

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

65th Legislative Day

June 17, 1981

Speaker Ryan: "The House will come to order and the Members will be in their seats. The chaplain for today is Doctor William Nichols, from the Central Christian Church in Decatur. Dr. Nichols."

Dr. Nichols: "Let us pray. O God, Creator of all the universe, Lord of the earth, we are grateful for a new day of challenge and opportunity. You have put within our minds the power of dreaming heroic dreams and you have put within our hands the powers to transform those dreams to deeds. Forgive us when we have used our magnificent powers for selfish ends and when we have failed in our stewardship of our gifts so that what you have meant us to use for others we have hoarded for ourselves. We are grateful for the great State of Illinois, for the staggering wealth of its natural resources, for the rich diversity of its citizens, for the vision of its leaders and for the dedicated and conscientious Legislators met here today charged by their constituents to deal honorably and creatively with the resources and the needs of all the people. And our people do have great needs, Lord. There are many who are unemployed, denied the opportunity to use their gifts and strength to provide for their families. Help us to find ways to guarantee for everyone the privilege of honest labor and just reward. Give us, O Lord, a sense of proportion and priority. Let us give our finest efforts and most valiant dedication to those concerns that are worthy of our best. And keep us from frittering away our time, our concerns and our efforts on those matters that are of minor, passing importance. Now in this session of the House of Representatives, we pray that each Member will devote himself or herself diligently to the tasks at hand and in every matter of business let us seek to achieve the

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greatest good for all the people whom we are called to serve. And when this session closes give us the satisfaction of knowing we did our best. Amen."

Speaker Ryan: "Thank you very much Doctor Nichols. Will have the pledge by Representative Kulas."

Kulas: "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. Take the record Mr. Clerk. 174 Members answering the Roll. A quorum of the House is present. Representative Getty do you have any excused absences? Representative Kulas do you...no Representative Getty, do you have any excused absences?"

Getty: "Representative Redmond, due to illness in the family, please."

Speaker Ryan: "You're going to have to speak up, Representative."

Getty: "Representative Redmond, due to illness in the family."

Speaker Ryan: "The record will so indicate. Representative Telcser. We have an important announcement...an important announcement. Representative Capparelli, for a very important announcement."

Capparelli: "Ladies and Gentlemen, Mr. Speaker, because of the undue amount of Bills we have on the Calendar today, I just talked with Speaker Ryan and he thinks and I also think that the game should be postponed until next Wednesday which he will give us a time at that time to play the game. So, we will not be playing tonight but save that next Wednesday night for the game. Thank you very much."

Speaker Ryan: "Thank you, Representative. Representative Kulas, for your information and those of those people that follow you, wherever they follow you, it is the intention of the Chair that since there is no ball game this evening that we will work until the hour of 10:00 P.M. straight through.

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Make your plans, plan accordingly. We will be here until at least 10 o'clock, so don't plan on leaving any earlier.

Representative Kulas."

Kulas: "Thank you Mr. Speaker for enlightening the Membership as far as the work schedule but I would like the record to show that I have made up my tardy time and that as of 11:45 this morning you owe me an hour and fifteen minutes."

Speaker Ryan: "You are absolutely right, Representative. Representative Davis for what purpose do you seek recognition?"

Davis: "Mr. Speaker, you never assessed the penalty. That was just the make-up time. There is a penalty. I mean it is like two hours in the penalty box."

Speaker Ryan: "Yes, but I had him at two and a half hours at ease this morning. No, an hour and a half, I guess it was. May I have your attention again, please. We have Miss Teenage Illinois with us and it is going to be introduced by none other than Representative Michael Tate. Representative Tate."

Tate: "Thank you, George. It is my honor and pleasure today to introduce Cheryl Lynn Smith, from Decatur, Illinois represented by Representative Tim Donovan, Representative John Dunn and myself. Cheryl graduated from Eisenhower High School in 1981. Ranked twelfth in the class of 271 students. She has a grade point average 4.7, she was a member of the National Honor Society, Student Council, Class Council, Spanish Club, Choirs Concert Choir and Tiptones. She also was very active in the church choir and youth group and was first runner-up in Miss Illinois Teenage...National Teenager 1980. Lets give Cheryl a very good welcome from the Illinois House. Would you like to make a few comments?"

Cheryl Smith: "Thank you very much. I would like you to know

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that it is a very big honor and I am very happy to be here today to talk in front of the House. It is really exciting, this room is beautiful. Next year I will be going to the University of Illinois and I am really interested in international business and I would like to study Spanish along with that. And I'm into public relations, too. So this is a kind of a help to me to get a little experience to talk in front of you and I would like to thank you again and I will be representing the State of Illinois in August at the Nationals and that is in Florida and that will be August 13th. So, wish me the best of luck and keep your fingers crossed. Thanks again."

Tate: "And we have Miss Hospitality from the same contest. We are looking for Representative Doug Kane the other Member from the 50th District. Josephine Oblinger is here with me. I would like to introduce Miss Dee Dee Butts, from Springfield, 1900 Parkview Drive. She is a graduate of Springfield High School with a class of 1981, she had a grade point average of 3.0. She was a member of the Marine Bank Student of the Week, Homecoming Court, volleyball, track, cheerleading, for three years on the Student Council, and a member of intramural sports and the yearbook staff. She was so busy that Josephine is going to have to give you the rest of it."

Oblinger: "I love this that she had this many honors. She was the Senior Class Secretary, the Vice-President of Philos, Art, French, Spanish, Latin, and Audio-visual Clubs, and the Pep and the Ski Club. She has participated in competitive gymnastics and was fifth all around 1979 state gymnastic competition. She shows horse...rides show horses and rides for pleasure. Dee Dee was selected as 1981 Miss Hospitality at the Illinois Competition of the Miss National Teenager Pageant, later she was selected as the

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National Miss Hospitality and will participate in the National Pageant in Florida in August. Dee Dee is going to attend Bradley University this fall and I will let her tell you what she is interested in. Dee Dee were glad to have you here."

Dee Dee Butts: "Thank you. I'm...I was selected Miss Hospitality this year and there were three hospitalities chosen in the United States to attend the National Pageant there was: New York; Louisiana; Illinois. So I am very fortunate that I will be able to go with Cherie to the National Pageant and we are very excited about it and Cherie is going to do a great job. They couldn't have picked a better representative for Illinois. And a little bit about myself, at Bradley University I plan to major in Physical Therapy right now. I love to work with people so this is a great honor for me to speak in front of you. And thank you very much."

Tate: "Thank you."

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

Vinson: "Mr. Speaker, I would move to take House Bill 1005 from the table and place it on the Order of Second Reading, First Legislative Day."

Speaker Ryan: "Representative Vinson, you weren't recognized for that Motion. Representative Getty do you seek recognition? Committee reports."

Clerk Leone: "Representative J.J. Wolf, Chairman from the Committee on Appropriations, to which the following Bills were referred. Action taken June 16th, 1981 and reported the same back the following recommendations: Do pass Senate Bills 312, Do pass as amended Senate Bills 308, 311, 314, 315, 319, and 329."

Speaker Ryan: "Page one of the Calendar, under the Order of

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Senate Bills, Third Reading, Short Debate appears Senate Bill 127. Representative Van Duyne."

Speaker Ryan: "Is the Gentleman in the Chamber? Read the Bill Mr. Clerk."

Clerk Leone: "Senate Bill 127, a Bill for and Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Ryan: "Representative Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. Senate Bill 127 passed out of the Senate 56 to 1 and it is a very simple Bill, it passed out of our Committee, counties and township unanimously. All it does is just change the time in which a municipality has to invoke existing law having to do with abandoned automobiles and I will solicit your favorable vote. It changes from six months to two months."

Speaker Ryan: "Is there any opposition? The question is, 'Shall Senate Bill 127 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 127 voting... the Clerk made a slight error and we are going to have to do this again. The question is, 'Shall Senate Bill 127 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 141 voting 'aye', none voting 'no', and 1 voting 'present'. This Bill having received a Constitutional Majority is hereby declared passed. House (sic, Senate) Bill 128, Representative Sandquist. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 128, a Bill for an Act to amend the Illinois uniform gifts to minors Act. Third Reading of the Bill."

Speaker Ryan: "Representative Sandquist."

Sandquist: "Yes, Mr. Speaker, Ladies and Gentlemen of the House,

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Senate Bill 128 does just what the digest says, it amends the Illinois uniform gift to minors Act to expand the definition of 'custodial property' to include real and personal property, beneficial interest, land trust and benefit plans. Currently the only property interest which are covered by the Act are securities, money, life or endowment insurance policies. It passed out of the Senate 51 to 0, its an Illinois State Bar Association Bill, it passed out of Judiciary one 14 to 0. I know of no opposition and I ask for a favorable vote."

Speaker Ryan: "Is there any opposition? The question is, 'Shall Senate Bill 128 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 156 voting 'aye', none voting 'no', and none voting 'present'. This Bill having received a Constitutional Majority is hereby declared passed. House (sic, Senate) Bill 546, Representative Schuneman, out of the record. House (sic, Senate) Bill 643, Representative Braun. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 643, a Bill for an Act to amend an Act concerning ownership of individual units and multi-unit structures. Third Reading of the bill."

Speaker Ryan: "Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill pertains to the Condominium Property Act. All it does, is amend the title of the Act to specifically refer to the rights of parties under the Condominium form of ownership and changes the language regarding the recording of a platt of record. It is fundamentally a technical change in the law. It does not affect the rights and responsibilities under that law in any way. And it has received favorable vote in both the House and Senate

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Committees. I encourage a favorable Roll Call."

Speaker Ryan: "Is there any opposition? The question is, 'Shall Senate Bill 643 pass?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Senate Bill 731, Representative White...oh, we didn't take the record. Take the record, Mr. Clerk. On this question there are 157 voting 'aye', none voting 'no', and none voting 'present'. This Bill having received a Constitutional majority is hereby declared passed. House (sic, Senate) Bill 731, Representative White. Out of the record. House, House (sic, Senate) Bill 791, Representative Terzich. Out of the record. House (sic, Senate) Bill 798, Representative Bower. Read the Bill."

Clerk Leone: "Senate Bill 798, a Bill for an Act to amend the Personnel Code. Third Reading of the Bill."

Speaker Ryan: "Representative Bower."

Bower: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, this is a very simple Bill that deletes the requirement that the Director of the Department of Personnel may not have been a member of a local or standing political Committee for two years prior to his appointment. It passed the Senate 53 to 0. I know of no opposition to the Bill and I would urge an 'aye' vote. "

Speaker Ryan: "Is there any opposition? The question is, 'Shall Senate Bill 798 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 139 voting 'aye', 3 voting 'no', 1 voting 'present'. This Bill having received a Constitutional Majority is hereby declared passed. Representative Collins."

Collins: "Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, it is a great pleasure and honor to



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introduce an old and dear friend of many of us, former Representative Charlie Clabaugh, from Champaign."

Speaker Ryan: "House (sic, Senate) Bill 853, Representative Woodyard. Out of the record. House(sic, Senate) Bill 860, Representative Leverenz. Want the Bill read, Representative? Pardon me, Representative Ronan. Hold that Bill, Representative Ronan. House (sic, Senate) Bill 848, Representative Ronan. Did you want that Bill heard, Representative? Read the Bill would you, please? Senate Bill 848."

Clerk Leone: "Senate Bill 848, a Bill for an Act in relationship to work programs for public aid recipients. Third Reading of the Bill."

Speaker Ryan: "The Gentleman from Cook, Representative Ronan. Two minutes to explain your Bill."

Ronan: "Thank you, Mr. Speaker. It appears that we have a need for a technical Amendment for this Bill, so I would like the Bill brought back to Second Reading to put an Amendment on it."

Speaker Ryan: "The Gentleman asks leave to return Senate Bill 848 to the Order of Second Reading. Are there objections? Hearing none, leave is granted. Senate Bill 848 is now in the Order of Second Reading."

Clerk Leone: "Amendment #1, Getty, amends Senate Bill 848..."

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

Getty: "Mr. Speaker, Amendment #1 would clarify by striking the section which deleted in the Bill as it came over from the Senate 'the authority for the townships to run the work fair programs'. I don't believe that that is the sort of thing that we should be doing it put us in a very ambiguous position. I have spoken with the Senate Sponsors, with Senator Sangmeister, who was the original Sponsor of the legislation, with Senator Nash and they are agreeable to

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this. It also provides clarifying language concerning participation and job search training and work programs. It provides for local government unit administering aid under the article to maintain a roster. It further sets out that workers compensation coverage for each recipient who performs work for the taxing unit will be provided. That is already the law but it makes it clear in this section and it strikes out the cost of transportation services from location to where the work is performed. I would ask for your support in this Amendment."

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

Vinson: "Am I correct, will the Sponsor yield for a question, Mr. Speaker?"

Speaker Ryan: "He indicates he will."

Vinson: "Am I correct, Representative, in believing that this... that the duty to maintain the roster is a local government function under your Amendment and not a Public Aid function?"

Getty: "It provides that the local government unit which administers under this Article shall maintain a roster of the persons who have registered. That is correct, Sir."

Speaker Ryan: "Is there any further discussion? Representative Getty to close on his Amendment."

Getty: "I ask for your support."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #1 to Senate Bill 848. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. Representative Collins."

Collins: "Thank you Mr. Speaker, we have another old friend visiting today."

Speaker Ryan: "One minute, let me complete this Bill if I may."

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Representative Ronan asked leave to have Senate Bill 848 remain on the Order of Short Debate. Are there objections? Hearing none, Senate Bill 848 is now on the order of Third Reading, Short Debate Calendar. Representative Collins."

Collins: "Yes, Mr. Speaker, I was about to say that another old friend is visiting us today in the back of the Chambers, former Representative Chuck Campbell, from Danville."

Speaker Ryan; "Representative Campbell, nice to have you with us today. Senate Bill 860. It is your turn now, Representative Leverenz. Read the Bill."

Clerk Leone: "Senate Bill 860, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Ryan: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 860 would provide that the speed limit signs indicating 20 miles an hour would be provided in front of Senior Citizen Housing Centers. I would ask for your 'aye' vote on the Bill."

Speaker Ryan: "Is there any discussion? The question is, Shall Senate Bill 860 pass?'. Representative Getty."

Getty: "I'm rising to a sincere question on this and possibly a disagreement. Do I understand that this would be the only time in the law where police would be authorized to place within 500 feet of a change in speed a radar unit, so that the person could be charged immediately right after the speed changed to this...say from a 45 mile zone to a 25 mile zone?"

Leverenz: "No, but it is a good question. There are rules that would provide that posting would be 500 feet prior to that zone."

Getty: "But your...as I read this, you are deleting from the law the provision or your putting into the law a provision that you may have this electronic speed detection device within

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500 feet of a speed sign. Presently, the law says that you cannot do that because as you know it is virtually impossible to change speed from say 45 to 20 and you would be getting citizens caught in that speed change if the speed sign was not properly placed."

Leverenz: "I disagree."

Getty: "I would ask the Gentleman if he would like to consider taking this out of the record and amending it to clarify this. He seems to say one thing and the Bill clearly says another. And if you would like to take it out fine, otherwise I will oppose the Bill."

Leverenz: "God forbid you should oppose a Bill of mine and I would ask that it be taken from the record."

Speaker Ryan: "Out of the record. 864...Senate Bill 864, out of the Record. Senate Bill 898, Representative Deuster. Read the Bill."

Clerk Leone: "Senate Bill 898, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Ryan: "The Gentleman from Lake, Representative Deuster."

Deuster: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 898 was requested by the Department of Corrections. It is a Bill that provides that the Clerk of the Courts shall transmit the medical and mental health records of the persons who are committed to the Department of Corrections. At the request of Cook County, this Bill was amended on the Floor to specify that the records would be transmitted not only by the Clerk of the Court but by the Sheriff or any other official that might have custody of the records. This Bill passed the Senate 57 to 0, was recommended by the Public Institution Committee 10 to 0 and I would be happy to answer questions. I urge your support for the legislation. It is also supported by the Illinois State Medical Society."

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

Henry: "Yes, thank you Mr. Speaker, will the Sponsor yield?"

Speaker Ryan: "Yes, he indicates he will. You have two minutes, Representative we are on Short Debate."

Henry: "Representative Deuster, what records are we speaking of? Are we talking about health records or what type of records are you speaking of?"

Speaker Ryan: "Representative Deuster."

Deuster: "The Bill specifies that we are talking about any medical or mental health records or summaries."

Henry: "Then how would they be transported? Are they going by computer or are they going by mail or hand delivered?"

Deuster: "I really don't know. You probably know but I don't know. They will transport ...the existing law, Representative Henry, has a long list of records that are transmitted most of them by the Clerk of the Court pre-sentence reports and a lot of other paper work. However that paper work gets to the Department of Corrections, the same thing would be true of the medical reports."

Speaker Ryan: "Is there any further discussion? Representative Deuster, to close."

Deuster: "I think that the Bill is simple and it is supported by the Department of Corrections. I would appreciate your affirmative vote. Thank you."

Speaker Ryan: "The question is, 'shall Senate Bill 898 pass?'. All those 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 151 voting 'aye', 3 voting 'no', 3 voting 'present'. This Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 955, Representative Hoffman. Out of the record. Senate Bill 1034, Representative Stanley.

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Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1034, a Bill for an Act concerning the Department of Registration and Education. Third Reading of the Bill."

Speaker Ryan: "The gentleman from Cook, Representative Stanley."

Stanley: "Thank you very much, Ladies and Gentlemen of the House. This is an Administration Bill, it passed the Senate 55 to 0, and it permits the Department of Registration and Education to establish the renewal times of each of its licences by Administrative Roll. And I would respectfully request a favorable Roll Call."

Speaker Ryan: "Representative Darrow, in opposition. Two minutes."

Darrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. For the most part this is a good piece of legislation. However, I call your attention to one provision which requires that all testing be done in English. At the present time the Director has the option of having it done in English or any other language. We have a number of Spanish speaking people in the State of Illinois and unfortunately up to this date we have no Member of the General Assembly of Hispanic background. They are a group that has no say in the Illinois House or the Illinois Senate yet, they have to take these exams in English although they could probably pass them in Spanish. I feel that this provision was put in there for a purpose, it is now being removed, we are limiting it to English only. I would solicit a 'no' vote. Thank you."

Speaker Ryan: "The question is, 'Shall Senate Bill 1034 pass?'. All those in favor will signify by voting 'aye', all opposed by voting 'no'. Representative McGrew do you seek recognition? McGrew. I thought I heard you holler, Representative. I see, your a spokesman for Representative

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Schraeder. I see. Representative Schraeder."

Schraeder: "Mr. Speaker, I just wanted to ask a question before it was cut off. Apparently this Bill has something to do with increased fees and I didn't get a chance to ask about it."

Speaker Ryan: "Well, your a little late, Representative. This is on Short Debate and Representative Darrow stood in opposition to the Bill. We are now on the vote. Have all voted who wish? Take the record. On this question there are 99 voting 'aye', 42 voting 'no', and 11 voting 'present'. This Bill having received a Constitutional Majority is hereby declared passed. House (sic, Senate) Bill 1040, Representative Levin. Out of the record oh no, read the Bill, Mr. Clerk."

Clerk Leone: ""Senate Bill 1040, a Bill for an Act to prohibit Dental of ...denial of hospital and medical benefit coverage to Public Aid recipients under Service Plan Corporation contracts or subscriptions. Third Reading of the Bill."

Speaker Ryan: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House...Senate Bill 1040 amends various laws in relation to health insurance to prohibit plan provisions which limit or exclude payments because the subscriber is eligible for or receiving medical assistance under the Public Aid Code and invalidates any such provisions that currently exist in contracts thirty days after the effective date of this Act. This Act was requested by the Department of Public Aid and I urge its passage."

Speaker Ryan: "Any opposition? Any discussion? Representative Vinson."

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

Speaker Ryan: "He indicates he will. Two minutes, Representative

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Vinson."

Vinson: "What is the benefit of the Bill?"

Levin: "Representative, the benefit of the Bill is that Federal regulations require that the Department of Public Aid to be able to receive certain categories of Federal assistance in terms of Public Aid, be able to collect monies from insurance companies in this type of situation. This is in putting the State of Illinois into compliance with current Federal regulations."

Speaker Ryan: "Representative Levin, do you care to close?"

Levin: "I think that Representative Vinson is having his question answered in more detail right now. It is..."

Speaker Ryan: "Go ahead and close, Representative."

Levin: "Again, just to review this Bill was requested by the Department of Public Aid, it would put the State of Illinois into compliance with Federal Regulations and I urge a favorable Roll Call."

Speaker Ryan: "The question is, 'Shall Senate Bill 1040 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', 1 voting 'no', and 2 voting 'present'. This Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 1047, Representative Kelly. Out of the record. Senate Bill 1119, Representative Sandquist. Out of the record. Senate Bill 1146, Representative Bullock. Out of the record. Senate Bill 1218, Representative Ronan. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1218, a Bill for an Act to amend the emergency medical services system Act. Third Reading of the Bill."

