, requested that this be taken off of Short Debate. Ten other people joined him and asked that it be taken off Short Debate. He is not here at this moment and I wondered to clear up the problem. Maybe

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I'm mistaken. Maybe the Lady would like to take it out of the record until he gets here."

Fawell: "I've had no requests to take it off Short Debate, Representative Getty. I talked to Mr... Representative Brummer along with the lobbyists in the Park District. I think we got the matter all straightened out. You know, I've taken it off once. I spend one who afternoon talking. I would appreciate if we could have a vote on it."

Speaker Ryan: "Representative, the Clerk tells me, Mr. Getty that there was some debate and some talk about taking it off Short Debate but the Bill was pulled out of the record Friday. And so it remains on Short Debate and I would imagine the best way for you to get some relief here is to have ten Members join you now which takes it off of Short Debate and allows full debate on the issue. And that's your choice, Representative."

Getty: "Well, I don't particularly want to do that. I have no particular interest in this piece of legislation. My concern was for another Member and on behalf of that Member I would now, since the Lady indicates that she had discussed it with Representative Brummer. I don't see him on the floor nor do I see Representative Giorgi, who I know both were concerned about it, I'd again suggest that we take it out of the record at this time for a reasonable period so... to see if they won't get here. And if everything's alright, go ahead with it."

Speaker Ryan: "Representative Fawell, what's your pleasure?"

Fawell: "I'll take it out one more time."

Speaker Ryan: "Out of the record. House(sic) Bill 527, Representative Leinenweber. Out of the record. House(sic) Bill 575, Representative Hallstrom. Read the Bill."

Clerk Leone: "Senate Bill 575, a Bill for an Act to amend the Illinois Land Surveyor's Act, Third Reading of the Bill."

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Speaker Ryan: "Representative Hallstrom, two minutes."

Hallstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This was an agreed Bill in the Senate. It passed without a vote against it. All it says that if you're going to be a registered land surveyor you have to be a land surveyor in training first. And I would appreciate your affirmative vote."

Speaker Ryan: "Is there any opposition? The question is, 'Shall Senate Bill 575 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 143 voting 'aye', none voting 'no', 2 voting 'present' and this Bill, having received the Constitutional Majority, is hereby declared passed. House(sic) Bill 579, Representative Hallstrom. Read the Bill."

Clerk Leone: "Senate Bill 579, a Bill for an Act to amend the Business Corporation Act, Third Reading of the Bill."

Speaker Ryan: "Representative Hallstrom, two minutes to explain your Bill."

Hallstrom: "Sir, I'm ready to present the vote.. present the Bill, okay?"

Speaker Ryan: "You have two minutes to do that, Representative. Go ahead."

Hallstrom: "Alright, thank you very much. This is another Bill that went through the Senate 55 to nothing. It simply authorizes corporations to provided deferred compensation plans for their directors, their officers, and their employees. It clarifies that authority exists to indemnify the only as provided by law. It gives the authority to corporations to develop deferred compensation plans and, as I say, it passed without a vote against it. And there is not prob... there was not a problem in the Senate and I would appreciate your 'yes' vote."

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Speaker Ryan: "Is there any opposition? Any opposition? Representative Jaffe, do you stand in opposition? Jaffe, would you.."

Jaffe: "Mr. Speaker, I don't know if I stand in opposition or not. It appears that this Bill traditionally goes to Judiciary Committee and if I'm not mistaken, Dolly, didn't we have a Bill that went to Judiciary, a House Bill that dealt with the same subject matter?"

Hallstrom: "I'm sorry, Aaron, at the moment I do not remember that. All I know that I picked this Bill up from the Senate because I thought it was a good Bill. And it was my Senator's Bill."

Jaffe: "Well, I understand that you think it's a good Bill, Dolly. I think anytime we come into a situation wherein we're giving corporations the power to indemnify officers and employees or agents. In excess from the powers that they have at the present I'm a little bit worried about..(cut off)."

Speaker Ryan: "You used your two minutes, Representative, but we're going to turn you back on."

Jaffe: "All I'm saying is that I really am worried about it because this Bill, traditionally, if it's the same one that comes through Judiciary always has a great deal of problems and I hate to see it go into Labor and Commerce when it's a Bill that really amends the Business Corporation Act. I don't know if I'm for it or against it. I've traditionally been against Bills that indemnify corporate officers more than they are indemnified at the present time. So until I find the answers to those questions I'm merely going to vote 'present'."

Speaker Ryan: "The question is, 'Shall Senate Bill 579 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record,

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Mr. Clerk. On this question there are 115 voting 'aye', none voting 'no', and 18 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hallstrom. Could I have your attention a minute, please, Ladies and Gentlemen. We have a little problem with the electronic voting machine. It has not recorded properly on Senate Bill 575. We're going to have to do it over. The question is, 'Shall Senate Bill 575 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Take the record, Mr. Clerk. On this question there are 136 voting 'aye', none voting 'no' and one voting 'present' and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Currie requests to be voted 'aye' on 575. Are there objections? Hearing none, leave is granted. On page one, Senate Bill 596, Representative Ewing. Representative Ewing in the chamber? Out of the record. Senate Bill 783, Representative Hoffman. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 783, a Bill for an Act to amend the School Code, Third Reading of the Bill."

Speaker Ryan: "Representative Hoffman, on Senate Bill 783. Two minutes."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 783 is part of the School Problems Commission Program relative to Driver's Education. This Bill does not effect the mandate. It merely provides that all of the funds placed in the Driver's Education Fund will be utilized. At the suggestion of Representative Satterthwaite we placed an Amendment on the Bill which was basically technical to clarify that 2/8 of the resources would go to classroom instruction and... I'm sorry, 2/10 would go to classroom instruction and 8/10 would go to

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behind the wheel instruction which is the same proportion that the flat dollar amount goes now. And I would ask for your support."

Speaker Ryan: "Is there any opposition? The question is, 'Shall Senate Bill 783 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 147 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House(sic) Bill 898, Representative Deuster. Out of the record. House(sic) Bill 902, Representative Robbins. Are you ready, Representative? Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 902, a Bill for an Act to amend an Act concerning Bovine Tuberculosis by increasing the State compensation to owners of animals stricken by the disease, Third Reading of the Bill."

Robbins: "This Bill just increases the compensation for animals that are infected by brucellosis. At the present time we have very few cases of brucellosis in the State of Illinois and Illinois is considered a brucellosis free state."

Speaker Ryan: "Is there any opposition? Representative Mautino, for what purpose do you seek recognition?"

Mautino: "Last week, Mr. Speaker, Representative Robbins agreed to take the Bill back from Third to Second for the agreed Amendment which has been filed and I thought that's what he was doing right now."

Speaker Ryan: "Representative Robbins."

Robbins: "If there's an Amendment filed, I don't have the Amendment, I will be glad to take the Bill back from Third to Second."

Speaker Ryan: "Return Senate Bill 902 to the Order of Second Reading. Representative Mautino, I understand you just

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filed the Amendment a couple of minutes ago."

Mautino: "It was supposed to be filed this morning, Sir. I don't want to hold this Bill up..."

Speaker Ryan: "Well, it was just filed a couple of minutes ago I understand."

Mautino: "I told the staff to do it earlier. I'm sorry, Sir. Could you hold it there and then come back..."

Speaker Ryan: "Representative Robbins, the Gentleman requests you hold the Bill."

Robbins: "I'm willing to comply, yes."

Speaker Ryan: "Out of the record. Leave the Bill on Third Reading. We'll take it back when we get to it. House(sic) Bill 920, Representative Bullock. Out of the record. House(sic) Bill 1085, Representative Stuffle is ready. Read the Bill."

Clerk Leone: "Senate Bill 1085, a Bill for an Act to amend the Public Community College Act, Third Reading of the Bill."

Stuffle: "Yes, Mr. Speaker and Members, Senate Bill 1085 is a Bill which simply allows community colleges the option of obtaining installment loans with the pay back period of up to twenty years for the acquisition of.. for certain buildings and for building purposes. What the Bill does is to allow Triton Community College or any other college. Triton has to be the specific example now, to obtain a financial institution lending support for the purposes of erecting a building in this case on their campus. The Bill provides that revenues necessary to pay back the loans shall be from other than tax revenue sources. They have to be supported by private revenues. That's the case there. The Bill with the Amendment put on by Representative Keane provides specifically that any such installment loan program has to be approved both by the local Board and by the Community College Board involved. There's no liability

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to the taxpayers as to the loan or as to tax revenues to pay for this source. The Bill comes because Triton, in this case, has been asked by a national association, the 'Tulindie' Association, in this case, to instruct people in a building for which the 'Tulindie' Association will pay for in terms of the revenues necessary for rents and upkeep and maintenance and so forth to be erected on Triton's campus. I know of absolutely no opposition to the Bill. It came out of the Committee, I believe, on a unanimous vote. It came out of the Senate unanimously. I'd be glad to answer questions and ask for a favorable Roll Call. The Bill is sponsored a bipartisan manner by myself and Representative Woodyard."

Speaker Ryan: "Any opposition? The question is, 'Shall Senate Bill 1085 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 145 voting 'aye', none voting 'no', one voting 'present' and this Bill, having received a Constitutional Majority, is hereby declared passed. House(sic) Bill 1145. The leader of the group, Representative Kulas. Must be having a Committee meeting. Out of the record. Somebody please get a hold of Representative Kulas. I'm not very comfortable when he not in the chamber and I'd like to have him here. I understand that Representative Leinenweber has graced us with his presence and we'll now call on him for Senate Bill 527 on the Order of Second... First Reading. No, Third Reading, Short Debate on page one. Senate Bill 527. Read the Bill."

Clerk Leone: "Senate Bill 527, a Bill for an Act in relationship to defacing identification marks on construction equipment, Third Reading of the Bill."

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Speaker Ryan: "Representative Leinenweber, two minutes on Senate Bill 527."

Leinenweber: "Well, Mr. Speaker, I shouldn't need two minute except, perhaps, to explain that this was not my idea but the Senator from my district so it's probably a good Bill. It creates the offense of tampering with permanent factory or owner applied ID numbers and heavy construction equipment for parts. It's an attempt to do something about the horrendous problem of theft of heavy construction equipment. That is Caterpillar tractors and that sort of thing. So what it does is it makes possession of such a heavy construction equipment prima facie evidence of some knowledge that it's been defaced. So, it becomes a Class A misdemeanor. It is a good Bill. It's sorely needed in these times to help stem the increasing cost of construction activity."

Speaker Ryan: "Is there any opposition? The question is, 'Shall Senate Bill 527 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 141 voting 'aye', 4 voting 'no', 4 voting 'present' and this Bill, having received the Constitutional Majority, is hereby declared passed. Is there anybody in the chamber that has a Bill on page one on the calendar that would like to have called? Representative Giglio, are you ready to go with yours?"

Giglio: "Thank you, Mr. Speaker. I don't know, Ladies and Gentlemen of the House, Representative Schuneman, if I could come to agreement with him I think we'd run the Bill. But I see my counterpart, Giorgi, is not on the floor so I don't know if I can go or not. Mr. Schuneman, do you have anything to say?"

Speaker Ryan: "He probably has a lot to say but not right now."

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Out of the record. Representative Bullock. Representative Ewing. Representative Deuster. Representative Kulas. On page 20 on the calendar under the Order of Consent Calendar, Second Reading, Second Day. Read the Bills, Mr. Clerk."

Clerk Leone: "Consent Calendar, Second Reading, Second Legislative Day. Senate Bill 19, a Bill for an Act to amend the Juvenile Court Act. Senate Bill 21, a Bill for an Act in relationship to actuarial statements and practices under the Pension Code. Senate 67, a Bill for an Act to amend an Act relating to hospital board of directors. Senate Bill 202, a Bill for an Act to amend the School Code. Senate Bill 296, a Bill for an Act to amend the Personnel Code. Senate Bill 347, a Bill for an Act to amend the School Code. Senate Bill 464, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 468, a Bill for an Act to amend the Uniform Disposition of Unclaimed Property Act. Senate Bill 508, a Bill for an Act to amend the Illinois Administrative Procedures Act. Senate Bill 514, a Bill for an Act to amend the Illinois Administrative Procedures Act. Senate Bill 570, a Bill for an Act to amend the Bail Bond Act. Senate Bill 652, a Bill for an Act to amend the Revenue Act. Senate Bill 697, a Bill for an Act to amend the State Employees Group Insurance Act. Senate Bill 798, a Bill for an Act to amend the Personnel Code. Senate Bill 860, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 888, a bill for an Act to amend the Illinois Pension Code and the State Salary and Annuity Withholding Act. Senate Bill 889, a Bill for an Act to amend the State Employees Group Insurance Act. Senate Bill 891, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 901, a Bill for an Act to amend the Foreign Banking Office Act. Senate Bill

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1025, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 1038, a Bill for an Act to amend the State Comptroller's Act. Senate Bill 1075, a Bill for an Act to authorize the Lake County Forest Preserve District to exchange certain tracts of land in Lake County. Senate Bill 1111, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 1125, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 1126, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 1197, a Bill for an Act creating the Illinois Department of Veterans' Affairs. Together with attached Amendments, Second Reading of these Bills."

Speaker Ryan: "Third Reading. Third Reading, Consent Calendar. On page 22 under the Order of Consent Calendar, Third Reading, Second Day. Mr. Clerk, read the Bills."

Clerk Leone: "Consent Calendar, Third Reading, Second Legislative Day. Senate Bill 144, a Bill for an Act to require hotels and motels to post in their rooms, floor plans, showing exits. Senate Bill 731, an objection has been filed. Senate Bill 779, a Bill for an Act in relationship to the promotion of conservation education. Senate Bill 929, a Bill for an Act to amend the Illinois Insurance Code. Senate Bill 977, a Bill for an Act in relationship to contests and exhibitions of various classes of purebred or registered livestock at the Illinois State Fair. Senate Bill 982, a Bill for an Act to amend the Illinois Municipal Code. Senate Bill 1043, a Bill for an Act enabling units of local government in this State to finance public work projects. Senate Bill 1062, a Bill for an Act to amend the Health Maintenance Organization Act. Senate Bill 1074, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 1105, a Bill for an Act to amend the Motor Fuel Tax Law, Third Reading of these Bills."

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Speaker Ryan: "Mr. Clerk, did you tell me that there's been an objection filed on Senate Bill 731 and that's no longer on the Consent Calendar?"

Clerk Leone: "Objections have been filed to Senate Bill 731."

Speaker Ryan: "The question is, 'Shall these Bills pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 131 voting 'aye', 3 voting 'no', and 12 voting 'present' and these Bills, having received the Constitutional Majority, are hereby declared passed. Representative Younge, do you seek recognition? On page seven of the calendar under the Order of Senate Bills, Second Reading, Short Debate Calendar appears Senate Bill 14, Representative Zito. Representative Zito in the chamber? Senate Bill 14, Representative. Page seven of the calendar. Do you want it read? Read the Bill."

Clerk Leone: "Senate Bill 14, a Bill for an Act to amend the Pharmacy Practice Act, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Who's handling this Bill, you or Representative Bower? Representative Bower, do you want the Bill read? It's been read. Are there any Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. Senate Bill 27, Representative Getty. Read the Bill."

Clerk Leone: "Senate Bill 27, a Bill for an Act to amend the Code of Criminal Procedure and the Unified Code of Corrections, Second Reading of the Bill. Amendments #2 & 3 were adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendments 2 or 3?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. Senate Bill 127, Representative Van Duyne. Out of the record. Senate Bill 128, Representative Sandquist. Out of the record. Senate Bill 134, Representative Pechous. Out of the record. Senate Bill 138, Representative Klemm. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 138, a Bill for an Act to amend the Illinois Highway Code, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 166, Representative Getty. Do you want the Bill read? What are all those hand signals? What does that mean? Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 166, a Bill for an Act relating to prescription and dispensation of drugs and medicine, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 244, Representative Richmond. Want your Bill read, Representative? Read the Bill."

Clerk Leone: "Senate Bill 244, a Bill for an Act to amend the Illinois Pension Code, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 253, Representative McGrew. Representative McGrew in the chamber? Out of the record. Senate Bill 293, Representative Kornowicz. Want your Bill read, Eddie? Does that mean yes? Read the Bill."

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Clerk Leone: "Senate Bill 293, a Bill for an Act to create the Land Resources Management Study Commission and the Ethnic Heritage Commission, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 299, Representative Oblinger. Read the Bill."

Clerk Leone: "Senate Bill 299, a Bill for an Act to authorize the direct deposit of payments to State annuitants and public aid recipients, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "What's that number? 556. Are there... Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. Senate Bill 379, Representative Karpel. Want your Bill read, Representative? Read the Bill."

Clerk Leone: "Senate Bill 379, a Bill for an Act authorizing the Director of Administrative Service to convey certain real property, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. Senate Bill 391, Representative Giorgi. Out of the record. Senate Bill 416, Representative DiPrima. Out of the record. Let's go back to.. no, it's 391, Representative. Senate Bill 391, Representative Giorgi. Read the Bill."

Clerk Leone: "Senate Bill 391, a Bill for an Act to amend the Mental Health and Developmental Disabilities

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Confidentiality Act, Second Reading of the Bill. No
Committee Amendments."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. Senate Bill 497, Representative
Matijevich. Read the Bill."

Clerk Leone: "Senate Bill 497, a Bill for an Act in relationship
to state finance, Second Reading of the Bill. No Committee
Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 498. Read the Bill.
Representative Matijevich."

Clerk Leone: "Senate Bill 498, a Bill for an Act to amend the
School Code, Second Reading of the Bill. Amendment #1 was
adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to
Amendment #1?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. Senate Bill 546, Representative
Schuneman. Read the Bill."

Clerk Leone: "Senate Bill 546, a Bill for an Act in relation to
making state agency rules and regulations flexible in their
application to small businesses and small organizations,
Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Schuneman, amends Senate Bill
5..."

Speaker Ryan: "Representative Schuneman, on Amendment #1 to
Senate Bill 546."

Schuneman: "Thank you, Mr. Speaker. Senate Bill 546 is the

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flexible regulations Bill jointly sponsored in the House by Representative Yourell and myself. This Amendment would change the Bill in the sense that it would eliminate coverage of some small organizations and would answer some of the objections that have been raised by the administration as to this Bill. I know of no opposition to the Amendment. I would ask for a favorable Roll Call."

Speaker Ryan: "Is there any discussion? The question is, 'Shall Amendment #5(sic)... the Gentleman moves for the adoption of Amendment #1 to Senate Bill 546. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. The Gentleman requests leave to keep Senate Bill 546 on the Order of Short Debate. Are there any objections? Hearing none, leave is granted. I'd like to have the record show that Representative Kulas has now arrived in the chamber. The Democrats can feel more at ease knowing that one of their leaders has arrived. Nice to have you with us, Representative. Only I want to know why you're an hour and ten minutes late."

Kulas: "It's nice to see you back on the podium, Speaker, but I had car problems this morning. I apologize for my tardiness."

Speaker Ryan: "Did you come down in DiPrima's tank?"

Kulas: "But I don't see any planned work schedules on the desks."

Speaker Ryan: "That's because you haven't been here long enough to see what's on the desk. Senate Bill 568, Representative Terzich. Do you want the Bill read? Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 568, a Bill for an Act to amend an Act to create sanitary districts, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Terzich, amends Senate Bill..."

Speaker Ryan: "Representative Terzich, on Amendment #1 to Senate Bill 568."

Terzich: "Mr. Speaker, Amendment #1 extends the working cash fund and it also allows that bonds shall mature in twenty years. And the interest rate shall not exceed the grade of 9% or 70% of the prime commercial rate. I guess with the bonding authority and the high interest rates that it's necessary that this be done and I would move for its adoption."

Speaker Ryan: "Is there any discussion? The Gentleman from DeWitt, Representative Vinson, on Amendment #1."

Vinson: "Yes, I wonder, Mr. Speaker, if the Gentleman would yield and would repeat his explanation of the Amendment."

Speaker Ryan: "Would you yield, Representative? Indicates he will."

Terzich: "It extends the working cash fund to 90% and it also, the bonds shall mature within twenty years from the date of issuance and shall bear interest at a rate or rates not to exceed the grade of 9% per annum or 70% of the prime commercial rate in the effect at the time of issuance. And the prime commercial rate means such prime rate as from time to time is publically announced by the largest commercial banking institution located in the state measured in the terms of total assets. I'd like to take it out of the record."

Speaker Ryan: "Out of the record. House Bill 5... Senate Bill 633, Representative Ewing. Out of the record. Senate Bill 634, Representative Catania. Want that Bill read? Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 634, a Bill for an Act to amend the School Code, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 643, Representative Braun. Is the Lady on the floor? Out of the record. Representative Ewing, for what purpose do you seek recognition?"

Ewing: "Mr. Speaker, I was just in the back of the chamber. I wonder if we could take House (sic) Bill 633."

Speaker Ryan: "You must have come in with Representative Kulas. I didn't see you there, Representative. I'm sorry."

Ewing: "I was ahead of him."

Speaker Ryan: "We'll certainly return because we have several Bills that we'd like to get to deal on today. Senate Bill 633, Representative Ewing. Read the Bill."

Clerk Leone: "Senate Bill 633, a Bill for an Act to amend the Service Use Tax Act, the Service Occupation Tax Act and the Retailer's Occupation Tax Act, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Pierce, amends Senate Bill 633..."

Speaker Ryan: "Representative Pierce, on Amendment #1. Representative Pierce. Representative Ewing, it appears that Representative Pierce is not here."

Ewing: "I would move to table the Amendment."

Speaker Ryan: "The Gentleman has moved to table Amendment #1 to Senate Bill 633. Representative Getty."

Getty: "Well, I wonder if the Gentleman wouldn't reconsider that Motion or at least take this out of the record. I think that considering that we just started a little over an hour ago we know that Members are sometimes tardy as was Representative Kulas in getting here because of car trouble. I think that might have happened to

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Representative Pierce and I just think we ought to hold it so we don't get into problems."

Speaker Ryan: "Representative Ewing."

Ewing: "Mr. Speaker, I'll do whatever you... I think it's best at this time we did pass this Bill up last week and I wouldn't want it to get caught in any kind of a crunch. At the end of this week I would think that Representative Pierce would be here since we went over this last time unless he has a campaign engagement."

Speaker Ryan: "What's your pleasure, Representative?"

Ewing: "Well, I move to table the Amendment. If you would prefer, I'll take it out of the record."

Speaker Ryan: "Well, I.. if that's your desire. Out of the record. Representative Braun, are you ready to go with 643, Senate Bill 643 on page eight of the calendar, Senate Bills, Second Reading, Short Debate? Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 643, a Bill for an Act to amend an Act concerning ownership of individual units in multiunit structures, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 676, Representative Kane. Kane. Read the Bill."

Clerk Leone: "Senate Bill 676, a Bill for an Act to amend the State Comptroller's Act, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. My apologies, Representative Keane, for the confusion. I hope I haven't aggravated you at all. Senate Bill 700, Representative Capparelli. Read

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the Bill."

Clerk Leone: "Senate Bill 700, a Bill for an Act regulating the right to board certain aircraft for hire by pay passengers, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. Representative Capparelli, while you're here can we take a break in the proceedings to ask for a report on the softball game? Captain Capparelli."

Capparelli: "Thank you, Mr. Speaker. The game will be held Wednesday, as you know was postponed from last week. We'll be playing this Wednesday. We will have practice tonight if the Speaker lets us out early enough. Otherwise, we'll try to get a practice in tomorrow which will be the final one. And Wednesday we would like to present the Speaker with his shirt and hat as soon as we come in if it will be possible. Thank you."

Speaker Ryan: "I understand you fellas don't need any practice, Representative. Senate Bill 730, Representative Terzich. Out of the record. Senate Bill 755, Representative Stanley. Representative Stanley on the floor? Out of the record, Representative? Senate Bill 791, Representative Terzich. Out of the record. Senate Bill 800, Representative Swanstrom. Want the Bill read, Representative? Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 800, a Bill for an Act to amend an Act to revise the law in relation to recorders, Second Reading of the Bill. No Committee Amendments."

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

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Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 818, Representative Hallstrom. Want the Bill read, Representative? Senate Bill 818. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 818, a Bill for an Act to amend the Phenylketonuria Act, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

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

Schuneman: "Point of order, Mr. Speaker. Would you ask the Clerk to speak up a little when he reads these Bills? I really didn't understand what he said on that."

Speaker Ryan: "Mr. Clerk, would you read that Bill again, please?"

Clerk Leone: "A Bill for an Act to amend the PKU (Phenylketonuria) Act."

Speaker Ryan: "Representative Vinson."

Vinson: "Yes, Mr. Speaker, I would like to have you ask the Parliamentarian to rule on whether that's a proper reading of the Bill on Second Reading and whether it would be challenged by the Constitution."

Speaker Ryan: "The Parliamentarian tells me it's alright. That was in Italian by the way. Are there any Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. Senate Bill 848, Representative Ronan. Read the Bill."

Clerk Leone: "Senate Bill 848, a Bill for an Act in relation to work programs for public aid recipients, Second Reading of the Bill. No Committee Amendments."

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

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Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 853, Representative Woodyard. Representative Woodyard on the floor? Out of the record. Did you want to handle the Bill, Representative Miller? Senate Bill 864, Representative Telcser. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 864, a Bill for an Act to amend an Act creating the Illinois Energy Resources Commission, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 882, Representative Macdonald. Read the Bill."

Clerk Leone: "Senate Bill 882, a Bill for an Act to amend the Mental Health and Developmental Disabilities Confidentiality Act, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 883, Representative Macdonald. Read the Bill."

Clerk Leone: "Senate Bill 883, a Bill for an Act in relationship to the disclosure of medical and mental health records, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Are there any Amendments from the floor? Representative Cullerton, for what purpose do you seek recognition? Regarding Senate Bill 883? Proceed."

Cullerton: "I have the Amendment #1, Mr. Speaker."

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

Cullerton: "I have Amendment #1."

Speaker Ryan: "Mr. Clerk, are there any Committee Amendments on this Bill?"

Clerk Leone: "No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Cullerton, amends Senate Bill 883 on page one and so forth."

Speaker Ryan: "Representative Cullerton, on Amendment #1 to Senate Bill 883."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 is identical to House Bill 711. House Bill 711 passed the Judiciary I Committee 11 to 2 but was not called for a vote on the House floor.. got caught up in the deadline. So Representative Macdonald has allowed me to use her Bill as a vehicle for House Bill 711. It amends the Evidence Act. It creates the privilege from disclosure of the results of detection of deception examination otherwise known as lie detector tests except in the following circumstances. The privilege does not exist if the subject has consented in writing to such disclosure. If the subject voluntarily testified in any civil or criminal case. If, in all homicide cases the privilege does not apply or if the test was taken during the course of a criminal investigation at the request of the federal, state, county, or municipal law enforcement officials. And the privilege does not apply in any proceeding where the purpose of which is to determine whether to discipline, demote, suspend, discharge, or promote an employee. The Bill was amended in Committee so that there was no opposition from any organized group. The Department of Law Enforcement had no problems with the Bill nor any of the unions and I would ask for a favorable vote on the Amendment."