Speaker Ryan: "Representative Ronan. Two minutes to explain your Bill. "



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Ronan: "Thank you, Mr. Speaker. House Bill 1218 is a very simple piece of legislation. All it does is that it provides immunity from civil liability for any individual that uses cardiopulmonary resuscitation on an individual and it just says that he cannot be civil liable for something as long as his actions is... are not willful or wanton. It passed out of the Senate unanimously."

Speaker Ryan: "Is there any discussion? Do you stand in opposition, Representative Jaffe?"

Jaffe: "I really don't know yet. I want to ask a couple of questions if I may."

Speaker Ryan: "We are on Short Debate. Proceed, you have two minutes."

Jaffe: "Representative Ronan, I see in the summary, it says, 'no local agency entity of state or local government or public or private organization or any officer or employee who sponsors such training shall be liable. Are you saying with this that if there is a private organization, private corporation that is actually giving lessons in this...CRP..CPR they are doing it for profit and they are teaching... well in a wrong way that they would not be liable for damages in so teaching? Are you listening, Representative Ronan?"

Ronan: "I assume that you are correct, Representative Jaffe."

Jaffe: "Well, if I may, I think that the concept of this Bill is a good concept however, I have traditionally been against just granting carte blanche immunities for different groups and it would seem to me if you have a private organization that teaches this stuff and teaches it for profit and teaches it wrong they really ought to be liable for damages. I think that the concept is good and I think that maybe we ought to vote 'present' or put an Amendment on this particular Bill to change it so that private

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organizations would not be exempted. I would have no problem with the rest of the Bill as far as local agencies or entities of state or local government but I do have problems with the private organizations or private corporations in giving them absolute immunity. So therefore, I would stand in opposition at this particular time until we could rectify that situation. "

Speaker Ryan: "Representative Brummer we are on Short Debate. Representative Ronan to close."

Ronan: "Thank you, Mr. Speaker, what this legislation does, I understand Representative Jaffe's concern and I will be glad to work with him next session to clear up what his concern is. What this Bill does is that in 1979 Senate Bill 94 was passed which did this, it was knocked out in 1980 when the Emergency Medical Services System Act was established and now it is time to put it back into the statute, so I move for your favorable consideration of this very simple measure."

Speaker Ryan: "The question is, 'Shall Senate Bill 1218 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', 5 voting 'no', 19 voting 'present'. This Bill having received a Constitutional Majority is hereby declared passed. Representative Kelly asked leave to be reported 'aye' on the last Bill. Are there objections? Hearing none, leave is granted. The Calendar on page 10 under the Order of Senate Bills, Second Reading, Short Debate Calendar appears Senate Bill 253, Representative McGrew. Representative McGrew in the Chamber? Out of the record. Senate Bill 423, Representative Ebbesen. Out of the record. Senate Bill 464, Representative Schneider. Out of the record. We may not get back to these Bills.

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Representative Terzich, do you want to go with 568? Senate Bill 568, Short Debate, Second Reading. Out of the record. Senate Bill 633, Representative Ewing. Ah...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 Retailers 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 on page one, line one..."

Speaker Leone: "Representative Pierce in the Chamber? What is your pleasure Representative Ewing? Representative Ewing?"

Ewing: "Move to Table it."

Speaker Ryan: "Representative Giorgi."

Giorgi: "Mr. Speaker, Mr. Pierce was just on the Floor a moment ago and I think that is shoddy treatment by the Chairman of the Committee who has worked very well with these... minority spokesman of that Committee who have cooperated on many Bills that have affected the fate of Illinois. I think that this is a horrendous act by that Chairman to go on with this, I urge every Member on this side of the aisle to resist this Am...Bill."

Ewing: "I'm glad to have the opinion of the Gentleman from Rockford, I think that if his memory is very long or if he was even here he'll realize that on Monday this Bill was called and Representative Pierce was not here and I took it out of the record. Now, I can take it out of the record again today but the Speaker just said we might not get back to this order of business. My Bill is as important as Representative Pierce being here and Representative Giorgi, you are out of line in your comments."

Speaker Ryan: "Representative Jaffe."

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Jaffe: "Mr. Speaker, let me just say that Representative Pierce is here, he just left a moment ago and I just sent someone after him. I'm sure that he will be back in five to ten minutes if we could take it out of the record for ten minutes I think then he will be back."

Speaker Ryan: "Representative Ewing, I will get back to the Bill in five or ten minutes if you'll take the Bill out of the record at this point."

Ewing: "I think that is a very good solution."

Speaker Ryan: "The Chair saves a lot of problems, I'll tell you that. Out of the record. Senate Bill 697, Representative Wolf. 697, Representative, Second Reading, Short Debate. ...the Bill heard, Representative? Read the Bill."

Clerk Leone: "Senate Bill 697, a Bill for an Act to amend the State Employees Group Insurance 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. ...Representative Terzich on 730. Out of the record. Senate Bill 755, Representative Stanley. Representative Stanley on the Floor? Out of the record. Senate Bill 889, Out of the record. Senate Bill 903, Representative Levin. Representative Stanley you weren't on the Floor when I called 775 (sic, 755), I'm now on Senate Bill 903, Representative Levin."

Clerk Leone: "Senate Bill 903, a Bill for an Act to amend an Act concerning Public Utilities..."

Speaker Ryan: "Representative Levin, on Senate Bill 903."

Clerk Leone: "Second Reading of the Bill. No Committee Amendments."

Speaker Ryan: "Do you seek recognition, Representative?"

Levin: "Could you take the Bill out of the record, please?"

Speaker Ryan: "Absolutely. Out of the record. Return to Senate

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Bill 755, Mr. Clerk."

Clerk Leone: "Senate Bill 755, 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, Stanley, amends Senate Bill 755 on..."

Speaker Ryan: "Representative Stanley on Amendment #1."

Stanley: "Amendment #1, Tony, did you...did the Clerk call?"

Speaker Ryan: "We have read the Amendment, we have read the Bill, we are standing here waiting for you, Representative Stanley, to explain the Amendment."

Stanley: "The Amendment is a technical Amendment that makes some changes that we agreed upon in Committee and it was agreed upon between the person that judged in college and the Illinois Office of Education and all parties concerned so I don't think that there are any problems with it and I would request we adopt Amendment #1 to House Bill...Senate Bill 755."

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #1 to Senate Bill 755. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. 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 Bill 908 on page..."

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Speaker Ryan: "Representative Davis, Amendment #1, Senate Bill 908. Representative Hoxsey on Amendment #1."

Hoxsey: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 establishes the authority to establish the hydro-electric power revolving loan fund. These funds would provide loans to municipalities to finance feasible feasibility studies for hydro-electric dams. And I would ask for the adoption of the Amendment."

Speaker Ryan: "Is there any discussion? The Lady moves for the adoption of Amendment #1, Senate Bill 908. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. Senate Bill 930, Representative McAuliffe. Representative McAuliffee on the Floor? Out of the record. Senate Bill 1125, Representative Terzich. Representative Terzich, do you want this Bill read? Read the Bill."

Clerk Leone: "Senate Bill 1125, 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 in respect to Amendment #1?"

Clerk Leone: "No Motions filed."

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

Clerk Leone: "Floor Amendment #2, Terzich, amends Senate Bill 1125."

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

Terzich: "Yes, Amendment #2, the Amendment that was adopted in Committee and put on the Consent Calendar was incorrect in Amendment #2 simply makes a technical change of making it from line 10 to line 20. I would move for it's adoption."

Speaker Ryan: "Is there any discussion? The Gentleman moves for

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the adoption of Amendment #2, to Senate Bill 1155 (sic, 1125) All those in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Terzich, amends Senate Bill..."

Speaker Ryan: "Representative Terzich, on Amendment #3."

Terzich: "Senate Amendment #3 amends the Chicago Police and Fire benefits in providing that the minimum for widows only be amended from \$200 to \$250 dollars. This is in accordance and approved by the Pension Laws Commission. I would move for its adoption."

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

Ebbesen: "Would the Sponsor yield?"

Terzich: "Yes, I will."

Ebbesen: "How much is the annual costs? What is the increase unfunded the accrued liability?"

Terzich: "The annual cost for the widows only is for the police department, 405 thousand, and for the fire department 245 thousand. "

Ebbesen: "Is that the increase in the unfunded accrued liability or is that the annual cost?"

Terzich: "The unfunded adjustment and the unfunded accrued liability is four million 500 thousand for the police and three million three hundred thousand for the fire."

Ebbesen: "Is there any provision in the Amendment for increase in the contribution?"

Terzich: "Yes, there is an adjustment in the multiplier which has been approved which amounted to 3¢ per household its .02 on the police and .03 on the fire department."

Ebbesen: "That potentially then is an increase in the property tax of the taxpayers in that geographical area?"

Terzich: "Yes, 3¢ a household."

Ebbesen: "Thank you."

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Speaker Ryan: "Representative Terzich, to close."

Terzich: "I would move for its adoption."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #3 to Senate Bill 1125. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. Senate Bill 1126, Representative Terzich. Read the Bill."

Clerk Leone: "Senate Bill 1126, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

Clerk Leone: "No Motions filed."

Speaker Ryan: "Further Amendments?"

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

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

Terzich: "Yes, this is a similar Bill which simply is a technical Amendment changing it from line ten to line 20 and there is no other change in the Bill."

Speaker Ryan: "Is there any discussion? Representative Mulcahey, on Amendment #2."

Mulcahey: "A question for the Sponsor. Representative Terzich, what are you changing from line ten to line twenty?"

Terzich: "Well, when the Bill was amended in Committee it stated that on the line that any police officer who suffers a heart attack as natural and approximate result of injury and it shouldn't have been line 20 because when the Bill came over from the Senate it was improperly...all I'm doing is changing the line wording that was placed nothing other than that. I would move for its adoption."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment



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#2 to Senate Bill 1126. All those in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. Senate Bill 1132, Representative Watson. Read the Bill."

Clerk Leone: "Senate Bill 1132, a Bill for an Act to amend the Illinois Food, Drug and Cosmetic 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 1133, Representative Barnes."

Clerk Leone: "Senate Bill 1133, a Bill for an Act to amend the Medical Practice 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 1201, Representative Tuerk. Out of the record. On page 17, Consent Calendar. Third Reading, Second day. Read the Bills, Mr. Clerk."

Clerk Leone: "Consent Calendar 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 Bill 67, a Bill for 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 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 Procedure Act. Senate Bill 514, a Bill for

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an Act to amend the Illinois Administrative Procedure 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 888, a Bill for an Act to amend the Illinois Pension Code and state salary and Annuity Withholding 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 1025, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 1038, a Bill for an Act to amend the State Comptrollers 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 Pension Code. Senate Bill 1197, a Bill for an Act to amend an Act creating the Illinois Department of Veteran Affairs. Third Reading of these Bills."

Speaker Ryan: "Senate Bill 202 has been deleted from the Consent Calendar. Representative Hastert, that is your Bill. There has been an objection filed on the Consent Calendar. Senate Bill 202 has been removed from the Consent Calendar."

Clerk Leone "Third Reading on these Bills."

Speaker Ryan: "The question is, 'Shall these Bills pass?'. All those in favor will signify by voting 'aye', all opposed by voting 'no'. Just a minute, hold the, hold the vote. Representative Getty."

Getty: "Mr. Speaker, there are two Bills on this Consent Calendar which I would like to vote 'present' on, as would Representative Madigan. Now, I can either ask for a division of the question or I would ask for leave on those two Bills to have us recorded 'present'. Whichever way you would prefer."

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Speaker Ryan: "What are the Bills, Representative?"

Getty: "901 and 468."

Speaker Ryan: "The Gentleman asks leave to be recorded as 'present' on Senate Bills 901 and 468. His request includes Representative Madigan. Are there any objections? Representative Giorgi."

Giorgi: "Just, I'll vote 'aye' for all of them."

Speaker Ryan: "The record will indicate that, Representative, thank you. Hearing no objections leave is granted. Representative Madigan and Representative Getty will be voted 'present' on Senate Bill 901 and 468. Representative Robbins."

Robbins: "could I be voted that way on those, also?"

Speaker Ryan: "Why don't we take the Consent Calendar out of the record. You folks get yourselves straightened around on this. If you want to knock them off of the Consent Calendar, you ought to do that. You have been here long enough to know what the process is. Out of the record on the Consent Calendar. I will hold your 'aye' vote. Page 10 Senate Bills, Second Reading, Short Debate appears Senate Bill 253, Representative McGrew. Read the Bill."

Clerk Leone: "Senate Bill 253, a Bill for an Act in relationship to state monies. Second Reading of the Bill. No Committee Amendments."

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

Clerk Leone: "Floor Amendment #1, Mc Grew, amends Senate Bill 253."

Speaker Ryan: "Representative McGrew on Amendment #1."

McGrew: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1, is an attempt to solve a problem that is created the Illinois Veterans Scholarship Program frankly, it ran out of money. What they did was they took their appropriation that was at least two million dollars

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short and they simply started paying until they ran out of money. And what happened was those schools that are on semester systems had an advantage to those on quarter systems in that they could submit about 100% of their claim in February whereas those waiting into the quarter system would have to wait until sometime in March or April and so we find a great disparity. Some of the schools have been paid 100% and some of the schools have been paid less than 1/3. Amendment #1 says 'that out of fiscal year 1982 we will first pay all of the outstanding claims out of fiscal 1981 and then pro-rate the money in 1982. I would ask for its adoption.'

Speaker Ryan: "Is there any discussion? The Gentleman moves for the adoption of Amendment #1 of Senate Bill 253. All in favor will signify by saying 'aye', all opposed 'no'. I guess the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. The Gentleman asks leave to keep Senate Bill 253 in the Order of Short Debate. Are there any objections? Hearing none, leave is granted. Do you seek recognition, Representative? Page 2 under the Order of Senate Bills, Third Reading appears Senate Bill 1. Representative Capparelli. Third Reading, Senate Bill 1. Are you ready to hear the Bill? Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1, a Bill for an Act to amend the Crimminal Code. Third Reading of the Bill."

Capparelli: "Mr. Speaker, Ladies and Gentlemen, Senate Bill 1 increases the penalty for solicitation of juvenile prostitute from a Class Four felony, 1 to 3 years to a Class One felony, 4 to 15 years. It increases the penalty for juvenile pimping from a Class Four felony to a Class One Felony. Creates the offense, a new offense called

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exploitation of a child and sets the penalties. A person commits the offense of exploitation of a child when that person confines a child under the age of 16 against the child's will by infliction of threat, eminent infliction, or great bodily harm, permanent disability, or disfigurement or administering any intoxicating poisons, stupifying narcotic or antisthetic substance. And it also compels a child that which will compel a child to become a prostitute, arranges the child to practice prostitution, or receives money or property from that child knowing it was for obtaining prostitution. I believe now that the state must do something to protect the boys and girls of Illinois and this is one way that we can get at them. And I would appreciate a favorable Roll Call."

Speaker Ryan: "Is there any discussion? The question is, 'Shall Senate Bill 1 pass?'. All those 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 163 voting 'aye', none voting 'no', 1 voting 'present'. This Bill having received a Constitutional Majority is hereby declared passed. Page 10 under the Order of Senate Bills, Second Reading, Short Debate Calendar appears Senate Bill 663 (sic, 633). Representative Ewing. Representative Pierce is now on the Floor. Read the Bill, Mr. Clerk. Senate Bill 633."

Clerk Leone: "Senate Bill 633, has been read a second time previously Floor Amendment #1, Pierce, amends Senate Bill 633 on page 1 line 1 and so forth."

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

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, Senate...House Amendment #1 to Senate Bill 633 is the same as House Bill 1624 which is approved by the Revenue Committee and was on the Order of call and not called on

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the Third Reading deadline. It has been placed on the spring Calendar. It is a very simple Amendment that clears up a problem in the sales tax dealing with the certification used by the Department of Revenue in determining the exempt status of manufacturing equipment and machinery. The retailers of our state complained about the current method which required quarterly transmittals to the Department. The Department realizes that this is a problem and did not oppose the Bill, in fact, I understand that they are probably in support of it. When it was approved in the Revenue Committee under its able Chairman, Representative Ewing, and Sponsored by its former able Chairman, myself. Unfortunately, as able as the Bill was, we didn't reach it on Third Reading. I've taken this rather innocuous Bill of Senator Berman, I do not do anything to hurt his innocuous Bill, I leave it intact and I ingraft House Bill 1624 onto it, which is desired by the retailers. I'm not as excited about this as they are but I told them that I would try to help get this Amendment on Senate Bill 633 so I urge adoption of Amendment #1 on Senate Bill 633 for the good of the state."

Speaker Ryan: "Representative Ewing."

Ewing: "Mr. Speaker, I have no objection to Amendment #1."

Speaker Ryan: "The Gentleman moves for the adoption of Amendment #1 to Senate Bill 633. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

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

Speaker Ryan: "Representative Bowman on Amendment #2."

Bowman: "Thank you, Mr. Speaker, with the adoption of Amendment #1, Amendment #2 is technically incorrect, I withdraw it in favor of Amendment #4 which I will offer later."

Speaker Ryan: "Withdraw Amendment #2. Further Amendments?"

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Clerk Leone: "Floor Amendment #3, Ewing, amends Senate..."

Speaker Ryan: "Representative Ewing on Amendment #3."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this Amendment is ...clears up some technical problems it is also a partial change in the law, and will allow the inclusion of unitized systems for coal gasification to receive the sales tax for machinery and equipment. There is only one such plant in the State of Illinois and I would ask for the adoption of this Amendment."

Speaker Ryan: "Is there any discussion? Representative Brummer?"

Brummer: "Yes, what is the one unit that would be affected?"

Ewing: "I didn't understand the question."

Brummer: "I thought that you said there was only one type of unit that would be affected by this..."

Ewing: "There is only one such gasification unit in the state, Representative."

Brummer: "Where is that located?"

Ewing: "I think that it is in Southern Illinois."

Brummer: "Do you know the name of it?"

Ewing: "No, I can't tell you the name of it."

Brummer: "Thank you."

Speaker Ryan: "Further discussion? The Gentleman moves for the adoption of Amendment #3 to Senate Bill 633. All in favor will signify by saying, 'aye', all opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Bowman, amends Senate Bill..."

Speaker Ryan: "Representative Bowman, on Amendment #4."

Bowman: "Thank you, Mr. Speaker, Amendment #4 is one that I believe has widespread support. I know that Representative Ewing had no objections when I offered it to House Bill 1624 a couple of weeks ago and now that he's incorporated House Bill 1624 into this Bill I'm sure that he would have no objections adding this in too. Basically, what this

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does, is to change the base for applying the manufacturers sales tax exemption to machinery used directly and exclusively in the manufacturing process. Continue the phase then of that exemption to 1985 on the present course so we don't tinker with the phasing schedule there. Once that phase is completed then broaden the base once again to where it is now to include manufacturing equipment used primarily in the process and then phase that in and that way we spread the burden out over a longer period of time and we save the state some money. The Governor is eager to save the state some money and has proposed a roll back in the rate at which we phase in the whole thing under the current definition the Bill, Senate Bill 636 passed the Senate but I don't see any Motion here to refer it directly to the Floor and bypass Committee so I don't know how we can act on that unless there...somebody is considering tacking down on those Amendments somewhere else. So, this Amendment right now is really the first opportunity we have had to vote on this particular proposal or on any proposal really to try and save the state some money and to avoid being eaten alive by the run away manufacturers sales tax exemption. so, I urge the adoption of Amendment #4, it would help the state save 207 million dollars for the next budget, the coming budget year."

Speaker Ryan: "Representative Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House, I would urge the Members of the House to support this Amendment. I believe that this Amendment is a key to fiscal solvency in the State of Illinois and I applaud Representative Bowman for offering this Amendment and I would urge all of the Members and particularly those on this side of the aisle to support the Amendment."

Speaker Ryan: "Representative Ewing."



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Ewing: "Would the Sponsor of the Amendment explain a little more clearly, I'd thought everybody to have it brought to their attention how bad this Amendment is. And would he respond by telling us exactly how it affects the program for phasing in the sales tax exemption. Is it different from the Governors?"

Speaker Ryan: "Representative Bowman."