Speaker Ryan: "Representative Macdonald."

Macdonald: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Senate Spousor has accepted Representative Cullerton's Amendment and I, as well am in support of this

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Amendment thinking that it will strengthen the Bill. So I ask your support of this Amendment."

Speaker Ryan: "Representative Getty."

Getty: "Does this in any way... would the Gentleman yield?"

Speaker Ryan: "Indicates he will."

Getty: "Does this in any way prohibit a respective employee from submitting to a lie detector examination?"

Speaker Ryan: "Representative Cullerton."

Cullerton: "Absolutely not. That was contained in Amendment #1 in Committee to House Bill 711 to specifically indicate that the privilege does not apply in any proceeding. The purpose of which is to determine whether to discipline, demote, suspend, discharge, or promote an employee."

Getty: "Would this in any way affect an employee who is already employed or the employer using information that was gained there from personally?"

Cullerton: "No, it is not."

Getty: "So it is intended to be restrictive only upon testimony in some other form. Is that correct?"

Cullerton: "That is correct."

Getty: "Thank you."

Speaker Ryan: "Is there any further discussion? Representative Cullerton, to close on Amendment #1. Sorry, Representative, I didn't see you. Representative Wolf. Sam Wolf."

Wolf, Sam: "Would the Sponsor yield a second?"

Speaker Ryan: "He indicates he will."

Wolf, Sam: "Representative Cullerton, was there any indication in your Amendment to indicate what equipment would be used for the lie detection tests?"

Cullerton: "No, it just defines it as detection of deception examinations. It doesn't refer to equipment at all."

Wolf, Sam: "In other words, it doesn't indicate whether it's a

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polygraph test or that given under stress equipment?"

Cullerton: "No, not at all."

Wolf, Sam: "Thank you."

Speaker Ryan: "Now, Representative Cullerton, you can close."

Cullerton: "I would ask for a favorable vote on Amendment #1 which is House Bill 711. I believe that it's a needed Bill and it should receive no opposition. Thank you."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #1 to Senate Bill 883. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Kane, amends Senate Bill 883 as amended."

Speaker Ryan: "Representative Kane, on Amendment #2."

Kane: "Mr. Speaker and Ladies and Gentlemen of the House, this is the second part of House Bill 711. What this Amendment does is provide limited confidentiality for rape crisis organizations and their employees. And the purpose of the Amendment is to give such organizations protection of privacy. If there is some belief that such information or testimony is necessary in some court proceeding the Amendment provides for an in-camera hearing for the court to determine the relevance of the material and if the material or statement is found to be relevant then it would be disclosed. I would ask for the adoption of Amendment #2."

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

Macdonald: "Mr. Speaker, well I have not talked to the Senate Sponsor on this particular Amendment. I believe that it is a strengthening Amendment also to this Bill. And I will accept it and if it's not acceptable to Senator Geo-Karis then I guess we'll have to go to Conference Committee with

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it."

Speaker Ryan: "Representative Kane, do you care to close? The Gentleman moves for the adoption of Amendment #2 to Senate Bill 883. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. Senate Bill 894, Representative Robbins. Representative Macdonald requests leave to have Senate Bill 883 remain on the Order of Short Debate, on the Short Debate Calendar. Are there any objections? Hearing none, leave is granted. Representative Robbins, 894? Senate Bill 894. Do you want to hear it?"

Robbins: "Yes."

Speaker Ryan: "Read the Bill."

Clerk Leone: "Senate Bill 894, a Bill for an Act to release highway easements and to restore access rights to certain described lands, Second Reading of the Bill. Amendment #1 & 2 were adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendments 1 or 2?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. On page nine of the calendar, Senate Bill 903, Representative Levin. Want your Bill read, Representative? Out of the record. Senate Bill 908, Representative Hoxsey. Read the Bill."

Clerk Leone: "Senate Bill 908, a Bill for an Act to amend an Act in relationship to State finance, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Davis-Hoxsey, amends Senate

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Bill 908 on page one, line one and so forth."

Speaker Ryan: "Representative Hoxsey, on Amendment #1. Representative, I understand it was just filed this morning and not printed and distributed. Out of the record. Do you want to take the Bill out of the record? Out of the record. Senate Bill 910, Representative Bower. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 910, a Bill for an Act to amend the Mental Health and Developmental Disabilities Confidentiality Act, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. Senate Bill 912, Representative Oblinger. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 912, a Bill for an Act to amend the Illinois Insurance Code, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "Motion. 'I move to table Amendment 1 to Senate Bill 912,' Representative Oblinger."

Speaker Ryan: "Representative Oblinger, on your tabling Motion."

Oblinger: "Mr. Speaker and Members of the General Assembly, Amendment #1 that was put on in Committee was a technical Amendment but it was drafted incorrectly and so I'm tabling it. And wishing to put on Amendment #2 which is technically correct."

Speaker Ryan: "Is there any discussion? The Lady moves to table Amendment #1. All in favor will signify by saying 'aye',

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all opposed 'no'. The 'ayes' have it and the Amendment is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Oblinger, amends Senate Bill..."

Speaker Ryan: "Representative Oblinger, on Amendment #2."

Oblinger: "Mr. Speaker, Amendment #2 now is technically correct and I move for its adoption."

Speaker Ryan: "The Lady moves for the adoption of Amendment #2. Is there any discussion? All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment's adopted."

Oblinger: "Mr. Speaker, this originally was on the Consent Calendar. May I put this on Short..."

Speaker Ryan: "Further Amendments? Just a minute, Representative. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. The Lady asks leave to have Senate Bill 912 remain on the Order of Short Debate. Are there any objections? Hearing none, leave is granted. Senate Bill 919. Read the Bill."

Clerk Leone: "Senate Bill 919, a Bill for an Act to amend the Illinois Savings and Loan Act, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. Senate Bill 930, Representative McAuliffe. Out of the record. Senate Bill 951, Representative Piel. Representative Piel? Read the Bill."

Clerk Leone: "Senate Bill 951, a Bill for an Act to amend the Illinois Savings and Loan Act, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

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Speaker Ryan: "Third Reading. Senate Bill 955, Representative Hoffman. Read the Bill."

Clerk Leone: "Senate Bill 955, a Bill for an Act to amend the School Code, Second Reading of the Bill. Amendments #1 & 2 were adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendments 1 or 2?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. Senate Bill 972, Representative Satterthwaite. Read the Bill? Want the Bill heard, Representative? Read the Bill."

Clerk Leone: "Senate Bill 972, a Bill for an Act to amend the Alcoholism and Intoxication Treatment Act, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 1040, Representative Levin. Representative Levin. Out of the record. Senate Bill 1044, Representative Wolf, Jake Wolf. Out of the record. Representative Wolf, do you want your Bill read? Senate Bill 1044. It's on Second Reading, Representative, Short Debate. Page nine of the calendar. Page nine, Senate Bill 1044. Read the Bill."

Clerk Leone: "Senate Bill 1044, a Bill for an Act to amend the Illinois Pension Code, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "No Floor Amendments."

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Speaker Ryan: "Third Reading. Senate Bill 1047, Representative Jim Kelley. Read the Bill."

Clerk Leone: "Senate Bill 1047, a Bill for an Act to amend the Vital Records Act, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 1068, Representative Leverenz. Want the Bill read, Representative? Read the Bill."

Clerk Leone: "Senate Bill 1068, a Bill for an Act to amend an Act to create sanitary districts, Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. Senate Bill 1078, Representative Barnes. Read the Bill."

Clerk Leone: "Senate Bill 1078, a Bill for an Act to amend the Criminal Code, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. Senate Bill 1094, Representative Huskey. 1094, Representative. Read the Bill."

Clerk Leone: "Senate Bill 1094, a Bill for an Act to amend the Illinois Vehicle Code, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Ryan: "Are there any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Ryan: "Any Amendments from the floor?"

Clerk Leone: "No Floor Amendments."

Speaker Ryan: "Third Reading. Senate Bill 1119, Representative

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Sandquist. Out of the record. Senate Bill 1130, Representative Karpziel. Read the Bill."

Clerk Leone: "Senate Bill 1130, a Bill for an Act to establish procedures concerning the collection, disclosure and confidentiality of health statistics, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. On page ten of the calendar. Senate Bill 1131, Representative Miller. Read the Bill."

Clerk Leone: "Senate Bill 1131, a Bill for an Act to amend an Act to establish programs to enhance and improve the control of high blood pressure, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 1132, Representative Watson. Representative Watson, want your Bill read? Representative Watson. Representative Watson. Want your Bill read? Out of the record? Out of the record. Senate Bill 1133, Representative Polk. Representative Polk in the chamber? Out of the record. Senate Bill 1139, Representative Terzich. Out of the record. Senate Bill 1146, Representative Bullock. Out of the record. Representative Ronan, for what purpose do you seek recognition? You want 1146 read? I didn't see your name on here, Representative. Read the Bill."

Clerk Leone: "Senate Bill 1146, a Bill for an Act to amend the Illinois Administrative Procedure Act, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 1190, Representative

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Mulcahey. Representative Mulcahey on the floor? Read the Bill."

Clerk Leone: "Senate Bill 1190, a Bill for an Act to amend the School Code, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Go back to Senate Bill... Senate Bill 139(sic), Representative Terzich, is in the chamber and would like to have his Bill read. Read the Bill. 139.. It's 1139. Is that right? Senate Bill 1139, Mr. Clerk."

Clerk Leone: "Senate Bill 1139, a Bill for an Act in relationship to the deduction and withholdings from salaries of State employees, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 1201, Representative Tuerk. Read the Bill."

Clerk Leone: "Senate Bill 1201, a Bill for an Act to amend the School Code, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Keane, amends Senate Bill 1201 on page one, line three and so forth."

Speaker Ryan: "Representative Keane, on Amendment #1. Representative, I understand that you just filed Amendment #2 and that has not been printed and distributed."

Keane: "Yes, I would ask the Sponsor if he would take this out of the record until the proper Amendment..."

Speaker Ryan: "Out of the record. Senate Bill 1205, Representative Karpiel. Representative Karpiel, do you

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want to hear 1205? Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1205, a Bill for an Act to amend an Act in relationship to the drug commonly known as laetrile, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 1208, Representative Reilly. Representative Reilly on the floor? Out of the record. Whoop, just a minute. There he is. Want your Bill read, Representative? Read the Bill."

Clerk Leone: "Senate Bill 1208, a Bill for an Act authorizing the Department of Mental Health and Developmental Disabilities to facilitate and establish of community services for persons who are mentally ill, developmentally disabled and alcoholic dependent, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Representative Reilly."

Reilly: "Mr. Speaker, while I have the floor, if you wouldn't mind, House Bill 1040 which is on the same order of business. There are no Amendments. You skipped it before because Representative Levin is not on the floor but we're hyphenated chief Sponsors."

Speaker Ryan: "Read the Bill, Mr. Clerk. Senate Bill 1040 on page nine of the calendar."

Clerk Leone: "Senate Bill 1040, a Bill for an Act to prohibit the denial of hospital or medical benefits coverage to public aid recipients under service plan corporation contracts and subscriptions, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

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Speaker Ryan: "Third Reading. Back on page ten, Senate Bill 1218, Representative Ronan. Read the Bill."

Clerk Leone: "Senate Bill 1218, a Bill for an Act to amend the Emergency Medical Services (EMS) Systems Act, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Senate Bill 1227, Representative Telcser. Telcser on the floor? Out of the record. Representative Pechous, what was your Bill number and where does it appear on the calendar? Senate Bill 134, on the calendar on page seven under the Order of Senate Bills, Second Reading, Short Debate Calendar appears Senate Bill 134, Representative Pechous. Read the Bill."

Clerk Leone: "Senate Bill 134, a Bill for an Act creating the Illinois National Guard Study Commission, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Pechous, amends Senate Bill..."

Speaker Ryan: "Representative Pechous, on Amendment #1."

Pechous: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 to Senate Bill 134 is, indeed, a technical Amendment. It would... in one level of the text would change from 1983 to 1986..strike.. from 1986 to 1983 does bring in the Bill into conformance with the wishes of the Sponsor, of the Senate Sponsor, and this speaker here. And I would ask that that technical Amendment be approved and that the Bill be thereafter, returned to Short Debate, Third Reading."

Speaker Ryan: "Is there any discussion on Amendment #1? The Gentleman moves for the adoption of Amendment #1 to Senate Bill 134. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment's

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adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. The Gentleman requests leave to keep the Bill on the Order of Short Debate Calendar. Are there any objections? Hearing none, leave is granted. Representative Kulas, I'd like to have your attention, please. It's the intention of the Chair to work until the hour of 8:00 p.m. this evening. Is that alright with your group, Representative?"

Kulas: "Well, I'm sort of stunned right now. I'm still shocked from my weary trip on the road but I understand that we do have a lot of work so for the present time it's agreeable to me."

Speaker Ryan: "Thank you. What that means is that most of us here will have worked eight hours. You and Colonel DiPrima will have worked six hours and fifty minutes."

Kulas: "Thank you."

Speaker Ryan: "On page seven of the calendar appears Senate Bill 416, Representative DiPrima. Want that Bill read, Representative? Senate Bill 416."

DiPrima: "Yes, Mr. Speaker. Now, first of all, I want to apologize to Schneider. Is Representative Schneider in the House?"

Speaker Ryan: "He certainly is."

DiPrima: "Alright, well now, what's right is right. I slurred this Gentleman in the Committee on this Bill. He said that there was nothing being done for the children of the Viet Nam veterans and I says, 'now you read the Bill, the last part of the Bill. It's right in there anyway.' I passed the Bill out of Committee. And then he come over and showed me where he was right. There was no.. so I want to apologize and he has an Amendment for this Bill and I want to accept the Amendment."

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Speaker Ryan: "Well, this is on the Second Reading, Short Debate, Representative DiPrima. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 416, a Bill for an Act to amend an Act concerning educational opportunities for children of deceased or totally disabled veterans, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Schneider, amends...."

Speaker Ryan: "Representative Schneider, on Amendment #1."

Schneider: "Thank you, Mr. Speaker, Members of the House. Representative DiPrima, I appreciate your comments and your apology. What we ask in the Committee is essentially what you had explained the Bill to do and that was to include in the language of the law the Viet Nam veterans. Currently, the benefits that are defined in this law include only those who are Spanish-Americans veterans, World Wars I and II as well as Korea. What your Bill was intended to do was include the Viet Nam veterans. That language was not explicit in the Bill. This Amendment does exactly that and I would move for its adoption."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #1 to Senate Bill 416. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. The Gentleman asks leave to keep Senate Bill 416 on the Short Debate Calendar. Are there any objections? Hearing none, leave is granted. Senate Bill 791, Representative Terzich, on the Order of Senate Bills, Second Reading, Short Debate Calendar. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 791, a Bill for an Act to amend an Act

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in relationship to campaign financial disclosure, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Is there anyone in the chamber that cares to have a Bill on the Order of Second Reading? Senate Bill, Second Reading, Short Debate Calendar called before we leave that order of business? Great opportunity. Is Representative Giorgi in the chamber? Representative Telcser."

Telcser: "Will you ask him to move 1227 off of Second? If you wish to go right ahead."

Speaker Ryan: "Read 1227, Mr. Clerk. On the Order of Senate Bills, Second Reading, Short Debate."

Clerk Leone: "Senate Bill 1227, a Bill for an Act to amend the Illinois Antitrust Act, Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "None."

Speaker Ryan: "Third Reading. Representative Fawell, on Senate Bill 414. We're now back to the Order of Senate Bills, Third Reading, Short Debate Calendar. Senate Bill 414, Representative Fawell."

Fawell: "Mr. Chairman, I have been trying to get a hold of the two people who object to it. I cannot find them on the floor. I have held this Bill back many times and I would like to move it..."

Speaker Ryan: "Representative Fawell, let me interrupt you for a minute. Representative Giorgi says he has no problem with the Bill. Who else had a problem? Representative Getty, have the problems been cleared up on this Bill?"

Getty: "Mr. Speaker, they are not mine. I think the Lady has waited a reasonable period of time for the second objector

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to come and I have no objections."

Speaker Ryan: "Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 414, a Bill for an Act to amend the Park District Code, Third Reading of the Bill."

Fawell: "Thank you, Mr. Speaker and Members of the Assembly. This is merely a Bill that takes the bad law out that was passed a few years ago which allowed one Park District to rate another. It passed out of the Senate 57 to nothing. It passed out of Committee unanimously and I would ask for a favorable vote."

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

Schneider: "Well, I was an objector of sort because it wasn't clear to me that when the Sponsor talked about how bad the Bill was that there was any explanation as to how the rating took place. She uses that phrase pretty comfortably. I asked for some specific references to what that meant and got a chart and a drawing of letters A, B, and C. One of the things that is important, I think, to look at is whether or not, you know, who is affected by it. I could not get that information from the Sponsor but I rose originally to question the Sponsor on that matter. I got the statutes to which the Bill is tailored. I deletes 312 in the School.. in the Park Code 105. The Section is the Section entitled disconnection from one to another and I don't believe I have been able and, of course, it's not my area of expertise but I haven't been able to find out what happens for other disconnect propositions. I don't know what happens in terms of a ballot. I don't know what happens in terms of referendum. I'm really at a loss as determined how the assess evaluation is made up for that district that might lose it. I would also again repeat what I said of the outset and that was that there are

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programs that sometimes are joined by various cities in a Park District like this one that she is describing which is, there could be two Park Districts. Both in.. municipality be encompassed by both Park Districts. Last year when I offered a Bill that would allow Naperville to remove itself from other Park Districts there was opposition by the very group that she says is sponsoring this particular Amendment. And I was asked to sponsor that Bill by the very person who is asking her to sponsor this Bill so I'm kind of really confused yet. I don't know if the objectors, Representative Brummer and others who talked with her later are satisfied but I'm still really in a cloud in part because of the explanation. Also at a loss is to explain why the Park Districts are offering this kind of a proposal when last year they were opposed to it. And I was addressing only one side of it. And that was the side of special education so I'm going to be opposed to the Bill until better answers are forthcoming. I understand a similar Bill was left on the Spring Calendar and perhaps that's where this one ought to be."

Speaker Ryan: "Representative Fawell, to close."

Fawell: "This is a good Bill. It does not allow one Park District to go and rate the assess evaluation of another Park District. There are still ways for people who want to disconnect from a Park District to do so legally and I would ask for a favorable vote."

Speaker Ryan: "The question is, 'Shall Senate Bill 414 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 103 voting 'aye', 22 voting 'no', 17 voting 'present' and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 186, Representative Telcser."

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Clerk Leone: "Senate Bill 186, a Bill for an Act to amend the Illinois Migrant and Labor Camp Law, Third Reading of the Bill."

Telcser: "Mr. Speaker, Members of the House, Senate Bill 186, simply provides that minimum standards for migrant and labor camps, are employing less than ten workers or four families be complied with, and that these camps allow the Department of Public Health to come by to inspect for compliance with the minimum standards. There is no licensing requirement and frankly, I don't recall what opposition, if any, there was in Committee. I'd appreciate a favorable Roll Call."

Speaker Ryan: "Is there any opposition? The question is, Representative Friedrich, do you stand in opposition?"

Friedrich: "...I would like to ask a question, if it would not upset the procedure here."

Speaker Ryan: "I would certainly hope it wouldn't but we'll let you go ahead."

Friedrich: "Does this make the requirements on people who hire migrant laborers more strict than it was as far as housing is concerned?"

Telcser: "No, it doesn't make the requirements more stringent, Representative. What it does is, that for people who have camps that employ less than ten workers or four families, to comply with the minimum standards, however, they do not have to have any licenses, as do larger camps."

Friedrich: "Well, then just briefly in opposition, Mr. Speaker. We used to be in the strawberry business down in my area, and they kept making the requirements stricter and stricter and stricter and we had to have motels to take care of these people who had been living in tin shacks and we solved the problem. We plowed up the strawberries and planted soybeans. So, we don't have any problem any more,

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and that's what you're doing with legislation of this kind."

Speaker Ryan: "Representative Telcser to close."

Telcser: "Simply, Mr. Speaker, to say that we're only talking about temporary camps that are open a few weeks out of the year, not the permanent ones that are with us all year long. And I would appreciate a favorable Roll Call."

Speaker Ryan: "The question is, 'Shall Senate Bill 186 pass?' All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 116 voting 'aye', 27 voting 'no' and 3 voting 'present', and this Bill having received a Constitutional Majority is hereby declared passed. Representative Giglio, would you like to go with Senate Bill 98?"

Giglio: "Yes, I would like to go, if my colleague on the other side of the aisle is ready. Representative Schuneman? We have an Amendment on their, Mr. Speaker, that I promised I wouldn't ramrod and try to put it through without any recognition from the other side?"

Speaker Ryan: "He's been in the Chamber, Representative, we'll get back to you. Out of the record."

Giglio: "Okay."

Speaker Ryan: "Representative Schuneman is here. Put Senate Bill 98 back in the record and read the Bill. The Amendment has just been filed, Representative. Has not been...Representative Schuneman."

Schuneman: "Yes, Mr. Speaker."

Speaker Ryan: "Well, this Bill is on Third Reading, Representative."

Schuneman: "Right, the Sponsor agreed to take the Bill back to Second Reading, Mr. Speaker, for the purposes of this Amendment."

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Speaker Ryan: "Return the Bill to the Order of Second Reading, Mr. Clerk. Representative Giorgi."

Giorgi: "I want to see the Amendment before we go back to Second Reading, Mr. Speaker."

Speaker Ryan: "Well, I understand the Sponsor of the Bill has agreed to the Amendment and has agreed to take the Bill back. Do you object to that, Representative Giorgi?"

Giorgi: "Well, it's my Amendment that he's talking about. I haven't seen my Amendment. It's my Amendment that he's tampering with. Hold it on Third until I talk to the Legislator from Whiteside County."

Speaker Ryan: "Wait just a minute. Representative Schuneman's Amendment, Representative Giorgi. Representative Giorgi, the Bill is Representative Giglio's Bill. Representative Schuneman has an Amendment. He has asked Representative Giglio to return the Bill to the Order of Second Reading for the purposes of that Amendment. As I understand it, Representative Giglio has agreed to that. Is that right, Representative Giglio?"

Giglio: "Why am I in the middle, Mr. Speaker? I'm just a nice guy trying to get along with both sides, you know. But I did agree to Representative Schuneman but I had to wait for my colleague, Representative Giorgi. Now..."

Speaker Ryan: "The Gentleman has asked leave to return the Bill to the Order of Second Reading for the purposes of an Amendment. Are there objections? Representative Giorgi?"

Giorgi: "I object, Mr. Speaker, until I see the Amendment."

Speaker Ryan: "Objections have been noted, on leave, Representative Schuneman, leave can be granted by 89 votes."

Schuneman: "Well, Mr. Speaker, I think Representative Giorgi's objection is that he doesn't have in front of him the Amendment."

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Speaker Ryan: "Now he does."

Schuneman: "And I think he still has agreed to go along with the original agreement, which was to take this Bill back when the Amendment is available."

Speaker Ryan: "I tell you, let's take this Bill out of the record for a few minutes. You two fellas or the three of you, get together and fight it out and we'll get back to you. Representative Ewing in the Chamber? Representative Ewing, you want to move Senate Bill 596? Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 596, a Bill for an Act to permit railroads to dispose of property not needed in performance of duties to the public. Third Reading of the Bill."

Speaker Ryan: "Representative Ewing, two minutes to explain your Bill."

Ewing: "Yes. Mr. Speaker and Ladies and Gentlemen of the House, this Bill is a... from the Economic Development Commission and is an effort to help make some of our railroads be a little more profitable. It allows for them to dispose of property not used in their railroad business that costs over \$100,000.00 or valued at over \$100,000.00 and to dispose of leased property with a value of over \$10,000.00 without Commerce Commission approval. It also repeals from the Commerce Commission Statute that portion which allows local communities to regulate utilities and set local rates. I would ask for your approval."

Speaker Ryan: "Any opposition? Representative Brummer."

Brummer: "Yes, a question of the Sponsor please."

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

Brummer: "Tom, does this include real estate that is used for trackage?"

Ewing: "It's my understanding it does not. The..."

Brummer: "In other words, they could not abandon any railroad

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right-of-way without going to the Commerce Commission."

Ewing: "No, that is right. And there was an Amendment added to the Bill which satisfied some opponents, which if there is any leased property they have to have notice and after notice if they object, then it would go to the Commerce Commission."

Brummer: "It is your intent, as the Sponsor at least, not to allow the railroads to abandon right-of-way or railroad property without Commerce Commission approval, meaning railroad lines?"

Ewing: "That is right. This is not an abandonment Bill as far as railroad lines."

Brummer: "Thank you."

Speaker Ryan: "On This Bill, Representative Younge?"

Younge: "Yes, thank you, Mr. Speaker. I would like to ask the Sponsor a question."

Speaker Ryan: "This Bill is on Short Debate, Representative, but I guess that it is all right. Go ahead."

Younge: "Thank you. What did you say about the Public Utilities in reference to municipalities, in reference to this Bill?"

Ewing: "Currently, there is an old portion of the ice...Illinois Commerce Commission Statute which allowed individual communities to set utility rates. We all know that this has now been done for a number of years by the State through the Commerce Commission. This repeals that authority which they might have had to set utility rates."

Younge: "Are you saying that it does not effect the power of municipalities having to do with those utilities that are municipal... (cut off)."

Ewing: "That is correct. It does not affect that. It would be ...for instance, if the city of Springfield decided to set their own telephone rates, they could not do it under this Bill. But, they do have their own city municipalities here

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which they do control the rates on."

Younge: "I would like to speak to that..."

Speaker Ryan: "Well, proceed, Representative. You probably ought to take this Bill off of Short Debate if we are going...I see we have some more questions. Did you want to take this Bill off of Short Debate?"

Younge: "Yes."

Speaker Ryan: "You've got to have ten people to join you."

Younge: "I would like to take this matter off the Short Debate, please. Could I have ten people to join me in that?"

Speaker Ryan: "The Bill is now off of Short Debate. Proceed."

Younge: "I wonder whether or not it is timely for us to take away the power of municipalities to have some say so in reference to the setting of rates in reference to public utilities. We have a problem in reference to the Illinois Commerce Commission setting rates for public utilities. Over the last several years every rate increase that has been asked for by a public utility has been granted at a 50% rate. In other words, the public utility will go in and ask for a 10% increase and it practically knows that it will get a 5% increase. And what has happened is that most of the public utilities... the rates have skyrocketed to the point that most people are having very great difficulty meeting the utility bills. And I think that we need to look very carefully at an effort to take away, out of the Statute, an opportunity and an authority of the municipal...the municipalities of the local governments to intervene and to set rates in reference to public utilities. I don't think that we would have the skyrocketing, out of control, rate increases that we have now if most people had known that that power was lodged in municipalities in reference to those...public utilities that are controlled by the Illinois Commerce Commission.

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Ordinarily, we expect that only 1/4th of a person's salary or income will be used for the expenditures of household bills. Right now most people are paying 50% to 75% of all the money they get to live for their utilities or for their notes or for their rent. And the situation has gotten out of...so out of hand I think that most people in our whole population are highly upset by this imbalance that has been created. And I think that the people need the control, need the assistance and the assurance that local municipalities have some opportunity to intervene to protect the citizens of this state. And I ask for a 'no' vote for those reasons."

Speaker Ryan: "Representative Schraeder."

Schraeder: "I wonder if the Sponsor would yield to a question? Is there any provision in the Senate Amendment that would allow the sale, lease or property by utility railroad company without first having public notice of some given period of time, sixty or ninety days?"

Ewing: "The Bill was amended here in the House and it says, 'In the event the proposed sale or lease by railroad of real property involves consideration in excess of the amount set forth in the...Section 27 which is \$100,000.00 per sale, \$10,000.00 per lease and a tenant is in possession and has standing, pursuant to this Section, the railroad must give the tenant sixty days prior written notice of its intention to sell or lease the property'."

Schraeder: "Thank you."

Speaker Ryan: "Any further discussion? Representative Ewing to...Representative Jack Dunn."

Dunn, Jack: "Mr. Speaker, Ladies and Gentlemen of the House, I would like to rise in support of this Bill. I think that it would be a ludicrous arrangement for municipalities to be able to set their own telephone rates, their electrical

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rates, their gas rates when they really have no knowledge of the matter of what it costs to provide these kinds of services. And if the community next door to my community says, 'Well, we just can't pay...afford to pay as much', then the responsibility for making up that deficit is going to be passed on to other communities. I'm not sure that the Lady who stood up in opposition was really familiar with what is happening here. And I would rise in support of this Bill. I think it is a good Bill. It is a very necessary Bill."

Speaker Ryan: "Representative Getty."

Getty: "Will the Gentleman yield?"

Speaker Ryan: "Indicates he will. Representative Daniels in the Chair."

Getty: "Representative, would this, in any way, affect the ability of a city to set its water rates?"

Ewing: "No. It is my understanding that it would not. I just... I answered that question before. The cities still have to have their rates approved. They are still under the Commerce Commission, but it would not affect their ability to set their own rates."

Getty: "So it applies to non-water rate utilities. Is that correct?"

Ewing: "Well, it applies to the Statute. The old Statute, passed in 1921, allowed local municipalities to regulate non-city owned utilities, to set rates for telephone, gas and other utilities which they did not own. The utilities, as I understand it, could appeal their rates set by the city back to the Commerce Commission. So, it is a very, very unworkable situation. Back when that law was passed, we had hundreds of telephone companies. Almost every town had their own telephone company. We had many local utilities, locally owned. We have now, of course, come to the point

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where we have multi-state statewide utilities. It would be extremely difficult for individual cities to be setting these rates and I think it would greatly increase our utility costs because we know that if a city tried to set these rates at an unrealistic rate the utility would have no choice but to take it to the Commerce Commission. We would be right back where we are now."

Getty: "Thank you."

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

Alexander: "Mr. Speaker, will the Gentleman yield for a question?"

Speaker Daniels: "He indicates he will."

Alexander: "I would like to know whether or not this Bill preempts home rule and if it does, I would like to have the Parliamentarian tell us, does it take 107 votes?"

Speaker Daniels: "You're questioning the ...It is a question of the Parliamentarian or the Sponsor?" Alexander: "It would be a question to the Parliamentarian."

Speaker Daniels: "Alright."

Ewing: "No, this is not a limitation on home rule power. This is an Amendment to the Commerce Commission Act. If the cities have this power now, I'm not...under home rule, I will not be affecting it."

Alexander: "The Parliamentarian was supposed to answer the...I said the question to the Parliamentarian."

Speaker Daniels: "It is the opinion of the Parliamentarian that this Bill is not a limitation on the home rule powers and therefore only requires 89 votes to pass."

Alexander: "Thank you."

Speaker Daniels: "Representative Ewing, to close."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I welcome the questions and the comments on this Bill. I

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don't think it's that far reaching a piece of legislation. It's intended to allow, within limitations, for our railroads to dispose of certain property and leases, hopefully, that they can be more profitable. It is also an intent to clean up the Commerce Commission Act so that we won't get into any real hassles with everybody across the state trying to set utility rates for multi-state companies, which I am sure would be the detriment of all of our constituents. And I would ask for a favorable vote on this Bill."

Speaker Daniels: "The Gentleman has moved for the passage of Senate Bill 596. The question is, 'Shall Senate Bill 596 pass?'. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. On this Bill there are 133 'aye', 11 'nay', 3 voting 'present'. Senate Bill 596, having received the Constitutional Majority, is hereby declared passed. Representative Kulas, Senate Bill 1145. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1145, a Bill for an Act to amend an Act in relationship to the adoption of persons, Third Reading of the Bill."

Speaker Daniels: "Representative Kulas."

Kulas: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1145 amends the Adoption Act. It provides that the consent necessary to adopt, may be acknowledged before a representative of the Cook County Department of Supportive Services. It also permits consents to be acknowledged by Circuit Clerks of any court, any county who is so authorized by the presiding judge. In view of the expertise of the Cook County Department of Supportive

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Services and matters relating to adoption, it is reasonable to give this agency the authority to acknowledge consent. Passage of this Bill will free the Department of Children and Family Services to devote more of its workers to areas in which they are needed, and I would ask for a favorable Roll Call."

Speaker Daniels: "The Gentleman has moved for the passage of Senate Bill 1145. Is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1145 pass?' All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. On this Bill there are 147 voting 'aye' and no voting 'nay', 4 voting 'present'. Senate Bill 1145 having received a Constitutional Majority is hereby declared passed. Page two of the Calendar, Senate Bills, Third Reading. Senate Bill 61. Clerk will read the Bill."

Clerk Leone: "Senate Bill 61, a Bill for an Act to assure that children of arrested persons are cared for, Third Reading of the Bill."

Speaker Daniels: "Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The people who heard this Bill in Committee, will recollect that this is a Bill that came out of the hearings held by the Conference for Women Legislators at Dwight Prison. It pertained to the instances in which people were arrested and their children were just left there while they were carted off to jail. The Department of...Department of Children and Family Services had an Amendment to the Bill that cleared up what difficulties there might have been in Committee. There really weren't very many in Committee. The Bill passed with, I think, one or no negative votes in

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Committee. I urge the favorable Roll Call on this Bill."

Speaker Daniels: "Is there any discussion? The Lady from Cook, Representative Stewart."

Stewart: "Does the Sponsor yield to a question?"

Speaker Daniels: "She indicates she will."

Stewart: "Representative Braun, will you explain some of the circumstances that the Conference of Women Legislators ran into, as related to, by not only inmates but also personnel at Dwight concerning the children...the state of children of arrested people?"

Braun: "Well, I think the major difficulty, again, was that when arrests occur, in many instances if there are small children, they might just be left there, and it...in some instances, it would be a day before anyone would discover that the parent had been arrested and the children were just there. That was a matter, obviously, of grave concern to the Department and to all of us in the Conference of Women Legislators. And so, this legislation came out of that, the testimony that we heard in that regard."

Stewart: "To the Bill, Mr. Speaker."

Speaker Daniels: "Proceed."

Stewart: "I rise in support of this legislation. There is, certainly, a problem when people who are arrested, who are...haven't, perhaps, planned to be arrested and are the sole supporter of one or more children. Certainly, once a parent, particularly a single parent, is arrested and incarcerated, the State has a responsibility to make sure that these children are provided for either in a relative's home or through one of the State programs. I would urge an 'aye' vote."

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

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

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Speaker Daniels: "She indicates she will."

Ewing: "What does this Bill require the police to do if they arrest someone that has small children?"

Braun: "The Bill, as amended, just says, 'The peace officer shall assist the arrestee in the placement of the children with a relative or other responsible person, designated.' So, all it means then, is that if there is a child there then the policeman can, you know, say, 'Would you like time to call a grandmother?' Or if there is no other person then DCFS is notified but only after every attempt is made to place the child with the parents."

Ewing: "Thank you."

Braun: "The grandparents, I'm sorry."

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

Bowman: "A question of the Sponsor?"

Speaker Daniels: "She indicates she'll yield."

Bowman: "Representative Braun, following up on the line of questioning that began by Representative Ewing. Let me just make sure we have legislative intent clear on this? If a woman is arrested and the child is not in the company of the woman at the time but at some other location, what is your intent as to the responsibility of the police officer in that situation?"

Braun: "Well, if you're referring the business of involuntary neglect, this would not, as amended, the Bill would absolve the parent from an involuntary neglect situation. However, again, the child...if there is no one else around in the family with whom the child can be placed then the Department of the Children and Family Services can be brought into the...is brought into the situation."

Bowman: "Wait a minute, I'm not sure I follow that. There are two issues there. Let me make sure we separate them. If

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the child is not in the company of the mother at the time the mother is taken into custody but the child is somewhere else, does the police officer have any responsibility in that particular situation?"

Braun: "No."

Bowman: "Okay, and the other issue which you touched on in your response to my first question. I just wanted to clarify further. In such a situation where the Department of Children and Family Services has to come and go through the procedures that they would normally go through in a case of neglect, is there a finding of neglect entered against the parent?"

Braun: "No."

Bowman: "And carried in the central registry?"

Braun: "No, there isn't. There was some concern expressed by that in Committee. That's what the DCFS Amendment cleared up and I think that the Bill has been crafted to meet any concerns in that area."

Bowman: "Okay, on the basis of the response to these questions. I'd be happy to support the Bill."

Speaker Daniels: "The Lady, excuse me, from Cook, Representative Macdonald."

Macdonald: "Yes, thank you, Mr. Speaker. Representative Braun, to pursue the questioning of Representative Bowman. I'm interested in the fact if a child is in a nursery school at the time a mother may be arrested, is that mother allowed, then or can she request that she calls the family and this child, do they then know that a relative is notified where the child will be taken care of?"

Stewart: "Representative Macdonald, that's precisely one of the kind of situations this Bill is designed to address. We saw instances in which the child was at a nursery school or the child was in the apartment or...we heard about...and

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there was no provision made. This will allow for the parent to make arrangements for the children."

Speaker Daniels: "Further discussion? Hearing none, Representative Braun, to close."

Braun: "Thank you. I ask for a favorable Roll Call."

Speaker Daniels: "The Lady has moved for the passage of Senate Bill 61. The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. On this Bill there are 138 'aye's, 6 'nay', 6 voting 'present'. Senate Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 116, Representative Breslin. The Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 116, a Bill for an Act to amend the Retail Installment Sales Act and the Motor Vehicle Retail Installment Sales Act, Third Reading of the Bill."

Speaker Daniels: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker and Ladies and Gentlemen. This Bill makes two changes in the Retail Installment Sales Act and the Motor Vehicle Retail Installment Sales Act. The first change, is that it provides for a fifteen day period of redemption of collateral that has been repossessed, not collateral that has been voluntarily surrendered but only that which has been repossessed. It allows the purchaser to redeem the repossessed property by paying the unaccelerated amount due on the contract and the cost of repossession. This way the seller is not out any money. There is a one time limitation on the purchaser using this remedy and in addition to which the remedy can only be utilized by the buyer in cases where at least 30% of the deferred payment price has been paid at the time of

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default. The other change is a minor change which reduces the threshold from 60% to 50% in the voluntary surrender situation. In that situation, the buyer or rather the seller must, within five days from the date of receipt of the goods that has been voluntarily surrendered, elect remedies. If 60% of the deferred payment price has been paid, this Bill reduces it from 60% to 50%. I'd be happy to answer any questions."

Speaker Daniels: "The Lady has moved for the passage of Senate Bill 116. Is there any discussion? The Gentleman from DeWitt, Representative Vinson."

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

Speaker Daniels: "She indicate she will."

Vinson: "Do I understand the effect of the Bill as amended, Representative, to be that the acceleration would be that the election would actually be accelerated from 60% to 50%, now?"

Breslin: "You'll have to repeat your question. I'm sorry, I can't hear you."

Vinson: "Under the Bill, as amended, a seller or holder has an option to make as to whether he'll take back the goods or sue for the balance due, is that correct?"

Breslin: "That's with regard to the voluntarily...those goods which are voluntarily surrendered, yes, not those which have been repossessed."

Vinson: "Is there a percentage of the loan...of the contract price that has to be paid prior to the option being made?"

Breslin: "Correct, the present law is that the percentage must be 60%. We have amended it to be 50%."

Vinson: "Okay, that means that if the...if somebody contracts to buy something and pays 50% that at that point they can by not paying anything further and turning over the goods to the seller, force the seller to choose whether or not to

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pay...to go against them for the rest of the bill or to just except the goods back?"

Breslin: "That's already the present law, Representative Vinson. We only changed the..."

Vinson: "I thought the present law was 60%."

Breslin: "That's true but we have only changed the percentage and the election of remedies remain the same."

Vinson: "The election of remedies remains the same but you've reduced the percentage?"

Breslin: "Correct."

Vinson: "Would it be your judgement that it would be appropriate to reduce the percentage even further yet?"

Breslin: "I don't believe so. I think if a person has paid half the purchase price under the deferred payment policy, that this election of remedies is appropriate."

Vinson: "Why not 60%?"

Breslin: "Because 60%, in my view, is too high. This way the holder is not out any money and the consumer receives some protection after they have paid for half of the item and the..."

Vinson: "Why is the seller or the holder not out any money?"

Breslin: "They still...because they give the goods back and they are paid the rest that is outstanding under the contract."

Vinson: "I thought that they had to make an election, whether to get the rest?"

Breslin: "That is the election. The election is to retain the goods and release the buyer from any further obligations under the contract, in which case, they have 50% of the payment of the goods, plus the goods, themselves. Or they return the goods to the buyer at the holder's expense and be limited to an action to recover the balance of the indebtedness."

Vinson: "So, you are assuming that the goods are worth half of

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the price?"

Breslin: "Surely."

Vinson: "Why would you make that assumption?"

Breslin: "They can still resell it."

Vinson: "Yes, I know but why would you assume that the fair market value of the goods is worth half the price?"

Breslin: "They get the resale price and I..."

Vinson: "Yes, but why would the resales price necessarily be equal to half of the contract price?"

Breslin: "Usually, it's more than that not less than that."

Vinson: "To the Bill, Mr. Speaker."

Speaker Daniels: "Proceed."

Vinson: "I believe that we have operated under this law. Buyers and sellers are fully familiar with their rights and duties under the law. There is a clear judgement that they can make under the law. I believe that any further change in this law can only redound against the benefit of retail merchants in this State. The effect of that, when it redounds against the failure...against retail merchants, is that the price of every other good has to be increased. What you are saying, in effect, is that for a particular deadbeat, you're going to cut the price on goods and for everybody else who buys those goods you're going to increase the amount that they have to pay. What we're doing, is trying to benefit a relatively small group and we're trying to harm consumers, in general; a large group. I would urge people to vote 'no' on the Bill because the result is going to contribute to inflation, in general."

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

Friedrich: "Would the Sponsor yield?"

Speaker Daniels: "She indicates she will."

Friedrich: "Are you of the opinion that a substantial number of

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automobiles are repossessed, that are worth more than the balance on the loan?"

Breslin: "If they are repossessed, what?"

Friedrich: "Are you of the opinion, that a number of automobiles are repossessed in this State, where the balance due is less than the value that...repossession?"

Breslin: "No."

Friedrich: "Well, may I speak on the Bill, Mr. Speaker?"

Speaker Daniels: "Proceed."

Friedrich: "I happened to have been in the finance business for thirty years. I can count on...I don't remember ever having a repossession where the goods repossessed were worth more than the balance and I can also tell you, that I can count on the fingers of one hand and less, the number of times where it was even worth taking a deficiency balance. You know the misguided notion is, that the finance companies go around grabbing cars to make a lot of money off them. In fact, friends of mine used to say, 'Boy, when you get a bargain on a repossession, let me know'. I never had one, so I don't know. In thirty years, surely, at some time I would have had at least one car that was worth more than the balance but it never happened."

Speaker Daniels: "The Gentleman from Kankakee, Representative McBroom."

McBroom: "Well, Mr. Speaker, Members of the House, maybe the Sponsor of the Bill or Representative Friedrich or Representative Vinson could enlighten me on this. Does this provision apply to other types of merchandise when you no longer decide you want your stove or refrigerator or whatever it might be? Do you have the option of bringing that product back and saying, 'Here take this, I no longer need it.' And that is cancelled?"

Speaker Daniels: "Representative Breslin."

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Breslin: "It deals with all merchandise purchased under the Retail Installment Sales Act or the Motor Vehicle Retail Installment Sales Act."

McBroom: "Well, Mr. Speaker, Members of the House..."

Speaker Daniels: "Proceed, Sir."

McBroom: "Representative Vinson and Representative Friedrich hit the nail right on the head. If any Members of the Illinois General Assembly have not inspected a repossessed automobile, I would invite you to do it sometime and you will be in for the shock of your life. Normally, the individual that lets his credit get into this kind of posture; treats everything else that he owns the same as he does his credit, his front yard, his automobile, whatever else they might own. And people do not sell automobiles; looking forward to the possibility of them being returned. They sell automobiles as a service to people and desire to collect their money and I would invite the Membership to do whatever they feel they should do on this particular measure but at the same time, one of the reasons that our country is in the trouble that it is in today. It is the catastrophic condition of the real estate market and the automobile market. This, further, penalizes an industry that employs one out of six people in the United States. It...the idea is good, the idea is good, but the realities are very, very poor. Banks are going to look askance at this kind of thing, in financing automobiles. It's going to be more difficult for a dealer. Those who recourse their paper to be able to do this and I would strongly encourage a 'no' vote."

Speaker Daniels: "Representative Breslin to close."

Breslin: "Okay. I think, first of all, that there is probably some misconceptions about this legislation. You should know that the Association for Modern Banking in Illinois

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has no opposition. The Illinois Retail Merchant's Association have no opposition to the Bill and Household Finance Corporation has no opposition to the Bill. The Bill has been sufficiently limited, in my view, to protect the seller and at the same time provide decent remedies for a consumer who is sometimes caught in difficult straights in making a payment. Under this Bill it will make it possible for purchasers who are late with a payment on their retail installment sales contract to avoid what is now, in my view, an unconscionable result of acceleration and repossession. Which means the loss of their car, their down payment, all of their payments, as well as having to defend a deficiency judgment. As long as they can become current on their contract within 15 days of the repossession. It can be done only once. It is a one time remedy and they have to have paid at least 30% on their retail installment sales contract. In addition to which, there can be no economic burden on the creditor because the buyer has to pay all costs of repossession. In my view, the Bill is sufficiently limited to provide adequate consumer remedies and still protect the seller. I'd appreciate a favorable Roll Call."

Speaker Daniels: "The Lady has moved for the passage of Senate Bill 116. The question is, 'Shall Senate Bill 116 pass?' All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? Representative Breslin to explain her vote."

Breslin: "Ladies and Gentlemen, almost all consumer contracts contain an acceleration clause, which allow the creditor, upon default, to declare all monies owed on the entire contract due immediately. It is presently standard practice that when an automobile is repossessed, the

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creditor also accelerates the payments and advises the consumer that it may be redeemed only upon payment of the entire balance of the contract. Clearly, those people who buy under installment contracts do so because they don't have all of the money at that time. Purchasers who buy on the installment plan are doing so because they need, probably the car in order to get to work and they can't pay for it in a lump sum since they are unable to pay the accelerated contract. These people then lose the car, itself. They lose their down payment and whatever sum they have paid for the car. Under this provision is they have paid for 30% and if they return it or if it is repossessed in its ordinary condition with no damage done, as previously discussed by former speakers, and they pay all of the costs of repossession. In another words, the creditor is not out anything..."

Speaker Daniels: "Excuse me. There is no filming during explanation of votes. The TV lights are off. Okay, Representative Breslin, could you bring your remarks to a close. There's only one minute on explanation of vote."

Breslin: "Okay, I would only say that this a Bill to give consumers some rights which we believe are due and owing them, especially, in difficult economic times. You should remember that the banks, the finance companies and the Illinois Retail Merchant's Association has withdrawn any opposition to this Bill, and I would appreciate a favorable Roll Call. Thank you."

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

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, this is a bad piece of legislation and I respect what the Sponsor is trying to do but what we're doing here, we're going to hurt the people. Many good consumers that

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do buy an installment for the reason that lending institutions going to have to take another look at who they lend this money or buy this installment paper from and many good people that have to buy an installment—are going to be hurt. Even though we say we're protecting the consumer, we're actually hurting the consumer by this type of legislation."

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

Jaffe: "Yes, Mr. Speaker and Members of the House, I don't know why there's so much opposition to this particular Bill. They came before Judiciary I. We went into it. She worked out an agreement with IRMA. IRMA is now in agreement with it, the bankers are now in agreement with it. It passed out of Committee 11 to nothing and I think we should put on additional votes to just pass this Bill out."

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

Piel: "Just to sort of clarify one thing that previous said. I have yet to find a bankers group that is, you know, in favor of the Bill. They're all, basically, playing neutral on the Bill. So, in reference to what the previous speaker said, the bankers are not in favor of the Bill."

Speaker Daniels: "The Gentleman from Lake, Representative Barkhausen. Timer's on."

Barkhausen: "Mr. Speaker, Ladies and Gentlemen of the House, I thought it important that I speak just so as to let Representative Breslin know that she's not entirely friendless on this side of the aisle. I think that the evils of this legislation have been greatly exaggerated and I think that the good that it will do is worth and 'aye' vote on this particular Bill. I think it represents a modest change in the existing retail installment procedure."

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I think that the right of repossession is an important one for the consumer to have as long as the consumer guarantees, as this Bill does, that the seller will be made whole for any...for any costs incurred in the repossession. I would urge a few more 'aye' votes."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? The Clerk will...Representative Vinson."

Vinson: "Yes, Mr. Speaker. Again, I would like to request a verification."

Speaker Daniels: "Okay, if it gets there we'll have a verification. The Gentleman from McHenry, Representative Klemm. Wants to be recorded as 'no'. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. On this Bill there are 93 'ayes', 60 'nay', 6 voting 'present' and Representative Vinson requests a verification. Representative Breslin requests a Poll of the Absentees, and Representative Katz has requested that he be verified. Representative Vinson, is that alright with you? Representative Jaffe has requested a verification. May he be verified, Representative Vinson? Representative Jaffe, may he be verified and Representative Levin, may he be verified, Sir? Okay. Representative Turner, do you wish to be verified? Alright, proceed with the Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Abramson. Bradley. Bullock. Deuster. Donovan. Ewell. Garmisa. Huff. Huskey. Margalus. Ted Meyer. O'Brien."

Speaker Daniels: "Record Representative O'Brien as 'aye'."

Clerk O'Brien: "Peters. Redmond. Sandquist. Stearney. Telcser. Van Duyne. No further."

Speaker Daniels: "Representative Wolf, J.J. Wolf, requests leave to be verified? Leave granted. Poll of the affirmative

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roll."

Clerk O'Brien: "Alexander. Alstat. Balanoff. Barkhausen."

Speaker Daniels: "Excuse me, Sir, there is no filming during explanation or verification and there is no filming down in the press box, unless there is permission granted by the Speaker."

Clerk O'Brien: "Continuing the Poll of the affirmative. Beatty. Bianco. Bluthardt. Bowman. Braun. Breslin. Brummer. Capparelli. Carey. Catania. Chapman. Christensen. Cullerton. Currie. Darrow. Deuchler. DiPrima. Domico. Doyle. John Dunn. Farley. Flinn. Virginia Frederick. Getty. Giglio. Giorgi. Greiman. Hallstrom. Hanahan. Hannig. Henry. Jackson. Jaffe. Jones. Kane. Katz. Keane. Dick Kelly. Kornowicz. Krska. Kucharski. Kulas. Kustra. Laurino. Lechowicz. Leon. Leverenz. Levin. Macdonald. Madigan. Matijevich. Mautino. McClain. McGrew. McPike. R.J. Meyer. Mulcahey. Murphy. Nelson. Oblinger. O'Brien. O'Connell. Ozella. Pechous. Pierce. Pouncey. Rea. Rhem. Richmond. Saltsman. Satterthwaite. Schneider. Schraeder. Slape. Irv Smith. Margaret Smith. Steczo. Stewart. Stuffle. Terzich. Topinka. Turner. Vitek. White. J.J. Wolf. Sam Wolf. Younge. Yourell. Zito, and Zwick."

Speaker Daniels: "Representative Vinson."

Vinson: "Thank you, Mr. Speaker. Representative Balanoff."

Speaker Daniels: "Representative Balanoff? Is the Lady in the Chambers? Representative Balanoff? How is she recorded? Whoops...excuse me, way in the back, Representative Vinson."

Vinson: "Representative Braun."

Speaker Daniels: "Representative Braun? Is the Lady in the Chambers? How is she recorded?"

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

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Speaker Daniels: "Remove her."

Vinson: "Representative Brummer."

Speaker Daniels: "Representative Brummer. He's over here on your left."

Vinson: "Representative Capparelli? Representative Capparelli? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Vinson: "Representative Domico."

Speaker Daniels: "Representative Domico. How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Vinson: "Representative Dunn."

Speaker Daniels: "Representative..."

Vinson: "John Dunn."

Speaker Daniels: "John Dunn is in the center aisle. Representative Wolf, for what purpose do you arise?"

J.J. Wolf: "Please, change me to 'no', please."

Speaker Daniels: "Change Representative Wolf, from 'aye' to 'no'."

Vinson: "Representative Giglio."

Speaker Daniels: "Representative Giglio? The Gentleman is in his chair."

Vinson: "Representative Hanahan."

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

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

Speaker Daniels: "Remove him."

Vinson: "Representative Jackson."

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

Vinson: "Representative Kornowicz."

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

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Vinson: "Representative Krska."

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

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

Speaker Daniels: "Remove him."

Vinson: "Representative Kucharski."

Speaker Daniels: "Representative Kucharski? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Vinson: "Representative Kulas."

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

Vinson: "Representative Laurino."

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

Vinson: "Representative Lechowicz."

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

Vinson: "Representative Matijevich."

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

Vinson: "Representative McClain."

Speaker Daniels: "Representative McClain, he's right on the side here."

Vinson: "Representative Mulcahey."

Speaker Daniels: "Representative Mulcahey? He's in the Republican side. He's now turning to Representative Huskey."

Vinson: "Representative Murphey."

Speaker Daniels: "Representative Kustra wishes to be recorded as, you're already recorded as 'aye', Representative. How is Representative Kustra recorded, Mr. Clerk?"

Clerk O'Brien: "He was removed from the 'aye' votes."

Speaker Daniels: "I thought that was Representative Krska that was removed? Representative Krska in the Chambers? How is Representative Krska recorded?"