Bowman: "Well, I must be getting hard of hearing I could of sworn that the Representative suggested this was a bad Amendment. I thought he had accepted it to a prior Bill. In any event, you know this is a little different from the Governors. What the Governor is proposing to do is to roll back the phase in schedule so that the tax exemption for the budget year would be equal to the exemption granted at the...in the waning days of 1980. Ah, however the Governor proposes to leave the definition of the tax base the same as it is now. Now, this would save the state 132 million dollars according to the budget book estimates. I haven't seen it updated. Maybe it is a little different now but that is what the budget book said. The Governor, however had urged us to cut 200 million dollars out of the budget because we were having a very serious revenue problem. However, the Amendments proposed by the Membership in this Chamber from the Governors party only total about 149 million so we are going to be 50 million dollars short if we don't do something else. And what I'm recommending, which I think would be the most painless way of solving this problem of revenue shortfall is to change the base of the manufacturers sales tax exemption so that we go back to the legislation as it was passed originally in the 79th General Assembly to exempt equipment used directly and exclusively in the manufacturing process. That would permit a new plant that is building in Illinois or

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expanding in Illinois to stock that plant with equipment without any taxation on that equipment whatever. That exemption would be phased in according to the regular schedule I'm...in other words with the respect to that base I'm not changing the phase in schedule at all. So for the budget year it would get something like an 80% exemption instead of a 30% exemption. Now, what I do however, is once that phase in is completed then I open it up and permit the base to change to that equipment used primarily in the manufacturing process which restores the much broader base and then phase that in, too. So ultimately looking further down the road the manufacturers will get exactly what they are getting under the present system but it just enables us to deal with our critical budget problem at this particular point in time which as we all recognize is critical indeed. When the cuts come down from Washington this fall it will be worse. It is a good Amendment."

Speaker Ryan: "Representative Ewing, before you start Representative, Representative Peters will be in the Chair."

Ewing: "Mr. Speaker, Ladies and Gentlemen I would like to speak on this Amendment. If this Amendment is put on, Representative Pierce, your Bill is dead because this Bill cannot move with this Amendment on it. This is Representative Bowman's plan to phase-in the sales tax exemption on machinery and equipment, it extends it out over a much longer period of time, it makes two phase ins. One, for that directly and exclusively used in business, and on another for primary in the process. It's not the Governor's plan. It cannot go anywhere. It is just an attempt by the Sponsor to either wreck the Bill, slap business or embarrass the Governor. All of which are very

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poor motives and I would ask for a 'no' vote."

Speaker Peters: "Representative Bowman will close."

Bowman: "Thank you. Mr. Speaker, I would like a Roll Call on this. In closing let me, let me just let everybody know what the critical state of the budget is. This Amendment addresses a budget problem. We have been asked by the Governor to cut 200 million dollars out of the budget. Now I sit on the Appropriations Committee and I can tell you that that isn't in the cards. The Amendments which are being offered to implement the Governors recommendations cut only about 150 million dollars out of the budget. We are going to have to find that money someplace else. Now let me tell you it's not going to come out of the Conference Committees because you and I know that the budget is already pretty lean and if we try and pass Bills in the waning days of the spring session that are even leaner than they are now they just won't pass. So what we are going to have to do is to come back in the summer time in July or August, we are going to have to be back in special session and try and figure out some other way to cut 50 million or 100 million dollars more out of the budget. Now, this is a viable alternative to that. If the Governor isn't supporting this Amendment then he's nuts, he's nuts. He has got to balance the budget. He knows that he has told us that he's got to balance the budget, he has recommended tinkering with the sales tax exemptions. This is a change that goes a little ways beyond it. I personally would like to repeal the whole thing. That is what I would like to do but I understand that that is not politically viable so I'm taking what I think is a responsible course, one that is politically viable and one that will keep us away from Springfield, away from special sessions this summer. So, let me tell you if you vote

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against this Amendment, I'm going to come around your desk sometime in August and remind you that you could have avoided this if you had only voted in favor of Amendment #4 to House Bill... Senate Bill 633. So if you want to enjoy your vacation this summer I would urge adoption of Amendment #4."

Speaker Peters: "The question is, 'Shall Amendment #4 to Senate Bill 633 be adopted? Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, the voting is open. Representative Bowman, for what purpose do you rise?"

Bowman: "Yes, I just got a question from one of my siblings here and I just want to point out this does not affect farm machinery. It doesn't affect the tax on farm machinery or the exemption on farm machinery one whit."

Speaker Peters: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 66 voting 'aye', 89 voting 'nay'. This Amendment having failed to receive the majority is hereby declared lost. Any further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #5, Ewing, amends Senate Bill 633 as amended."

Speaker Peters: "Representative Ewing."

Ewing: "Mr. Speaker, Amendment #5 and I was clearing or talking to the other side of the aisle is a corrective Amendment because when Representative Pierce put on Amendment #1, Amendment #3 became technically incorrect. And so I would like to adopt Amendment #5 and then table Amendment #3. Its the same Amendment we've already adopted at 3."

Brunner: "Has this Amendment been printed and distributed?"

Speaker Peters: "Representative Ewing?"

Ewing: "No, Representative, that is why I was talking to your side of the aisle to try and explain and I just showed them

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the Amendment. It is the very same thing but it's now technically correct. And that is why I was asking leave to do that."

Speaker Peters: "Representative Brummer."

Brummer: "I have no objection."

Speaker Peters: "Any discussion? The question is, 'Shall Amendment #5 to Senate Bill 633 be adopted?'. Those in favor will signify by saying 'aye', those opposed...the opinion of the Chair the 'ayes' have it and Amendment #5 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Peters: "Third Reading. Representative Ewing."

Ewing: "With the adoption of that Amendment we should then table Amendment #3."

Speaker Peters: "Senate Bill 633 back to the Order of Second Reading, Representative Ewing."

Ewing: "I move to table Amendment #3 to Senate Bill 633."

Speaker Peters: "The Gentleman moves to table Amendment #3 to Senate Bill 633. Those in favor will signify by saying 'aye', those opposed... the Amendment is tabled. Any further Amendments? Any further action, discussion?"

Clerk Leone: "No further Amendments nor Motions."

Speaker Peters: "Third Reading. The Gentleman asks leave to keep the Bill on Short Debate. Any objections? Leave is granted. Senate Bill 930, Representative McAuliffie. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 930, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Motions filed with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Peters: "Any further Amendments?"

Clerk Leone: "Floor Amendment #2, Telcser, amends Senate Bill 630

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on page 1, line 3 and so forth."

Speaker Peters: "Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, Amendment #2 is agreed to with the Sponsor, its simply allows people who have earned state pension benefits that collect those benefits, even though they still may be employed in the Federal judiciary."

Speaker Peters: "The Gentleman moves the adoption of Amendment #2. Any discussion? There being none, the question is, 'Shall Amendment #2 be adopted?'. Those in favor will sig...Representative Getty."

Getty: "I didn't hear much of an explanation on this Amendment. Is this the Amendment that would permit judges who are sitting in the Federal Court to be paid out of the Pension Funds while they are still sitting as judges."

Telcser: "As I said in my explanation, Representative, this would allow people to collect their pension benefits from the state system which they have earned while they are still employed in the Federal Judiciary system, the same as congressmen, the same as anyone else."

Getty: "So what you are saying is, you want to support a concept whereby a Federal District Judge, at the salary level of a Federal District Judge is going to be getting money from a pension fund when he is still sitting as a judge. Is that correct?"

Telcser: "I want to do that just as the same as a Congressman who was sitting just as the same as an employee for the city who may be working there and has earned state benefits. I am supporting this system of what is equal for everybody, Representative. There is nothing unusual about this, it happens with everyone else in every single system."

Getty: "Well, Mr. Speaker, Members of the House, I don't think that because a judge changes from sitting in one forum to

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sitting in another, there ought to be an exception carved out where he is going to be taking out of the pension fund and still earning at the level of a federal district judge, one of the highest paid salaries in the State of Illinois, and you're asking us to give that federal district judge payment out of our state judges' retirement fund. I think that is an absolute disgrace, and I hope that is voted down."

Telcser: "Well, Mr. Speaker and Members of the House, in closing let me simply say that there is nothing wrong with this Amendment. Frankly, I really can't understand why the Gentleman feels the way he does. It is simply equal treatment. We do this for other federal office holders, for Congressmen. This is the only class of employees who are denied something they have earned and they are entitled to. I sincerely urge the Members of the House to support the Amendment. It is equitable. It is fair. It is honest. There is absolutely no real rational reason in my view to deny someone the right to something they are vested in and something they are entitled to. I sincerely appreciate your support."

Speaker Peters: "The Gentleman moves the adoption of Amendment #2. We've closed the debate, Representative. You can do it on explanation. Proceed, Sir. Point of information."

Lechowicz: "Point of information, Mr. Speaker. For the record, who is this judge?"

Speaker Peters: "It is a general blanket, I think. The question is 'Shall Amendment #2...be adopted?' All those in favor will signify by saying 'aye', those opposed. Roll Call? Roll Call vote. All those in favor will signify by voting 'aye', those opposed by voting 'no'. The voting is open. Representative Vinson to explain your vote, Sir."

Vinson: "Yes, thank you, Mr. Speaker. I think Representative

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Getty was right for the right reason, and I would urge a 'no' vote."

Speaker Peters: "Have all voted who wish? Have all voted who wish? Oh, my God. Take the record, Mr. Clerk. On this question there are 24 voting 'aye', 118 voting 'nay'. Poll of the Absentees, Representative? This Amendment having failed to receive the Majority is hereby declared lost. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Peters: "Third Reading. I have to...Senate Bills Third Reading. Senate Bill 16, Representative DiPrima. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 16, a Bill for an Act establishing the Commission to study the effects of Agent Orange defoliant on veteran...Viet Nam veterans and to provide for the coordination of certain assistance, Third Reading of the Bill."

Speaker Peters: "Representative DiPrima."

DiPrima: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, as you know, Agent Orange has made quite a few headlines recently, and just yesterday Agent Orange was approved by the Senate. And that veterans from the Viet Nam War who were afflicted with this defoliant that affects them in different ways are going to be given examinations and probably given monetary awards for the ill effects they suffered from this illness. Now, I have as a Cosponsor here our colleague here, John O'Connell, and he served in Viet Nam and knows a little more about this than I do. And I would like to have him take up the...the proposition here and have him continue on with it. Take it away, John."

Speaker Peters: "Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 16 establishes an Agent Orange



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Commission. The substantive nature of the Bill is that it establishes a 13 Member Commission. The Commission is comprised of eight Legislative Members, two each appointed by Leaders of both the Senate and the House. There are also five Governor appointed Members, three of whom shall be Viet Nam 'era-veterans', and two of whom shall have experience in military services. The Bill is designed to study the effects of a defoliant commonly referred to as Agent Orange. The Bill will provide for the acquiring of medical evidence through various toxicologists, and more importantly, from individuals who had served in Viet Nam and have now incurred medical disorders, including cancer. Many of you have heard, or read reports, or watched reports on television regarding Agent Orange. Many of you consider this to be a federal question. Well, I submit to you that the State of Illinois has a definite obligation to do its small part to investigate this horrible cancer-causing, or potentially cancer-causing agent. I would ask for your favorable vote."

Speaker Peters: "Discussion? Representative Deuster."

Deuster: "If the Sponsor would yield for a question, I..."

Speaker Peters: "He indicates he will."

Deuster: "I did hear the Sponsor indicate that he felt that this was a federal problem, but we could do something here in Illinois as well. My question is, is the federal government or the federal Congress taking action to investigate and study the effects of Agent Orange on our Viet Nam veterans?"

O'Connell: "Yes, Representative. The Congress has passed out a Bill which will provide for compensation of veterans who have been able to show a causal connection between the Agent Orange and cancer. If I may finish..."

Deuster: "I'm sorry. What would our...what do you contemplate

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that this Illinois Commission would do that the federal government is not planning to do or has failed to do?"

O'Connell: "Well, Representative, the major problem with the federal government having exclusive jurisdiction over this question is that, in effect, it is an adversarial situation wherein the federal government is investigating itself. The Congressional measure is conditional. The compensation is conditional upon finding evidence that, indeed, Agent Orange has caused cancer. Now any basic tenant of law belies the fact that one adversary cannot investigate itself and find an objective result. This measure will at least allow Illinois to have one small part in the overall investigation of Agent Orange. If we can find through testimony of veterans that have suffered medical disorders of Agent Orange, if we can find evidence in Illinois, at least we can contribute something to the overall investigation."

Deuster: "Thank you."

Speaker Peters: "Representative Meyer, Roland Meyer."

Meyer: "Will the Sponsor yield?"

Speaker Peters: "He indicates he will."

Meyer: "On the news last night it showed that the Senate had already passed, the U.S. Senate, had passed a Bill, and a Bill came out of the House of Representatives unanimously last night waiting for the President's signature that will take care of the Viet Nam veterans under the Agent Orange question without any proof of showing it has been caused by Agent Orange, either cancer or otherwise. It came out of the House unanimously yesterday, the U.S. House, and that would address itself to this problem without any investigation."

O'Connell: "Representative, I'll reiterate the answer I gave to Representative Deuster. I don't think that we can let the

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federal government merely investigate itself. The Congressional measure simply is conditional upon establishing a causal connection between Agent Orange and cancer. If the federal government does determine that there is a causal connection, there is going to be a substantial liability. I think that begs the question that it would be...we would be best serving our constituents, our Illinois Viet Nam veterans that may have a medical disorder, we can best serve them by adding some objective third party evidence that might make it conclusive that there is a causal connection. But I don't think the federal government is in a position to investigate itself."

Meyer: "This is not to investigate, Mr...Representative. This is to take care of the situation if there is a causal connection or not. It is not a Bill that would investigate it. It is a Bill that says they accept the responsibility if there is a causal connection or not, that came out of the U.S. House yesterday."

O'Connell: "I understand, Representative. All my Bill does is, mine and Representative DiPrima's Bill does, is to investigate the issue in Illinois and take testimony from veterans who have suffered medical disorders. It will take testimony from toxicologists. All we're doing is contributing evidence to the overall picture."

Speaker Peters: "Representative Fawell."

Fawell: "Thank you, Mr. Speaker. Will the Gentleman yield for a question? Representative, have you got any idea what this Commission is going to cost in dollars?"

O'Connell: "Representative, we have an appropriation or a fiscal note for \$100,000. That is my understanding."

Fawell: "To the Bill, Mr. Speaker. I...I sympathize with what you're trying to do, Representative, and I agree with the ultimate outcome. I honestly feel in these days when we

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are looking for money for every single thing that we can...that is coming before us, I question whether this is a good time to allow this kind of an appropriation when the federal government seems to be willing to take the reins of this problem and solve it, and I would suggest to my colleagues that unfortunately we should vote 'no' for this Bill."

Speaker Peters: "Representative DiPrima to close."

DiPrima: "Yes, Mrs. Fawell, I am surprised at you. Here these kids go out and put their lives on the line, now they might be afflicted with an unknown...illnesses that were acquired from this Agent Orange, and now for a mere \$100,000, you're asking to have this Bill defeated. I am ashamed of you. ...As I'm going to ask you all to support this Bill. Let's give these kids some consideration."

Speaker Peters: "Representative Fawell on a point of order."

Fawell: "Thank you, Mr. Speaker. Sir, I had a husband that served in World War II. I had a son that was in the Viet Nam War..."

DiPrima: "You're divorced from him."

Fawell: "...I do believe that I know what I am speaking of."

Speaker Peters: "The ques...Representative O'Connell, do you wish to close, too?"

O'Connell: "I'm sorry, Mr. Speaker, to take, perhaps, more time than I deserve, but I feel obligated to close on this issue. Maybe I am personally involved. The Lady from DuPage raised the question about allocating \$100,000, and maybe there are more important things that we should be spending our money for. May I point out to the Body, if you'll recall, a month or two ago when the Lady from DuPage requested a \$250,000 appropriation for the County of DuPage to set up a mental health field service. Now, I am not going to stand here and compare priorities of

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appropriations. I would merely point out that while we are spending thousands of dollars, millions of dollars to welcome back POW's, how much have we spent for the health and benefit of those forgotten people that spent a good part, a tormented part of their life serving in Viet Nam? And I don't think that \$100,000 is too much to ask."

Speaker Peters: "The question is 'Shall Senate Bill 16 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. On this question there are 147 voting 'aye', 10 voting 'nay', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 161, Representative Ebbesen. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 161, a Bill for an Act authorizing the DeKalb County Forest Preserve District to sell certain real property, Third Reading of the Bill."

Speaker Peters: "Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, this Bill as was just said would authorize the DeKalb County Forest Preserve District to sell a tract of 80 acres which they will...to allow them to acquire other property. Now the property they wish to liquidate is 80 acres of farmland at the present Afton Forest Preserve, and then the sale of the 80 acres will, in part, finance the acquisition of some new wooded forest preserve along the Kishwaukee River north of Kirkland in DeKalb County. I know of no organized opposition to this Bill. It passed 10 to nothing out of the Senate Committee, 51 votes in the Senate, and 19 to nothing out of the House Committee. Would appreciate a favorable vote."

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Speaker Peters: "Any discussion? Representative Darrow."

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

Speaker Peters: "He indicates he will."

Darrow: "In this legislation is there any system for appraising this property, or are there any appraisals available?"

Speaker Peters: "Representative Ebbesen."

Ebbesen: "Well, not spelled out in the legislation, but they'd just use the same legal procedure as they would use in the acquisition of any property all, you know, appraised and in accordance to how it is done all of the time."

Darrow: "Well, our...our synopsis indicates that this is 80 acres for \$240,000 and the 65 acres is for \$195,000. Is that correct?"

Ebbesen: "Well, you've got some information that I don't have over here. There is nothing that says anything about the price or cost in the legislation. Where did you get your information?"

Darrow: "Well, evidently our staff has gone out and obtained this information as to the fair market values, and those are the figures we received, and that is what prompted my question as to the appraisals. I have no further questions."

Ebbesen: "Well, all I can say is that I am sure that all this would be done if the county board...or I mean the forest preserve that would be doing it, and it certainly would all be done very legally with competent, recognized appraisers and would be a very legitimate transaction, if that is your question."

Darrow: "I have no further questions. Thank you."

Speaker Peters: "The question is 'Shall Senate Bill 161 pass?' Those in favor signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 133 voting 'aye', 2

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voting 'nay', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 168, Representative Deuster, out of the record. Senate Bill 170, Representative Domico. Senate Bill 170, Representative Domico. 1-7-0, out of the record. Senate Bill 171, Representative Hannig. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 171, a Bill for an Act to amend the Environmental Protection Act, Third Reading of the Bill."

Speaker Peters: "Representative Hannig."

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

This Bill, as amended, provides that the Illinois Environmental Protection Agency can demonstrate that when the Illinois Environmental Protection Agency can demonstrate that a hazardous waste flow can be recycled, incinerated or chemically or otherwise disposed of, that those wastes could not be buried. Now, the theory behind this concept is that burying hazardous wastes is probably the worst way to dispose of them and in those cases where it can be documented that reasonable methods of disposal are available then burying should be prohibited. Now, under provisions of this Bill, the EPA must consider the technological feasibility, the economical reasonableness and the reasonable availability of the facilities. Now, originally the Bill was stated so that the disposer would have to bear the burden of proof but the Bill was amended in Committee so that the Environmental Protection Agency would have the burden of proof of showing that the wastes could not...that the waste could be recycled. Now, the Bill would become effective January 1st, 1987 and two years prior to that date the Illinois EPA would adopt rules and regulations spelling out how their decisions would be made. Now, these rules and regulations would be subject to the

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review of the Illinois Administrative Procedure Act so that there would be notices, there would be public hearings. I believe that this is a good Bill and certainly would ask for your favorable vote."

Speaker Peters: "Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker. Will the Sponsor yield for a question? Gary, I see from our analysis that, it says that the Agency, the Pollution Control Agency or the Environmental Protection Agency shall adopt regulations detailing procedures for arriving at its determinations but also, shall determine what constitutes technological feasibility and economic reasonableness, is that right?"

Hannig: "Yes, the Agency would make that determination."

Birkinbine: "To your way of thinking, as a Sponsor of this Bill, what would constitute technological feasibility and economic reasonableness?"

Hannig: "Well, two years prior to the enactment of this Bill or two years prior to what would...with this Bill would become effective, the Illinois Environmental Protection Agency would be...would have to spell out in their rule-making process the way that they would determine what is economically reasonable. So, that two years prior to the effective date of this Bill any disposer of hazardous waste would be able to go into the record and determine how the decisions are going to be made."

Birkinbine: "Well, Mr. Speaker, if I could speak to the Bill. While the intention of the Sponsors of this Bill certainly have, I would suspect, the interest of the State in mind, I suggest that this might very well open up an incredibly complex area in which the Environmental Protection Agency could become the bane of nearly any and all businesses in the State that have anything that might be considered hazardous wastes. Now, you can look at nearly any kind of



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waste product and I get reports on a weekly basis of various wastes that are dumped in the landfill within my district and say, well you could actually pull this or that out of that kind of waste. I would suggest to you that the reasonableness and knowledge of feasibility as displayed by the Environmental Protection Agency in past years would indicate that they haven't got the faintest idea of what either of those words mean and to have that kind of power over virtually every company in the State that might produce some sort of waste would open up a real, if you will, mess, that in the long run we're all going to have to pay for. I suggest that, perhaps, this Bill could use more study and would hope that the General Assembly would agree with me that we not pass it at this point. Thank you."

Speaker Peters: "Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, I rise to support this legislation. I think as a General Assembly we have to take action which will protect all of us as citizens and we have an obligation, I think, also, to protect future generations. It wasn't too many years ago when society thought that we had no obligation and we could...we could do anything we want with regards to the environment, with regards to spoils and we found that what we were doing, we were endangering the health of society and we didn't know what we were doing to the future generations. We are now in our history, where we are finding that much of what we are doing can be very dangerous. We don't even know the potential dangers of some of what we are manufacturing in today's world and this legislation offered by Representative (sic) Demuzio and carried by Representative Hannig in the House, is a protection. So, that the Environmental Protection Agency and the Illinois Pollution Control Board which have the

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powers that we rightfully gave them can offer this protection to us as a society and for future generations. I would urge the Members of the General Assembly to support it. We've got to protect ourselves against ourselves and this is a way of doing it."

Speaker Peters: "Representative Piel."

Piel: "Will the Sponsor yield for some questions, please?"

Speaker Peters: "He indicates he will."

Piel: "Would you explain to us, Representative, why the IMA and the State Chamber opposed this?"

Hannig: "Yes, I might point out that when the Bill was originally introduced and originally passed in the Senate, the IMA and the Chamber were opposed to this Bill. The Amendment that was put on in Committee at the request of Representative Meyers, the Chairman of the Committee, I think to a large degree makes the Bill more acceptable if not acceptable to those organizations. I believe that the last Chamber of Commerce newsletter that I read, they indicated that they were studying the Bill. So, my feeling is that Representative Meyers, who put the Amendment on, which is now the Bill, was very aware and is very aware of that objection and is trying to reach an area of compromise between the environmental groups and the business groups."

Piel: "The reason I ask the question is because our financial analysis, here, shows that they are still opposed to it with the Amendment on. That was the reason I asked the question. Second, isn't the Pollution Control....doesn't the Pollution Control Board, right now, already have this authority?"

Hannig: "I don't believe that they do."

Piel: "They do. Addressing myself to the Bill, this I think, is a duplicative piece of legislation. It's duplicative because you have got the Illinois Pollution Control Board that

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already has this authority. And I don't think that we need to get the Illinois EPA involved in this and so I would ask the Member's of the House to study their vote very carefully before they vote for this piece of legislation."

Speaker Peters: "Any further discussion? There being none, Representative Hannig to close."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. The legislation was introduced in the Senate and sent over here with a piece of legislation, basically, that was very anti-business and very pro-environmentally oriented. Now, I've tried to work with the Chairman of the House Environmental Committee to make the Bill acceptable to both sides, to both sides of the aisle, to all Members of the Legislature. Now, what I think we have here, is a good faith effort on my part and on the part of Representative Meyers to reach a compromise in this area. I represent a district where we do have a hazardous waste dump and where we have had problems with hazardous waste and that's why I'm very aware of the problems and I would ask those Members, who perhaps don't have those problems, to support us in this issue, because certainly we have tried to help you in some of your problems. Now, this Bill won't be effective for six years, so that we have plenty of time to try to work out any small details that could be...that could arise in that time. It's not something that's going to affect businesses next year or tomorrow or any time in the near future. But the ideas that we'd like to get on the books, some legislation which we believe in the future, would protect Illinois from environmental dumps. Now, we have a problem, as I said, in my district, in Wilsonville. I certainly would not want that to reoccur in any other district, throughout the State of Illinois. I think that this Bill as amended, it should be acceptable to all

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factions and I would certainly urge for a favorable vote."

Speaker Peters: "Question is 'shall Senate Bill 171 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. On this question there are 98 voting 'aye', 22 voting 'nay', 6 voting 'present' and this Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 172, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 172, a Bill for an Act relating to the location of sanitary landfills and hazardous waste disposal sites, Third Reading of the Bill."

Speaker Peters: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentleman, this Bill proposes a new method for siting areas that are to be used for waste disposal. Presently, sites for waste disposal are determined exclusively by the Environmental Protection Agency. This Bill would allow county boards or the governing body of a municipality to give approval for the siting of those facilities. There is an appeal process built into the Bill for the applicant of the disposal site or any interested third party that participates in the hearing before the county board or the governing body of the municipality. That appeal process would go to the Pollution Control Board and then to the Appellate Court. The things that the county board or the municipality are to consider in making their judgement would be, first of all, the public convenience at that location. Secondly, that it is located so that the public health, safety and welfare will be protected. That it will not cause substantial injury to the property values in the neighborhood and fourth, that the site is located outside the boundy of the

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100 year flood plane, as determined by the Illinois Department of Transportation. These are all issues that the local units of government are familiar with. They are not to make technical decisions as to the suitability of the site, rather that power still lies in the Environmental Protection Agency. This Bill passed out of the Senate unanimously in Committee. It passed out of the Senate on Third Reading, unanimously, and it had substantial support in the House Committee. Those people who filed as proponents of the Bill, included the Environmental Council, the Environmental Protection Agency, the Illinois Municipal League, the Illinois Farm Bureau, Waste Management Corporation, Save the Land Incorporated, and the Township Officials of Illinois. It is a new concept. It is something that I think treats a very difficult issue in a very reasonable way. I would be happy to answer any questions. Representative Oblinger is the hyphenated Cosponsor of this Bill and will close."

Speaker Peters: "Any discussion? There being none, the question is, 'shall Senate Bill 172 pass?' Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This question there are 157 voting 'aye', none voting 'nay', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Mulcahey. For what purpose do you arise, Sir?"

Mulcahey: "Mr. Speaker, I was off the floor a few minutes ago, and not by my own request, and I was wondering if I could have leave of the House to be recorded as voting 'yes' on Senate Bill 171?"

Speaker Peters: "The Gentleman asks unanimous consent to be

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recorded as voting 'yes' on Senate Bill 171, is there objection? There being none, the Clerk will so indicate."

Mulcahey: "Thank you."

Speaker Peters: "Senate Bill 180, Representative Ropp. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 180, a Bill for an Act to amend the Uniform Commercial Code, Third Reading of the Bill."

Speaker Peters: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. Senate Bill 180 provides that the implied warranty for the merchantability and the sale of livestock is not necessary provided the individual seller has met the requirements pertaining to health regulations set out by the State of Illinois and the United States Department of Agriculture. This is a Bill that is needed to bring the Uniform Commercial Code into line. There have been a number of court cases where this particular position has made it difficult to rule. And I urge your favorable support of this Bill. It is supported by the Interstate Livestock Producers, the Illinois Farm Bureau, and the Illinois Pork Producers here in the State of Illinois."

Speaker Peters: "Any discussion? There being none, the question is 'Shall Senate Bill 180 pass?' Those in favor 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. On this question there are 151 voting 'aye', 1 voting 'nay', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 197, Representative Huskey. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 197, a Bill for an Act to amend Sections of the Illinois Vehicle Code, Third Reading of the

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Bill."

Speaker Peters: "Representative Huskey."

Huskey: "Well, Mr. Speaker, this is a relatively simple Bill. It is a Bill that is designed to where they haul sod in the sod fields which mostly are around the south...the suburban areas. Most of these sod haulers will hook up their high lift, according to law, with chains and the proper hitch to their...to their truck and tow it behind a truck. It doesn't exceed the overall limit of the state requirements and...and that's basically all it does. The...it is not opposed by the Illinois State Police. They...in fact, they support it. The Department of Transportation doesn't oppose it. And...and then there is an Amendment on the Bill that Senator Deuster put on yesterday on the well drilling rig to exempt it from the...safety inspection. And there is only a few of those well drilling rigs, but it is not hardly possible for them to go through an inspection lane due to their bulky construction. So I move for a favorable vote."

Speaker Peters: "Representative Friedrich. The question is 'Shall Senate Bill 197 pass?' Any discussion? There being none, the question is 'Shall Senate Bill 197 pass?' Those in favor signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 130 'ayes', 8 voting 'nay', 2 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 209, Representative Piel. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 209, a Bill for an Act to amend Sections of an Act in regard to judgments, Third Reading of the Bill."

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Speaker Peters: "Representative Piel. Excuse me. Will those who are not entitled to the floor please leave? Will the doorkeepers please assist those who are not entitled to the floor in finding the exit? Proceed, Sir. Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 209 is almost identical to House Bill 101 that passed out of here last month with a very favorable Roll Call, about 140 'yes' votes. It passed out of the Senate with 57 to nothing, and what it basically does in the difference between House Bill 101 and Senate Bill 209, this makes a stable rate on judgments on a foreclosure suit where the other one was revolving, where the person did not really know what the rate was going to be on a foreclosure suit. This basically increases it from 6 to 10 on the foreclosure suit and makes it a stable rate. I would answer any questions that people would have."

Speaker Peters: "Any discussion? There being none, the question is 'Shall Senate Bill 209 pass?' Those in favor 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. On this question there are 132 voting 'aye', 14 voting 'nay', 4 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 211, Representative Sandquist. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 211, a Bill for an Act to amend the Illinois Food, Drug, and Cosmetic Act and the Pharmacy Practice Act, Third Reading of the Bill."

Speaker Peters: "Representative Sandquist."

Sandquist: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is supported here in the House by Representative



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Slape and myself, and what it does is to make it much easier to use generic drugs. Under the present Act, a pharmacist can substitute a generic drug if he gets specific instructions from the doctor. Under this Bill, the pharmacist can substitute a generic drug which is less than 1% variance unless the doctor gives specific instructions that it cannot be done. I think it is something that all of our people want and use. It will help them to save money. It's got now, with the Amendment that was put on in the Senate, has support of the Illinois State Medical Society, the Illinois Pharmacist's Association, and the Department of Public Health. I don't know of any opposition, and I'd like Representative Slape to close if there is anything else."

Speaker Peters: "Any discussion? There being none, Representative Slape."

Slape: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As Representative Sandquist says, this is an agreed Bill by all the parties and professions that are concerned. It is adjust an attempt to clear up the Genetic (sic, Generic) Drug Act, and we would ask for a favorable Roll Call."

Speaker Peters: "Any further discussion? There being none, the question is 'Shall Senate Bill 211 pass?' Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Have all voted who wish? Have all voted who wish? Representative Karpiel to explain her vote. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 146 voting 'aye', 5 voting 'nay', 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 214, Representative Smith. Irv Smith. Senate Bill 214, Representative Irv Smith. Do you wish the Bill called,

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Sir? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 214, a Bill for an Act relating to the offense of burglary and penalties prescribed thereto, Third Reading of the Bill."

Speaker Peters: "Representative Irv Smith."

Smith: "Thank you, Mr. Speaker. This Bill would raise the penalties for house burglary, we hope, to the point that it would create a deterrent for the house burglar. I would request your favorable vote on the Motion."

Speaker Peters: "Any discussion? Representative Stearney."

Stearney: "Will the Gentleman yield?"

Speaker Peters: "He indicates he will."

Stearney: "What Committee did this come out of in the House?"

Smith: "The Executive...Executive Committee."

Stearney: "Tell me, Sir, how did this get to the Executive Committee rather than the Judiciary Committee?"

Smith: "It was sent there by the Committee on Bills."

Stearney: "Purely fortuitous, I imagine."

Smith: "Purely."

Stearney: "Sure. Well, let me just ask you this, Sir. This raises the penalty from...what Class now is burglary? Class 2, am I right?"

Smith: "Class 2. Right."

Stearney: "And it makes it Class 1."

Smith: "Right."

Stearney: "And do you know what the penalty is for Class 1?"

Smith: "Would you inform me?"

Stearney: "Well, you're the Sponsor of the Bill. You're asking 89 people here to vote 'yes' to put somebody in a penitentiary for an offense. I would think you would know what that penalty is."

Smith: "Let me dig it out. Is Representative Hastert in the...thank you, Tim...Class, thank you, Class 1. Class 1

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is four to 15 years, Representative Stearney."

Stearney: "Four to 15 years. And you're saying this is nonprobationable."

Smith: "Correct."

Stearney: "And would this...let me give you a hypothetical situation. You take a vacation home which is unoccupied for months at a time and it is residential. And if someone were to go into that home and he was apprehended now, he would have to go to the Illinois State Penitentiary for a minimum of four years, four to 15 years?"

Smith: "The same...yes, Sir. The same reason if he would break into my house with my wife or my children there."

Stearney: "Yeah, but however, your Bill does not say that if there are residents in the house that it would only apply. It is saying that if you break into any dwelling, that is even unoccupied for months at a time, that it is nonprobationable."

Smith: "That...that is as hypothetical as many of the other questions."

Stearney: "Well, tell me, Sir. What is the rationale for creating such an onerous, draconian penalty such as this?"

Smith: "The rationale is to protect innocent people in homes who have been burglarized, who have been assaulted, who don't have a chance against an armed burglar."

Stearney: "And so I see then, that your Bill is directed at that situation where you have people in the home."

Smith: "Mainly that is correct."

Stearney: "Well, you know that there is already legislation..."

Smith: "My Bill is aimed at burglars. My Bill is aimed at people who break into abodes who do harm to innocent people, who have done it too much."

Stearney: "Well, let me say this here..."

Smith: "It is a deterrent Bill."

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Stearney: "Well, granted it is a deterrent Bill. I think that what you're doing is subverting the present Criminal Code. We have a statute on the books which is home invasion which is presently a Class X offense. You are lessening the penalty for that type of an offense. Do you realize what you're doing here?"

Smith: "We're also putting burglars on warning that there is no probation."

Stearney: "Well, Mr. Speaker."

Speaker Peters: "Representative Stearney to the Bill."

Stearney: "Yeah, let me address myself to the Bill, and I think everybody should pay some attention here to what we're doing. The Gentleman is taking a Bill which he thinks is creating a deterrent and really reducing the penalties now. We have home invasion which is a Class X Felony which is six years. He is reducing that particular measure by intro...having...introducing this Bill which makes it a Class 1. Then on the other hand, I am asking you to really consider what we're doing here. The penitentiaries are overloaded now. They are releasing, early release people who have been sentenced for violent crimes. What we are going to do by this Bill is overload the penitentiaries even more with individuals who have broken into a dwelling. Let's say a kid 17 years old broke into a house. Nobody lives there, nobody lives there for months at a time and saying that this kid has to go to the Illinois penitentiary for four years. Then in the meantime on the other end of the spectrum, they've got to release the violent offenders to make room because there's no room in the penitentiaries any more. We have totally overcrowded them. So orderly release means that people who have sentences for armed robbery, murders, and rapes, horrendous crimes, are being given early release to accommodate those coming in for

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non-violent offenses. We must do something. First we must do is create a new penitentiary. Build a new penitentiary, be it medium security or middle security penitentiary. But nevertheless, we must first act on that before we attempt to create new types of offenses which are mandatory in nature. And let me remind you now, and I say this very seriously, you can't take a kid 17 years old who breaks into a home that is unoccupied, that is considered residential, but nobody lives there for months at a time, and says he has to go to the penitentiary for four years. This is really harsh. This is cruel. It can happen to any one of you. Even your own kids can get involved in something like that, and then you'll be sitting here wondering why we did such a stupid, atrocious thing like this here. I say this Bill here should be defeated. And this is another attempt to go around the Judiciary Committee, send it to Executive, and come out with such nonsenscale, inane, stupid absurd legislation as this. I say we should vote 'no' because you are reducing the penalties for home invasion which is Class X, and then on the other hand trying to punish a kid with four years in Devil's Island for something like this here. This here Bill should be defeated and it should be giving a warning to these people assigning these Bills that if you don't circumvent the Judiciary Committee, send them to Executive in hopes of passing out every piece of garbage. I ask a 'no' vote on this matter."

Speaker Peters: "Representative Preston."

Preston: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Peters: "Reluctantly."

Preston: "Representative Saith, do I understand from the comments made by Representative Stearney that the provisions of this

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Bill apply to residential property that is unoccupied as well as residential property that is occupied?"

Smith: "It applies...it applies to homes. It applies...it applies to homes. It does not apply to, for example, the garages in the homes. They were amended out. It is an abode where a person is living. I don't know how many unoccupied homes you find in communities. I know that in my community there are not many unoccupied homes."

Preston: "Does it apply to an unoccupied summer home that has been boarded up for the winter season?"

Smith: "No."

Preston: "It does not apply to that?"

Smith: "It has to be..."

Preston: "If you own a summer home and you don't live there for the winter and you boarded it up and somebody goes into it, that is not covered by the provisions of this Bill?"

Smith: "It has to be a dwelling. If it is boarded up..."

Preston: "Can it be a dwelling in which someone is not currently using it for the months of December, January, February, and March?"

Smith: "If it is boarded up, it is not a dwelling. If someone is living in it and a burglar breaks into it, he is guilty of home burglary. And this is the kind of people we want. Right now we have these people on probation walking around after having, perhaps, broken into two, or three, or four dozen houses. And we want to put them out of business."

Preston: "Mr. Speaker, I don't think the Gentleman is being responsive to my question. I would ask another question whether or not the provisions of this Bill has anything whatsoever to do with an individual burglarizing a home and at the same time carrying with them a firearm as opposed to that same burglary without use of a firearm."

Smith: "It doesn't make any difference. It doesn't speak to the

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firearm."

Preston: "Mr. Speaker, if I may speak to the Bill."

Smith: "The person...alright."

Speaker Peters: "Please proceed."

Preston: "Thank you, Sir. From my reading of this Bill it does apply to unoccupied dwellings as well as those which are currently being occupied. The very colorful and flowery remarks of Representative Stearney are remarks that I agree with. I think that the provisions of this Bill would mean that a youthful offender could serve a lengthy time in a penitentiary for a first offense of merely breaking in...let me take back that word merely, of breaking into a boarded up home that is used as a vacation home for the purpose of stealing a radio. And that individual may, in fact, end up serving four years in a penitentiary taking away all the judicial discretion of the judge to, in a given instance, perhaps provide for something less than a penitentiary sentence. I think that this Bill would serve a poor effect. It would have been cleaned up to a considerable degree had it gone to the Judiciary II Committee. I regret that that was not the case, and I would urge people on both sides of the aisle to look at this carefully and to give it a 'no' vote."

Speaker Peters: "Representative Schraeder...Excuse me. There are about roughly 17 - 18 lights flashing. We'll get to all of you. Representative..."

Schraeder: "I'll try to be...I'll be brief, Mr. Speaker. I just want to point out that this was probably sent to Executive Committee because they do a better job than the Judiciary usually does. Judiciary usually sends out the garbage and keeps in the good Bills. Secondly, the previous speaker two times removed, having quite a lot of experience in trial work apparently is trying to make it easy on the

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criminal again. I think that is a shame. It is a very direct conflict of interest. Well, I happen to agree with Sponsor of this legislation. He is trying to tighten up on penalties for the criminals. And what more could we do in this Session as to make more stringent laws for the violators of other citizens. This is a good Bill. It ought to be passed not contrarywise what the two previous speakers have said."

Speaker Peters: "Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, the whole issue of the correctional facilities in the State of Illinois is really a time bomb. I happen to agree with Representative Stearney because as of April '81 there were almost 4,000 inmates released early. And the problem with releasing these inmates early is that very often those inmates were released early with only one or two days notice. Now you can imagine what you're doing to somebody who is an inmate in an institution. That person isn't ready yet to be on the outside in society. That person is not...doesn't have a job. Imagine, if you will today, that you're sitting on a hard bed in a correctional institution and somebody says to you, 'Tomorrow you're going to be out on the street'. How can you function in society? And I tell you all you're going to do is put somebody out in the street who is again going to become a criminal. I think that before we pass a Bill like this, we've got to examine our whole planning of the correctional system in Illinois. We've got to look for alternative programs. In the State of Minnesota, for example, the state subsidizes the communities which offer a way of providing the facilities at the local level and for first offenders. This has worked well in the State of Minnesota. But no, here in Illinois we'd rather say we're going to put people in



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prison, and we're going to put more people in prison, and then we cannot function. We don't have the facilities for those people. So what do we do? We have a Pontiac prison riot. And that Pontiac prison riot is going to cost us 20 some million dollars. 20 some million dollars. All we are doing is throwing bad money into bad money. Now I realize that there are many citizens in society that tell you, and they tell me there ought to be a law. There ought to be a law. And they blame us for all of what happens in crime when really what is the matter with all of us is that we are each, each in our own way contributing to the crime rate in the State of Illinois and probably the whole country. And if we pass Bills like this, which I believe,...Roman Kosinski is providing me with...996 people were released early for the offense of burglary. That is just one statistic. But I know it is easy to respond to the people that are saying pass a law. Pass a law. But let me tell you, we are better off to leave the law where it is. And I tell the citizens who tell me that we ought to pass a law that there are enough laws on the books today. And really what we are doing, we are making a mistake. So often we are making laws that differentiate...as between crimes of one person versus another. We are making the laws more complicated where they ought to be simple. A crime ought to be a crime whether it be against a person that is a child or an adult person. But yet we are responding politically. And I believe that by passing this Bill we are going to probably put more people in prison who probably don't belong there. And we've got to look for alternative programs. We ought to do it responsibly. And I, in fact, in the Appropriations Committee, have told the Chairman of that Committee and all of the Committee that we have got to, for

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example, the Department of Corrections is going to be in our Committee tomorrow. They have been meeting with CDB and the Bureau of the Budget for two or three weeks secretly on proposed facilities in the State of Illinois. And I think that ought to be done in the open. And I said in the Appropriations Committee that something that important should be done. Those of you who are saying time, you know, you ought to read the rules because I am within my time limit. But I think I've said enough. I believe that we would be better off. If you're afraid of voting against this, vote 'present' or don't vote because it surely is not going to correct the problem nor ease our very serious crisis in corrections."