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

Speaker Daniels: "Remove Representative Krska and return Representative Kustra. And return Representative Capparelli to the Roll Call."

Vinson: "Representative Pierce."

Speaker Daniels: "Now, wait a second. Alright, Representative Pierce. Is the Gentleman in the Chambers? Representative Pierce. How is he recorded?"

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

Speaker Daniels: "Is the Gentleman in the Chambers? Representative Pierce? How is he recorded?"

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

Speaker Daniels: "Remove him. Alright. Representative Roland Meyer wishes to be recorded as 'no'. That's from 'aye' to 'no'."

Vinson: "Representative Richmond."

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

Vinson: "Representative Saltsman."

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

Vinson: "Representative Stewart."

Speaker Daniels: "Representative Stewart? Representative Stewart? How is she recorded?"

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

Speaker Daniels: "Remove her."

Vinson: "Representative Yourell."

Speaker Daniels: "Representative Yourell, is the Gentleman in the Chambers? Right here."

Vinson: "Representative Alstat."

Speaker Daniels: "Representative Alstat. Is the Gentleman in the Chambers? How is he recorded?"

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

Speaker Daniels: "Remove him."

Vinson: "Representative Irv Smith."

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Speaker Daniels: "Representative Smith, Irv Smith? Is the Gentleman in the Chambers? How is he recorded?"

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

Speaker Daniels: "Remove him."

Vinson: "Representative Bianco."

Speaker Daniels: "Representative Bianco? Is the Gentleman in the Chambers? How is he recorded?"

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

Speaker Daniels: "Remove him."

Vinson: "Representative Ronan."

Speaker Daniels: "Representative Ronan? Is the Gentleman in the Chambers? He's voting 'present'. Representative Ronan is voting 'present'. Any further requests? Return Representative Domico to the Roll Call. What's the count, Mr. Clerk? On this question there are 83 'ayes', 62 'nos'. Representative Bullock. Record Representative Bullock as 'aye'. There are 84 'ayes', 62 'nays', this Bill having failed to receive a Constitutional Majority....Representative Chapman?"

Chapman: "Mr. Daniels, I believe you have a Gentleman here asking for recognition."

Speaker Daniels: "Who's asking for recognition?"

Chapman: "Mr. Donovan was requesting recognition."

Speaker Daniels: "Do you wish to be recorded as 'aye', Representative Donovan? Donovan recorded as 'aye'. Bradley, Bradley, 'aye'. And return Representative Krska to the Roll Call. Representative Alexander?"

Alexander: "Thank you, Mr. Speaker. How am I recorded?"

Speaker Daniels: "You are recorded as 'aye'."

Alexander: "Thank you, that's where I want to stay."

Speaker Daniels: "Representative Sam Wolf?"

Sam Wolf: "Mr. Speaker, how am I recorded?"

Speaker Daniels: "You are recorded as 'aye'. What's the count,

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Mr. Clerk.? There are 87 'aye', 62 'no'. This Bill having failed to receive...Representative Braun, return to the Roll Call. Now who? Alright, now wait. Alright now, settle down. We have Representative Braun, return to the Roll Call. Representative Stewart is returned to the Roll Call. I don't know, I have to wait for the count. Okay, are we all ready now? Representative Vinson."

Vinson: "Yes, the last time I'd like to question Representative Topinka."

Speaker Daniels: "Representative Topinka? How is the Lady recorded?"

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

Speaker Daniels: "Remove her. Okay, I will get back to all of you. Now, Representative Vinson, any other questions? Representative Hallstrom? Is the Lady in the Chambers? Representative Hallstrom wishes to be recorded as 'no'. Representative Hallstrom from 'aye' to 'no'. Okay, now, Representative Kosinski wishes to be recorded as 'aye'. Okay, any other changes over here? Any other changes? Changes or additions? Mr. Clerk, what's the record? On this Bill there are 88 'aye's, 63 'nos'...Representative Matijevich?"

Matijevich: "I make the point of order. I thought I distinctly heard you ask, earlier, ask Mr. Vinson if he had any other...that he would like to challenge and he said 'none'. If that's true..."

Speaker Daniels: "No, Sir. It is not true."

Matijevich: "Well, I thought I heard that because if it is true and Judy Topinka left, once somebody says we have no further questions, then anybody has a right to leave because there are no further challenges?"

Speaker Daniels: "I just asked him that question. He has now told me, there are no further questions. Are there any

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other..."

Matijevich: "Well, we ought to run that tape because you're putting something in jeopardy."

Speaker Daniels: "You play it back, Sir, but right now...are there any other changes or additions?"

Matijevich: "I'll take your word for it but boy, my ears are going crazy."

Speaker Daniels: "Any other questions? On this Bill there are 88 'aye',...Representative Ropp wishes to be changed from 'no' to 'aye'. Representative Dunn?"

John Dunn: "How am I recorded, Mr. Speaker?"

Speaker Daniels: "How is the Gentleman recorded?"

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

John Dunn: "Thank you."

Speaker Daniels: "The Gentleman is recorded as voting 'aye'. Any other questions, changes, additions, Amendments, deletions, alterations? Everybody happy? Okay, Bus Yourell, is not happy. There are 89 'aye', 62 'nos', 6 voting 'present'. This Bill having received a Constitutional Majority is hereby declared passed. Representative Cullerton."

Cullerton: "Having voted on the prevailing side of that issue, I would move to reconsider."

Speaker Daniels: "Representative Cullerton moves to reconsider. Representative Breslin moves to table. All those in favor signify by saying 'aye', opposed 'no', the 'ayes' have it. Motion is tabled. Representative Epton."

Epton: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the Reapportionment Committee was supposed to meet today at 3:00 p.m. but since we are presently in Session and cannot meet, I would appreciate at the Speaker's request, have leave of the House for the Reapportionment Committee to meet tomorrow morning at 10:00 a.m. in room

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114 of the State House."

Speaker Daniels: "The Gentleman has asked leave for the Reapportionment Committee to meet tomorrow at 10:00 a.m. in room 114 of the Capitol. Does he have leave? The Gentleman has leave, leave is granted. Senate Bill 125, we are going to take a special order of business. Transportation. The two Bills, together, Senate Bill 125 and Senate Bill 256. We will first hear Senate Bill 125. Representative Leinenweber."

Clerk O'Brien: "Senate Bill 125, a Bill for an Act to amend Sections of the Regional Transportation Authority Act. Third Reading of the Bill."

Speaker Daniels: "Representative Leinenweber."

Leinenweber: "So the Members can remember, Senate Bill 125 is essentially the same Bill as Representative Stanley's Bill which passed out of this House several weeks ago with a comfortable margin. It does several things. It has two Amendments on it. It does several things. It establishes a Suburban Transportation Authority to include suburban bus districts, all commuter rail service to be handled through purchase of service agreements and CTA suburban service through purchase of service agreements. The Suburban Transportation Authority is to consist of an eleven member initial board which would be elected by the Members of the General Assembly from the suburban region as follows: six members from suburban Cook and one member from each of the five collar counties. The Chairman is to be elected among the members by two-thirds or eight of the eleven members. The Suburban Members of the General Assembly must represent districts in which at least 50% of the population of the districts resides in the suburban region in order to qualify as a participant in the election process. At the general election in November of 1982 a new eleven member

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board would be elected. Again, six members from single-Member districts in suburban Cook, one member from each of the five collar counties, and again the Chairman to be selected from among the members by a two-thirds or eight of the eleven members. The CTA Board would be replaced by the Chicago City Council with the Mayor of Chicago as Chairman. The new CTA Board which would be the City Council would then be authorized as a home-rule unit to levy any tax except an income tax for the purpose of providing revenue for the Chicago Transit Authority. The revenue will be used for CTA services within the city limits only. The CTA would purchase service for commuter rail service within the City of Chicago from the Suburban Transportation Authority and contract with the Authority to provide CTA service in the suburban region. The CTA and the Suburban Transit Authority's would each have the ability to set their own fares and service levels. All labor protection language remains as it currently is in the Regional Transportation Authority Act. The Suburban Transportation Authority may issue up to 150 million dollars in bonds and notes. The Suburban Transportation Authority would assume all assets and liabilities of the RTA. The CTA would assume the fixed and movable facilities and equipment located and primarily used by the City of Chicago, the tax receipts collected in the City of Chicago, and other assets and liabilities in direct proportion to subsidies provided by the RTA to the City of Chicago including proceeds from sales tax. By one Amendment, the counties and townships would have authority, under this Senate Bill 125, to disconnect from the RTA prior to the creation of the Suburban Transit Authority which is, in effect, created by a delayed effective date for those provisions of the Act. The disconnection would take place

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by the county or township boards to be ratified by a referendum of the people residing in the particular township or county. Amendment 2 to Senate Bill 125 provides that if a commuter railroad was unable to recover the operational costs of the line because the RTA has not paid a full subsidy, the railroad may notify the Authority. If the RTA does not pay the railroad its full subsidy within one week after notice, the Authority shall authorize the railroad to implement an emergency fare increase. The fare increase shall be sufficient to allow the railroad..."

Speaker Daniels: "Excuse me, Representative Leinenweber. Ladies and Gentlemen of the House, could we please have a little order? These two Bills and a following Resolution deal with the subject of mass transportation. We'd like to have a little order so we can get through these as quickly as possible. And I might just add that the Reapportionment Committee is to meet in room 118, not 114 as I stated. Room 118. Thank you. Representative Leinenweber, proceed."

Leinenweber: "Thank you, Mr. Speaker. Members of the House, I was commenting on Amendment #2 to Senate Bill 125 which permits an emergency fare increase for the suburban... of commuter railroads in the event that there is suspension for any reason of the RTA subsidy to the particular carrier. This Bill, Senate Bill 125, I believe corresponds with the desires of the people of the six county Regional Transportation Authority. It certainly, as far as the five collar counties are concerned and suburban Cook, creates a mechanism for providing transportation within the system without a state subsidy by providing an agency to run the commuter rails and the suburban bus lines with money raised within the district and allows the particular agency to establish the type of service that the people want and

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need in the five collar counties and suburban Cook. As far as the City of Chicago is concerned, it does precisely what the Mayor of the City of Chicago is attempting to do by way of ordinance at this very date and that is to take it away from a regional approach so that they can run it themselves the way they want to run it. The Senate Bill 125 provides the mechanism for the Chicago City Council and the Mayor of Chicago as its Chairman to run the CTA, to provide the level of services that the people in Chicago want and to provide the mechanism for paying, again, without looking for downstate or other areas of the state that do not participate in the CTA to provide money to run the buses and the elevated trains and the rapid transit at the levels that they want. Now, if they want 24 hour day service seven days a week. They want the best bus drivers, the best paid help in the United States, they can have it. The only question is, that they will have to raise the money in Chicago in order to provide that level of services that the people apparently want in that particular area. So, this approach is an approach I think agreeable to every area of the state, certainly the 96 other counties of the state I think approve of this particular way for our people who want and need mass transportation to have it. To have it at levels that the people themselves want and they're willing to pay for which is one of the things that has been sorely lacking in the particular set up that we've had for the last few years, and that is a system of transportation which is paid for by people who don't directly benefit from that level of transportation. Consequently, the people that run the system have not found it necessary to limit the transportation facilities and the transportation services to a level that the people are willing to pay for. So, Ladies and Gentlemen, Members of the House and Mr.

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Speaker, Senate Bill 125 may not be perfect, but it's certainly an awful lot better than what we have and an awful lot better than the plans that have been put forth in this Body and elsewhere as an alternative to it. So, without further ado, I urge each and everyone of you to vote for Senate Bill 125 the way it is so it can go back over to the Senate. The Bill is in the shape that the Senate Sponsor, my colleague from the Democrat Party, Senator Sangmeister in my county wants it. It's the way I want it and it's the way I believe a majority of the Members of this Body and perhaps all of us want, including some of the people who are not Members of this Body but who have a direct interest in transportation in the City of Chicago and in the six county area. So, without further ado, I ask your 'aye' vote."

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

Madigan: "Mr. Speaker, would the Sponsor yield to a series of questions?"

Speaker Daniels: "He indicates he will."

Madigan: "Mr. Leinenweber, does your Bill provide any new source of state revenue for the mass transit in northeastern Illinois?"

Leinenweber: "No, it does not. As I pointed out, it does not look to the other 96 counties for money for transportation services."

Madigan: "What does your Bill provide regarding the apportionment of the existing RTA sales tax?"

Leinenweber: "The sales tax would remain for the Suburban Transit Authority at the level of one-half percent for suburban Cook and one-quarter percent for the collar counties. The City of Chicago would have the authority to levy an additional sales tax or any other type of tax it desires, including a service tax on lawyers and real estate people

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or any other type of tax that you can presumably imagine with the exception of an income tax."

Madigan: "What would be the immediate impact upon the one percent RTA sales tax collected within the City of Chicago?"

Leinenweber: "Well, when the effective date, on the effective date that the sales tax collections for the RTA would cease as it would in any... in the City of Chicago and any of the counties that chose to exercise their right to opt out."

Madigan: "Are you saying that your proposal states that the City of Chicago could opt out of the RTA?"

Leinenweber: "No, they're out of it."

Madigan: "By operation of the statute?"

Leinenweber: "Yes. There is an effective date. I believe it's 45 days after the original effective date of the Act. There's an effective date for the provisions creating the Suburban Transit Authority and eliminating the CTA or turning it over into the new CTA with the new board."

Madigan: "And are you saying that there would be, by operation of this statute, the authority vested in the City of Chicago to impose a one percent sales tax within the City of Chicago to support mass transportation?"

Leinenweber: "Would the Gentleman repeat the question?"

Madigan: "Does your Bill say that, by operation of the Bill, that the City of Chicago will be vested with the authority to impose a one percent sales tax within the City of Chicago to be used for the purpose of mass transportation?"

Leinenweber: "Yes, a true sales tax, a tax on sales of one percent or even more if they so felt it necessary."

Madigan: "Why did you label it a true sales tax?"

Leinenweber: "As I understand it, under the Constitution, they cannot levy a ROT tax without permission."

Madigan: "And then you propose to impose a one-half percent sales

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tax in suburban Cook County?"

Leinenweber: "Yes, in effect, a reduction from one percent, which is current, to one-half of one percent."

Madigan: "Who would impose that tax?"

Leinenweber: "The Suburban Transit Authority."

Madigan: "Is that the Authority that would impose the one-quarter percent tax in the collar counties?"

Leinenweber: "That's correct."

Madigan: "What provision is made for the areas of suburban Cook County which are serviced by the Chicago Transit Authority?"

Leinenweber: "The Suburban Transit Authority is given the power, through purchase of service, to obtain CTA suburban service."

Madigan: "And those areas serviced by the CTA would only pay one-half of one percent of the sales tax?"

Leinenweber: "Well, the Suburban Transit Authority would purchase whatever they could negotiate with the CTA for services in that area."

Madigan: "What would the Suburban Transit Authority use as revenue to buy that service?"

Leinenweber: "The sales tax revenue and any other money that came their way."

Madigan: "Does your Bill say that the people of Evanston will pay one-half of one percent sales tax for mass transit service?"

Leinenweber: "Correct."

Madigan: "Does your Bill say that the people of Roger's Park will pay a full one percent sales tax for mass transportation?"

Leinenweber: "Perhaps the City of Chicago might find it not necessary to levy one percent. If they chose to levy one percent, then they would pay one percent."

Madigan: "Does your Bill say that the people of Oak Park would

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pay one-half of one percent of a sales tax to pay for mass transportation service?"

Leinenweber: "Up to one-half of one percent. Correct."

Madigan: "And does your Bill say that the people of the Austin Community across the street, across Austin Boulevard from Oak Park, would pay one percent of a sales tax for mass transportation service?"

Leinenweber: "Only if their elected representatives in the City Council acting as the CTA Board chose to levy a one percent sales. They might choose not to levy a sales tax at all. It's been the position of a lot of Members of your Party and your side of the aisle not to levy a sales tax at all, to go some other route for raising revenues. So it might very well be that they wouldn't even levy a half percent."

Madigan: "For purposes of the record, let it be understood and, Mr. Speaker, I have additional questions, but I think it would be good for me to interject this point in the record at this time. The Gentleman is proposing that people who live west of Austin Boulevard would receive the best transportation service in Cook County at approximately one-half the cost of those who live east of Austin Boulevard, and that the people who live north of Howard Street in Evanston would receive the same service even though those south of Howard Street would pay approximately one-half more or 50% more. Mr. Leinenweber, concerning the part of your Amendment that deals with temporary fare increases on the commuter railroads, would you state for the record and for the Body; what would be the percentage increase on the Burlington Railroad under that proposal?"

Leinenweber: "Would you repeat the question?"

Madigan: "Concerning your proposal, concerning the part of your Bill that would allow temporary fare increases sufficient to cover operating costs of the commuter railroads, would

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you state for the Membership; what would be the percentage increase on the Burlington Railroad?"

Leinenweber: "In the event the RTA, the Regional Transportation Authority, willfully refuses to pay the money due these particular areas for transportation services like they have been doing in Joliet and how they've been threatening to do it in other areas, there would be an approximate 70% increase in the basic fare during the period of time that Mr. Hill and the other members of the RTA Board willfully refuse to send the money to the particular suburban areas that's rightfully due them."

Madigan: "What would be that percentage increase on the Milwaukee Road?"

Leinenweber: "If, again, Mr. Hill refuses to send...I understand, fortunately, today he has changed his mind and is sending the money that is due the particular area of suburban Cook serviced by the Milwaukee Road, but if he, again, is allowed to flagrantly violate the RTA Act there might be up to 100% increase."

Speaker Daniels: "Excuse me just a minute. Ladies and Gentlemen of the House, could we please have your order? Please pay attention. It's a very important line of questioning and answers."

Madigan: "What would be the percentage increase on the Northwestern Railroad?"

Leinenweber: "Once again, there would have to be none if Mr. Hill would obey the law. If he refuses not to obey the law and if there are no service cuts, there would be a 43% increase."

Madigan: "What would be the percentage increase on the Norfolk and Western?"

Leinenweber: "The most efficient one running through your district, I understand, would only be a 28% increase."

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Madigan: "And for your information, two trains a day which is less than those servicing Joliet..."

Leinenweber: "That's why it's efficient."

Madigan: "What would be the percentage increase on the Illinois Central Gulf?"

Leinenweber: "Again, assuming that Mr. Hill will not properly obey the law, a 91% increase assuming that there were not service cuts eliminating some of the least efficient lines."

Madigan: "What would be the percentage increase on the Rock Island?"

Leinenweber: "Assuming no decrease in services, no consolidation of services and assuming an illegal cut out of funds to my county, 166% increase."

Madigan: "What would be the percentage increase on the South Shore Railroad?"

Leinenweber: "18% of their riders residing in Illinois, 223%."

Madigan: "Mr. Leinenweber, are you aware of the action of the RTA Board today in transmitting to the Milwaukee Railroad sufficient money to provide that that railroad will maintain operations through July 1?"

Leinenweber: "It's my understanding that Mr. Hill, through some fear probably of being held up as a violater of the law, has agreed to give 774,000 dollars out of 775,000 dollars legally due the Milwaukee Road. Now, why he won't go and give the additional thousand dollars is probably against his constitution."

Madigan: "Mr. Leinenweber, you used the word legally due the Milwaukee Road. Did you know that Governor Thompson, through his Director of the Department of Revenue, arbitrarily raised the estimate of money due the RTA for the month of July in sufficient amounts to provide specifically for the Milwaukee Road without any similar

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provision for other carriers?"

Leinenweber: "Until you told me, I didn't have the slightest idea."

Madigan: "Did the Gentleman to your right know that?"

Leinenweber: "He didn't have the slightest idea either. That's why I don't know."

Madigan: "He never had any slight ideas."

Leinenweber: "The Lady to my right knows."

Madigan: "She's a fine Lady. Don't bring her into this. Mr. Leinenweber, are you aware that Mr. Hill has announced at a meeting of the RTA Board this week fare increases and service reductions will be voted to be effective on July 1 of this year?"

Leinenweber: "It's my understanding that Mr. Hill claims that it's the RTA Board the most vote that and it's my understanding that they still have not found Mr. O'Malley and how can they do that till they find him?"

Madigan: "Again, Mr. Leinenweber, for the general Membership, for your information, that announcement was made today and the reason that I have recited these facts, Mr. Speaker, if I might be permitted to address the Bill."

Speaker Daniels: "To the Bill, Sir."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, for five and a half months we have heard people throughout this state talk about their plans for mass transportation. Governor Thompson did appear before this Body, before a Joint Session of this Legislature and he proposed the adoption of a gross receipts tax on oil companies to finance mass transportation and road construction and maintenance. Then the other people, including many Members of this Body, have proposed other plans, some short-sided, some with a decent degree of judgment, some with a commendable degree of judgment and with a good amount of

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long-term thought given to their plans. But what we have presented to us today is a plan which, in my judgement, is ill-founded because it segments northeastern Illinois and leaves that region without the regional coordination that will be needed to service all constituencies and all segments of that region for the foreseeable future. It is a plan which says that the State of Illinois should play no role in financing mass transportation in northeastern Illinois, that financing of the transportation of people and goods to and from their jobs and their homes should be provided solely at the local level and solely by users. And lastly, it proposes that if there is a temporary need for fare increases on the commuter railroads, which temporary need could be extended for an awfully long period of time, that the fare increases would average 78%. It might be sufficient to say to a well-salaried executive working in the City of Chicago that he or she could afford to pay a 78% increase to travel to and from work. But not every person traveling these trains is a well-salaried executive working for a large corporation in downtown Chicago. I say to you who represent southern suburbs, suburbs serviced by the South Shore, the Rock Island and the ICG, your people will be paying an average 150% increase and not all of those people will be able to pay that fare for any length of time. So that this proposal says, if there is a temporary need, raise those fares. Well, we have no guarantee that that temporary need will end in the near future or the foreseeable future. It may last forever so that the people in your area who depend upon those trains to earn a livelihood, to support their families, to pay tuition bills, to pay mortgage payments will be settled with transportation Bills that will make it prohibitive for them to travel to their current place of

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employment. And for the Sponsors of this Bill to say that transportation can be segmented and that one segment of the region can care for its needs, another segment of the region can care for its needs is, in my judgment, absurd. To those of you who have said, as has been said to me, 'We cannot move ahead with this problem. We cannot move ahead with the problem because Mayor Byrne has proposed that the CTA be taken over by the Chicago City Council. We cannot move ahead with this program because the RTA will not vote through fare increases and service reductions.' I say to you that those obstacles, those excuses are gone, and I make that statement to Members of this Body who have said that to me, and I make that statement to Governor Thompson because I presume that he's in his office and he's listening to this debate. He said to me and he said to Senator Rock on Friday, 'We need fare increases. We need service reductions in order to implement the negotiations.' And my response to him was, 'Mr. Governor, if it is in good faith, if it is in good faith negotiations, with a view toward a state solution to this problem, I am sure that the RTA Board would agree to fare increases and service reductions.' So that action has been taken by the RTA Board and one of his members stands here now and proposes a Bill that flies in the face of that statement of the Governor. The Governor also said, 'I need the Milwaukee Road to continue operations through the end of this month'. He's got that. The Milwaukee Road has its money. It can continue to operate through the end of the month. That means that no railroad company will shut down between now and July 1. So that the Governor has what he wanted, Mr. Governor and I presume you're listening. You've got what you wanted, but your people stand on this floor now, fly in direct controvention of what you said was needed and they

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plan to move ahead with a plan which is ill-founded, ill-conceived, would segment and regionalize the area of northeastern Illinois and in the interim short term provide that the rich and poor alike, with no distinction or differentiation, will pay fare increases that could not be afforded by those who travel the moderate income and low income jobs. This plan has been given no thought. It's just an effort by parochial Representatives appealing to their parochial interests. It doesn't even deserve consideration of this House and it should be defeated."

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

Davis: "Well, Mr. Speaker, I rise with a great sense of dejavu. It seems to me that almost everyday now, maybe it's every other day the distinguished Minority Leader stands to speak and stands to talk and stands to threaten and then stands to cover up and obscure the true facts of what's going on in the General Assembly. Yes, I hope the media is listening today. They're starting to listen and to realize that this House on three separate occasions, on six if you count the Amendments, has endorsed the idea of segmenting the Regional Transportation Authority into two parts and giving the CTA back to the City of Chicago simply because it will not reform itself, simply because it will not cost contain itself, simply because it drains 80% of the funds of suburban Cook County into that system and causes great pain and suffering to suburban Cook. Yes, Ladies and Gentlemen, if indeed the current revenues that are now being generated by suburban Cook and the collar county transit system were in place today, not contained in 125, but the current revenues that were in place today at current sales tax, current fare box and current service levels that even we acknowledge are too great in the suburban and collar county areas, there would be a 43

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million dollar surplus in that transit system while the CTA, at those same current levels would still maintain the same awesome deficits. The Minority Leader speaks of the responsibility and once again of Lou Hill and the RTA Board imposing some fare increases and some service cuts as they have almost every week now for the last eight or nine weeks, and then at the last moment the vote was 6 to 6 and Mr. O'Malley was not there or Mr. O'Malley was saying, 'Yes, I'd like to do it, but I can't' because no one knew who was pulling that particular chain. I can only tell you that this time has come for this Bill to go back to the Senate. The time has come for this Bill to be put where it rightfully belongs into the final solution. It may not be the best solution and nobody has any problem with keeping the CTA involved in the solution if they could reform themselves. Does anyone on this House floor believe that's going to happen? Does anyone really believe that cost containment will come to the city? No, and that's the reason 100 votes have been on the board every time this issue has come up. The idea of segmentation has to be presented to both Houses of the General Assembly. It has to be passed and put on the Governor's desk whether it's finally the form that's in 125 or one that's refined and very close to it. I suggest to you, Ladies and Gentlemen, the time is near. We're running out of time. It's two weeks from now. The final solution is right in front of us. We have to get this Bill out and I urge your 'aye' vote."

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

Getty: "Mr. Speaker, will the Gentleman yield?"

Speaker Daniels: "Indicates he will."

Getty: "Representative Leinenweber, under your program, in what areas would the suburban bus lines operate?"

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Leinenweber: "In the five collar counties in suburban Cook unless any of the townships or the counties chose to exercise their option to remove themselves prior to the creation of the Suburban Authority."

Getty: "So that there is no provision in this legislation which grandfathers in the right of our south suburban safety lines to run down into the City of Chicago and provides that that service cannot be taken away from our suburbanites."

Leinenweber: "They certainly could continue to run down inside the City of Chicago."

Getty: "Would you point out the page and line number under which you provide specifically that that authority is grandfathered in?"

Leinenweber: "The authority is not grandfathered in. The bus lines have the authority to carry passengers wherever the passengers wish to go, presumably, if there's enough of them in which to go there."

Getty: "Representative Leinenweber, would your proposal permit the suburban bus lines to purchase service from the CTA?"

Leinenweber: "Not the bus lines themselves, but the Suburban Transit Authority has the power to purchase service from the CTA."