Speaker Peters: "Representative Jim Kelley."

Kelley: "Thank you, Mr. Speaker, Members of the House. I would like to rise to speak for this Bill. I can't really imagine anybody opposing this type of legislation. If I sit in Rockford, there is not a morning that I can't pick up the paper and read of home invasion, usually perpetrated against the elderly. We have heard that youthful offenders will go to jail. We've heard that youthful offenders will go to jail. I'll tell you, youthful offenders kill. We have had two or three murder cases in Rockford. The age has been very low. So I would think that if nothing else, to help the elderly and the people who cannot defend themselves, this would be a good Bill."

Speaker Peters: "Representative Kustra, you have something important to add?"

Kustra: "Mr. Speaker, I would like to move the previous question."

Speaker Peters: "God bless you. The question...you can vote 'no'. The question is...happy to give it to you. The question is 'Shall the previous question be put?' All

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those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? This requires a two-thirds vote. Have all voted who wish? Have all voted who wish? Take the record. This Motion fails. We'll proceed with the discussion. Gentleman, when the Motion is put vote the switches 'yes' or 'no'. We can't monkey around and then have people complain that...that the debate is being protracted. Sit and vote. If you don't want to do that, then don't. But we've got to proceed with some kind of order here. The discussion continues. Representative Mulcahey. There are about 16 more lights. Representative Mulcahey."

Mulcahey: "Mr. Speaker, I was going to move the previous question."

Speaker Peters: "What is your pleasure?"

Mulcahey: "I would like to move the previous question."

Speaker Peters: "The Gentleman moves the previous question. Those in favor will signify....he has a right to move the question. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Take the record, Mr. Clerk. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 99 voting 'aye'...Representative Brummer. Change the Gentleman to 'no'. The Motion is lost. Representative Emil Jones to explain your vote. On the...I'm sorry, Sir. The Motion is lost. We're back on debate. Representative Emil Jones."

Jones: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this piece of legislation. Listening to the debates of the individuals talking about a criminal going to jail, they should talk to the homeowners in my area and many of the other areas of the City of Chicago. If you talk to the senior citizens who are afraid to go out of the house. They live behind bars in their own

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homes. They are prisoners, and you talk about protecting the criminals. That is ludicrous. I got a call yesterday from my wife. I got a call yesterday from my wife here in Springfield and she tells me some individual was hanging around..."

Speaker Peters: "Representative Collins, for what purpose do you rise?"

Collins: "Mr. Speaker, on the Motion for the previous question, I believe the vote was 98 to 49, and I would suggest that is two-thirds, and the Motion would prevail."

Speaker Peters: "I now suggest that you were probably right. However, I already declared it lost. Representative Jones, proceed."

Jones: "I received a call about an individual lurking around the house on the street. I called the commander to put the house under surveillance, and you've got individuals on this floor concerned about protecting criminals. Now if an individual breaks into your house and they carry a sign saying, 'I don't have a gun. I am only here to steal a TV', then maybe I wouldn't try to blow his brains out or maybe they should not send him to jail. But you have senior citizens. You have disabled persons living in homes, and you're talking about set the criminal free. Don't send him to jail. We've got to get tough on crime in this state. Let's not kid ourselves about it. I know how it is in my community. And those individuals who are talking about the penalty is too severe, the penalty is not strong enough. So vote 'yes' on this piece of legislation. Protect the citizens of the State of Illinois, the law-abiding citizens of the State of Illinois, and so we, the citizens, do not have to live in prison in our own homes."

Speaker Peters: "Representative Dwight Friedrich."

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Friedrich: "Mr. Speaker and Members of the House, if you believe in the sanctity of the home, then you ought to vote for this Bill. Anybody that is breaking into your home is not entitled to any consideration as far as I am concerned. And I've made a firm 'resolve' that if it ever happens in my house I'll shoot the guy. I'll take a chance on what happens thereafter. Now thanks to the courts, they've said you can't shoot him until he gets inside. And I'm going to wait till he gets inside, then I'm going to shoot him. We may not need this Bill. In the meantime, let's have this Bill."

Speaker Peters: "Representative Katz."

Katz: "Mr. Speaker, I not only believe in the sanctity of the home, I believe in the sanctity of the procedures of this House. And I believe in the sanctity of the Committee system. I want to point out to you, Mr. Speaker, and Ladies and Gentlemen of this House, that the Speaker and the rules of this House provide for certain Committees that are appointed here."

Speaker Peters: "Representative Katz, the rules also provide that you address yourself to the Motion. Now, please."

Katz: "I am addressing myself to House Bill 214."

Speaker Peters: "Address yourself to the Bill, please."

Katz: "...To Senate Bill 214, Mr. Speaker. And to Senate Bill 214, like a number of other Bills, has been misassigned by the Committee on Assignment of Bills. And I have a right to object to that, and I will be heard on it, Mr. Speaker."

Speaker Peters: "We will be prompt...very happy to take whatever objections you have at the proper time. We are now debating the merits of House...Senate Bill 214. Proceed on the merits of the Bill, Sir."

Katz: "Yes, I am asserting to you, Mr. Speaker, that Members of this House should vote against Senate Bill 214, and one

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reason is that it did not have a proper Committee hearing. Senate Bill 214 was not sent to the House Judiciary II Committee, staffed by 15 Members of this House appointed by their respective leadership because the Committee on Assignment of Bills likes to circumvent their Committee. They have circumvented the Committee in regard to at least 25 Bills relating to the criminal law. They have sent the Criminal Law Bill, including this Bill to Committee that has only..."

Speaker Peters: "Representative Conti, for what purpose do you rise?"

Conti: "Mr. Speaker, Ladies and Gentlemen of the House, as you pointed out his arguments against 214 is not timely. What he should do is discuss the merits of the Bill and not discuss the procedure on how the Bill was passed out of Committee. It is not timely now."

Speaker Peters: "Representative Katz."

Katz: "Mr. Speaker, I am asserting that this House should not pass Bills relating to the criminal law without an adequate Committee hearing. And I am asserting that Senate Bill 214 directly relates to the criminal law. It was heard by a Committee that has, as far as I know out of 21 Members, only two Members. And I do not believe that it is a proper procedure either for the rules of this House or for the welfare of this state that Bills are passed that send people to prison without those Bills having had an opportunity to be heard by lawyers who understand what the Bills are all about. And I would assert to you that the Members of the Judiciary II Committee that are now, among others, discussing the merits on the floor, are having to discuss it on the floor because the Committee on Assignment of Bills sent this Bill to the Executive Committee as a way of circumventing the Judiciary II Committee just as it has

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circumvented the Judiciary II Committee on the various Attorney General Bills, on the Bills relating to the temporary insanity, Senate Bill 867, part of the Governor's package, that on the Bills relating to library theft and peace officers on that atrocious Bill relating to librarians, the one that this House rejected by, as I recall, over 125 votes which made a crime. That Bill also was not sent to the Judiciary II Committee, and I think it is a shame that the procedures of this House are abused in that kind of way. It is unfair to the Members of this House. It is unfair to the people of this state. It is unfair to our rules and procedures, and I don't think we should be passing Bills sending people to penitentiaries or changing penalties one way or the other without an adequate time to consider them. This Bill did not have such a hearing, and I would assert that as an additional reason why this House should not pass this Bill."

Speaker Peters: "Representative Hastert."

Hastert: "Mr. Speaker, I wish the man...the Gentleman addressing here would address the Bill. I think the decision to put it in the Executive Committee has been made, and I wish he would address the Bill."

Speaker Peters: "He's finished. Representative Flinn. Representative Pullen."

Pullen: "Mr. Speaker, I just wish to suggest to the Gentleman that perhaps his Resolution on gun control should not be heard in Executive Committee this week after all since that relates to criminal justice. Thank you."

Speaker Peters: "Representative Watson. Representative Watson."

Watson: "Thank you, Mr. Speaker. I would like to move the previous question."

Speaker Peters: "The question is 'Shall the previous question be put?' Those in favor will signify by saying 'aye', those

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opposed. The 'ayes' have it. Representative Irv Smith to close."

Smith: "Thank you. I think the question here is, it is a question that I hear in my community, it is a question that is heard around the state, and it was a response that we received when the Bill was put in, and that is, 'Let's do something about home burglary'. And we're attempting to do it here by warning burglars that we will have a stiff penalty and that they won't be allowed to walk the streets after they've committed home burglaries. I ask your support on this Bill."

Speaker Peters: "The question is 'Shall Senate Bill 214 pass?' Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Representative Getty to explain his vote."

Getty: "Mr. Speaker, I rise to explain my vote. I am sorry I wasn't given the opportunity to question the Sponsor, and to let you know why this is, indeed, a bad idea. Two years ago I sponsored the Home Invasion Act which does what the Sponsor really wants to do, to get at people who break into occupied homes. That is a Class X Felony for which probation can't be given. The idiocy in this is you will be applying it to the breaking into unoccupied dwellings. You will be applying it to a first offender who could be rehabilitated. Instead of giving that opportunity for rehabilitation, you will be, without giving the court any discretion, damning that individual to the penitentiary where just a few years later he'll come out a hardened criminal. Now I suggest to you under existing law, even this offense could result in a 14 year penalty under the extended term provisions. It would be, I suggest to you, a very sad thing if you adopt this. It will be counter-productive because what will happen, the sensible



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State's Attorneys will end up saying, 'We can't do this. We're going to have to make a mockery of the law'. We're going to have to reduce this to criminal damage or some other penalty when indeed the penalty ought to fit. The penalty should be for burglary and it ought to be for that, but give the court, in the appropriate case, discretion to place them on probation rather than ruining a person. I think if we pass this, we will be doing a self-defeating act. Think very carefully about it. Think about the prison system. Think about the Bill that you've already passed out and is over in the Senate to upgrade our probation services to make them meaningful. Think about the fact that we will make probation something that will work in this state, something that will save the taxpayers' dollars, something that will be rehabilitative instead of damning."

Speaker Peters: "Representative Collins to explain his vote."

Collins: "Well, Mr. Speaker, I just wanted to agree with Representative Katz. Obviously, nobody but lawyers is able to understand Bills that are introduced in this House. And we would send all Bills to that Committee, But we're never sure they're going to meet."

Speaker Peters: "Representative Robbins to explain his vote."

Robbins: "I don't really know. I understand that State's Attorneys are sponsoring this Bill and wanting this Bill as a tool to help solve the invasion of our homes. I suggest that maybe we should take the Bill one step further and do as they do in the Islamic world. Just simply cut their hands off so they can't steal any more. Now would that be a better prison sentence than putting them in jail? I...this is one of the things that you have to look at if you're going to try to stop this kind of thing. Now this is a good Bill. It needs another vote or two. So think

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and vote for law and order instead of for the criminals."

Speaker Peters: "Representative Huff to explain his vote."

Huff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I couldn't agree with Representative Robbins more. I think the Members of the House and the Members of the chamber would be interested to know that since March when I proposed that we do just that, that we amputate the hands of career criminals. That proposal went around the world, Ladies and Gentlemen. At present, my mail is divided equally for and against. I couldn't disagree more with Representative Getty who talks about rehabilitation. And yet, Representative Getty is forgetting one word that is very cogent to a prison system. That is called recidivism. Recidivism is the return of career criminals at the commission and the serving of one sentence for one crime which is about 80% of all prisoners that are released from the penal system are back on the new....are back in the prisons within the month that they are released. What we are doing in the court system, Ladies and Gentlemen, is creating a crime subculture..."

Speaker Peters: "Two more Bills."

Huff: "...That regards society pretty much the way the sadist regards the masochists. And the only way you're going to give proper punishment to these citizens, to these antisocial individuals is to have the punishment fit the crime. Thank you."

Speaker Peters: "Representative Dick Kelly to explain his vote."

Kelly: "Thank you, Mr. Speaker and Members of the House. I suppose I shouldn't be voting for this issue because of what many of the opponents have stated earlier, but I and just about everyone in this House knows the number of home break-ins have certainly reached epidemic proportions. I don't happen to be afraid of the jail situation, because,

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Ladies and Gentlemen, you know, and it was stated earlier, the jail is already filled to capacity. A judge is not going to sentence someone without looking at their previous record. If someone is, I don't care if they are casually walking into my house or into your house, that should be on official record. And if they create further crimes further down the road, then they should be held further responsible. So I am going to vote for this Bill because I think a message is needed, that we do need. As my colleague, Representative Emil Jones said, a direction of law and order."

Speaker Peters: "Representative Jack Dunn to explain his vote."

Dunn: "Mr. Speaker and Ladies and Gentlemen of the House, unfortunately, I don't have a legal background, so I can't see the fallacy in the Bill that we're discussing here. But I do know that the law that we have now is not working. You heard it from many people. And perhaps a few of them might feel...find it is a little bit strong. But if it is a little bit strong, maybe we wouldn't have as many first offenders to contend with any more. I would urge an 'aye' vote."

Speaker Peters: "Representative Cullerton to ex..."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think that many people are misinformed as to what this Bill actually does. It doesn't apply to a situation where someone breaks into a home and people are there. That is covered, as Representative Getty said, by home invasion which is already a Class X Felony. What it does do, though, is allow for some absurd situations. If someone breaks into a garage that is attached to a house, that, presumably, would be a residential burglary. To steal a bike, they would be guilty of a Class 1 Felony and would not get probation. But to prosecute a burglary where

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\$3,000,000 was stolen in Chicago would remain a Class 2 Felony and would have less a penalty imposed upon it as opposed to someone who is taking a bike from a garage. That is really what you're doing with this Bill. It's really absurd. As far as the nonprobationability, all the judges are going to do, the same judges who now give probation, they are going to continue to give probation if they want to. They'll just say, 'I find that this was not a residential burglary. It was really a burglary of a nonresidential property'. And so you're not really going to affect anything by doing this Bill other than to just embarrass yourself later on when you realize how silly, really, this Bill is."

Speaker Peters: "Representative Henry to explain his vote."

Henry: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Since January of 1981, we formed a Committee to go into communities to discuss the problem of crime. Along with Representative Smith, Rhem, Huff, and Alexander, we have had several hearings throughout the black communities of Chicago. And what the people are telling us, no matter what the color, no matter what time, they want the State Legislature to do something to protect the poor, to protect the aged, and I cannot understand the red buttons up there. As a matter of fact, they may have not been in their districts to listen to what the people are saying. The people are sick and tired of being unable to walk the streets. They are sick and tired of living in bars and unable to leave their homes at night. We have to send a message to these criminals, and I am sorry if it hurts a family member of mine because if he is convicted of a crime against the people of the State of Illinois, he should be placed in the penitentiary. Thank you very much."

Speaker Peters: "Any further discussion? There being none, have

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all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 101 voting 'aye', 50 voting 'nay', 8 voting 'present'. Representative Stearney, for what purpose do you seek the attention of the Chair, Sir?"

Stearney: "A verification."

Speaker Peters: "The Gentleman requests a verification."

Stearney: "Are we ready?"

Speaker Peters: "Not yet. Representative Smith requests a Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Abramson, Darrow, Farley, Garmisa, Griffin, Hanahan, Kane, Leverenz, Margalus, McClain, Redmond, Reilly."

Speaker Peters: "Reilly, 'aye'."

Clerk Leone: "Ronan, Schuneman, Steczo..."

Speaker Peters: "Representative Steczo votes 'no'."

Clerk Leone: "Stewart, Tuerk, and Turner."

Speaker Peters: "What's the count, Mr. Clerk? There are 102 voting 'aye', 51 voting 'no'. Please read the Affirmative Roll."

Clerk Leone: "Poll of the Affirmative. Ackerman, Alexander, Alstat, Bartulis, Bell, Birkinbine, Boucek, Bower, Bullock, Capparelli, Carey, Christensen, Collins, Conti, Daniels, Davis, Deuchler, DiPrima, Donovan, Jack Dunn, Ralph Dunn, Ebbesen, Ewell, Findley, Flinn, Virginia Frederick, Dwight Friedrich, Giglio, Hallock, Hallstrom, Hannig, Hastert, Henry, Hoffman, Hoxsey, Hudson, Huff, Huskey, Johnson, Jones, Jim Kelley, Dick Kelly, Kleam, Kociolko, Koehler, Kornowicz, Krska, Laurino, Leon, Mautino, Mays, McAuliffe, McBroom, McCormick. McGrew. McMaster. Ted Meyer. Roland Meyer. Murphy. Neff. Nelson. Oblinger. O'Connell. Ozella. Pechous. Peters. Piel. Polk. Pouncey. Pullen. Rea. Reilly. Rhem. Richmond. Rigney. Robbins. Ropp.

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Saltsman. Schraeder. Slape. Irv Smith. Margaret Smith.  
E.G.Steele. C.M. Stiehl. Stuffle. Swanstrom. Tate.  
Terzich. Topinka. Van Duynes. Vinson. Vitek. Watson.  
Wikoff. Winchester. J.J. Wolf. Sam Wolf. Woodyard.  
Yourell. Zito. Zwick. and Mr. Speaker."

Speaker Peters: "Mr.Clerk, add Representative McClain, voting  
'aye'. Representative Lechowicz."

Lechowicz: "Kindly record me from 'no' to 'aye'."

Speaker Peters: "Change the Gentleman from 'no' to 'aye'. Any  
other changes before we proceed with the verification?  
Representative, Representative Stearney. Representative  
Rigney asks leave to be verified. Representative Stearney,  
Representatives Rigney and Friedrich ask leave to be  
verified. The Gentleman says 'no'."

Stearney: "Are we ready, Mr. Speaker?"

Speaker Peters: "Yes."

Stearney: "Mr. Capparelli."

Speaker Peters: "The Gentleman is here."

Stearney: "Mr. Daniels."

Speaker Peters: "Representative Daniels. Is the Gentleman in the  
Chamber? How is he recorded?"

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

Speaker Peters: "Remove him from the Roll."

Stearney: "Mr. Winchester."

Speaker Peters: "Representative Winchester. The Gentleman in the  
Chamber? How is he recorded?"

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

Speaker Peters: "Remove him from the Roll."

Stearney: "Mr. Piel."

Speaker Peters: "Mr. Who? Representative Piel. Is the Gentleman  
in the Chamber? How is he recorded?"

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

Speaker Peters: "Remove him from the Roll."

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Stearney: "Mr. Tim Johnson."

Speaker Peters: "Representative Johnson. The Gentleman in the Chamber? How is he recorded?"

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

Speaker Peters: "Remove him from the Roll."

Stearney: "Mr. Ralph Dunn."

Speaker Peters: "Representative Ralph Dunn. Is in his chair."

Stearney: "Mr. Polk."

Speaker Peters: "Representative Polk. Is the Gentleman in the Chamber? He's here."

Stearney: "Mr. Mautino."

Speaker Peters: "Representative Mautino, is in his seat."

Stearney: "Mr. Richmond."

Speaker Peters: "Representative Richmond. The Gentleman in the Chamber? How is he recorded?"

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

Speaker Peters: "Remove him from the Roll."

Stearney: "Mr. Giglio."

Speaker Peters: "Representative Giglio. Is the Gentleman in the Chamber? How is he recorded?"

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

Speaker Peters: "Remove him from the Roll. Representative Wikoff, for what purpose do you seek recognition?"

Wikoff: "Mr. Speaker, I have got to go over to the Senate, could I be verified?"

Speaker Peters: "The Gentleman asks leave to be verified. Alright. Representative Piel has returned. Return him to the Roll."

Stearney: "Mr. Donovan."

Speaker Peters: "Representative Donovan. Is the Gentleman in the Chamber? He is right in the front."

Stearney: "Mr. Hannig."

Speaker Peters: "Representative Hannig. Is the Gentleman in the Chamber? How is he recorded?"

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

Speaker Peters: "Remove him from the Roll." Representative  
Bower, for what purpose do you seek recognition?"

Bower: "Leave to be verified."

Speaker Peters: "The Gentleman asks leave to be verified.  
Alright, its verified. Proceed."

Stearney: "Mr. Hannig, did you rule on him?"

Speaker Peters: "How is he recorded?"

Clerk Leone: "Representative Hannig has been removed."

Speaker Peters: "He's been removed."

Stearney: "Mr. Terzich."

Speaker Peters: "Mr. Terzich is in his seat. Change  
Representative O'Brien from 'present' to 'aye'."

Stearney: "Mr. Leon."

Speaker Peters: "Representative Leon, is in the front."

Stearney: "Mr. Vitek."

Speaker Peters: "Representative Vitek. Is the Gentleman in the  
Chamber? How is he recorded?"

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

Speaker Peters: "Remove him from the Roll."

Stearney: "Mr. McCormick."

Speaker Peters: "Representative McCormick. Is the Gentleman in  
the Chamber? How is he recorded?"

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

Speaker Peters: "Remove him from the Roll."

Stearney: "Mr., Representative Topinka."

Speaker Peters: "Representative Topinka. She is here."

Stearney: "Mr. Meyer."

Speaker Peters; "Which one?"

Stearney: "Ted Meyer."

Speaker Peters: "Ted Meyer is here. Roland Meyer is here."

Stearney: "Mr. Conti."

Speaker Peters: "He is in his seat."



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Stearney: "Representative Deuchler."

Speaker Peters: "The Lady is in her seat. Representative De  
Prima asks leave to be verified."

Stearney: "Objection. Mr. Yourell."

Speaker Peters: "Representative Yourell. Is the Gentleman in the  
Chamber? How is he recorded?"

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

Speaker Peters: "Remove him from the Roll."

Stearney: "Mr. Bullock."

Speaker Peters: "Representative Bullock. Is the Gentleman in the  
Chamber? How is he recorded?"

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

Speaker Peters: "Remove him from the Roll and restore  
Representative Hannig."

Stearney: "Mr. Jake Wolf."

Speaker Peters: "Representative J.J. Wolf is in the center aisle.  
Representative Griffin, for what purpose...Representative  
Griffin wishes to be recorded as voting 'aye'."

Stearney: "Representative Alstat."

Speaker Peters: "Representative Alstat. Is the Gentleman in the  
Chamber? How is he recorded?"

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

Speaker Peters: "Remove him from the Roll. Representative Ropp,  
requests leave to be verified. Does the Gentleman have  
leave?"

Stearney: "Yes."

Speaker Peters: "Representative Ropp is verified."

Stearney: "Representative Bartulis."

Speaker Peters: "He is in his seat."

Stearney: "Mr. Birkinbine."

Speaker Peters: "The Gentleman is in the aisle."

Stearney: "Mr. Jim Kelley."

Speaker Peters: "Representative Jim Kelley is in the rear."

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Stearney: "Representative Koehler."

Speaker Peters: "She is here. Return Representative Daniels to the roll."

Stearney: "Mr. McGrew."

Speaker Peters: "Representative McGrew, is in the center aisle. Return..."

Stearney: "Mr. O'Connell."

Speaker Peters: "Representative O'Connell is here. Record Representative Turner as voting 'aye'."

Stearney: "Mr. Rea."

Speaker Peters: "Pardon?"

Stearney: "Rea."

Speaker Peters: "He is in his seat."

Stearney: "Mr. Stuffle."

Speaker Peters: "Representative Stuffle, is in his...he's here."

Stearney: "That is all, Mr. Speaker."

Speaker Peters: "Representative Stearney, from 'no' to 'aye'. Stanley from 'no' to 'aye'. I'm sorry, Representative Stanley from 'no' to 'aye'. Representative Ronan wishes to be recorded as voting 'aye'. What is the record, Mr. Clerk? There are 100 voting 'aye', 49 voting 'no'. Representative Fawell, 'aye'. From 'no' to 'aye'. Representative Martire, from 'present' to 'aye'. Representative Leverenz, 'aye'. One hour. Representative Vinson."

Vinson: "Yes, Mr. Speaker, was I removed while I was out of the Chamber?"

Speaker Peters: "No, you were not. What is the count, Mr. Clerk? On this question there are 103 'ayes', 48 voting 'no', 8... whatever voting 'present'. This Bill having received a Constitutional Majority is hereby declared passed. One hour and three minutes. Senate Bill 218, Representative Deuster. Read the Bill, Mr. Clerk."

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Clerk Leone: "Senate Bill 218, a Bill for an Act to amend the Local Records Act, Third Reading of the Bill."

Speaker Peters: "Representative Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 218, amends the Local Records Act to provide that certified audits are public records that the public can look at. That is all it does. It is a simple Bill, I think that it is consistent with the philosophy of the Local Records Act is that particularly when we have a Certified Audit concerning the expenditure of public funds. For example, an audit prepared by the Auditor General or a County Auditor, the public taxpayers who are paying for these inspections and these audits ought to be able to look at them and they will simply be available for inspection by the public. This Bill did come out of the Senate 54 to 0 and the Counties and Townships Committee 15 to 1. I think that it is a good Bill and I would urge your support."

Speaker Peters: "Representative Conti."

Conti: "Well, Mr. Speaker, Ladies and Gentlemen of the House, if I can have your attention on this Bill, which seems to be an innocuous Bill, nobody would be against public records and having the audits become public records but I want you to take a careful look at the ...one of the lines in the Bills where it says, 'that even the letters in the local records have to be made public', and that means any village manager or any attorney letters or any letters from the office of the President or any councilman or any ward alderman. All their letters would have to also be made public. Now there is absolutely nothing wrong and in fact its in the Act now to make the audits a public record but this goes a little further than that when you are asking to even make the communications that transpire between the elected officials to the general public. I think that you

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are jeopardizing the chances of procuring land, appraisals, anything that could be confidential to run the local government, this Act would open the public records so that it would be made almost impossible to run the office of any office in the local government."

Speaker Peters: "Representative Schneider."

Schneider: "On that comment following Representative Conti, I want to explain to him at least, as I understand it, you're not talking about private correspondence when you make a reference to letters. Management letters that a company ought to report are the kinds of letters that make formal recommendations to that sitting Body whether it is a school board or whatever public unit you are discussing. So a management letter is, in effect, a reflection by the auditing firm of what they think the changes ought to be made within that system of that unit of government. And let me just tell you why I think it is important that that be made public. During the investigation of the Chicago schools under House Joint Resolution 73 which followed the Chicago school crisis, one of the key ideas that emerged from that investigation was the fact that the auditing firm would recommend to the school district time and time again various kinds of changes that were essential to keeping appropriate bookkeeping and auditing procedure, appropriate kinds of financial records, and certainly appropriate kinds of recommendations to implement those various procedures. Those were not always followed. Arthur Anderson who was the auditing firm for Chicago for a period of time that I think exceeded seven or eight years, frequently said to the Committee that they made those recommendations but they fell on deaf ears. Now, I'm not saying that Chicago schools are typical of any other governmental body, but what I do say to you is that perhaps had the management

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letter information been made public and available to the individuals who are served by those units of government, perhaps that kind of a catastrophe would not have occurred.

There is no guarantee in it, but public information in this case is the kind of information I think you and I would be interested in looking at as would the general public. So I commend Representative Deuster for finally picking up a good Bill, and I think we ought to vote for it."

Speaker Peters: "Any further discussion? Representative Deuster to close."

Deuster: "Well, Representative Schneider was helpful, and he was correct. Actually the language that Representative Conti referred to was added in the Senate, and it says audits, management letters, and other audit reports. I think that phrase other audit reports clarifies this narrowly enough so that we're only talking really about audits and the sort of things that Representative Schneider mentioned where the audit makes a specific recommendation in which...what is known in the trade as a management letter. I think this is a good Bill for the public. It will allow the public simply to come in and inspect these things where there has been an audit made of how the public money is being spent. I urge and appreciate your 'yes' vote. Thank you."

Speaker Peters: "The question is 'Shall Senate Bill 218 pass?' Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Stewart to explain her vote. No? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 105 voting 'aye', 31 voting 'nay'...Schneider, 'aye'. 106 voting 'aye', 31 voting 'nay', one voting 'present'. This Bill having received the

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Constitutional Majority is hereby declared passed.  
...What? Now what? The Bill is passed. You can't call it back, Representative. It's...unless you want to reconsider it. Senate Bill 254, Representative Karpel. Is the Lady in the chamber? Out of the record. Representative Davis, out of the record? 256? Out of the record. Senate Bill 352, Representative O'Brien. 352, Sir. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 352, a Bill for an Act to amend the Condominium Property Act, Third Reading of the Bill."

Speaker Peters: "Representative O'Brien."

O'Brien: "Yes, Mr. Speaker and Members, this is a Bill that amends the Condominium Property Act and requires the owner converting a building into a condominium, it requires him to give the tenants and their representatives at least 60 days free access to inspect the building - all its systems which would be its boilers, its electrical system and so forth, and the documents in the owner's possession pertaining to the condition of the building before closing...or foreclosing the tenants option to purchase the unit that he now resides in. I know of no opposition to the Bill."

Speaker Peters: "Any discussion? There being none, the question is 'Shall Senate Bill 352 pass?' Those in favor signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 143 voting 'aye', 4 voting 'nay', one voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 430, Representative Bianco. The Gentleman in the chamber? Out of the record. Senate Bill 438, Representative Kornowicz. Read the Bill, Mr. Clerk."

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Clerk Leone: "Senate Bill 438, a Bill for an Act to require insurance and other security in connection with the amusement rides and attractions, Third Reading of the Bill."

Speaker Peters: "Representative Kornowicz."

Kornowicz: "Mr. Speaker and Members of the Committee, I mean Members, Senate Bill 438 enacts the Amusement Ride and Attractions Safety Insurance Act. It requires operators of amusement rides to obtain insurance in connection with amusement rides and attractions. It is a very simple Bill, and I would appreciate your vote."

Speaker Peters: "Is there any discussion? Representative Matijevich."

Matijevich: "I want to urge the Members to support this Bill. Eddie Kornowicz has been attempting this type of Bill for some time, and it seems as though there is always a monkey wrench and it doesn't pass. There has been some failures at the Great America Theme Park in Lake County. Just last week they had the Eagle which is, I guess, one of the tallest rides in all of the world. And there were...the car stopped way up on top for a half an hour and also the same week they had one of the two rides that used the waters where it purified the water. That caused some temporary problem where some people were overcome by a gaseous element. There is a lot of safety regulation, I think, that has to be made, and especially the two-bit carnivals that now are popping up in our shopping centers all over the state. So I would urge the passage of this Bill."

Speaker Peters: "Representative Leinenweber."

Leinenweber: "Will the Sponsor yield to a question?"

Speaker Peters: "He indicates he will."

Leinenweber: "Representative, as I understand it, this creates an

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Act to require insurance or other security in connection with amusement rides and attractions, and if you...anybody, person, operates an amusement ride or attraction, must have a million dollars worth of insurance. Is that the summun substance of the Bill?"

Kornowicz: "That's right."

Leinenweber: "What is the definition, if there is, of the person who is covered by this Act? Is this anybody who operates a ride of any sort?"

Kornowicz: "That's right."

Leinenweber: "How do you define a ride?"

Kornowicz: "Define a ride?"

Leinenweber: "Yeah, is that defined in the Act?"

Kornowicz: "It is very simple. You know what a carniaval ride is."

Leinenweber: "Yeah, I know, but is that defined in the Act? Does it...would it go beyond that? Suppose you had some kind of a...seesaw or anything like that. Would that not be covered?"

Kornowicz: "No, that's right."

Leinenweber: "I notice that Senate Amendment #1 corrected the spelling of seesaw."

Kornowicz: "In what? What was that? I didn't..."

Leinenweber: "Senate Amendment #2, excuse me, apparently corrected the word seesaw, and I am wondering whether or not if a person had a private park with a seesaw in it, would...he would have to have a million dollar policy."

Kornowicz: "That is a specific ride at the carnival."

Leinenweber: "How is it used in the Bill?"

Kornowicz: "We made the differential on that."

Leinenweber: "The what?"

Kornowicz: "We made the differential to make the difference between the park ride and a carnival ride."



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Leinenweber: "A seesaw is a park ride and is not covered."

Kornowicz: "That's right."

Leinenweber: "Alright, what if a church rented a, in fact as I understand it, some of these rent all companies do rent small rides and that sort of thing. if you're having a church affair in the gym and you had one of these very small merry-go-rounds. That would be covered?"

Kornowicz: "All motorized rides are covered, yes."

Leinenweber: "Is that the definition, I mean, that is what is covered, motorized as opposed to non-motorized?"

Kornowicz: "That's right."

Leinenweber: "Well, Mr. Speaker, Members of the House, I don't really quarrel with people having insurance, but a million dollar policy might be a little high, might be a little difficult for a small operator to obtain. And I think when we are attempting to cover a broad an area as we are covering here, we ought to be very careful. And I don't know who is pushing this ride or what experience there is behind it. I didn't think the explanation...perhaps the Gentleman could cover in his conclusion who is for this Bill and perhaps as to the availability to the rather broad catagory of people, I think, will be covered by this, whether or not, in fact, there is, in fact, insurance available, or we will be, in effect, preventing churches and other small organizations from conducting rides along with their carnivals and that sort of thing that traditionally they use to raise funds."

Speaker Peters: "Representative Deuster."

Deuster: "I would like to rise in support of this Bill. Representative Kornowicz and I have worked very closely on this subject, and he has worked for many many years. This Bill is identical to House Bill 341 which we already passed and is over in the Senate. I checked...in response to some

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of the points that Representative Leinenweber made and were very good, the Bill does exempt amusement rides operated by a non-profit, religious, educational, or charitable institution. Also, I was concerned about the million dollar insurance, and I have checked that out with both the insurance industry and the ride operators and felt that the conclusion was that this was a common liability limit, and I suppose the lawyers in the House, if someone was hurt in one of the carnivals, they would probably sue for a million. So...and the premium would be adjusted down depending on the size and complexity of the operation. The industry supports this Bill, to my knowledge. Representative Kornowicz has worked closely with the industry, and I would urge Members on this side of the aisle too, to join in support of Senate Bill 438."

Speaker Peters: "With leave of the House, Representative John Dunn, would you please call your secretary. Representative John Dunn, please call your secretary. Representative Brummer. Representative John Dunn from Decatur. Go ahead. Representative Brummer."

Brummer: "Mr. Speaker....yes, I would like to briefly speak in opposition to this Bill. Number one, there is no distinction in there between motorized and non-motorized. I don't think the Sponsor meant to mislead anyone when he indicated that distinction was in there. But if it is in there, I simply cannot find it. The, with regard to the question of seesaws and stationary springmounted animal features, rider propelled merry-go-rounds, and so forth. Those are exempt except if they...if there are fees charged for the admission for the use of them or an admission fee is charged to areas where such equipment is located. So I think this would require a million dollar liability, for example, for simply a swing set or a seesaw if for some

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reason there is an admission charge charged for entry into the area where the springs.... those swings, and seesaws, and the other relatively harmless items are located. In addition, there is an exemption with regard to churches, but only...or non-profit, religious, or charitable, or educational institutions, but only if those rides are located inside of a building. If they are located out on the church parking lot, for example, it would appear that that exemption is not applicable. The concern that I have with regard to this legislation is with the non-profit, religious, educational, charitable institutions with the very small operators who have some of these very small rides that they provide at church functions on weekends or something like this. They are non-dangerous. They are designed for little children that are below four years in age, no grade school kid would even want to ride on them. I think it is ridiculous to require a million dollar liability insurance and make it a Class A misdemeanor if anyone operates that facility and doesn't have one million dollars worth of liability insurance. I would suggest that some of these very small operators, quite frankly, cannot even obtain one million dollars worth of liability insurance. I discussed with the Sponsor, and quite frankly, he was willing to try to amend this Bill to exclude out those type of small operations. The problem is we could not come up with a definition regarding the small operations. There is no distinction regarding motorized and non-motorized, and for those reasons, I would suggest that everyone look at this Bill very carefully."

Speaker Peters: "Representative Dick Kelly."

Kelly: "I would like to move the previous question, Mr. Speaker."

Speaker Peters: "The question is 'Shall the previous question be put?' Those in favor will signify by saying 'aye', those

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opposed. The 'ayes' have it. Representative Kornowicz to close."

Kornowicz: "In close...Mr. Speaker, in closing, I can't agree more with Senator Deuster in regards to the...to this Bill, in regards to the safety. This Bill is to protect the people, those people that got hurt in various accidents. This is approved by the insurance company and also by the big amusement ride companies and other amusement companies throughout the state. I ask for a favorable vote."

Speaker Peters: "The question is 'Shall Senate Bill 438 pass? Those in favor will signi...those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, the voting is open. Representative Schneider to explain his vote."

Schneider: "Last year, Mr. Speaker and Members of the House, Representative Kornowicz and myself offered two Bills, 429 and 430 in the House. They passed out overwhelmingly. They were Bills that had come to focus as a result of accidents throughout the State of Illinois. They were far more restrictive including Department of Labor investigations as well as insurance...104, alright, well, we'll stop there."

Speaker Peters: "Representative Huff to explain his vote."

Huff: "Well, we have enough votes, Mr. Speaker. With this, I'll just add this caviat that there is no such thing as a safe ride, and it is good to have this protection."

Speaker Peters: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 130 voting 'aye', 22 voting 'nay', two voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 475, Representative Younge. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 475, a Bill for an Act to establish

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the Illinois Community Development Finance Corporation,  
Third Reading of the Bill."

Speaker Peters: "Representative Younge."

Younge: "Mr. Speaker, My Cosponsor, Representative McCornick is not here. He is in the hospital, and I am sure he would speak on the Bill were he here. But this Bill would establish the Community Development Finance Corporation which would make loans to small businesses in depressed areas. We are voting today only on the concept of bankruptcy..."

Speaker Peters: "Excuse me. Excuse me, Ms. Younge. Give the Lady your attention please. Proceed, Ma'am."

Younge: "Thank you. We are voting today only on the concept of setting up the community development finance corporation which would focus in on depressed areas and make loans to small businesses there. The Board would consist of nine Members. It would be appointed by the Governor. One would be the Director of Commerce and Community Affairs, the other would be the Director of Labor and seven other Members approved by the Governor. Should you pass the...this Bill, it may be that next year at the next term the Board would come back and ask for an appropriation or for general obligation bonds in order to have monies to make investments and the interest from those investments would be used to make loans to these small businesses in depressed areas. The key witness for this Bill was Mr. Ray 'Sonenberg' who is the vice president of the Mid-America Banks in the metropolitan area. He said that the local banking institutions cannot promote small business development at a level that is necessary to relieve the poverty or to relieve the need in depressed areas. The Board of the Community Development Corporation would not be able to make any loans if private financing is available.

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This would be an instrument that would be available and necessary only if there were not the private money markets needed to promote the business interests. We need giant corporations. Also we need small businesses. 9/10th or 95% of all the creativity and new employment comes from small businesses. The nature of the banking institutions in depressed areas is that they are small and that they are unable to complete the job of helping to promote private industry necessary. Therefore, this Bill is necessary, and I ask for your support for those reasons."

Speaker Peters: "Discussion? Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, the old saying that nothing ever dies in this House, this Bill, Senate Bill 475 was killed in House Bill 958...and in the Senate, and in other pieces of legislation. What it actually does is put the State of Illinois in the finance business. And it would create a state owned corporation within the Department of Commerce and Community Affairs for the purpose of funding, funding private enterprises in depressed areas by loans or purchase of stock. They will, the minimums of the State Treasury would be authorized as \$10,000,000 up to \$30,000,000. And all I can see if this Bill is passed where the other pieces of legislation failed, I can just picture many Chrysler bail outs throughout every depressed area in the State of Illinois. And I think it is a bad practice if the State of Illinois starts going into the finance business. I urge the defeat of this Bill."

Speaker Peters: "Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, I am informed that this Bill involves some sort of bonding authority within the Department of Commerce. This Bill, it might interest some Members of this House to know, was

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reassigned out of the House Executive Committee to the Committee on Public Institutions. So we don't take every Bill from other Committees. Sometimes they get taken away from us. And if the Assignment of Bills Committee had not reassigned it, we would not have to have this discussion today. I urge you to vote 'no'. Thank you."

Speaker Peters: "Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I encourage your 'aye' vote on this legislation. The fact of the matter is that we have an opportunity here to begin to put together some economic development incentives that will not unduly require...that will not require undue interference by the public sector. That is what we've been hearing on this floor all year. Give the private sector a chance. Give the private sector an opportunity to go into these depressed areas and begin to develop those areas. This legislation and the thrust of it will provide that opportunity, Ladies and Gentlemen of the House. And I think that if we are to be responsible to this situation which has been a millstone around the neck of the entire State of Illinois, an 'aye' vote would be appropriate on this legislation. Thank you."

Speaker Peters: "Representative Ropp."

Ropp: "Mr. Speaker, would the Sponsor yield?"

Speaker Peters: "She indicates she will."