Getty: "And is there any limitation on the charges or costs that could be levied by the CTA?"

Leinenweber: "This would be subject to negotiations with the CTA."

Getty: "So the answer is that there is no limitation on what the CTA could charge."

Leinenweber: "The market."

Getty: "Mr. Speaker, on the Bill."

Speaker Daniels: "Proceed, Sir."

Getty: "The Gentleman would have us believe that without any

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proper authority that would grandfather in the right of the suburban bus lines to run into the City of Chicago and flying in the face of the specific provisions for purchase of service from the CTA that the suburban bus lines could still operate as they do now in the City of Chicago. There is no such authority contained in this Act. I would suggest to you that if we were to pass this and this became law, that the suburban bus lines that serve my constituents in south suburbia and those other areas of south suburbia would find themselves brought to the city limits as one columnist has suggested and dumped there, dumped there to be served by the CTA. Unless possibly the CTA decided to get its pound of flesh back from us, to get its pound of flesh back from us by charging ridiculously high rates to the suburbanites. And I stand up as a suburbanite who says this isn't a good idea. You who think that your going to better our constituencies by passing this sort of ill-thought-out legislation that cuts its nose off despite its face, dreamed up by people who are RTA haters and CTA haters and Chicago haters don't realize that we suburbanites depend on Chicago for much of what we get. Until you realize you must work with Chicago for the common good of this entire state and our region, you will be missing the point, and I suggest that this should be a 'no' vote in the interest of suburbia."

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

Collins: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It's truly amazing and touching to hear the words of the Minority Leader and the last Gentleman who spoke for suburbia and for the people. Their concern for the people is really heart rendering if it wasn't so transparent. They don't care about the people because what do they offer as an alternative to this plan? They offer absolute shut

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down of the entire system. That's real service to the people of Chicago or to the people of suburbia, Mr. Getty. No, your works do nothing but attempt to obscure the actions or misactions or inactions of the RTA headed by lawbreaker, Louis Hill, and his mob starring a cast of hundreds including Hide and Seek Pat O'Malley, featuring a system of CTA run amuck headed by a former of this House, Jane Barnes. No, you've done nothing but hide a political system that has done nothing but bring transportation in this area to the edge of ruin and total shut down. That's what you've done and what have you offered from the other side of the aisle? Nothing in return. No action, no cooperation, nothing but the prospect of total shut down, and I don't think the people of Chicago or the people of the area will thank you for that type of action. Why are we brought to this point that we're brought today in this legislation?, because we have to do something to keep the systems open. It's obvious the strategy from Chicago is shut down the system. Shut the suburban rails down and then maybe, maybe the people from the collars, maybe the people from the suburbs will panic and we'll give Chicago everything they want. Well, that's not going to happen thanks to the actions of the Speaker of this House, thanks to the actions of the Governor of this state and thanks to some leadership on this side of the aisle who is willing to offer a program to temporarily alleviate the problem in the five collar area, in the suburbs and in the city. We're not going to let you shut the system down in spite of how hard you try. You've got to pass this legislation. You've got to pass Senate Bill 256 and then, maybe then and only then will you who represent these elements from the City of Chicago be willing to sit down and negotiate in good faith. It was only because of the actions of the Speaker, the

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Governor and the people from this side of the aisle that finally RTA has agreed to release money properly, has agreed to talk about fare increases, has agreed to talk about service cuts and reallocations. And maybe when we pass this legislation, you'll be willing to talk about a long-term solution. I hope so, but in the meantime all we can do is to pass this legislation."

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

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

Speaker Daniels: "Question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye', opposed 'no'. It's up to you. Roll Call. All those in favor will signify by voting 'aye', this is the previous question, opposed by voting 'no'. Voting is open. Okay. Take the record. Motion for previous question fails. Gentleman from Cook, Representative Kelly."

Kelly: "Thank you, Mr. Speaker. I'd like to ask Representative Leinenweber a question or two."

Speaker Daniels: "Indicates he'll yield."

Kelly: "Thank you. Representative Leinenweber, in 1973 when the RTA was created one of the reasons it was claimed at that particular time was that a region was needed in order to receive federal funding. Under your proposition, it permits the withdrawal of various counties and townships from the system and, if this occurs, what would be the future provisions as far as receiving federal monies? Can the system... Will the system receive monies if townships and counties disconnect?"

Leinenweber: "Well, the answer to your question is..."

Speaker Daniels: "Representative Leinenweber."

Leinenweber: "... it would depend on what future federal programs there are and what levels that those future federal

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programs are funded. There was a period of time when the Federal Government threw money around like it was made out of paper which is precisely what it's made out of. Those days are gone. I do not think that there will be any affect at all on this program in availing ourselves of future federal funds."

Kelly: "Okay. I've got one more question I'd like to ask you about and that is, if a township, let's say in suburban Cook County or in Will County, determines that they do not want to be in the program and they want to withdraw from the RTA and; therefore; they would not have to provide the funding. In suburban Cook County it's, what? One-half a percent?"

Speaker Daniels: "Excuse me. Mr. Page. Mr. Page. Page. Please refrain from that? Thank you. Proceed."

Leinenweber: "Under Senate Bill 125..."

Speaker Daniels: "Excuse me. Excuse me. Representative Friedrich, I'm sorry. Representative Friedrich. Dwight Friedrich."

Friedrich: "I would appreciate it if you'd let the Pages continue."

Speaker Daniels: "I will let them continue. I'm asking them not to throw those on the House floor. That's all that I'm asking them to do."

Friedrich: "If they're throwing them on the floor, I would object to that too."

Speaker Daniels: "Alright. Thank you."

Friedrich: "Thank you."

Speaker Daniels: "Representative Leinenweber."

Leinenweber: "I was answering the Gentleman's question. Senate Bill 125, one of its provisions which I think that your people would really like is a 50% reduction in sales tax."

Kelly: "Well, I like that. That sounds good, but I want to

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proceed with my question. In a suburban township, let's say that besides they don't want to be in the RTA system. Okay. What if they disconnect, they don't have to pay that sales tax and yet they still ride the system or use the system. Can this occur and if it does, would this not be unfair to the persons living within the region?"

Leinenweber: "Well, the system in their area would have to be funded by the particular township or county. Obviously, if a citizen from your township or my county, if your township or my county chose to opt out if they go to another county where the system exists, they would be able to ride the bus or the train or the CTA much the same as some of our downstate brethren when they come up to Chicago or Joliet. At least in Joliet or Chicago they still can ride it."

Kelly: "So in other words, in suburban Cook County which I represent, let's say in 'Bremmon' township where I live, we can't disconnect because it's within Cook County?"

Leinenweber: "You can disconnect by action of the Board of Trustees of 'Bremmon' Township for your particular case."

Kelly: "And what have we accomplished if we disconnect in 'Bremmon' Township from the system?" "tfh;7

Leinenweber: "You've reduced your sales tax by one whole percent."

Kelly: "And if we do that, the people living in Bremmon Township, if they still continue to use this system, then they can enjoy the benefits?"

Leinenweber: "Well, there wouldn't be any system in Bremmon Township."

Kelly: "Well, it's a region program. You know, the IC Railroad and the Rock Island. Well, I don't want to proceed further, but I thank you for your answers."

Speaker Daniels: "Gentleman from Livingston, Representative Ewing. Representative Ewing."

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Ewing: "Mr. Speaker, Ladies and Gentlemen, I think a few comments are in order on this Bill. First of all, we've heard the announcement for what good it is of what the RTA is going to consider. I think that the Member who put this information forth though did somewhat of a disservice because as I understand that information, they're going to raise fares and they're going to cut service but they'll do it as soon as we bail them out. Now, this isn't anything new. This is the same old thing that puts us back to square one. And second, we've heard crocodile tears being shed here today for the working men in the suburbs and women in the suburbs who have to ride these trains. I would like every one of those people who cry those tears to come downstate and find out what it costs to go to work downstate and see if they still have the same tears. And you ought to keep all these things in mind. You ought to vote 'yes' on this good Bill and pass it out of here. It's the only thing we got going for the RTA, and when we have more information and bulletins from the Mayor and her lockees, let's have them correct. Let's have the whole word that they'll only give it. They'll only do what they should do when we give them the money. Maybe they'll save their breath."

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

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

Speaker Daniels: "Indicates he will."

Jones: "Harry, in your opening remarks, you indicated that the other 96 counties throughout the State of Illinois wouldn't pay any money toward this particular program for mass transit."

Leinenweber: "They're not currently paying any and under Senate Bill 125 that practice would continue."

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Jones: "I didn't quite hear you. I didn't hear you."

Leinenweber: "I said..."

Speaker Daniels: "Excuse me. Ladies and Gentlemen of the House, could we have a little order? Thank you."

Leinenweber: "Representative Jones, what I pointed out was that ever since you people eliminated the state subsidy to the RTA two years ago, there has been no subsidy and there will be none under Senate Bill 125."

Jones: "Could you tell me whether the people in the six county area in the northeast region, are they better off per-capita than the other persons in the other 96 counties?"

Leinenweber: "Some are, some aren't."

Jones: "Then why is it that you are imposing a double tax on the people in the six county area?"

Leinenweber: "What double tax?"

Jones: "Currently, across the State of Illinois you have, I believe, eleven mass transit districts that receive a state subsidy. As a matter of fact, they receive one-third of their operating cost per year."

Leinenweber: "That has nothing to do with the Bill. As I pointed out, we used to have a subsidy in the RTA until you people and I say you..."

Jones: "I don't like..."

Leinenweber: "... and you can take out the Roll Call and you can see that you voted to eliminate it. I didn't. I voted to keep it."

Jones: "But what you are doing under this legislation is that you are imposing a double tax on the people in the six county area because the mass transit districts downstate currently receive one-third the operating costs which is paid for by all the people of the State of Illinois. Is that correct?"

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Leinenweber: "I'm voting to cut the taxes for the people in the six county area. Now, it might be that the City of Chicago will have a tax increase but that's up to their elected representatives. In suburban Cook, they're getting a 50% tax decrease under Senate Bill 125 from current law."

Jones: "Then why didn't you include in your legislation a more fair Bill wherein the people in the six county area could receive the same one-third operating cost as the other mass transit districts across the state? How come you didn't include that in your legislation?"

Leinenweber: "We can't, in good conscience, subsidize waste and the extortionent types of practices that are currently being carried out under the existing law."

Jones: "Well, in other words, you're saying that all the waste in the suburban six... and the five county area is existing in the RTA, but that no waste occurred in the mass transit districts across the State of Illinois. In addressing the legislation, Mr. Speaker and Ladies and Gentlemen of the House, once again we have a Legislator from one of the collar counties of the state talking about mass transportation, talking about fairness to the people of the State of Illinois. We have elderly people in the City of Chicago in the six county area just as they do downstate. We have the poor working people who need mass transit in Chicago and the suburban areas just as they do downstate and here we have a Legislator acting as a dracula to continue to suck the blood of the people of the City of Chicago and impose a double tax on them at the same time letting the other 96 counties go free. Shame on each and everyone of you from that side of the aisle. You don't want anything fair. All you want to do is plead to the news media and try to pretend you're doing something about transportation at the same time socking it to the people

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and especially people from your own district that you represent."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I noted with interest the distinguished Minority Leader's speech. He suggested that somehow we were trying to deal unfairly with the City of Chicago. I would point out to him that Chicago got state funded expressways and they got them first. I would point out to him that Chicago got O'Hare Airport which included state grants and it got it first. Chicago got McCormick Place, the first convention center, it got it first, it got it twice as a matter of fact from state revenue. This Assembly always has and I would hope always will deal with Chicago in a fair and equitable fashion. It's a great city and an important city, and I would hope nothing this Assembly would ever do would deprive Chicago of its ability to continue being a great financial city, a great commerce center of this nation. But I think we have to look at the record on this particular issue. I think we have to look at the 129 chauffers, the night owl service, the lack of fare increases, the no reasonable service cut backs, the illegal transfers to the CTA from RTA funds that have been the record of the past year, in fact, the past decade of performance on mass transit in the city. I think we have to look at the distinguished Minority Leader's record to this Session. He voted 'no' on the Governor's plan. He voted 'no' on House Bill 899 and he voted 'no' on Senate Bill 125, at least I presume he will in a few minutes. When I look at that record, when I see that he hasn't introduced a single Bill. All he's done is to offer obstructionist Amendments, then I wonder where his sincerity lies on the subject of mass transportation. Now,

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a couple of falacies have occurred in the course of this debate. One is that a sales tax levied in the city of its home rule power would be a tax on the people in the city alone. It would not be. It would be a tax on everybody who shops in the city. It would be a tax that C. L. McCormick, when he orders something from Sears, through the catalog. It would be a tax on people like Harry Leinenweber when they commute into the city. It would be a tax on people from DeWitt County when they go to Chicago and try to purchase things over the weekend. It would not be a tax lying solely on the people of Chicago. Another point I think needs to be elucidated slightly. There have been references to what the Illinois Constitution requires when we deal with the subject of mass transportation, and I think if you'll look at that Article, Article VIII very carefully you'll discover that it says the General Assembly may provide for aid in assistance to public transportation. There is no constitutional mandate to do so and given the record of the RTA and the CTA in not controlling costs, in not controlling the labor contracts, in not raising fares I think it would be a gross abolishen, abandonment of our duty to fail to enact this Bill today, to fail to ween them from the public dole. What this Bill does is it separates highway and mass transit. It raises railroad fares. And incidently, for those of you who care to be interested, the people who ride the railroads, the commuter railroads have on the average a salary 49% higher than the people in the six county region alone. I don't believe we need to subsidize those people. I don't believe we need to subsidize the rich. All we're saying is, let the railroads raise their fares and do it out of the fare box....It separates the region into equal components with equal bargaining power. It is true that it will no longer let

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the CTA or Chicago oppress and deal with unfairly the suburban areas of Cook County and the six collar counties. It will not, it will not create a situation where there can be oppression on either side. It will create a situation of fair bargaining power across the table, bargaining power that can be equalized fairly. I would urge people to support this Bill. I would particularly urge people to recall the fact that we made a mistake on House Bill 899 when we sent it to the Senate. That mistake is corrected in this Bill. There are full labor guarantees for everybody as part of this system. There is no unfair treatment of labor. All of the labor guarantees are written into this Bill. It's a passible Bill. It's a doable Bill. It's a Bill which will not cause the exportation of the problems that Chicago is facing right now to the rest of the state. It will cause them to face up to those problems, to control those costs, to control those labor contracts on their own. I believe when they begin to recognize the need to do that, this General Assembly will fairly deal with and help Chicago do that. I would urge an 'aye' vote on the Bill."

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

Yourell: "Yes, would the Gentleman yield?"

Speaker Daniels: "Indicates he will."

Yourell: "It's my understanding through your testimony on Senate Bill 125 that townships within Cook County could opt out of this Bill. Is that correct?"

Leinenweber: "Yes."

Yourell: "Could opt out."

Leinenweber: "If the town board voted and the people affirmed that in a referendum."

Yourell: "In other words, if three members of a town board decided that they did not want to be in a transportation or

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the STA, whatever you're going to call it, they could by vote and Resolution, I suppose, opt out. Is that correct?"

Leinenweber: "If it's affirmed by a ...They could set it up for a vote by a referendum."

Yourell: "By a referendum. Is a referendum required?"

Leinenweber: "Yes."

Yourell: "Alright. Now, what happens to the Republican members of the CTA Board?"

Leinenweber: "Excuse me. Will you repeat the question?"

Yourell: "What happens to those Republican members, those Governor appointment to the board of the CTA?"

Leinenweber: "The CTA Board... the City Council becomes the CTA Board and virtually there's very little historical precedent for any Republican's on the City Council so; therefore, there would be no Republican's on the CTA Board."

Yourell: "But there are Republican's on that Board today, are there not?"

Leinenweber: "I don't know if there's any Republicans or not. There are some gubernatorial appointments."

Yourell: "Well, I can suggest to you, they didn't get there because there was something other than Republicans. I had the pleasure of hearing one on the radio the other day and he's finding all faults... all kinds of faults with Members of the General Assembly and he sits there meeting after meeting and doesn't do a darn thing about correcting the so-called ills of the CTA. But that's aside from the point. Is it possible that we could pay, no matter where we live in the State of Illinois, four different sales tax if we happen to travel about the State of Illinois?"

Leinenweber: "My advisor says yes. I haven't gotten that far yet. I'm up to three, but I'm trying to ... I think there's a fourth."

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Yourell: "Okay. If you live outside of the collar counties, you would pay three thirty-seconds of the sales tax. Is that correct?"

Leinenweber: "No. You would get that much."

Yourell: "You would pay the five percent? What is the sales tax in Pope County?"

Leinenweber: "On food and drugs it's about three and... wait a minute. It's four percent and it's two percent for food and drugs."

Yourell: "Okay. Now three thirty-seconds of that that goes to the State General Revenue Fund comes back to the transit systems of the State of Illinois. Is that correct?"

Leinenweber: "No. You're wrong."

Yourell: "We're talking about downstate."

Leinenweber: "You're wrong. I..."

Yourell: "Goes to the downstate systems."

Leinenweber: "It's one thirty-second."

Yourell: "One thirty-second. Okay."

Leinenweber: "For subsidy. That's correct."

Yourell: "For the eleven downstate mass transit districts. Is that correct?"

Leinenweber: "Collected in the ... as a measuring cup, one thirty-second of a sales tax levied in that particular area."

Yourell: "Goes to the transportation district if there happens to be one."

Leinenweber: "As a maximum, yes."

Yourell: "Okay. Now, how about if you go up to the City of Chicago and do some shopping. How much will you pay to maintain that transportation district there? That would be the CTA."

Leinenweber: "One percent of sales tax."

Yourell: "Then you went on to suburban Cook. What would you

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pay?"

Leinenweber: "One percent. Under the Bill?"

Yourell: "Yes."

Leinenweber: "Under the Bill you might not pay any sales tax at all depending whether the City Council saw fit to finance the CTA with the sales tax. Assuming they kept the same sales tax, it would be one percent. Under the law, under Senate Bill 125 the Suburban Transportation Authority could levy up to a half a percent for suburban Cook and to save you time for the five collar counties, if any of them didn't opt out, a quarter percent."

Yourell: "What I'm suggesting. If they use the sales tax as a source of revenue as they do presently, you could pay in the City of Chicago one percent and then in suburban Cook County a quarter percent and in the collar counties a half a percent. Is that correct?"

Leinenweber: "Reversed. Half in suburban Cook, a quarter in the collar."

Yourell: "And one percent in the City of Chicago if they decided to go that route."

Leinenweber: "I've been told it's an eighth of a percent in Monroe County and a quarter of a percent in Madison County."

Yourell: "Okay. Now, if the township board, a majority of the township board by a Resolution decided to opt out of the STA. I think that's what you call it. Then, by Resolution, then by referendum what would happen to the existing transit system in that township?"

Leinenweber: "They'd have to find some way... They'd have to run it themselves or turn it over to some private enterprise or let it cease."

Yourell: "Let it cease. So we could very conceivably have a fragmented STA in suburban Cook County where probably some

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of the 30 suburban townships would decide to opt out by referendum and then some bus services that serve four or five or six, maybe three or two townships would be in a position where they couldn't operate because they would be confined to the area in which they find themselves that they haven't opt out."

Leinenweber: "That is a theoretical possibility solely because of the fact that the RTA is made the subject of government run mass transportation so unpopular that a lot of people are clammering to get out. Now that may cease once we pass Senate Bill 125 and it becomes law."

Yourell: "That is possible. My suggestion is possible and my theory?"

Leinenweber: "It would be possible under this Bill..."

Yourell: "Under this Bill."

Leinenweber: "... for a suburban township to opt out of the RTA and therefore, not become a member of the Suburban Transit Authority."

Yourell: "Well, that's what I suggest is wrong with the entire Bill. It fragments anything and there's no cohesive action relative to having a viable facility for mass transportation not only in Cook County but the collar areas."

Leinenweber: "Well, there is an opt in provision too if they saw that error of their ways..."

Yourell: "So they opt out then they can opt back in, right?"

Leinenweber: "They can opt back in."

Yourell: "What happens to the system in the meantime? They just park the buses?"

Leinenweber: "Well, it's the same thing that's happening at Joliet right now. The buses are parked in the garage because Mr. Hill won't send our money down to us."

Yourell: "I see. Well, I think that the Members of this General

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Assembly, at least in the House, who have seen these Amendments. We could go on and on and talk about the Amendments, but really everything that I've heard today indicates that this is a fragmented approach to a very, very important subject matter and should not be handled this way. I don't want to vote for a Bill that will have the residents of my township and in suburban Cook County pay twice for a transportation system that's functioning downstate and by local sources of revenue in the township only. I think that's unfair. I don't think it's workable and I think if we're going to have mass transportation, it be subsidized by state revenues and not by local revenues. Because of those reasons, I'll be voting 'no'."

Speaker Daniels: "Gentleman from Champaign, Representative Johnson. Turn off his light. Gentleman from Bond, Representative Watson. Watson, from Bond."

Watson: "Thank you, Mr. Speaker. I'd like to move the previous question."

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

Leinenweber: "Thank you, Mr. Speaker, Members of the House. We have an opportunity here and now with our votes to enact a viable Bill to establish a viable mass transportation system for the six county Chicago metropolitan area. This Bill, apparently, has the consensus of the all areas of the state. It does not look to downstate for money to solve our transportation problems. It looks to the users and the people of the six county area to support a mass transportation system financially. It apparently has the support of the Mayor of the City of Chicago. In another

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front in the City Council she is moving with ordinances to establish the CTA as a part of the City of Chicago. Senate Bill 125 would immeasurably assist her in carrying out her desires to have a separate mass transportation system. I'd like to make a couple of comments if I could about some of the points raised by some of the Members in debate. One of the Members attempted to point out a difference between the cost, tax cost to a rider of the CTA residing in Oak Park and a similar rider who resided in the City of Chicago who, in the Austin area. The one would pay one-half percent. The other possibly, if the City of Chicago sought to continue the sales tax, pay one percent. I would like to point out the City of Elgin receives the same level of service on the Cook and Kane County line as those who live in the Cook County side, yet the citizens of Elgin in Kane County pay one-quarter percent sales tax and the citizens of Cook County Elgin pay one percent sales tax. This has been upheld by the Supreme Court. So there is no constitutional or legal problem with establishing that. I would suggest to you however, to the provisions for purchase of service any inequities such as the Gentleman raised could be resolved either by having a slightly higher fare service for those of Oak Park who pay the lower tax or providing a lower level of service. However, this would be up to the CTA and the Suburban Transit Authority. Now someone pointed out that the City of Chicago very well could exact a pound of flesh on suburban Cook County by either willfully refusing to enter into purchase of service agreements with those areas currently served by the CTA or in other areas. I could point out to you that this Bill provides an answer to that. There's no doubt in my mind that there are many people in the City of Chicago who would attempt to assert a pound a flesh. So it wouldn't be the

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first time that some of the people from Chicago have attempted to do that. My County of Will is currently losing several pounds of flesh from the existing RTA, but I would suggest to you that under this Act the Suburban Transit Authority runs the commuter rails which service the City of Chicago and many citizens of the City of Chicago. The CTA would have to, if it chose to continue to have its citizens have transportation by the rails available to it, would not be in a position to use the CTA services to hold up or blackmail the collar counties because they would have to deal, on the other hand, for suburban rail service. So there is a built-in mechanism here to prevent that particular type of conduct if the people from Chicago would choose to follow it. Now, I happen to feel that the people from Chicago are good people like everybody else and that they would be fair and reasonable in dealing with their suburban and collar county friends and neighbors. But be that as it may, there is bargaining power on both sides of the issue here, and I, personally, do not fear it. Now, many of the Members of the other side of the aisle pointed out some argument or made an attempt to make some argument that the people in the six county area are subject to some double taxation because the six county Regional Transportation Authority does not receive a subsidy nor would their successors, under Senate Bill 125. I would suggest to you that I would like to see a subsidy, but I don't see the votes for a subsidy. I've checked around. There doesn't seem to be a lot of support downstate to provide a subsidy for the six county area. It's unfortunate that we had a subsidy up till two years ago. I can remember getting on the floor of this House when there was a Bill to saddle our people with a sales tax which would be levied on food, drugs, clothing and all the

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necessities of life, a Bill to provide the authority for the Regional Transportation Authority to levy a sales tax on the necessities and in return we were giving up a subsidy which was approaching 200 million dollars a year. I got up and I said that was lunacy. Many Members of your side of the aisle got up and said it was lunacy. Many Members of this side of the aisle got up and said it was lunacy, but we were out voted. The people that got up and told me that we were now going to be subject to double taxation voted to allow the RTA to levy the sales tax. They voted to tax food, clothing and drugs in the six county area. They also voted to get rid of the subsidy, to get rid of the 200 million dollars we were getting from the state. This was their quit pro quo. They weren't dealing with us in the collar counties. They were dealing against their own people. And I say to them, shame, shame, shame on you and don't bring it up here today that we are not providing a subsidy because we can't get one back. You gave it up. We didn't give it up. Ladies and Gentlemen, Members of the House, this is an answer to the transportation problems of the six county area and I urge you to vote 'yes'."

Speaker Daniels: "Representative Zito has a parliamentary inquiry."

Zito: "Thank you, Mr. Speaker. I'd like the Chair to make a ruling on how many votes this will take for passage since on page 55, Section 5.02 talks of limitation of home rule powers. I'd like to know how many votes this piece of legislation will need for its passage."

Speaker Daniels: "Representative Getty."

Getty: "While the Parliamentarian is looking at that, Mr. Speaker, I would just like to read to you from Section 6 G. 'The General Assembly by law approved by the vote of

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three-fifths of the Members elected to each House may deny or limit the power to tax and any other power or function of a home-rule unit not exercised or performed by the state other than a power or function specified in the Section of this Section'. Specifically, on page 55 in line 35 this invokes Section 6 G. I would respectfully suggest that this is clearly a three-fifths preemption by its own terms."

Speaker Daniels: "Mr. Zito, the Chair rules that this is a transfer of an existing limitation by a current or existing agency and is therefore, not an increase in the state's authority and would rule that it takes 89 votes to pass. Representative Getty. Representative Madigan."

Madigan: "Mr. Speaker, would that transfer be voluntary or involuntary?"

Speaker Daniels: "We don't see that that's particularly relevant right now, Sir. The question is, the home rule power is an existing agency in the transfer and that's how the Chair rules it. It takes 89 votes. Representative Getty."

Getty: "Mr. Speaker, I could read to you again from the Constitution. I could read to you again from the plain language of this Bill on page 55 which clearly states out that this is a preemption under Section G. I think that the Members of this House will be kidding themselves if they would pass this in this condition, and if it would, if the Chair has not ruled that it takes 107 votes. I'm not going to waste the time by appealing the ruling of the Chair. I'm just going to do this, Sir. I'm going to dissent and ask another Member to join in that dissent and I would ask that you guarantee me, Sir, that my written dissent will be filed and made a part of the record so that this Bill, should it ever unfortunately become law, will be quickly challenged and declared annulity."

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Speaker Daniels: "Your dissent is noted, Sir, and any Members that wish to join you may come up to the well and file the proper dissent notification. The question is, 'Shall Senate Bill 125 pass?'. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. The timer is on. TV camera lights are off during explanation vote and to explain his vote, the Gentleman from Cook, Representative Meyer. Representative Ted Meyer, to explain his vote."

Meyer: "Thank you, Mr. Speaker. I'm voting 'yes' for this Bill, but quite frankly I feel that Representative Leinenweber, when it goes over to the Senate, should send along a seeing eye dog for it because I'm sure President Rock, under instructions from the Democratic Leadership is going to wait an awfully long time before he goes to the Order of Motions. This is, again, another example of the Democratic policy of stonewalling, stonewalling and closing down. I vote 'aye'."

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

Greiman: "Thank you, Mr. Speaker. I've listened to Representative Leinenweber and his group there for awhile now and I now understand the intent apparently is to sort of vulcanize us, to make us... put us into very separate and segregated little enclaves. It seems clear to me. I represent a north suburban district. The Democratic proposal which runs some 144 pages which the Gentleman from Calumet City said didn't seem to exist took care, very careful concern of Nortran and of other suburban mass transit units. This completely ignores them. Under our proposal one could opt out. Nortran, for example, who could be an independent catchman area, separate and run its routing and run its own subject to..."

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

Greiman: "And so for a north suburban Legislator, this will be the end of the good service provided by Nortran. I cannot imagine a north suburbanite, Democratic or Republican, voting for this proposal."

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

Bluthardt: "Thank you, Mr. Speaker and Members of the House. In my opinion, this is no answer to the mass transportation crisis we that have in Chicago in the six collar counties. In fact, in my opinion, it is an invitation to chaos if it ever becomes law and I'm quite sure it will not. It's about as ill conceived, Bill as I've seen in many years down here. Picture for instance granting a township board of trustees or township board the authority to call a referendum to eliminate mass transportation in a township. County officials are probably the least known elected official especially in Cook County in the entire State of Illinois and yet they would call a referendum and deny through that referendum the people a 'Schillert' Park, Franklin Park, River Grove, Rosemont, North Lake and Elmwood Park mass transportation. Isn't that ridiculous? Can you picture..."

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

Bluthardt: "Thank you. I say can you picture the City of Chicago with all the problems they have trying to run a mass transportation system through their City Council and their Mayor? Can you picture the amount of business, the amount of business that's going to flee the City of Chicago with the tremendous increase in taxes that will be necessary to run mass transportation? This is not an answer to the mass transportation problems. It's an invitation to chaos."

Speaker Daniels: "Gentleman from Adams, Representative McClain,

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to explain his vote."

McClain: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I, too, along with the Gentleman from Cook would like to point out one other problem with this piece of legislation. It goes to all downstaters. If indeed we take care of the suburbanites with this kind of piece of legislation, there's nothing in it for downstate roads. Right now, there's 40 million dollars left for downstate roads in Series A Bonds, 140 million dollars in Series A Bonds for the six county area. There's 11 million dollars on a daily average in the Road Fund for roads. If we do not do something for roads this legislative Session, we will have no road program. So to keep this problem and take care of this particular problem that Mr. Leinenweber wants will lessen the chances of ever having a cohesive road program for the bottom 96 counties. I cannot see any reason why any downstater would vote for this piece of legislation."

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

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, I'm just sorry that we've gotten ourselves in this position that we are today. I couldn't agree more with the last speaker from my area. I couldn't agree with some of the strong arguments made by the Minority Leader, but I want to call it to the attention of the people on the other side of the aisle. It was hours, just hours before the schools were going to close two years ago when we were forced to pass a piece of legislation and then argued for days whether the Amendment was germane to whatever vehicle was left. I don't particularly care for the contents of this. You talk about fragmentation. Yes, you will have fragmentation. You have 30 townships in Cook County. And

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I can see running through one township to another paying all different types of taxes, but they've lied to me on March 28th when they said they were going to have to shut down. They came back and lied to me on April 15th when they said they had the shut down. They came back and told me that by May 28th that everything was going to be shut down in Cook County. We suburban Legislators can all speak for ourselves that are fringing on sides, on two and three sides of the City of Chicago. We are sincere about transportation and if they were sincere they wouldn't lie. They'd give us the facts. As late as four o'clock Friday afternoon they told me that they were not going to give the Milwaukee St. Paul Railroad enough money to operate until the end of the month so that we can come up with some sensible solutions. I want to vote for something. I don't want to vote for a fragmented piece of legislation. I want to vote for a long term solution. I am a proponent for RTA, but if I put it up to the people of Elmwood Park tomorrow morning to opt out and I gave them a chance to opt out, they would opt out. Against my wishes and against the wishes of a mass transportation that's viable for the economy of the... for the County of Cook. I would like to vote against this piece of legislation, but I don't want to be here on July 30th or on June 30th looking... (cut off)

Mr. Speaker, looking for a vehicle so that we can come up with a sincere program to help transportation. And I urge the suburban Legislators and some of you Democrats, if you don't want to be here till July 15th, give us a vehicle to work with. This is the only reason why I'm voting 'aye' for this piece of legislation."

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

Katz: "Mr. Speaker and Ladies and Gentlemen of the House, I've

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been hearing about the terrible nature of subsidy in Chicago and how if my constituents in Chicago, constituents are subsidized, how terrible that will be and how downstaters shouldn't have to do that. Well, let's look at the Roll Call up there and if you want to talk about hypocrits or cutzpah if you want to, listen to the situation in downstate. Champaign-Urbana's state subsidy is 972,000 dollars. Peoria, over a million dollars for transportation. Rock Island, 700,000. Rockford, 867,000. And then we come to Springfield. I heard those stories the other day about the poor secretary in Springfield who was so mistreated. I heard the gentle woman from Springfield say, 'Well she was mistreated alright.' Here we have a transportation cost, a fare of 25 cents. (cut off)... and the state subsidises transportation here to the tune of 797,000. Bloomington, 347,000. Decatur, 401,000. On down the list, Pekin, Loves Park, Quincy, Galesburg, South Beloit, Danville and the bi-state. Look at the Legislators, the bi-state subsidy eight million dollars and yet they say, they say of my constituents who are already paying two dollars to ride the Northwestern and the fares under this Bill will go up to gosh knows what. In some areas of suburbia, they will rise as much as 200 and 250,000 dollars and what do they pay in bi-state, 50 cents."

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

Katz: "And not a single downstate ...transportation district are the fares anymore than 50 cents and in most of the district they're 25, 35, 40... (cut off)."

Speaker Daniels: "Gentleman from Friedrich... from Marion, Representative Dwight Friedrich, to explain his vote."

Friedrich: "Mr. Speaker and Members of the House, I think Representative Oblinger made the best speech on this matter

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that anyone has yet. There are thousands of people who drive into Springfield every day to work for the State of Illinois. They are not high salaried people and they pay their own transportation. I have a young lady who works in my office who drives 30 miles from Okawville every day. Sixty miles round trip. Well, even at ten cents a mile that's six dollars a day and it certainly is much more than their willing to pay on the CTA or the RTA either one. In 1970 we had a Constitutional Convention. You know why? Chicago wanted home rule and the Minority Leader of this House was one of those delegates and he said if you'll give us home rule that's all we want because we can run our own business, we can levy taxes and so on. Two years ago they said if you'll vote for the Thompson-Byrne Bill, that's all we want. That's all we want. That will take care of it. Two years later, here they are back and they say pay for the ride again. You taxpayers all over the state pay for the ride of the people that ride in Chicago. I'm tired of it and I don't want anymore of it."

Speaker Daniels: "The Gentlewoman from Springfield on a point of personal privilege."

Oblinger: "Yes, Mr. Speaker and Members of the General Assembly. Representative Katz made the same mistake a lot of you do. I am not from Springfield. I live out in the country and I'm talking about my constituents who drive in, as Representative Friedrich said, every day from Litchfield, from Nakomis, from Raymond and from Cantrall and they do spend 68 dollars. Those are the people I'm talking about who only make eight or nine hundred dollars and are spending their own money for transportation, not the people in Springfield."

Speaker Daniels: "Gentleman from Rock Island, Representative Darrow, to explain his vote. The timer's on, Sir."

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Darrow: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Bill has no significance to my district. It's a no hum Bill. We could sit here and not even vote if we wanted to. But as I sat here and Representative Leinenweber explained about this tax that the Chicago people can impose, that they may impose any tax other than income tax. I thought about a gross receipts tax and Chicago has the most ingenious Members of the House of Representatives and I'm sure they're thinking about imposing a gross receipts tax at the corporate headquarters. For example, they'll impose a gross receipts tax on Standard Oil and where will that be collected? In downstate Illinois. And then I'll have to go home and they'll say, 'How'd you let Chicago hoodwink you again? How'd you let them do it again? Now our gasoline prices are going up and all that money is going to Chicago.' That is why I'm going to be voting 'no'. I'm going to be very careful on this legislation so that this gross receipts tax doesn't get revived in the City of Chicago and the taxpayers downstate pay for it. Thank you."

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

McCormick: "Mr. Speaker and Ladies and Gentlemen of the House, I don't think there's anybody in this Legislature as far south as I am or even close that's voted as many times for the things that the people in the City of Chicago need as I have. I think that Chicago is a great metropolitan area that is as vital to Illinois as it is to that part of Illinois as it is to any other part of the state. I don't think there's any difference in it, but when I look at that board up there and I look at the first time in my life that I ever saw the Democrats come down from Chicago when they wanted a subsidy on anything that they didn't have a

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program that they could play out in front of this Legislature and in front of the Governor, whoever he might be, and work out some kind of workable program for all of the people of Illinois. It's the first time in my life I have ever seen you come down with your hand out without a program to get it filled. And what scares me to death, Ladies and Gentlemen, is the 'no' vote up there. It's not that this is a perfect Bill. It certainly isn't and I can think of a lot of things I don't like about it and I can think of things that ought to be changed and maybe it will. If this Bill passes, maybe it will bring people to the table where they can bargain. But if you keep that 'no' vote up there, let me tell what you're doing. You are voting right now for a five percent gross receipts tax just as sure as your name is what it is, and you talk about downstate roads and you talk about Chicago and everyone of us are vitally interested in the whole state as a total. But for gracious goodness sake, pass this Bill and bring everybody to the table of compromise where we can get something for all the people of Illinois and not destroy, not destroy the transportation system and also don't destroy us downstate without any roads. Thank you."

Speaker Daniels: "Gentleman from Cook, Representative Getty, on a point of order."

Getty: "Mr. Speaker, I just want to make it clear that should this receive 89 votes that I will wish to verify this Roll Call."

Speaker Daniels: "Yes, Sir. Gentleman from Cook, Representative Levin, to explain his vote. The time's on, Sir."

Levin: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. First of all, let me point out to the previous speaker that there is, in fact, a Democratic program and we have debated and discussed that program for many hours. It

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is 144 pages long. We've discussed every detail of it. It's a good program and it's one, I think, that makes an awful lot of sense. This does not, this is a vindictive, punitive Bill and let me just point out one of the features that nobody's talked about up to now. It provides that the CTA assume the debts for the RTA operating debt as well as bonded debt, not just for what relates to the City of Chicago but for capital expenditures to the Chicago Northwestern, for the Greiman buses that aren't working anyway. And when the City of Chicago... (cut off)."

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

Levin: "When the City of Chicago, as a result of this measure, is forced to impose a drastic 300 dollar increase in property taxes what that's going to mean is if you come in from the suburbs it's going to mean you're going to be paying four or five dollars a ride on the CTA. That's not fair to anybody so let's defeat this Bill."

Speaker Daniels: "Representative Leinenweber."

Leinenweber: "Yes. In explanation of my vote, I want to talk to my downstate Democratic colleagues over there, those of you from places like Pocahtontas, Quincy, Rock Island, Rosebud and wherever else you come from. You just heard the preceeding Representative from the City of Chicago saying that the 150 page program that the Democrat Party had was your program and I want to tell you that the cornerstone of your program is the five percent gross receipts tax on oil companies, including home heating oil and fertilizer.... (cut off)... and all of the other things that your constituents buy. Now I'm telling you this is a program that doesn't cost your people one cent. We're not asking for any money. We're asking for your vote so we can run our own system. If you want the Democrat program, the five percent gross receipts tax program, then kill this

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Bill and vote yours in and then go home and tell your people what you did to them."

Speaker Daniels: "The Gentleman from Champaign, Representative Johnson, to explain his vote."

Johnson: "I've heard a lot from the other side of the aisle and particularly from Representative Katz about what downstate owes the City of Chicago and Cook County. I'd remind the Gentleman from Cook County that all those villages and the cities that he mentioned, Peoria, Champaign, Bloomington also have something extra and that's known as a real estate tax that we levy on ourselves to help support the mass transit district. Every single property owner in Sangamon County, every single property owner in Champaign County and those transit districts pays a portion of their real estate tax to support our own mass transit. They don't have anything like that, even comparable to that in the City of Chicago. I've been down here for not nearly as long as many of you, but three terms and I've seen the number of cases when downstate has come time after time to the rescue of Cook County. The Cook County Hospital when they needed more money for the hospital. The schools that has been for years a situation where money has been drained off downstate taxpayers to support the City of Chicago and the Cook County educational system. The Public Aid system where we take millions and millions of dollars from downstate to help support the Public Aid system for Cook County and the City of Chicago. Example after example after example where we downstate taxpayers are asked to support Chicago and Cook County. This is a reasonable Bill. It's something that certainly doesn't cost anything and for people to accuse downstate taxpayers of taking advantage of the City of Chicago and Cook County is an absolute distortion. I urge everyone to vote 'yes' on this

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good Bill."

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

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, I know in my area there's only one vote. And 'aye' vote is a political vote and I voted for the Stanley Bill and I knew it was a bad Bill. My responsibility is not to vote on a Bill because of perception on what it might be and that it being good politically. I've heard nobody say that this is a good Bill. It is ill conceived and anybody who would sign it would have to be on pot or something. We know it's a bad Bill. We are voting our politics and I've just had enough of that and I'm going to vote 'no' and I hope my constituents understand this is a terrible Bill."

Speaker Daniels: "Gentleman from Madison, Representative E. G. Steele, to explain his vote. The timer's on, Sir."

Steele: "Thank you, Mr. Speaker. Explaining my 'yes' vote, I would say that every downstate Legislator of either party who seeks to represent the interest of his constituents should certainly be voting green on this Bill. The only other solution that's been brought to us has been a statewide gas tax. It would place upon the backs of people Cairo and Pocahontas and Mt. Olive and Effingham a statewide tax to support a mass transit system they never use and never see. This Bill fits into the plans of Mayor Byrne of Chicago who has expressed her expressed desire to assume control, to vest in the City Council. Give them the authority, give them the responsibility to run the mass transit. She said she wants to do that and that's what this Bill will do. The only other alternative has been mentioned before is a statewide gas tax and I say that that again would place upon the backs of Pocahontas residents, Cairo and Mt. Olive and many others. For that reason,

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every downstate Legislator... (cut off)."

Speaker Daniels: "Bring your remarks to a close would you, Sir?
Representative Steele."

Steele: "In conclusion, every downstate Legislator of either
party should be voting the interest of his constituents and
be voting green on this measure which offers a solution,
offers a solution to a problem that we're trying to solve
here in the State of Illinois. I urge more green votes."

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

Giglio: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
House. I've heard a lot of talk about the percentages but
I haven't heard anything about the money, and in my area
you're talking about 223 dollars percent increase for those
that ride the South Shore which takes the people from the
City of Chicago plus the people from the suburbs. Forget
the 23%. 200% of four dollars is you figure it out, I
believe it's 12 dollars a day. Times that by five. That's
60 a week. That's 240 a month. That plus a \$1.60 a day
for the bus for the suburbanite that goes to the South
Shore. I have not trouble explaining to my constituents
how I'm going to vote plus telling them the fact that those
communities in southern Illinois get a subsidy and we
don't. I would urge a 'no' vote. This is not the right
Bill."

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

Bowman: "Thank you, Mr. Speaker. Two years ago I stood with the
sponsor of this legislation to oppose a transportation Bill
which took subsidies away from the RTA and now I stand to
oppose that same Representative because he wants to take
tax revenues away from the RTA too. That just compounds
the folly. This Bill is no solution. If all of the taxing

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authorities under this Bill levy the taxes which the Bill provides for to the limit, there will be fewer tax dollars flowing into transit. I can't see any way in which you can solve the current transportation problem with fewer tax dollars. The only way that that can be done is by counterfeiting it. So, I'm voting 'no' in order to keep Representative Leinenweber out of jail for counterfeiting."

Speaker Daniels: "Representative Macdonald, to explain her vote. Timer's on."

Macdonald: "Thank you, Mr. Speaker. I was privileged to have been appointed to the suburban, or to the House Joint Committee for the study of transportation and heard a lot of testimony. Among those that testified one of the most articulate gentleman was Mr. Henry Lowenstein. I hope all of you in this General Assembly had a chance to read his editorial and prospective in the Chicago Tribune yesterday and the end of his remarks were, 'Ironically there are voices in Springfield calling for a cost-effective mass transit system but the calls are not coming from Chicago Legislators who have the most to gain from a well managed, efficient system, but from suburban and Democrat downstate... or suburban and downstate Legislators of both parties who want to see Chicago maintain an excellent transit system that serves the public. These law makers see the federal monies running out... (cut off)... realize the precarious financial situation of the state and they realize that the only way to maintain a high degree of service is through a well managed system that encourages efficiency at the lowest possible cost.' This is an excellent Bill and I would like to see more green votes up there from all parties, both Democrat and Republican, upstate and downstate, suburban and Chicago."

Speaker Daniels: "Lady from Cook, Representative Stewart, to

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explain her vote. The timer's on."

Stewart: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. SB 125 is yet another proposal requiring the citizens of Chicago to foot the Bill for a public transportation system which serves not only Chicago but it vital to the economic state, the economic health of the entire state. Once again, Chicago is told to pull itself up by its boot straps regardless of the fact that it is bootless. I know that funding a public transportation is a difficult proposition because it calls on the Members of this House and the chamber across the rotunda to rise above perochial interests and to act as statesmen for the best... for the good of the entire state. I think that 'yes' vote for this fragmented and poorly drafted solution to the transportation problem is punitive to Chicago and every fair person would vote 'no'. Thank you."

Speaker Daniels: "Gentleman from Cook, Representative Barr, to explain his vote. Your light is on, Representative Barr. Okay. Turn it off. Gentleman from Cook, Representative Birkinbine, to explain his vote. Timer's on, Sir."

Birkinbine: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would remind the people from the suburban area and the people from downstate that on the one hand the only alternative to this Bill and House Bill and Senate Bill 256 is for the suburbanites a shut down of the commuter railroads and for downstaters and all of us a five percent gross receipts tax. Now, the Roll Calls on both of these Bills are going to be widely distributed. I've already seen a number of people from the suburban side ... from the other side of the aisle taking a walk at the request of the leadership over there. That's not going to make a difference, and I suggest that those of you who either vote against this Bill or punch your button and then run are

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going to spend the next year and a half answering to your constituents as to why you weren't there when your vote should have been counted. Thank you."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? Gentleman from McLean, Representative Ropp, to explain his vote. Timer's on, Sir."

Ropp: "Thank you, Mr. Speaker and Members of the House. I think we have an opportunity here to show real leadership. You do that by voting green. You do that by providing continued transportation for the many thousands and thousands of people that we've heard of that are moving down to Chicago to do their work daily. A red vote in this instance means that you want to see everything close. A red vote means that you are not interested in the people that you represent. I say that we need to even look at maybe downstate buses because we do have some federal and state regulations that are not providing the kinds of good management that this Bill will now provide to the people of Chicago and the collar counties. I urge a green vote."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? Have all downstaters, suburbanites, collar county and Chicago people voted? Alright. The Clerk will take the record. On this Bill there are 98 voting 'aye', 68 voting 'no', 1 'present'. The Gentleman from Cook, Representative Getty requests a verification. Gentleman from Will, Representative Leinenweber requests a poll of the absentee and the Speaker, part-time Speaker requests that everybody be placed in their seat and restrained. Will everyone please take their seats so we can proceed quickly with a verification? Representative Schraeder."

Schraeder: "Mr. Speaker, I wonder if I may be verified."

Speaker Daniels: "Representative Schraeder requests leave to be verified 'aye'. Representative Getty, Representative

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Schraeder have leave to be verified 'aye'?"

Getty: "Yes, Sir."

Speaker Daniels: "Leave is granted. Representative Ebbesen requests leave to be verified 'aye'. Representative Schraeder and Ebbesen and Breslin requests leave. So that's Schraeder, Ebbesen and Breslin. Representative Bartulis requests leave to be verified 'aye' and Representative Kelley. Representative Jim Kelley. Representative Huskey and Representative Schuneman. Okay, Representative Getty, you've given leave to the following people: Schraeder, Ebbesen, Breslin, Bartulis, Jim Kelley, Huskey and Schuneman. Proceed with a poll of the absentees."

Clerk Leone: "Poll of the absentees. Abramson. Garmisa. Hanahan. Margalus. McGrew. Redmond. Sandquist. Stearney. Telcser. Sam Wolf. Concludes the poll of the absentees."

Speaker Daniels: "Representative Sam Wolf desires to be recorded as 'no'. Proceed with a Poll of the Affirmative Roll."

Clerk Leone: "Poll of the Affirmative."

Speaker Daniels: "Representative Getty."

Getty: "Just so we're starting off properly. Would you give me the count as we begin?"

Speaker Daniels: "98 'aye', 69 'no', 1 'present'."

Getty: "Thank you."

Clerk Leone: "Poll of the Affirmative. Ackerman. Alstat. Barkhausen. Barnes. Barr. Bartulis. Bell. Birkinbine. Boucek. Bower. Breslin. Brummer. Christensen. Collins. Conti. Daniels. Davis. Deuchler. Deuster. Donovan. Jack Dunn. John Dunn. Ralph Dunn. Ebbesen. Ewing. Fawell. Findley. Flinn. Virginia Frederick. Dwight Friedrich. Griffin. Grossi. Hallock. Hallstrom. Hannig. Hastert. Hoffman. Hoxsey. Hudson. Huskey.

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Johnson. Karpziel. Jim Kelley. Dick Kelly. Klemm.
Kociolko. Koehler. Kustra. Leinenweber. Leverenz.
Macdonald. Martire. Mautino. Mays. McBroom. McCormick.
McMaster. Ted Meyer. Roland Meyer. Miller. Mulcahey.
Murphy. Neff. Nelson. Oblinger. O'Connell. Peters.
Piel. Polk. Pullen. Rea. Reed. Reilly. Richmond.
Rigney. Robbins. Ropp. Schneider. Schraeder.
Schuneman. Irv Smith. Stanley. E. G. Steele. C. M.
Stiehl. Stuffle. Swanstrom. Tate. Topinka. Tuerk. Van
Duyne. Vinson. Watson. Wikoff. Winchester. J. J. Wolf.
Woodyard. Zwick and Mr. Speaker."

Speaker Daniels: "Questions of the affirmative roll.
Representative Getty."

Getty: "Representative Grossi."

Speaker Daniels: "Representative Grossi. Gentleman's over here."

Getty: "Representative Bell."

Speaker Daniels: "Representative Bell in his chair.
Representative Getty? Proceed, Sir."

Getty: "My microphone seems to be going off an awful lot lately.
Is there... I wonder if there's an electrical problem up
there."

Speaker Daniels: "We've been working on perfecting that but we
haven't quite got to that point yet. Proceed, Sir."

Getty: "Yes. Representative Martire."

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

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

Speaker Daniels: "Remove Representative Martire."

Getty: "Representative Mulcahey."

Speaker Daniels: "Representative Mulcahey. Gentleman in the
chambers? He's in the back, Sir."

Getty: "Representative O'Connell."

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Speaker Daniels: "Representative O'Connell. Representative John O'Connell. Is the Gentleman in the chambers? He took a walk. Is the Gentleman in the chambers? How is he recorded?"

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

Speaker Daniels: "Remove him."

Getty: "Representative Peters."

Speaker Daniels: "Representative Peters is in his chair. Representative John O'Connell just returned, Mr. Getty. Return, please return Representative O'Connell to the Roll. Representative Getty."

Getty: "Representative Van Duynes."

Speaker Daniels: "Representative Van Duynes. Remove him from the Roll. Call recorded as 'yes'. Is that correct, Mr. Clerk?"

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

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

Getty: "Representative Nelson."

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

Getty: "Representative McBroom."

Speaker Daniels: "Representative McBroom is in his chair. What's the count, Mr. Clerk? On this Bill there are 96 'aye', 69 'no', 1 voting 'present'. Senate Bill... Representative McAuliffe. Record Representative McAuliffe from 'no' to 'aye'. On this Bill there are 97 'aye', 69 'nay'. Who's calling? Representative Madigan. There are 97 'ayes', 69 'nay', 1 voting ... 68 'nay'. Is somebody calling at my door? Representative Leverenz, yes Sir."

Leverenz: "I wasn't calling at your door. Record me 'no'."

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

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

Speaker Daniels: "Change him from 'aye' to 'no'. Representative Flinn."

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Flinn: "Well, change me from 'aye' to 'no' also."

Speaker Daniels: "Change Representative Flinn from 'aye' to 'no'. 95 'aye', 70 'no', this Bill, Senate Bill 125, having received the Constitutional Majority is hereby declared passed. Representative Davis. Representative Davis."

Davis: "Mr. Speaker, having voted on the prevailing side, I now move to reconsider the vote."

Speaker Daniels: "Representative Davis moves to reconsider the vote. Representative Conti moves to table. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Motion's tabled. Representative Getty."

Getty: "Mr. Speaker, inasmuch as this Bill has been declared passed with less than 107 votes, I want to make the record clear that the dissent which I previously eluded to which Representative Madigan and I have joined in and which other Members may wish to join in will be filed based upon, not only the previous ruling but your declaration that this Bill has been declared passed even though it has not been declared passed with the requisite three-fifths majority which is clearly required under Article VII, Section 6 G of the Illinois Constitution. And I would ask that that be further journalized as will our written dissent and protest."

Speaker Daniels: "So noted, Sir. Senate Bill 256 and after Senate Bill 256, we'll take up House Resolution 334. Senate Bill 256, Representative Davis."

Clerk Leone: "Senate Bill 256, a Bill for an Act in relationship to certain transportation..."

Speaker Daniels: "Take it out of the record, Mr. Clerk. House Resolution 334. Gentleman from Will. Read the Resolution, Mr. Clerk."

Clerk Leone: "House Resolution 334, requests the Auditor General to determine relating to RTA."

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Speaker Daniels: "Representative Leinenweber."