Ropp: "When you talk about depressed areas, does this include urban as well as, or would it include rural as well as urban areas?"

Younge: "Yes, Representative Ropp, it certainly does. And that is why Representative C.L. McCormick is my Cosponsor. It improves...it includes any area that has an unemployment rate at 6% or more over the last three years. It includes any area that has had a 9% unemployment area over the last

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year. It includes the Pope and Pulaski County in the farm areas. It improves every area that needs additional help from the state in reference to the financing of small businesses. By all means it includes the rural areas."

Ropp: "Well, I know as a...I never saw too many farmers that were farmers that were unemployed. They were either farming or they were doing something else other than...If C.L. McCormick thinks this is a good Bill, I think it undoubtedly has to be a good one for Southern Illinois. Thank you."

Speaker Peters: "Any further discussion? Representative Piel."

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

Speaker Peters: "We only have one more speaker. Representative Huff. Proceed, Sir. Representative Piel kindly withdraws that so you can get in your one minutes worth."

Huff: "Well, my thanks to Representative Piel, and thank you, Mr. Speaker. But I want to say, Ladies and Gentlemen, I think we can safely pass this Bill in the assurance that the Governor will, as soon as it gets to his desk, is going to kill it because he wants to preserve the sanctity of the bureaucracy. This Bill...is going to decrease the public aid roles, raise the per capita income. The Governor don't want this, Ladies and Gentlemen. He wants to maintain a strong public aid bureaucracy to keep a degree of dependency on people such as the East St. Louis and on the west side of Chicago. I can assure you, you can pass this Bill, Ladies and Gentlemen, in all assurance that when it gets to the Governor's desk he is going to kill it."

Speaker Peters: "Representative Younge to close."

Younge: "Thank you, Mr. Speaker. The Department of Commerce called a small business conference last year, and this Bill came out as one of the recommendations of that conference. The key witness in the...for the testimony was the banking



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industry from my area, and it would be good for small business. We have to help small and keep small businesses from going into bankruptcy by helping to make loans at a rate that they can make money on. It is good for free enterprise, and I ask your support based on those considerations in addition to my Cosponsor C.L. McCormick, and he needs it for Southern Illinois."

Speaker Peters: "The question is 'Shall Senate Bill 475 pass?' Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Younge to explain her vote."

Younge: "Mr. Speaker, there is no way that the depressed areas of Illinois will pull themselves out by themselves. The state will have to help, and this is our recommendation."

Speaker Peters: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative Conti."

Conti: "If this gets...if this gets 99 votes, I want to verify the Roll Call."

Speaker Peters: "Representative Conti."

Conti: "I would like a verification of the Roll Call. Mr. Speaker, forget about it. Let the Bill pass. That is the third time we'll kill it, so let the Senate kill it again."

Speaker Peters: "Question? On this question there are 99 voting 'aye', 61 voting 'nay', three voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. The regular Calendar, Senate Bills Second Reading Short Debate Calendar. In agreement with both sides of the aisle, we want to pick up those bills on Second Reading that do not have Amendments on them. If they do have Motions, we will deal with them. The list has been perused by both sides. Senate Bills Second Reading, Senate Bill 423, Representative Ebbesen. Representative

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Ebbesen, out of the record. Senate Bill 464, Representative Schneider, out of the record. Senate Bill 697, Representative Wolf, Senate Bill 697. Is it Third Reading? It has already been moved. Senate Bill 889, Representative Irv Smith. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 889, a Bill for an Act to amend the State Employees' Group Insurance Act, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Peters: "Third Reading. Senate Bill 1132, Representative Watson. Is it...is it on Third Reading? Senate Bill...Senate Bill 147, Representative Barkhausen, 147. It is on page 12 of the Calendar. Senate Bills Second Reading, page 12 of the Calendar. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 147, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Peters: "Third Reading. Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Peters: "Third Reading. Senate Bill 190, Representative Davis. Representative Davis. Out of the record. Senate Bill 191, Representative Hallock, 191. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 191, a Bill for an Act in relation to succession of the Office of Governor, Second Reading of the Bill. No Committee Amendments."

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Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Peters: "Third Reading. Senate Bill 197, Representative Davis, out of the record. Senate Bill 243, Representative Davis, out of the record. Representative Getty, I am informed on 286, this was not on the original list, but I am informed that the Sponsors of the Amendments would withdraw them. So I would like to call that. Senate Bill 286, Representative Huff. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 286, a Bill for an Act creating the Chicago Community Schools Study Commission, Second Reading of the Bill. No Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Katz..."

Speaker Peters: "Representative Katz, Amendment #1. I...the Chair has been advised, Representative Katz, that you are going to withdraw Amendment #1."

Katz: "Yes, that is correct, Mr. Speaker. I did want to withdraw Amendment #1."

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

Clerk O'Brien: "Floor Amendment #2, Bowman - Watson..."

Speaker Peters: "Representative Bowman on Amendment #2. The Gentleman withdraws Amendment #2. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Third Reading. Senate Bill 370, Representative Tuerk, out of the record. Senate Bill 490, Representative Katz. 490, Sir."

Katz: "No, Mr. Speaker, there's another Amendment on it that isn't yet distributed."

Speaker Peters: "Alright, Senate Bill 653, Representative Keane, out of the record. 654 out of the record. 670 out of the record. 671 out of the record. Senate Bill 827,

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Representative McGrew, out of the record. Senate Bill 837, Representative Schraeder. 837, page 15 of the Calendar, Sir. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 837, a Bill for an Act to exempt alternate energy facilities from property tax and occupational and use taxes, Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker Peters: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Peters: "Third Reading. Senate Bill 842, Representative Bullock. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 842, a Bill for an Act to amend the Illinois Pension Code, Second Reading of the Bill. No Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Peters: "Third Reading. Senate Bill 867, Representative Barkhausen. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 867, a Bill for an Act to revise the law in relation to insanity defense and to establish a plea and verdict of guilty but mentally ill, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Peters: "Has a fiscal note been filed?"

Clerk O'Brien: "A fiscal note has not been filed."

Speaker Peters: "Representative Getty...or Representative Barkhausen, there is a request for a fiscal note. Until that is filed, the Bill will remain on Second Reading. Representative Getty."

Getty: "I understand that Representative Stearney together with,

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I believe, four other Members joined in a Motion concerning this Bill. The answer to the Clerk was no Motions had been filed."

Speaker Peters: "The question of the Chair related to whether there were any Motions in respect to Amendment #1, not Motions generally."

Getty: "Alright, fine. Thank you. The...I believe...I believe that, however, the Motion to recommit would take precedence over the Amendment in any event. Representative...It is Representative Stearney's lead Motion, so I would yield to him at this time."

Speaker Peters: "Well, Representative, it just called my attention. When we get to the Order of Motions, I am sure there is going to be quite a few of those. Senate Bill 928, Representative Stuffle. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 928, a Bill for an Act to amend the Illinois Pension Code, Second Reading of the Bill. No Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Peters: "Third Reading. Senate Bill 827, Representative McGrew. Read the Bill."

Clerk O'Brien: "Senate Bill 827, a Bill for an Act to amend the School Code, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "What did you say?"

Clerk O'Brien: "Amendment #1 was adopted in Committee."

Speaker Peters: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Peters: "Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Peters: "Third Reading. Representative Getty, the Chair is also informed on Senate Bill 457, there has been an

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agreement to withdraw the pending Amendments. Top of page 14. Senate Bill 457, Representative Schraeder. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 457, a Bill for an Act to amend the Illinois Vehicle Code, Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker Peters: "Any...Any Motions with respect to Amendment #1?"

Clerk O'Brien: "A Motion to table Amendment #1 by Representative Mautino."

Speaker Peters: "Representative Mautino. The Gentleman moves to table Amendment #1. Those in favor will signify by saying 'aye', opposed. In the opinion of the Chair, the 'ayes' have it. Amendment #1 is tabled. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Barkhausen."

Speaker Peters: "Representative Barkhausen, Amendment #2."

Barkhausen: "Mr. Speaker, I would ask that Amendments #2 through 5 be withdrawn."

Speaker Peters: "The Gentleman withdraws Amendments #2, 3, 4, and 5. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Third Reading. Senate Bill...page 16 of the Calendar, Senate Bill 1007, Representative Piel. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1007, a Bill for an Act in relation to automobile renting, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "A Motion to table Amendment #1 by Representative Cullerton."

Speaker Peters: "Representative Cullerton. Representative Cullerton withdraws the Motion to table? Representative Piel, do you move...do you move to lie...Move for the Motion to lie on the table?"

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Piel: "That I do, Sir."

Speaker Peters: "This is all part of what we all agreed to, Representative Bradley. All those in favor of the Gentleman's Motion to lie the Motion on the table say 'aye', those opposed. The 'ayes' have it, and the Motion is on the table. Any further Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Peters: "Third Reading. Senate Bill 1016, Representative Daniels. Read the Bill, Mr. Clerk. Out of the record. Senate Bill 1030, Representative Darrow. The Gentleman in the chamber? Out of the record. Senate Bill 1033, Representative Kustra. Representative Kustra, 1033. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1033, a Bill for an Act in relation to electronic fund transfer transmission facilities, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "A Motion to table Amendment #1 by Representative Cullerton."

Speaker Peters: "Representative Kustra moves that that Motion lie on the table. Those in favor will signify by saying 'aye', those opposed. The 'ayes' have it. The Motion is tabled. Any...Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Peters: "Third Reading. Senate Bill 1036, Representative McBroom. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1036, a Bill for an Act to provide for the administration of trust by trust companies, Second Reading of the Bill. No Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Peters: "Third Reading. Senate Bill 1042, Representative

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Ewing. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1042, a Bill for an Act in relation to disturbances in state correctional institutions, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "A Motion to table Amendment #1 by Representative Cullerton."

Speaker Peters: "Representative Ewing moves that that Motion lie on the table. Those in favor will signify by saying 'aye', those opposed. The 'ayes' have it. The Motion prevails. Any further Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Peters: "Third Reading. Senate Bill 1049, Representative Ebbesen. Representative Ebbesen. Representative Hallock. Out of the record. Senate Bill 1088, Representative Zwick. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1088, a Bill for an Act to amend an Act to provide for the creation and management of forest preserve districts, Second Reading of the Bill. No Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Peters: "Pardon."

Clerk O'Brien: "None."

Speaker Peters: "Third Reading. Senate Bill 1113, Representative McCormick. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1113, a Bill for an Act to amend the Illinois Pension Code, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "A Motion to table Amendment #1 by Representative Cullerton."



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Speaker Peters: "Representative McCormick moves that that Motion lie on the table. Those in favor will signify by saying 'aye', those opposed. The Motion prevails. Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Peters: "Third Reading. Senate Bill 1128, Representative Terzich. 1128, Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1128, a Bill for an Act to amend the Illinois Pension Code, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Peters: "Third Reading."

Clerk O'Brien: "No Floor Amendments."

Speaker Peters: "Senate Bill 1196, Representative McAuliffe. Senate Bill 1196. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1196, a Bill for an Act to amend the Illinois Pension Code, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "A Motion to table Amendment #1 by Representative Cullerton."

Speaker Peters: "Representative McAuliffe moves that that Motion lie on the table. Those in favor will signify by saying 'aye', those opposed. The Motion prevails. Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Peters: "Third Reading. Representative Davis, can we go back to pick up your Bill, Sir. Page 12 of the Calendar, Senate Bill 190, Representative Davis. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 190, a Bill..."

Speaker Peters: "1-9-0."

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Clerk O'Brien: "1-9-0, a Bill for an Act abolishing the Illinois Building Authority and providing for the Capitol Development Board to be its successor agency, Second Reading of the Bill. No Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Peters: "Third Reading. Senate Bill 192, Representative Davis. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 192, a Bill for an Act to amend the Criminal Code, Second Reading of the Bill. No Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Peters: "Third Reading. Senate Bill 243, Representative Davis. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 243, a Bill for an Act to amend the Code of Criminal Procedure, Second Reading of the Bill. No Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Peters: "Third Reading. Representative Darrow, Representative Darrow, Senate Bill 1030. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1030, a Bill for an Act to amend the Illinois Pension Code, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Peters: "Third Reading. Representative Davis, for what purpose do you rise, Sir?"

Davis: "Well, Sir, on Senate Bill 606, I believe it is on page 14, there is...Floor Amendments filed, but they are non-controversial and could be dispatched rather quickly."

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McPike: "In order to obtain the additional tax credit in 1985 the taxpayer must increase the base employment by 1/2 percent. What..."

Vinson: "In order to get...in order to get 1/2 a percent tax credit in 1985 he has to increase his employment by 1/2 a percent. He would get a tax credit in 1985 if his employment increased by less than 1/2 a percent but still showed a positive increase and the percentage that he would get would be the percentage of increase."

McPike: "My question is, 'How is base employment defined in this Bill?'"

Vinson: "On a...base employment would be the employment in effect on June 30th, 1983."

McPike: "Where does it say that in the Bill?"

Vinson: "I don't believe you have to say that in the Bill, Representative, that's the purpose of the Bill."

McPike: "Alright I...then for the record then since it does not say it in the Bill, I would like for you state for the record when is base employment?"

Vinson: "June 30th, 1983."

McPike: "Thank you. The...so in order to increase this base employment they go by the Bureau of Employment Securities layoff records. Does the Bureau of Employment Securities keep layoff records for all corporations in Illinois?"

Vinson: "Are you asking me that question, Representative?"

McPike: "Yes, I am."

Vinson: "Virtually, all."

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

Speaker Daniels: "To the Bill, Sir."

McPike: "We have been fighting this concept on the House Floor for two years now. The Sponsors claim that... and in the opening remarks, the Sponsor claimed that this substantially stimulate investment in Illinois because it

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focuses tax relief on the creation of jobs. I think that you should examine how silly that statement is. If you have 1,000 people employed, as he said, on June 30th, 1983 and increase that by 5 people by 1985 or even if this statement was wrong, and he meant June 30th, 1984 and increase that by 5 people a year later, in either circumstance you have added 5 jobs, 1/2 a percent, and you have doubled your investment tax credit. If that is how we stimulate jobs in Illinois, it is about the silliest thing that most of us have ever heard of. We are going to double your ...tax credit. Totally, if it was Forty-two million dollars the first year, we would increase it to Eighty million dollars the second year because you have increased your employment from 1,000 people to 1,005 people. The second part...the second point that we should think about, is that we really need to give away, do we really need to give this to big business because that in effect is what it really is, simply a gift to big business. I picked up the annual report of Caterpillar Tractor and looked at it briefly a few minutes ago. In 1980, Caterpillar Tractor paid a Federal Tax of 23 percent. I would guess that most people on this Floor pay an effective rate greater than Caterpillar Tractor did at the Federal level and they made \$564,000,000.00 in profits and they paid a Federal Tax rate of 23 percent. In Illinois they paid a total tax rate of 4.3 percent. Lower than anybody on this Floor because that 4.3 percent includes sales tax, property tax, income tax and the replacement tax. So overall, a corporation in Illinois that is making \$564,000,000.00 in profit is paying an effective tax rate, total effective tax rate of 30 percent. And by the way, the reason they pay such a low rate is because they already have so many deductions. Included, is a \$58,000,000.00 Federal Investment Tax

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Credit. So what we are doing for corporations is year after year, allowing them to pay less and less of the tax burden. When the State of Illinois income tax went into effect in 1970, the 8 to 5 ratio was established in hopes that individuals would pay approximately  $2/3$  of the Income Tax, and and corporations would pay  $1/3$ . In the first years of the Income Tax, individuals paid slightly more than the  $2/3$ 's, they paid 70 percent and corporations paid 30 percent. Today, or rather in 1980, individuals paid 80 percent of the total Income Tax and corporations paid 20 percent. It is estimated that in 1981 individuals will pay 81 percent and corporations will pay 19 percent. Year after year in this state, and probably in every state in this union, corporations are sharing less and less of a burden. And now here we are today in the face of these figures which show that corporations are paying less and less of the tax burden. Here we are again handing out to business another free package. Here you are another \$40,000,000.00. But it is really not going to be just \$40,000,000.00. We suggested to the Sponsor of the Bill that it be capped at \$42,000,000.00 but he wouldn't listen to that. The reason is, because he knows that everyone here knows that it is going to escalate far in excess of any \$40,000,000.00. Just like when we removed the sales tax on new plant and equipment we estimated the loss at \$35,000,000.00, today it is \$270,000,000.00 and climbing quickly to \$400,000,000.00 and then \$500,000,000.00. So there was no cap on this, so local units of government will probably lose far in excess of \$50,000,000.00 the first year and when it doubles in 1985 they will lose far in excess of \$100,000,000.00, and why? There is really no reason. They already have all the tax breaks they need. They are already paying less and less of the tax burden in

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Illinois and we are putting the tax burden more and more on the backs of the individual wage earners and individual homeowners. So why are we doing this? We are doing it for one reason, because we are trying to appease the manufacturer, manufacturing community who will never be appeased until individual homeowners are paying 100 percent of the tax burden and corporations are paying none. I suggest that we are fast, that we are rapidly approaching that point. So today the vote for this, what we are saying, we are saying to local units of government, to local school districts, we in the State of Illinois, do not want to give up any state taxes but we are going to take away from you, and as I said the other day, we are going to steal from the school children in Illinois the Income Taxes that they need to pay for their education. And we really don't want...care what you do at the local level. You can either lay off teachers and cutback education or you can raise property taxes. Those are your choices. Because we in the General Assembly think that big business should not bear their fare share in Illinois, in fact, if we could, we would eliminate them from paying taxes altogether. This is really a charade, its a joke, its a joke but it hurts those who cannot speak for themselves on the Floor of the General Assembly, the school children of Illinois who need this money and it helps those who really don't need any assistance, who are making profits beyond which, beyond which are justified today. It is a ridiculous concept, we have fought it for two years, and I would ask you to vote against it today."

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

Birkinbine: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. We just heard the usual diatribe from the voice of

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labor, the voice changes from year to year but the same platitudes are thrown out. I suggest to you that a problem that we in Illinois and if organized labor in this state had any brains working for them whatsoever would realize that their future rests on it, too, is the fact that we have a business problem, a recognized problem throughout the country as to whether or not Illinois is an attractive place in which to do or to maintain business. I have here an example of a... of the way Illinois is perceived. This is a page out of a magazine called Board Room Reports it is the kind of magazine the chief executive officers would get across their desks on a bi-weekly basis. And it says here, 'The Sunbelt States plus South Dakota continue to have the most attractive business climate. Reasons; favorable state laws and taxes, union worker attitudes, energy environment control costs. Least attractive; Eastern States in general, as well as Michigan and Illinois. Now this is a nationally publicized, nationally distributed magazine hitting the desks of chief executive officer people who are in the business of making business decisions as to whether or not jobs are going to go to Illinois, to the Sunbelt, to Michigan, wherever. And as usual, we have heard from the labor side of this issue, the fact that it's terrible, all we are doing is throwing money at a problem, all we are doing is giving big, bad business a break. Well, if a couple breaks make a difference between bad business of whatever size annoys you or turns you on, coming here or going to or the Sunbelt, I would suggest to you and your constituents and to the heads of organized labor, who continually see UAW jobs, what have you, going across the border into Wisconsin, the Sunbelt or elsewhere when they could be coming here, they and we all would be better off if we started working to get some of those jobs coming here

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instead. Thank you."

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

Bowman: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. Well in response to my colleague from Cook County, who just spoke, I would like to offer a view which I believe that the Republicans really ought to take very seriously. Anyone who speaks as he does about the need to improve the business climate in Illinois really ought to think about where the expansion potential really is. If you look at the national statistics, look at national statistics now to see where the growth is. Is it in manufacturing? No, it is not in manufacturing, it is in the service industries. There are hundreds of different kinds of service... businesses service-based businesses that are springing up all over the country and that is really where the growth potential is. The real problem with this legislation is, that it provides a tax break to one sector of the business community It doesn't spread it around. Just recently...as we have debated before, we passed a tax exemption for business machinery. And by 1985, that's projected to cost the... or to cost revenue in excess of the total corporate profit tax in the State of Illinois. We are already giving very substantial tax breaks to manufacturing. This investment tax credit is very heavily lopsided, very heavily weighted towards stimulation of manufacturing. Now believe me, I have nothing against manufacturing, but it seems to me, that if we are really genuinely concerned about the business climate in Illinois, we want to be even handed about that concern. We want to assist all kinds of businesses and we certainly do not want to neglect those businesses that have the greatest growth potential. It seems to me that it is



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being very, very foolish indeed to spend our scarce resources on developing and stimulating just one sector of the business community. And a sector of the business community that is not the growth sector. It seems to me that we really want to spend our scarce resources in a way that is much more even-handed. So, I address my remarks to those who are concerned about the business climate in Illinois, and ask that you consider to stop giving away a...so many tax breaks to a sector that has already enjoyed substantial tax breaks and begin to consider a more even-handed approach to business expansion. So I urge you to reject this particular piece of legislation and to work for more even-handed approach which will help all businesses and not just one very narrow sector of the business community."