Leinenweber: "Mr. Speaker, Members of the House, over two weeks ago, the Regional Transportation Authority ceased funding the Joliet Mass Transit District bringing its buses to a halt. The citizens of Joliet have been greatly inconvenienced since that date by not having any bus service. The RTA; however, pursuant to law, enacted a sales tax in the RTA region, including the County of Will. The tax is at the rate of one-quarter percent on sales on food, clothing, drugs and all of the necessities of life as well as cars and other items, perhaps not quite as essential. The RTA, although it has refused in the last two and a half weeks to send any money to the Joliet Mass Transit District, nevertheless, continues to collect sales tax in the County of Will and in the City of Joliet. I have; therefore, filed House Resolution 334 which requests that the Auditor General determine whether all RTA sales tax that's paid in each of the collar counties have been spent in each of those counties as required by law, and I would emphasize as required by law because the RTA Act very clearly requires that any RTA levied tax be spent in the county in which is it levied for direct services to the citizens of that particular county. Now, the Resolution also calls whether the RTA Board is allocating proceeds from operating subsidies on the same basis as which it applies for such funds. And I would like to have the Auditor General determine, once and for all, whether my charges that the Chairman of the RTA who has refused and continues to refuse to this date to send any money at all to the Joliet Mass Transit District is operating within the letter and the spirit of the RTA Law. Now, the Auditor General has a study which is about six months old to require an updating and, in my view, he can complete this

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within a week so that we will know before the end of this Session, if the Auditor General gets right on it, whether or not the RTA Board and Mr. Hill is, in fact, complying with the law or, as I charged, that he is operating in direct violation of the law. Now, I think it is incumbent upon this legislature to request and obtain this audit so we can see whether or not the laws that we write mean anything at all. So I'm asking all of you to vote for House Resolution 334 so we can obtain this audit so the citizens of Joliet and Will County, suburban Cook and the other areas which are currently being denied transportation services can determine whether or not the denial is contrary to law or not. So, I urge your vote in favor of House Resolution 334."

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

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

Speaker Daniels: "State your point, Sir."

Levin: "My point of order is this Resolution asks the Auditor General to do something he has not authority to do. It is not asking him to audit the funds of the State of Illinois and we very carefully limit the authority of the Auditor General as far as what funds and what books he may audit. And the authority he currently has is simply the funds of the State of Illinois. He does not have authority to do what this Resolution provides for. It would take legislation and I would ask for a ruling from the Chair with respect to whether or not it is appropriate to proceed with a Resolution to do something that the Auditor General cannot do, except by statute."

Speaker Daniels: "Representative Leinenweber."

Leinenweber: "Well, thank you, Mr. Speaker. In simple response to the last man, last speaker, the Thompson or the Byrne-Thompson proposal, which we voted on two years ago

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which enacted the sales tax provided specifically for authority for the Auditor General to make this particular type of audit. And so we are merely proceeding according to the law. So the Gentleman's objection does not have merit."

Levin: "I would persist in my request for a ruling from the Chair on whether or not this Resolution is appropriate given its clear conflict with the current statutory authority. It seems that we're compounding a felony here. The Resolution is intended to deal with what is claimed to be an illegal practice and yet the Resolution itself appears to be contrary to law. I would ask the Speaker to rule on my point of order at this point."

Speaker Daniels: "Chair has reviewed the Resolution and this Resolution deals with a procedural matter and the Chair does not rule on substantive issues which may be passed by the General Assembly. Therefore, if the General Assembly feels the Resolution is in order, it may so act. That's the ruling of the Chair, Representative Levin. On the Resolution, Gentleman from Cook, Representative Leverenz."

Leverenz: "Sponsor yield?"

Speaker Daniels: "Indicates he will."

Leverenz: "The directive to the Auditor General, you're asking him to investigate this?"

Speaker Daniels: "Representative Leinenweber."

Leinenweber: "No, we're asking him to determine, in accordance with his constitutional authority, to conduct an audit or public funds of the RTA to determine whether or not they're being allocated according to law, or have been allocated, according to law."

Leverenz: "You said he did something, the Auditor General did something of this nature six months ago. Where does that information come from?"

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Leinenweber: "From the... The information that the Auditor General makes his audit came from the RTA and the State Department of Revenue."

Leverenz: "Well, my particu... Excuse me. I'm sorry, go ahead."

Leinenweber: "The State Department of Revenue and from the RTA."

Leverenz: "Well, I'm trying to determine and I have determined that the Auditor General, to my understanding, did not do something of this nature six months ago, but part of the information by which you are utilizing is derived out of parts of another audit. Is that correct?"

Leinenweber: "I understand it's a compliance audit in which he published this Spring."

Leverenz: "And would that compliance audit be on the fiscal period ending September of '79 or September of '80?"

Leinenweber: "September of '79."

Leverenz: "And do you feel that he can get this done within a week?"

Leinenweber: "I understand the '80 is ready to release so it would only be a matter of obtaining an update from the period of time ending in the '80 audit."

Leverenz: "Well, no, Sir. The '80 audit is not close to being released. As a matter of fact,..."

Leinenweber: "I don't know if it's close, but it's complete."

Leverenz: "Well, the '80 audit is not complete because the 1980 compliance audit has not been answered by the Regional Transportation Authority yet and probably will not be answered before the end of the Spring Session at the end of June. If you expect him to be done in a week, I can tell you it's a physical impossibility from what I understand it to be. Did you discuss this yourself with the Auditor General?"

Leinenweber: "No, but our staff has and, by the way, the financial audit which is ready to be released on page

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29, I've been informed, has this information on it."

Leverenz: "I understand that your staff got the language used in the Resolution from the Assistant Attorney General, Mr. Mulaney. Is that correct?"

Leinenweber: "I think they got it from the Reference Bureau."

Leverenz: "What do you intend to do should the information come from the Auditor General identical to the way it has been reported in the paper, specifically, funds that have been used as you feel they have? What is your next step? Are you going to call for a press conference or are you going to institute a suit against Lou Hill or the RTA Board?"

Leinenweber: "I'd probably scream and yell a little bit to start and after that I would certainly urge my state's attorney and the other state's attorneys that are involved in litigation right now to press the matter full speed ahead. That would probably be step one and step two. Step three would be to certainly urge my colleagues here to do something about it."

Speaker Daniels: "Representative Leverenz, to the Resolution."

Leverenz: "Yes, to the Resolution. I think, first of all, we already know what the Gentleman is trying to determine, and I think it would be frivolous to think that the information's going to come back in such a timely matter that we could deal with it while the subject is up here. And, I just think it would be an exercise in futility. I request a 'no' vote."

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

Getty: "Will the Gentleman yield?"

Speaker Daniels: "Indicates he will."

Getty: "Mr. Leinenweber, would you point out to me the Section in the Illinois revised statute anywhere, RTA or otherwise, that would authorize the Auditor General to make an audit

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of the RTA by anything other than a law that is an enactment of a Bill by this General Assembly, signed by the Governor into law?"

Leinenweber: "I do not have the statutes directly in front of me. I can point to the constitution which states that the Auditor General shall conduct the audit of public funds of the state and shall make additional reports and investigations directed by the General Assembly. He shall report his findings and recommendations to the General Assembly and to the Governor. Now, it is my understanding that the Thompson-Byrne proposal which we voted on two years ago did provide for the Auditor General to make these audits which he is doing. All I'm asking is that he update them quickly so that we can find out whether Mr. Hill's decision to quit funding Joliet Mass Transit District is legal or not."

Getty: "Representative Leinenweber, would you identify for me the state funds in question which you would seek to have audited?"

Leinenweber: "The Constitution speaks of public funds of the state and these are certainly public funds."

Getty: "So the answer is, in fact, there is no statutory authority and by mere enactment..."

Leinenweber: "There is. I am not saying that. There is. I don't have the revised statutes in front of me, but it was a pardon parcel of Mayor Byrne and Thompson's proposal which we enacted two years ago. And the Auditor General is doing this. Are you suggesting to me that he's doing this totally without any authority right now?"

Getty: "Could you give me the citation for that?"

Leinenweber: "After we pass the Resolution, I'll have time to walk over to Representative Deuster's desk and look it up and I'll give it to you."

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Getty: "The thing that you're referring to is a specific legislative authorization to make an annual audit. This is not that annual audit. That's why I wanted you, Sir, to point out that Section so that you, as the good lawyer that you are, will be able to see that this, indeed, is something very different from the annual audit contemplated under the laws of this state and that, indeed, there is no authorizaton. Now the next question, Sir, and here, this is a technical problem that I think might give, if this gets to the Auditor General, it might give the Auditor General some very serious problems. Referring to Section 4.01, would you point out to me the provision which says that all of these RTA sales tax dollars are required to be spent in providing services and facilities within the county from which such funds are received? Point out that exact language, Sir."

Leinenweber: "It is in Public Act 78-1267 which is in Section 401 which requires or mandates that the Board allocate an amount to be used for the provision of public transportation facilities and services within each transportation area which directly benefits the residents of that area such that the amount so allocated in each area equals at least 100% of tax receipts from such area from taxes imposed by the Board."

Getty: "You're absolutely right, Sir, and I just would like to point out to you that your Resolution is defective in that it does not say, must spend 100% of the sales tax dollars. In other words, the RTA gets federal money in addition to the sales tax dollars that are collected. What the letter of the law requires is that an amount equal to 100% of the sales tax dollars. I point out to you in your mandate to the Auditor General you ask him to determine whether all RTA sales taxes paid in each of the collar counties have

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been spent in each of these counties. I suggest to you that is not the law, Sir. You would be directing the Auditor General to do something which he would have absolutely no basis in law or in fact to do and would clearly cloud the issue. I would suggest that you ought to withdraw this Amendment(sic) and you then would be in a position to rewrite it, put it in the proper shape so that it meets the requirements of the law in both of the regards which I have raised."

Leinenweber: "The Auditor General can read the statute, he can read the Resolution. He understands it. He is advised that he is prepared to go forward to it. What are the people afraid of? Why are they afraid to let the Auditor General determine whether or not the money taxed in Will County and the other counties is being spent there?"

Getty: "Mr. Speaker, on the Resolution."

Speaker Daniels: "To the Resolution."

Getty: "I don't think this is a question of being afraid of the Auditor General doing something which, in fact, once a year under proper statutory authority by a law passed by this General Assembly, signed by the Governor that the Auditor General may do. What this calls for is an extra legal step authorized by only one House of this General Assembly, not approved by anyone else with no statutory authority. Secondly, and most absurdly, it would direct the Auditor General to audit something which, as a matter of law, is not required. To audit something which those statutes don't say the RTA has to do because the Resolution is poorly drawn. Now, instead of persisting in a defective Resolution which will leave the Auditor General in a quandry where he has to look at it and guess what to do, as the Gentleman suggests, I would suggest that the Gentleman ought to withdraw this Resolution. He ought to submit

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something that is properly drawn and that this Body could act on appropriately."

Speaker Daniels: "Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would just recall the experience that this House has had in the past when it has required investigations such as these. One particularly notable example was an investigation into the Department of Public Health and into a local nutrition program. The result of that investigation were the indictment and the discharge of several people. Those people have now plead guilty. I believe that an investigation such as Mr. Leinenweber advises into the RTA might well produce similar facts of malfeasance, perhaps even illegal performance in office, and I would urge people to vote 'yes' on his Resolution."

Speaker Daniels: "Gentleman from Cook, Representative Keane, on the Resolution."

Keane: "Yes, question of the Sponsor."

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

Keane: "How much will the Resolution, how much will it cost for the Auditor General to conduct the study that you request by Resolution?"

Leinenweber: "It is within his budget. How much will it cost. It's within his budget. I don't know what it will cost."

Keane: "Have you talked to him about what it would cost?"

Leinenweber: "No."

Keane: "Then how do you know it's within his budget? Last year..."

Leinenweber: "Because he said he's going to do it..."

Keane: "Last year, because of..."

Leinenweber: "He said he is willing to do it and I assume that he can't do something that's not within his budget."

Keane: "You just said that you didn't talk to him about it."

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Leinenweber: "I didn't talk to him about the cost. He said he was willing to do it."

Keane: "He was willing to do what?"

Leinenweber: "Do this audit."

Keane: "Did you talk to him about the fact that how much of the audit has been done because of the annual audit?"

Leinenweber: "No."

Keane: "Well, when will the audit be completed. If he told you that it was within his... When will it be complete."

Leinenweber: "We don't know. He should be able to complete it by the end of the week or early next week I would hope."

Keane: "What kind of documentation would it review in order to complete it within a week?"

Leinenweber: "What was that?"

Keane: "What kind of documentation will he review in order to complete the audit and meet the requirements under the Resolution?"

Leinenweber: "Well, the books of the RTA."

Keane: "The last audit we had on the books of the RTA took months, many months. Let me just, if I could, Mr. Speaker, speak to the Resolution. You may well be right that there is some problems. If..."

Leinenweber: "It's a very limited type of audit. To determine how much money they're spending and how much money they're taking in from the various areas. Specifically, I'm interested in Will County."

Keane: "Well, if you're talking a specific audit. If you're talking of a financial audit, you can't have a financial audit unless you look at the full books of the RTA and then determine. One of the problems and I think your Resolution may, you know, may be well... you may well ask the Auditor General to do it. Whether it should be the subject of a specific audit I question. I believe that we will, if the

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Resolution is passed, the audit will, like many other audits that we pass similar to this where we have questions by Members, will take many, many months. The crisis or the reason that that, the audit was asked for has long since passed. The state has expended somewhere between 50 and 500,000 dollars as we did in previous audits that were not used that, politically, the political impact had died down and I would ask you, if you have.. if the audit can be done in one week, if the costs are within reason, then I would support you. My feeling is that it cannot be done simply because all of the, all of the, the whole RTA has to be audited to see if Will County got its fair share. Thank you."

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

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

Speaker Daniels: "Proceed."

Pullen: "Sir, is the purpose of this Resolution to help the General Assembly acquire information?"

Leinenweber: "Well, yes it is in part and particularly so that I can acquire some information because the Chairman of the RTA has embargoed the financial data as to what has been paid, for example, to each carrier, each suburban carrier since October of 1980."

Pullen: "Do you think that that type of information should be public information?"

Leinenweber: "It certainly should, particularly for people in my county that are doing without bus service but are yet still paying a tax."

Pullen: "Do you find that it has been customary in the past for this House to direct the Auditor General to take on certain investigations or auditing functions?"

Leinenweber: "Well, since I've been down here, he's done dozens of them at our request."

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Pullen: "What do you think could be the reason that this very simple routine Resolution is causing so much difficulty?"

Leinenweber: "Because they have something to hide."

Pullen: "Thank you."

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

Levin: "Mr. Speaker, before I get to the Resolution itself, an inquiry of the Chair. How many votes does this Resolution take? My reading of 41 C is that this takes 89 votes."

Speaker Daniels: "89."

Levin: "Is that correct?"

Speaker Daniels: "89."

Levin: "Thank you."

Speaker Daniels: "Your welcome."

Levin: "If I may speak to the Bill. The allocation formula, the language in Section 4.01 of the RTA Act that's the subject of this Resolution is the issue that initially got me involved in mass transportation a couple of years ago, and, in fact, there was a newspaper article that appeared that asked the question of how could two such diverse personalities as Ken 'Sane' and Ellis Levin be on the same side of the issue. And it related to the problems with this formula. Now, as Representative Getty suggested, the language in Section 4.01 requires that at least 100% of the proceeds of the tax go to the transportation district, meaning the county of origin, for the provision of public transportation facilities and services. Now, this is not a simple, easy to execute formula. I've been very critical of the RTA and what the RTA does, in order to try to follow the mandate of the statute, is they have a number of allocation formulas that they use. One of them, for example, deals with how you allocate commuter railroads, how much goes to the City of Chicago if a commuter railroad comes from Lake County and ends in Chicago; how much is

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allocated to Lake County and how much to the counties in between. And they have a specific allocation formula based on a.m. boardings, p.m. boardings, trackage and so on which I don't particularly agree with, but this is part of their formula. They have similar formulas in terms of all the other components of mass transportation in order to try to decide who gets the credit, Cook County, Lake County, Chicago or who. One of the big problems is the statute talks about facilities and services and, currently, the RTA is just allocating transportation expenses. They have totally ignored capital costs. They come out annually with an allocation scheme in which they add everything up. They divide it by the counties and they try to figure things out. Well, I would suggest that this is not a simple exercise. It is a complicated exercise. It is one that many people have been critical, including myself, of the RTA and including a number of the RTA Board members to the point where the RTA staff itself has recommended significant changes in the allocation formula. This is a complicated thing. There was reference to the Auditor General and I pushed the Auditor General in terms of the study that they did. I was interested in what the results were. And if the Sponsor of this Resolution would go back and read that report which came out at the end of January, basically, the Auditor General punted. He looked at this language, this allocation formula in 4.01 that the Sponsor would suggest is embedded in concrete is easy to understand and that the Auditor General could resolve the issue in less than a week. The Auditor General in his report said, 'We think that there may be some problems with the way that the calculations are being made. These are a few issues that should be addressed but we don't think it's concrete, that it's clear cut what the Legislature meant,

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and we would suggest that the Legislature clarify the law because we, as the Auditor General, don't feel that we are, based on the existing language in the statute, able to render an opinion whether or not the RTA was acting properly.' So what this Resolution would do would basically tell the Auditor General to go back and do what he just said he can't do. It's punting. The Auditor General has asked for the Illinois General Assembly to clarify the allocation formula in Section 4.01 because he doesn't think it's clear enough that after a full scale compliance audit he is in a position to render a decision whether the RTA was acting within the bounds of the statute. Accordingly, I would suggest this is an exercise in futility. It's a PR stunt and we've got better things to do than pass Resolutions that the Auditor General has no authority to do and doesn't want to do in any event."

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

Preston: "Thank you, 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. The main question is put. Representative Leinenweber, to close."

Leinenweber: "Thank you, Mr. Speaker. A few weeks ago, as a result of the closing of the bus system in my hometown of Joliet, I filed a simple Resolution, House Resolution 334 which sought to determine whether or not the RTA was allocating funds, spending funds in the area surrounding the City of Chicago in accordance with the law. That Resolution was not an agreed Resolution. It has to go to Committee. We had a hearing in Committee. There were really, I don't believe, any discending votes in Committee and the Bill has now come before this entire Body for you

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people to decide whether or not we're entitled to this type of information. Now, it might not be so necessary to have the Auditor General do this if the Chairman of the RTA had not embargoed all financial data as to amounts of money sent by the RTA to carriers outside of the, in fact, all carriers in the system, including the Joliet system and the rails in the CTA. Unfortunately, he's embargoed this information. It's not available to you and I. It's not available to public citizens. It seems to me, this is direct violation of the State Finance Act which requires that all information of receipts and expenditures of money be made available to the public. Be that as it may, the press is not seeing fit to drive hard enough to get this information. So I have no choice but to proceed with House Resolution 334, and I would say to you after hearing today, I thought it would be a simply matter. I'd get up and present it and the people would vote it, but they protested too much. What have they got to hide? I suggest to you the one after another of these people from the City of Chicago have gotten up and say we don't have time to do this. He has no statutory authority to do this. He ought not to do this. It's going to cost too much money. What have they got to hide? I want to find out whether or not the people in Will County and the City of Joliet are getting their tax money back. That's what I want to find out and I'm entitled to that information and they're entitled to that information and all of you are too. I urge your 'aye' vote on House Resolution 334."

Speaker Daniels: "Gentleman has moved for the passage of House Resolution 334. The question is, 'Shall House Resolution 334 pass?'. All those in favor signify by voting 'aye', opposed by voting 'no'. It takes 89 votes. Explanation of vote, Gentleman from Cook, Representative Giglio. The

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timer's on, Sir. Gentleman from Cook, Representative Ewell, to explain his vote. Timer's on."

Ewell: "Mr. Speaker, this is a total waste of time. The Gentleman talks about what they want to know relative to the RTA expenditure of funds. They've got a dozen law suits going there now in which they're trying to find these things out now. I don't think that this Body is the place for everyone to bring their little personal gripes and complaints about various agencies. I think it's ridiculous of us to spend the money. I see that the Gentleman had eight inches of rain down in Joliet and I suggest tomorrow he'll have another Resolution investigating that. I think it's a folly and I think it's certainly not deserving of the vote and the consideration of this Body."

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

Deuster: "Mr. Speaker, I'm happy to rise in support of this Resolution because, in a way, I'm the father of the law we're trying to find out whether is being subverted. During my first term, my constituents said you can't trust those folks from Chicago. They'll tax us in the suburbs and run off with our money. And so I came up with an Amendment to require that 50% of the funds raised out in the suburbs be spent there. Speaker Blaire, then raised it to two-third and in my Bill I amended up to three-fourths then the final law wound up with 100% because that was an illustration of the lack of trust really. I think we have two simple laws. One, creating an Auditor General to investigate anything we want investigated and second, a law in the RTA law that simply says 100% of the money will be spent where it's raised. And I would urge many of you to support this so that we can make sure that the laws we pass are not jokes but are supported and respected. And I'll

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conclude by saying Will Rogers said the difference between him and the..."

Speaker Daniels: "Him and a what?"

Deuster: "What Will Rogers said was that the difference between himself and the Legislature was when he made a joke it was a joke. When we make a joke its the law. I don't think we intended this law to be a joke. Let's support the Resolution."

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

Huskey: "Mr. Speaker and Ladies and Gentlemen of the House, the bus service has been closed down in my district for roughly two weeks and there has been no let up on the charge of the one percent sales tax. Everyone of us out in our 8th Legislative District is paying the one percent sales tax for transportation of which we have none. So my ... I will gladly vote 'aye'."

Speaker Daniels: "Lady from Cook, Representative Topinka, to explain her vote. The timer's on."

Topinka: "Yes, Mr. Chairman(sic) and Members of the House, I respect very hardly the opinions of our esteemed Member on the other side of the aisle from Chicago referring to various gripes we individually might have including rain and things of that sort. In our district where the West Town Bus Company has been not only underwater but not working at all for close to two weeks now, we have a lot of little gripes from a lot of little old people who are trudging through all that water and can't get to where they're going because it's their only source of transportation. I'm in firm agreement with Representative Leinenweber and I would appreciate any suburban Members who do have any influence over the West Town Bus Company to also put their green vote up for us. Thank you."

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Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Resolution there are 106 voting 'aye', 40 voting 'no', 13 'present'. House Resolution 334, having received 89 votes, is hereby declared adopted. Representative Peters in the Chair."

Speaker Peters: "What purpose do you seek recognition, Representative Friedrich?"

Friedrich: "Mr. Speaker, I'd like to get on a little sweeter subject. Earlier in the day there were some candy bars distributed, compliments of Hollywood Candy Company, the second biggest candy bar manufacturer in the world which is located in Centralia, Illinois. They're rebuilding in Illinois a 15,000,000 plant and they have 500 employees. I hope you enjoyed the candy."

Speaker Peters: "Page one of the Calendar, page one of the Calendar, Senate Bills, Third Reading, Short Debate. Senate Bill 98, Representative Giglio. Senate Bill 98, Sir. Page one of the Calendar. I'm sorry. I have a different number Calendar. Page two, top of the page at any rate. Do you wish the Bill called, Sir?"

Giglio: "Yes, Mr. Speaker, Ladies and Gentlemen of the House."

Speaker Peters: "Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 98, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Peters: "Representative Giglio."

Giglio: "Is Representative Schuneman in the chambers?"

Speaker Peters: "I don't see him."

Giglio: "Take it out of the record, Mr. Speaker."

Speaker Peters: "Out of the record. Senate Bill 118, Representative Bullock. Do you wish that called? Read the Bill, Mr. Clerk."

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Clerk O'Brien: "Senate Bill 118, a Bill for an Act to amend Sections of the Illinois Governmental Ethics Act. Third Reading of the Bill."

Speaker Peters: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 118 essentially raises from 15,000 to 35,000 the minimum required for filing economic statements of interest for certain state and local government and school district employees. A similar Bill which addresses this matter passed the House 137 to 14 that's now in the Senate. I'd be glad to answer any questions that you might have relative to the Bill. Essentially, the Bill, in fact, says that general salaries have increased considerable from the time that the statute was originally created requiring submittal of economic statements of interest by individual holding administrative positions responsible for policies specifically and some of those individuals might be susceptible to conflicts of interests. We all know that many people today, because of salaries and there has not been a concomitant increase in administrative policy responsibilities, are now required to file these statements, some 66,000 in fact. I submit to you, Ladies and Gentlemen of the House, that Senate Bill 118 is needed and would request an affirmative vote and be glad to answer any questions relative to it."

Speaker Daniels: "Anyone stand in opposition? Any discussion? There being none, the question is, 'Shall Senate Bill 118 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? Take the record, Mr. Clerk. One more time. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Senate Bill 118. Have all voted

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who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 145 voting 'aye', 13 voting 'nay' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 898, Representative Deuster. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 898, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Daniels: "Representative Deuster."

Deuster: "Mr. Speaker, I'd request leave to take Senate Bill 898 back to the Order of Second Reading for the purpose of considering Amendment #1."

Speaker Peters: "Gentleman asks leave to take Senate Bill 898 back to the Order of Second Reading for the purpose of an Amendment. Gentleman have leave? Objection? Being none, leave is granted. Second Reading."

Clerk O'Brien: "Amendment #1, Deuster, amends Senate Bill 898 on page two, line 23 and so forth."

Speaker Peters: "Representative Deuster."

Deuster: "The need for Amendment #1 was brought to my attention by an official of Cook County. What Senate Bill 898 does in its unamended form is to require that the Clerk of the Court provide medical records when a person is sentenced to the Department of Corrections. It's apparent that sometimes these records, most the times they are not in the custody of the Clerk but rather the Sheriff. So, this Amendment makes it clear that whoever has the records will provide them to the Department of Corrections, and I would urge the adoption of Amendment #1."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Amendment #1 to Senate Bill 898 pass?'. Those in favor will signify by saying 'aye', those opposed. In the opinion of the Chair, the 'ayes' have it. The

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Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Kosinski-Deuster, amends Senate Bill 898 on page one by deleting line one and two and so forth."

Speaker Peters: "Representative Deuster."

Deuster: "Amendment #2, I'm not sure whether it has been distributed or not. It was just recently filed, but I'd ask permission to bring the Bill back for the purpose of considering Amendment #1 and, since the Amendment has not been distributed, Representative Kosinski might want to present it anyway. I don't know if anyone objects. If not, I think the Bill ought to go back to Third Reading until a future time. If there's any parliamentary problems with that, Mr. Speaker, why we can leave it where it is."

Speaker Peters: "Let us figure it out here. Third Reading. We'll move it back to Second when the Amendment comes. Representative Ebbsen. Okay. Senate Bill 920, Representative Bullock. Third, Short Debate. Sena... Bullock. Read the Bill. Representative Bullock. Future Senator Bullock. Senate Bill 920."

Clerk O'Brien: "Senate Bill 902(sic),..."

Speaker Peters: "920."

Clerk O'Brien: "920, a Bill for an Act to amend the ...what is it?... Baccalaureate Assistance Law for Registered Nurses. Third Reading of the Bill."

Speaker Peters: "Representative Bullock. Excuse me, Representative Wolf, for what purpose, Sir?"

Wolf(J. J.): "I would request this comes off of Short Debate."

Speaker Peters: "Gentleman asks that Senate Bill 920 come off Short Debate. Is he joined by ten Members? One, two. Now there's ten. Senate Bill 920, Regular Debate. Proceed, Sir."

Bullock: "Mr. Speaker, if necessary, I'd be glad to walk over to

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Representative Wolf and explain the Bill to him if there's some specific... If he has a question if I could get back to it and take it out of the record and I'd walk over and speak with him."

Speaker Peters: "It's up to you, Sir. We intend to go to next order."

Bullock: "Oh. Well, I'll go with the Bill. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 920 resulted from the Critical Health Issues Commission which was created by this Body in the 81st General Assembly. This Bill essentially addresses the subject of loans for nursing students pursuing the registered nurses licensure. Essentially, the Bill gives priority status to those nurses from nurse shortage areas of the state as certified by the Department of Public Health. This Bill is supported by the Illinois Department of Public Health, the Illinois Department of Registration and Education, the Illinois Hospital Association, the Illinois Nurses Association, the Illinois State Medical Society. This Bill is a Bill which leads a package of Bills reported out of the Commission on Critical Health Issues. I'd be delighted to answer any questions relative to the Bill and I would urge an affirmative vote."

Speaker Peters: "Any discussion? Representative Wolf."

Wolf: "Yes, Mr. Speaker and Members of the House, particularly to the Sponsor. You know, we had some similar Bills here, Senate 108 and 109 which was the nurses baccalaureate Bill and appropriation and we had worked out an agreement on that appropriation and the only reason it got out of the Committee is because there was an agreement to take the forgiveness provisions, which were originally contained in that Act, and it would be a low interest loan but it would have to be repaid. Now, under this, what you're doing now

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is you're putting back the forgiveness provisions. Am I correct, Mr. Sponsor?"

Speaker Peters: "Representative Bullock."

Bullock: "I'm sorry, Representative Wolf. It was rather noisy. If you could just repeat the last portion of your statement."

Wolf: "My understanding is that in this Bill you have restored, or if not restored, left in the forgiveness provisions. In other words, if the nurses work in the State of Illinois for four years, they don't have to repay the loan. Am I correct."

Bullock: "That's not my understanding, Representative Wolf."

Wolf: "Okay. Staff advised me that I am correct in that and that really violates the agreement that was made under Senate Bill 108 and 109 and if it was not for that agreement, I assure that appropriation never would have got out of Committee, and that's the only reason it got out. Because it would be, in fact, a loan and not a grant and what happens under this is that any nurse who advances themselves, they want to get a baccalaureate clearly for one reason is because they can earn more money. And we're willing to provide that money so they can have a loan and pursue that providing they pay the money back. And what's happening in this Bill again is as it was before that if they work on the job for four years, they're allowed 25% off for each of the four years. So after four years they don't owe the State of Illinois anything and that's the problem. And on the basis of that, I have to oppose this Bill because it violates an agreement that was made on a similar Bill with House Bill (sic) 108 and 109."

Speaker Peters: "Representative Barr."

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

Speaker Peters: "He indicates he will."

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Barr: "Representative Bullock, the analysis which the Republican people...side has on their desks indicates that the Illinois State Scholarship Commission is an opponent of the Bill. It was my understanding in Committee that the Commission had withdrawn its opposition. Is that correct?"

Bullock: "You're absolutely correct, Representative Barr. The Scholarship Commission has withdrawn its opposition to the measure."

Barr: "Thank you."

Speaker Peters: "Representative Schneider."

Schneider: "Well, thank you, Mr. Speaker and Members. As the Sponsor knows, when I was on the Commission along with him and other Members of the House and the Senate I had raised some serious questions in opposition to the diploma programs. What this Bill, at least as I understand it, proports to do is to allow for scholarships across the board not only for diploma schools and community colleges as well as baccalaureates. I think he understands and I hope all of you do that there are diploma schools that are closing throughout the State of Illinois because they are inadequate to meet the needs of the nurses, the nursing shortage throughout the State of Illinois. What I would raise seriously with all of you in that you ought to be very conscience of is that what Representative Wolf says is true. We have passed a proposal embodied in House Bill 108 and 109 which will allow for the increased funding for baccalaureate programs. The distinction that I think has to be made and it's a crucial one is that nursing problems relate, it seems to me, directly to the incapa... the lack of the capacity of the schools to provide for properly educated nurses. If you have a baccalaureate program, then nurses can go forward to do Master's Degree work. They can then become instructors in universities for the

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baccalaureate nurse. That's what's missing. Nursing has become a highly technical profession and is no longer just emptying bed pans. It's a lot more skilled and I think what we've doing in 108 and 109 is a very important step. If we just address ourselves to the problem that Representative Wolf has raised, it's a very important one because, again, we're asking to divide up what funds there are available to be distributed across the board in programs that include diploma schools and the community colleges and they are going to dilute the capability of our universities to educate those nurses that are crucial to redeeming nursing education and; therefore, nursing programs in the State of Illinois. So I would encourage you at least to vote 'present' or 'no' on this Bill until we see the impact of what 108 and 109 will accomplish."

Speaker Peters: "Representative Jack Dunn."

Dunn: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to make a point of clarification. I've been advised by the Illinois Nurses Association that they have taken no position on this Bill, in spite of what the Sponsor indicated. Thank you."

Speaker Peters: "Representative Hoffman."

Hoffman: "Question of the Sponsor, Mr. Speaker."

Speaker Peters: "He indicates he'll respond."

Hoffman: "Looking in the Digest, I see that only 20% of the program is designated for a four year baccalaureate programs according to Senate Amendment #5. Has that changed any in the House or does that remain the same?"

Bullock: "It's remained the same."

Hoffman: "Alright. The I must assume then that 30% of it is for the diploma program, 30% for the associate program, which is the junior college program and 20% for the baccalaureate completion program, and I assume that last 20% is for

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people who have an Associate Degree or some similar degree and go into nursing and come back into the baccalaureate program. Is that correct?"

Bullock: "That is correct and that's exactly the way the Bill reads, Representative Hoffman."

Hoffman: "Alright, fine. Thank you, very much. I think that the discussion between Representative Bullock and myself highlights the comments made by the previous speaker and that is to what degree does this program really address the problem that we find in providing adequate personnel in the nursing profession. I think also a point made by Representative Wolf in terms of the question of whether this is a grant or a loan is a serious question which needs to be clarified because I think we need to ask ourselves, do we, given the resources that we have available in the state, want to get involved in a give-away program? At one time we forgave the tuition for teachers which was a modest amount. Here we're talking not about tuition but we're also talking about living expenses up to a maximum of 2500 dollars, and I would suggest that this is a Bill with dubious merits sponsored by a Representative without peer."

Speaker Peters: "Representative Mautino."

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

Speaker Peters: "Question is, 'Shall the previous question be put?'. Those in favor will signify by saying 'aye', those opposed 'nay'. The 'ayes' have it. Representative Bullock, to close."

Bullock: "Thank you, very much, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 920 is intended to address the critical issue of nursing shortage in the State of Illinois. It is estimated that in excess of 6,000 nursing shortage positions exist within our state. I'm

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sure most of you and I daresay perhaps all of you understand the need for some type of response and some type of suggested solution to the problem. This Bill focuses on a loan program in areas that have the greatest need for nurses. This Bill is, in fact, a loan program with a repayment schedule at 12% interest. This Bill, Mr. Speaker and Ladies and Gentlemen of the House, does indeed address for areas and for occupations. The Bill indicates that 30% of the loans will be for hospital diploma nursing programs. An additional 30% will be for the Associate Degree nursing program and concomitantly 20% for four year baccalaureate programs and for baccalaureate completion programs. It is, in fact, the loan program. This Bill passed the Senate Committee five to one, passed the Senate 46 to 5 and passed this House Committee that gave it just deliberations 11 to 0. I respectfully, Mr. Speaker and Ladies and Gentlemen of the House, request an affirmative vote on Senate Bill 920 which indeed addresses a very critical health issue in the State of Illinois."

Speaker Peters: "The question is, 'Shall Senate Bill 920 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? Take the record, Mr. Clerk. Representative Bullock."

Bullock: "Well, Mr. Speaker, I wanted to explain my vote, but you..."

Speaker Peters: "I think we're..."

Bullock: "Would that be appropriate?"

Speaker Peters: "I think we're a bit late. If we want, a poll of the absentees I'd be happy to accomodate you."

Bullock: "Please."

Speaker Peters: "Poll of the absentees. Representative Wolf."

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Wolf: "I'm just going to ask for a verification of the Roll Call if this gets 89."

Clerk Leone: "Poll of the absentees. Abramson. Barkhausen. Bartulis."

Speaker Peters: "Hold it. Barkhausen 'no'."

Clerk Leone: "Bradley. Conti."

Speaker Peters: "Conti 'aye'."

Clerk Leone: "Deuster."

Speaker Peters: "Deuster 'no'."

Clerk Leone: "Garmisa. Giglio. Hastert."

Speaker Peters: "Hastert 'no'."

Clerk Leone: "Huff. Karpziel."

Speaker Peters: "Karpziel. Karpziel 'no'."

Clerk Leone: "Margalus. McBroom."

Speaker Peters: "Excuse me. Representative Bullock and Representative Wolf, unless you have objection, the Chair would ask for another Roll Call. I think we might expedite things. Representative Wolf. Dump this Roll Call, Mr. Clerk. The question is, 'Shall Senate Bill 920 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'no'. The voting is open. Representative Bullock."

Bullock: "Mr. Speaker, I'd like to explain my vote."

Speaker Peters: "Proceed, Sir."

Bullock: "Mr. Speaker and Ladies and Gentleman of the House, I'd like to reiterate the supporters of this Bill. Director Bill Kempiners, the Department of Public Health, supports the Bill. The Illinois Hospital Association supports the Bill. The Illinois Department of Registration and Education supports the Bill and much to my shagrin, and I found out that the Illinois Nurses Association takes no position on the Bill. But I want you to know that this Bill will go up or go down on its merits. The fact is,

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this was a Commission Bill and we had the support of all the interested parties and I think that the Bill has been sufficiently explained and I would request an affirmative vote."

Speaker Peters: "Have all voted who wish? Representative Katz."

Katz: "Well, I wish that the Gentleman would clarify one point. Is this... Is there a forgiveness or do the nurses or the recipients have to repay the money that the state is going to be giving them?"

Speaker Peters: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker. Representative Katz, they do repay the money at 12% interest. The Bill reads, in fact, and I'm sure you've read the Bill as you always do. It describes the percent of repayment at 12% per annum on the entire principal after the completion of the program while practicing nursing in the State of Illinois."

Speaker Peters: "Representative Stewart, to explain her vote for one minute."

Stewart: "Yes, Mr... Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think all of us keep well enough abreast of what's happening in the health field to know that there is a drastic shortage of nurses in the State of Illinois and this shortage of nurses does affect the delivery of health care in this state. I think that Representative Bullock has a modest proposal that does hold the prospect for alleviating this problem, and I'm really glad to see that there are finally enough votes on the board for passage. Thank you."

Speaker Peters: "Representative Wolf, J. J."

Wolf: "Point of personal privilege, Mr. Speaker. I'm sure the Sponsor did not intentionally mislead but let me clarify that. Section 8, Representative Katz and others who are interested, on the repayment of loan states that they will

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get to the extent of 25% off for each of the years. After four years, they don't owe anything unless they quit the pro..."

Speaker Peters: "Proceed, Sir."

Wolf: "... or move to another state. So this Bill does, in fact, and I'm sure that the Sponsor did not wish to mislead you, does have the forgiveness provisions back in it. As I say, it violates an agreement that we made on House Bill 108 and 109, and that's why I'm opposed to this Bill."

Speaker Peters: "Representative Ebbesen, to explain his vote. No. Representative Mulcahey, to explain his vote. Representative Mulcahey."

Mulcahey: "Mr. Speaker, Members of the House, there's a little bit of confusion on this. This is not the Canadian Nursing Bill. This is a completely different Bill and it's a good Bill."

Speaker Peters: "Greg. Any further discussion? Take the record, Mr. Clerk. On this question there are 81 voting 'aye', 50 voting 'nay'. The Gentleman asks to poll the absentees. Representative Bullock, we are starting with 81 'aye'. Representative Carey, from 'aye' to 'no'. Do you have that, Mr. Clerk? Proceed with a poll of the absentees."

Clerk Leone: "Poll of the absentees. Abramson. Bartulis. Conti. Garmisa. Huff. Margalus. Peters. Pierce. Redmond. Sandquist. Schraeder. Stearney. Telcser and Van Dwyne."

Speaker Peters: "Representative Bullock. This question there are 81 voting 'aye', 50 voting 'nay', 32 voting 'present'. This Bill having failed to receive the Constitutional Majority is hereby declared lost. At the top of the... At the top of the page, Senate Bill 98, Representative Giglio. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 98, a Bill for an Act to amend the

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Illinois Vehicle Code. Third Reading of the Bill."

Speaker Peters: "Representative Giglio."

Giglio: "Mr. Speaker, Ladies and Gentlemen of the House, with permission of the House, I gave my word to bring this Bill back..."

Speaker Peters: "Gentleman asks leave to bring Senate Bill 98 back to the Order of Second Reading for the purpose of an Amendment. Is there objections? There being none, leave is granted."

Clerk Leone: "Amendment #3, Schuneman, amends Senate Bill 98 as amended."

Speaker Peters: "Representative Schuneman, Amendment #3."

Schuneman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, on Friday Representative Giorgi offered Amendment #2 to this Bill and there was a lot of misunderstanding at the time the Amendment was offered, but there's no misunderstanding now and, for that reason, I am moving to strike the provisions of the Amendment that Representative Giorgi offered at that time. What the Amendment would have done is make the filing requirements for drunk drivers for people who have been convicted of three or more moving violations, for people who have been found to be guilty of leaving the scene of an accident and many other traffic violations, the Amendment that Representative Giorgi offered would have made the insurance filing that those people have to provide much easier than the present law would require. What the Amendment, in effect, does is say that that kind of driver only has to furnish evidence of insurance for 12 months rather than requiring the present 36 months filing that has been in effect in this state for a long, long time. Now, I suggest to you that for a Legislature that has just passed a Bill that makes it tougher on drunk drivers it's absolutely ridiculous for us

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to adopt an Amendment of the kind that the Representative offered the other day and I move the adoption of Amendment #3 which would strike that Amendment and put the Bill back in its original condition and would leave those filing requirements as they are now."

Speaker Peters: "Any discussion? Representative Giorgi."

Giorgi: "Mr. Speaker, the Amendment that was placed on the Bill doesn't resemble what Schuneman's talking about. Now, Representative Schuneman, I think in this case I never was sure. Are you a licensed insurance agent, Mr. Schuneman?"

Speaker Peters: "Representative Giorgi, address..."

Giorgi: "Are you in the insurance business?"

Speaker Peters: "Address the Amendment, Representative Giorgi?"

Giorgi: "I'd like to know that because he may in conflict of interest in presenting his Amendment. What the Amendment... What the Amendment did, what happened about 30 years ago, some insurance brokers and agents came into Springfield and said to the Secretary of States Office that anyone that has any trouble with the drivers Section in the law that requires the filing should file for 36 magic months. Now, in those 36 months accidents haven't gone down, drunken driving arrests have not gone down, leaving the scenes of accidents have not done down. All that's gone up is the poor guys insurance premium rate that an insurer like Schuneman places on him when he comes into his office to buy insurance. What happens..."

Speaker Peters: "Representative Collins."

Collins: "Mr. Speaker, that's a shameful abuse of the rules. That's out of order. He's been here long enough. He ought to know better."

Speaker Peters: "Proceed on point, Representative Giorgi, please."

Giorgi: "There were two changes made in the Amendment that I

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presented here. One change was that the law requires for many years that in the event you've had an accident, for example, you can't get a restricted driving permit unless you satisfy that accident. If there's a judgement against you, you must satisfy it first then you're placed in the high risk pool and some insurance agents said for 36 magic months we're going to let you drive. I say 12 months are magic too because you've already satisfied everything that, all those dire things that Schuneman said have all been taken care of. If you were convicted of drunken driving, you're licensed was revoked. You went before a board and the board denies you for a couple of years. Finally, you're reinstated then you have to take insurance at high premiums for 36 straight months. If you've left the scene of an accident, you lost your license and you hadn't made good the accident and then you have to be put on a high insurance risk for 36 months because the insurance industry, which is probably the toughest in this state, insurance brokers like Schuneman get a poor guy in their office and he's scared to death when he goes in there and he has to pay a high insurance premium for 36 months. So, I changed that to 12 months and there's nothing wrong with that. I'm proud of that move. Now the second change which escapes me at this moment, the second change was more benevolent than the first change and you ought to be supporting these changes because you're in the business. You're in direct conflict of interest and I resent it."

Speaker Peters: "Representative Epton."

Epton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm sure that the previous Gentleman who spoke had nothing but the highest motives. Actually, he should be aware of the fact that if the individual is placed in the pool, insurance brokers get less of a premium so it's

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really not to my colleagues advantage to have this higher premium. I think that the fact remains that we are trying to get these wrong-doers off the road, and the fact that insurance companies charge a higher premium is as it should be. If it were not the case, the rest of us who are good drivers like the Gentleman across the aisle and myself and I haven't mentioned your name so I really don't think you can respond yet. As matter of fact, I'm not even looking at you. The fact remains, as far as a conflict of interest, I think we all have on every Bill even whether it's highrise or you can name it or gambling and lottery and bingo and gee, heavens to Betsy. I would hate to bring up a conflict of interest in anybody's case. In any event my colleague on this side of the aisle is certainly well motivated. If he didn't bring this up, I'm afraid I would have had to and I know you wouldn't have accused me of any conflict. I do agree with Representative Schuneman and I hope you will vote in favor of this Motion."

Speaker Peters: "Representative McAuliffe."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, I would rise in support of this Amendment. These people are not put in the high risk pools. Thy'll be put in the pools with the rest of us. These are the people who are found in the past not to have good driving habits and good driving records and they should pay a little extra money for three years because if they don't, they're the ones that cause the most accidents. They'll be in the pool with us and the rest of us will be helping to pay for their misfortunes."

Speaker Peters: "Representative Leverenz."

Leverenz: "Mr. Speaker, would the Gentleman yield?"

Speaker Peters: "He indicates he will."

Leverenz: "Could the Gentleman that offers the Amendment explain the impact of the 12 months or 36 months situation on the

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consumer?"

Schuneman: "Which consumer, Representative? The one that was guilty of the traffic violation or the rest of the public?"

Leverenz: "Well, we'll go with the one that apparently had the accident."

Schuneman: "Well, it isn't necessarily requiring an accident. This may be a drunken driver who was convicted for drunken driving and really didn't have an accident or it could be people who were involved in serious accidents or it could be people who were convicted of possession of drugs. But on those people the impact would be to require them to furnish evidence of insurance for 24 months, well, for three years just like it is now rather than for 12 months as was proposed by the Amendment. So the affect on those people would be to increase their costs of insurance and also to require that they carry insurance. The importance of this provision is that those people be required to carry insurance for your protection and my protection and the protection of the general public."

Leverenz: "What is really the difference? Is it going to cost that consumer that must go out and get insurance more because they have to prove for 36 months instead of 12..."

Schuneman: "Pardon me. I didn't understand everything.. your question."

Leverenz: "The consumer that must put up the proof for 36 months, will it cost that person more for insurance?"

Schuneman: "Generally more. Sure."

Leverenz: "Than 12."

Schuneman: "Pardon me?"

Leverenz: "Than if it were for 12 months. Hypothetically, there's savings in the second and third year. Is that correct?"

Schuneman: "It could be in some instances..."

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Leverenz: "The way the Bill reads now."

Schuneman: "Well, there are instances of... It depends on when the violation occurred. In most cases, there is a three year experience period. So, if the event or violation occurred just prior to the time that the proof of insurance is required, then usually, the higher cost would be spread over that three years. But if the event occurred many months before that, then the premium might, in fact, go down over this three year period."

Leverenz: "Well, under the 12 months proof or the 36 months proof, doesn't the driver or the person that has to show the proof have to satisfy all financial obligations anyway?"

Schuneman: "It depends upon..."

Leverenz: "I think that's a yes or no question."

Schuneman: "Well, it isn't a yes or no answer. I told you just a minute ago that in some instances there would be no accident involved and in those cases it would not require settlement of a claim."

Leverenz: "Thank you."

Speaker Peters: "Representative White."

White: "Mr. Speaker, in order to vote intelligently on this question, I'd like to ask a question of Representative Giorgi. He said that there were two reasons as to why he is opposed to the Amendment. He dealt with part one of it. I'm concerned about part two."

Speaker Peters: "Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker. He's out of order. If he wants to ask Representative Giorgi, just turn right around and ask him. We don't have to have the dialogue for the full benefit of the House."

Speaker Peters: "Representative Johnson. The question is, 'Shall the previous question be put?'. Those in favor will

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signify by saying 'aye', those opposed. The 'ayes' have it. The question is, 'Shall Amendment #3 to Senate Bill 98 pass?'. Representative Leverenz, what purpose, Sir?"

Leverenz: "Inquiry of the Chair. Who made the Motion to move the previous question?"

Speaker Peters: "Representative Johnson. Representative..."

Leverenz: "From what location of the floor?"

Speaker Peters: "Right there."

Leverenz: "From the middle aisle?"

Speaker Peters: "Representative, do you... The question is, 'Shall Amendment 3 to Senate Bill 98 pass?'. Those in favor... you want... Representative Schuneman, to close."

Schuneman: "Mr. Speaker and Ladies and Gentlemen of the House, there's been a lot of comments on this Bill. Frankly, I offer no apology to any Member of this House for being engaged in the insurance business. I find it to be an honorable profession and I find it has given me some indication of what things are really like in the real world before coming here and voting on some of the issues that are brought before this Body. Now, as an insurance agent, I would suggest to you that I would be just as happy if I never had to file evidence of financial responsibility for any insured of mine. It's a real pain in the anatomy to be honest with you, and the costs that are involved and the premiums that are involved are not nearly commensurate with the amount of time and work and effort that are required to get these filings made. My interest in offering this Amendment is to suggest to you that the previous Amendment would weaken the law as it respects the public at large. Don't you want to be protected against the guy who is a convicted drunken driver? Don't you want to be protected against the guy who is a convicted user of narcotics or someone who has been convicted of a felony or someone who's

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been convicted of leaving the scene of an accident? I think you do and I think we ought to leave the law alone the way it is now and that's what would be accomplished if you adopt this Amendment."

Speaker Peters: "Roll Call. The question is, 'Shall Amendment #3 to Senate Bill 98 pass?'. 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? Representative Collins."

Collins: "Mr. Speaker, there's one Gentleman voting 'no' on this Amendment who was excused because of illness."

Speaker Peters: "Have all voted who wish? Take the record. On this question there are 88 voting 'aye', 61 voting 'no'. This Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Peters: "Third Reading. Third Reading, Short Debate. Senate Bill 902, Representative Robbins. Read the Bill."

Clerk Leone: "Senate Bill 902, a Bill for an Act to amend an Act concerning Bovine Tuberculosis by increasing the State compensation to owners of animals stricken by disease. Third Reading of the Bill."

Speaker Peters: "Representative Robbins."

Robbins: "I'd like to move this Bill back to Second for purpose of an Amendment."

Speaker Peters: "The Gentleman asks leave to bring Senate Bill 902 back to the Order of Second Reading for the purposes of an Amendment. Does the Gentleman have leave? Objection? There being none, Bill's on Second Reading. Representative Robbins."

Robbins: "Representative Mautino on the Amendment."

Speaker Peters: "Excuse me. Mr. Clerk, the Amendment."

Clerk Leone: "Amendment #1, Mautino--..."

Speaker Peters: "Representative Mautino."

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Mautino: "Thank you, Mr. Speaker and Representative Robbins for bringing back to Second. Amendment #1 is sponsored by myself, Representative Richmond and Representative Ropp. The legisla... The Amendment was embodied in House Bill 165 and it got caught up in the Senate crunch. What it does is allow the same information that was in the statute two years ago to be put back in as it pertains to the Lincoln Gathering Poultry Show and the National Red Angus Show here in Springfield under the Agricultural Premium Fund substantive language. That's basically what it does and it got screwed up in the Senate. We've agreed with Representative Robbins and he's agreed with us that we could place it on his Bill to get it back in there when it was taken out last year in a Conference Committee."

Speaker Peters: "Any discussion? Representative Ewell."

Ewell: "I haven't had a really close look at it, but is this Amendment germane to this Bill? Parliamentarian, answer the question."

Speaker Peters: "Chair rules that the Amendment is germane. On the Amendment, Representative Terzich."

Terzich: "Yes, Representative Robbins, is any RTA money going into this fund?"

Speaker Peters: "Representative Mautino, on the Amendment."

Mautino: "Excuse me. No, there's no RTA money in this Amendment."

Terzich: "And who is Mr. Bovine?"

Mautino: "That's part of the germaneness. Bovine... Mr. Bovine has nothing to do with this. If you look at the Amendment, it changes the title and puts back the substantive language for the Poultry Show and the Red Angus."

Terzich: "Very good. Very good."

Speaker Peters: "Representative Terzich. Bovine was the first name. Tuberculosis is the last name. Representative

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Lechowicz. Further discussion? Representative Mautino, to close."

Mautino: "I'd just ask for an affirmative vote on Amendment #1 to Senate Bill 902."

Speaker Peters: "Question is, 'Shall Amendment #1 to Senate Bill 902 pass?'. Those in favor will signify by saying 'aye', those opposed. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Peters: "Second Reading, Short Debate. Third Reading, Short Debate. Senate Bill 98, purposes of the record, Third Reading, Short Debate. Introduction, First Readings."

Clerk Leone: "House Bill 1914, Ted Meyer, a Bill for an Act in relation to chauffeured vehicles provided by the Chicago Transit Authority and Regional Transit Authority. First Reading of the Bill. House Bill 1915, Huskey-Giglio, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill."

Speaker Peters: "Any announcements? Representative...Polk. Representative Polk."

Polk: "Mr. Speaker and Ladies and Gentlemen, the Speaker asked me to advise that the United Auto Worker's indicated they were going to keep their cocktail party going to later because we are late in Session and that all the Members would be invited out at the Holiday Inn East."

Speaker Peters: "Any further announcements? Representative Telcser."

Telcser: "Mr. Speaker, I now move the House stand adjourned until Tuesday, tomorrow, twelve o'clock noon."

Speaker Peters: "You've heard the Gentleman's Motion. Those in favor will signify by saying 'aye', those opposed. The House is adjourned until twelve noon tomorrow."

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