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

Tate: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. The former speaker had referred to the manufacturing jobs ...and his intention that we were specifically directing this incentive toward manufacturing jobs. Manufacturing jobs have historically and traditionally been the highest paying jobs. Its...those are jobs which give people opportunities to first enter the job market. The investment tax credit is a...will be a clear signal to the business community within a state that has lost 140,000 jobs within the last ten years. That a green light to the business community. And what we need to do, if we are not obviously the other side of the aisle is not agreed to vote for UI reform and Workmans Comp Reform. This is the best business vote that we have in front of us today. And so I would encourage all of us to give this a lot of serious consideration. Any loss that would be incurred from local governments, there has been concerns expressed, would be

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made up with new jobs, new industry and growth in local government and local communities. So I would hope that all of us give a lot of serious consideration and a favorable vote."

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

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, you know, we passed the State Mandates Act and I think that practically everybody here is for it. Meaning that we do not believe if we are going to mandate certain programs on local government that we shouldn't mandate if we are not going to provide the funds. This type of policy is really the State Mandates Act in reverse because what we are doing here, we are taking away funds from local government out of existing programs. Now, you can imagine what the Mayors and the City Council members in cities and the school board members think of that concept. You remember here a little while back when I spoke on the floor of the House relative to the loss to local government of the 24 million dollars by the Governor's cap on the existing local governments' one-twelfth share of the state income tax, and I read off those local governments, the twenty most-populated cities and what they would lose. That was 24 million dollars. With this particular Bill, we're talking about 42 million dollars, almost double the amount of that loss to local government. So, we are saying that we, as a House, believe in taking away by just those two concepts almost 70 million dollars away from local government. Now, I think we ought to be reminded of the fact. You know, so often people think because the corporations pay 4% and individuals pay 2 1/2 that corporations are paying more in state income tax and that we're deriving more in revenues from corporations than individuals. The fact is that the individuals are

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paying 81% of the revenues generated from the state income tax, and corporations only 19%. Now, the Governor, when this investment tax credit philosophy was going to be imposed on the revenues of state government, he quite openly and publicly said that he would veto it. Now that the concept is against the local governments he indicates that he would sign such legislation. I think that it is ridiculous. Now the fact of the matter is I've heard it said all across the halls in Springfield that this year is not the year for tax relief. You've all heard it. The precarious fiscal condition that we are in in government, in state government, and believe me, if we are precarious, can you imagine what the cities and local governments what shape they are in. Because all of the philosophy that I hear both from Washington and here in Springfield is, 'Take it away from local governments'. Now, if that is the philosophy, you are taking it away from local government and there's only a one payer, if you take it away and that's the property tax. That's the taxpayer that's going to pay. Now, I received a questionnaire. I think it was from Steve Miller that was on my desk yesterday and I saw that the one thing that the people in his district are most concerned about is property tax. If you want the property taxes to rise, vote for this Bill, but if you don't, vote against it. That is the issue."

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

Ewing: "Thank you, Mr. Chairman, I mean Mr. Speaker. This Bill was heard in the House Revenue. This issue was thoroughly debated and examined by that Committee. I don't think that the Revenue Committee had the reputation for being too loose with state revenue sources, being too loose with tax relief. I think that they are convinced when they passed

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this Bill out that we need something to stimulate employment. This Bill has a built in stimulus for employment. I think that they were convinced that the replacement tax, possibly, was going to outstrip the amount of money which was needed to replace the old personal property tax even with a built in growth factor. I don't think that any of us that voted for the replacement tax or most of us intended to make a windfall out of the personal property replacement tax. Now those on the other side of the aisle that are doing so much wailing and moaning against this tax relief Bill for business; tax relief that we must this year take away from business because of the short revenue supplies at the state level. But this is a way that we can compensate for it. This is a way we can compensate for your unwillingness to give us Workman's Comp. relief, to give us unemployment tax relief. You've consistently refused to do that. You've consistently refused to give us property tax relief. Business and industry is heavily hit by property tax and now we want to give them some justified relief. We're not going to take it away from local government. We're only going to keep the windfall down to a manageable level, and I certainly, I certainly would encourage an 'aye' vote on this Bill."

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

Van Dwyne: "I move the previous question."

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

Stuffle: "Yes, Mr. Speaker and Members of the House, I find myself in the position of having some of my friends for this Bill and some against, and you know on the floor of

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the House that a number of people who normally would not support this type of issue have risen in its support and even appear as Sponsors, including myself. We do so, not because we wish to perpetuate any give-away program to business, big or otherwise, but because we believe that this is the kind of economic stimulus that helps business and labor as well. I do not believe, as some have said, that we need to be making meat-ax cuts in some of the benefit programs. I believe instead that we ought to seek necessary compromise and economic stimulus where we find it, and I think this is the last best hope to reach that objective. Many things have been said about revenue growth or the reduction of revenue in this state. Corporate income tax figures in this state show about a 12% increase every year since 1970. That relates directly to this Bill. When we put the corporate replacement tax on the books in this state, we put a tax on the books that taxes the profitable, not the unprofitable businesses in this state, unlike the old corporate tax which did tax those who didn't make money as well as those who do. Very simply put, you've got to have growth to take advantage of this Bill. You've got to make profit to take advantage of this Bill. If there's no income, there's no credit. If there's no income, there's no tax payment. To argue that this costs 42 million dollars in fiscal year 1984 is to submit that every business in this state will make a profit and, in fact, only about half are now. In reality, I think you will find that this Bill will probably cost more in the neighborhood of 16 to 20 million dollars in that first year and not 42 million dollars as has been asserted here. As I say, to make that assertion you've got to argue that the 42 million comes from full profit of every company in this state and only half are being profitable now. Unless we do

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something to stimulate the economy in this state, we're not going to produce jobs, and I reiterate, this is an area where we can agree. Some have said that organized labor is against this, that school districts are against this, and I submit and admit that they are, in most cases. But you will recall last year that Representative Hanahan and I, who very often support labor and the schools, indicated to you a laundry list of local unions, of trades people, of community people who support this Bill because they know it's the only way that they're going to stimulate their local economy and the only place that we can agree. The argument that we're taking away money from local taxing districts needs to be put in its proper perspective as well. We have estimates that show that the replacement tax in this state may be as high as 250 million dollars greater in FY '84 than what the old tax we took off would have produced in revenue. We're then dealing with a new base with substantial increased revenue growth to those taxing districts. We're not cutting away from an old base. We're not diminishing a standing base. We are diminishing, in small part, a rapidly growing base and one that will tend to grow even more with increased business profits and will tend to grow even more because of the profitable effects of this particular Bill. I also submit to you that to capture the second phase of the investment credit it's necessary to produce jobs in the second year. It's necessary, too, to remember this does not impact until FY '84 and that is in there simply because we want to be able to make sure we're right and to see the revenue trend and the revenue flow in this state before the effective date of the Bill. I submit to you, lastly, that to cap this Bill's growth, to cap its investment credit is to kill the concept of the Bill. Vote against the Bill if you want, but don't

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suggest that because that's a way out of dealing with the real issue that the Bill promotes. Representative Bowman said that we were spreading the base over a limited amount of people. Very realistically the experience in other states is, if you spread a tax credit too far, it ceases to be a credit. It becomes that give-away that those people talked about, and if they don't want a give-away, then they should be arguing for this limited concept that's in the manufacturing area where stimulus can occur, where profit can occur, where investment occurs and not spread the base because if you spread it too far you've eliminated the credit. You've created that give-away. And I submit to you, lastly, this is not a Republican Bill or it would not have this Sponsor on it and the other Bill would not have had this Sponsor on it. And I submit to you, too, if there's anyone here who can stand and say that they have supported education as I have and labor as I have, they can also stand and support this Bill. For those reasons, I urge my fellow Democrats who know the problems we face in Mattoon and Danville and Charleston and Peoria and throughout the state to put an 'aye' vote on here and let labor see, let the taxing districts see that this Bill is good for all of us and one we can agree on. I ask for an 'aye' vote."

Speaker Daniels: "Gentleman has moved for the passage of Senate Bill 477. The question is, 'Shall Senate Bill 477 pass?'. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. The Gentleman from McLean, Representative Ropp, to explain his vote. The timer is on, Sir."

Ropp: "Thank you, very much, Mr. Speaker, Members of the House. It has been stated on the other side of the aisle the small number of employees that it would take to provide some

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investment credit. Let me even go further and say and if, if every employer, every company in the State of Illinois would only employ one person, one person, that could amount to as much as maybe 700 million people being employed in the State of Illinois. What kind of an impact would that have? 700 thousand. 700 thousand. Can you imagine the tremendous impact that would have on reducing unemployment roles, public aid roles and other programs? I think this is good. If only one person is hired as a result of this by every company in the State of Illinois."

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

Pierce: "Mr. Speaker and Ladies and Gentlemen of the House, I wasn't recognized in debate on this Bill as Spokesman of the House Revenue Committee because I think this Bill and the Sponsors are ashamed to admit it. It is the most anti-education Bill of this Session. When the Gentleman from Lake, Representative Matijevich, says this is coming out of funds for local government, he should have added primarily schools. Replacement tax goes primarily to schools. January 1 the rate was cut from 2.85% to 2.50% on the replacement tax. There's a tax break for Caterpillar and all those who want to take their extra profits at the expense of the school children and local governments of our state, but they're insatiable. Caterpillar comes back here, greases a Bill through here, not the state isn't paying one dime. It's not costing the state a dime. It's coming out of your school districts and your local governments and going on real estate tax. And I say to Caterpillar tractor, if they want... (cut off)...from the school children. Do it from the state revenue. This is a number one, anti-education Bill, and I'll stand up in front of anyone and say that of this Session because it's costing



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the school districts more than any other Bill."

Speaker Daniels: "Gentleman from Peoria, Representative Schraeder, to explain his vote."

Schraeder: "Thank you, Mr. Speaker, Members of the House. In 1980, and these facts have been said, but I'd like to say them again there was a replacement tax of 85 million. In 1981, it's anticipated 100 million will be given to the units of government. In a two year period, that's almost 200 million dollars. If that isn't a windfall, I don't know what it is. But all arguments aside whether it is or not, it's an incentive for tax credit, for generating a capital formation, job preservation, and I think my side of the aisle ought to pay attention to this, job preservation, and, yes, job creation in Illinois. These are the important things and who's to say management shouldn't make a profit as long as labor has got a job paying good money under union shops? This is a very important piece of legislation, the only one we have left, and I would say we ought to have a lot of green votes."

Speaker Daniels: "Lady from Cook, Representative Hallstrom, to explain her vote. Timer's on."

Hallstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Bill and many of my friends in education can't believe it. But let me tell you, I went to my school districts on Saturday while I was home over the weekend and I explained the Bill to them, and I want you to know that they are concerned also about the business climate. That affects the tax base and that affects how much money they do get and it is the only Bill that we have left, and I would ask your support for it. If you're worrying about your local school districts, please remember that I did talk with many of mine and they do believe that this is probably the least harmful Bill that

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could go through and they are trying to be somewhat farsighted so that we make sure that we do have a good business climate, that we do have the tax base and that we can honestly, responsibly give the monies to the schools."

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

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I did have some questions and perhaps I'll explain my vote in the form of a question and maybe the Sponsor can answer. I understand that the purpose of this Bill was really to encourage capital investment and increase employment, and if we're going to increase employment I want to know if one of the major industries of this state, the printing and graphic arts, are included in this Bill. And I'd like to know because the Department of Revenue has not always included printing and graphic arts with other industry in some of its rule making. Is it the intention of the Sponsor that the Department consider printing and graphic arts like other industries in application of this tax credit? I hope someone can explain their vote and answer this question."

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

Vinson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The short answer to the Gentleman from Macon's question is yes. They are included. They're included in the estimate. They're... It is intended that they be allowed this credit, and I would further say that by reducing the unemployment rate in Illinois by a half percent we'd put 25,000 people to work. I would urge an 'aye' vote."

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

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Friedrich: "Mr. Speaker and Members of the House, the people across the aisle have been talking about this is taking money away from education. Well, the way you finance education is to give people jobs and let them pay income tax and sales tax and buy new automobiles and create a good industrial climate in the State of Illinois. This week I heard that a little firm in St. Louis had a place to employ five people. Without even advertising, there was 200 people lined up Monday morning to apply for that job. These people want jobs. We've got a lot of people out of work. They want to go to work. They want to be a part of the people who pay taxes in this state, and that's the way you finance education, not through the public dole."

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

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I oppose this Bill and I'd like to explain why. Ever since the 1970 Constitution where the dictate of eliminating the personal property tax went into place, the County of Cook has lost millions of dollars in failure of businesses to pay the personal property tax. These failures to pay or failures to report laid most heavily upon your school districts which were based on, the Illinois Office of Education's funding system was based on an assessed valuation. So what has happened, in 1979 when the replacement was made, it was froze at the level of 1979 which was definitely a diminished figure from what the assessed valuation should have been. To perpetuate that diminished... (cut off)."

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

O'Connell: "To perpetuate that diminished level of funding is to put more of a burden on the local school districts, units of local government and your property taxpayers."

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Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Gentleman from Cook, Representative Piel, to explain his vote. Timer's on, Sir."

Piel: "Thank you, Mr. Speaker. I'd like to mention some, about two or three things just very briefly. I think a lot of people are giving the impression that this is a new, untried concept. Well, it's been around since 1962. In fact, there's 14 other states who have investment tax credits and of the 14 states only one of them has had problems with it and that was because of the big problem that New York City ran into a couple of years ago. Every other state has a very favorable, historical track record on this when it comes to employment, labor and business in the state. I've heard many people say that it's going to hurt the local community as far as their tax base on one thing, but, historically, it has helped because the businesses have expanded, the local community gets more in property tax, and I would ask for a favorable, more favorable green votes on this Bill."

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 Bill there are 96 'aye', 75 'nay', 1 voting 'present', and the Gentleman from Madison, Representative McPike requests a verification of the Affirmative Roll. The Gentleman from DeWitt, Representative Vinson, requests a poll of the absentees. Representative McPike, Representative Collius requests leave to be verified. Is he given leave? Leave is given. Representative Ralph Dunn requests leave. Representative Hallock requests leave to be verified. Leave is granted. Okay. Representative McPike, we have Representative Collius, Ralph Dunn and Hallock. Alright. Proceed with

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the poll of the absentees."

Clerk O'Brien: "Poll of the absentees. Bluthardt."

Speaker Daniels: "Representative Bluthardt wishes to be recorded as 'no'."

Clerk O'Brien: "Deuster."

Speaker Daniels: "... Deuster."

Deuster: "Please record me as 'aye'."

Speaker Daniels: "Wishes to be recorded as 'aye'."

Clerk O'Brien: "Garmisa. Margalus. Redmond. No further."

Speaker Daniels: "Representative McPike, we're starting with 97 'aye', 76 'no'. Proceed with a Poll of the Affirmative Roll."

Clerk O'Brien: "Ackerman. Alstat. Barnes. Barr. Bartulis. Bell. Bianco. Birkinbine. Boucek. Bower. Bradley. Brummer. Christensen. Collins. Conti. Daniels. Davis. Deuchler. Deuster. Donovan. John Dunn. Ralph Dunn. Ebbesen. Epton. Ewing. Farley. Excuse me, that's Pawell, not Farley. Findley. Flinn. Virginia Frederick. Dwight Friedrich. Griffin. Grossi. Hallock. Hallstrom. Hastert. Henry. Hoffman. Hoxsey. Hudson. Huff. Huskey. Johnson. Karpel. Jim Kelley. Klemm. Kociolko. Koehler. Kustra. Leinenweber. Macdonald. Martire. Mautino. Mays. McAuliffe. McBroom. McCornick. McGrew. McMaster. Ted Meyer. R. J. Meyer. Miller. Neff. Nelson. Oblinger. O'Brien. Ozella. Peters. Piel. Polk. Pullen. Rea. Reed. Reilly. Rigney. Robbins. Ropp. Saltsman. 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: "Representative Telcser. Record Representative Telcser as 'aye' and he asks leave to be verified."

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Representative McPike, he's right here. Alright.

Representative Telcser is verified. Mr. Clerk, what's the count? 98 'ayes' you're starting with. Representative McPike, questions of the Affirmative Roll."

McPike: "McGrew."

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

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

Speaker Daniels: "Remove him. Representative Peters requests leave to be verified. He's in the center aisle. Representative Peters is verified and Representative McGrew is removed. Representative Wolf, J. J. Wolf. Representative McPike, he's up here in front. Requests leave to be verified. Leave is granted. Representative Winchester requests leave to be verified. Representative Winchester is verified."

McGrew: "Representative Flinn."

Speaker Daniels: "I'm sorry. Representative Fawell requests leave to be verified. She's up front here, Representative McPike."

McPike: "Alright. Fine."

Speaker Daniels: "Okay. Proceed, Sir."

McPike: "Representative Flinn."

Speaker Daniels: "Representative Flinn. Is the Gentleman in the chambers? Representative Flinn, Monroe Flinn. How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him and return Representative McGrew to the Roll Call. Return Representative McGrew and remove Representative Flinn. Proceed, Sir."

McPike: "Representative Huff."

Speaker Daniels: "I'm sorry, Sir?"

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McPike: "Representative Huff."

Speaker Daniels: "Representative Huff. Representative Doug Huff.

How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

McPike: "Representative Henry."

Speaker Daniels: "Representative Henry. Gentleman's in the  
back."

McPike: "Representative Christensen."

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

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

Speaker Daniels: "Remove him."

McPike: "Representative Van Dwyne."

Speaker Daniels: "Representative Van Dwyne is in the center  
aisle."

McPike: "Representative Martire."

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

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

Speaker Daniels: "Remove him."

McPike: "Representative McCormick."

Speaker Daniels: "Representative McCormick. Representative C. L.  
McCormick. How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

McPike: "Representative Oblinger."

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

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

Speaker Daniels: "Remove her."

McPike: "Representative Ben Polk."

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Speaker Daniels: "Representative Polk. Representative Ben Polk.

Gentleman in the chambers?"

McPike: "Nevermind, I see him. I see him."

Speaker Daniels: "Oh, he's over here."

McPike: "Fine."

Speaker Daniels: "Hello, Ben."

McPike: "Representative..."

Speaker Daniels: "Representative Ropp requests leave to be  
verified. He's right up here."

McPike: "Alright. Fine. Ropp is verified."

Speaker Daniels: "Thank you, Sir."

McPike: "Roger Stanley."

Speaker Daniels: "Representative Roger Stanley is in his chair."

McPike: "Representative Woodyard."

Speaker Daniels: "Representative Woodyard is standing up there by  
his chair."

McPike: "Representative R. J. Meyer."

Speaker Daniels: "Representative Roland Meyer is in the back."

McPike: "Representative Griffin."

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

McPike: "Representative Bianco."

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

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

Speaker Daniels: "Remove Representative Bianco and return  
Representative Flinn, he's right up front here, to the Roll  
Call."

McPike: "Representative Bell."

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

McPike: "Representative Barr."

Speaker Daniels: "Representative Barr is standing at his seat



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next to the Speaker."

McPike: "Representative Deuchler."

Speaker Daniels: "Representative Suzanne Deuchler.  
Representative Deuchler. Is the Lady in the chambers? How  
is the Lady recorded?"

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

Speaker Daniels: "Remove her."

McPike: "Representative Ozella."

Speaker Daniels: "Representative Ozella. Representative Ozella.  
He's back there in the back."

McPike: "Representative Gene Hoffman."

Speaker Daniels: "Representative Gene Hoffman just raised his  
hand and he's about ready to attack you."

McPike: "Representative Jim Kelley."

Speaker Daniels: "Representative Deuchler has returned. Return  
her to the Roll. Representative Jim Kelley is in the  
aisle, Sir."

McPike: "Representative Findley."

Speaker Daniels: "Representative Greg Findley is in his chair as  
usual."

McPike: "Representative Tuerk."

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

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

Speaker Daniels: "Remove him."

McPike: "Representative Hudson."

Speaker Daniels: "Representative Ray Hudson is in his chair as  
usual."

McPike: "Representative Schuneman."

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

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

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Speaker Daniels: "Remove Representative Schuneman."

McPike: "Representative Sandquist."

Speaker Daniels: "Representative Sandquist, I believe, is recorded as voting 'no'. How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him. I'm only kidding. You want him on as 'no' or would you wish to have him...Forget Representative Sandquist."

McPike: "Representative Topinka."

Speaker Daniels: "Representative Topinka is in her seat."

McPike: "Representative Jack Dunn."

Speaker Daniels: "Representative Jack Dunn. How is he recorded?"

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

Speaker Daniels: "Should I put him on 'yes', Sir?"

McPike: "No, that's alright."

Speaker Daniels: "Okay. Leave him on 'no'."

McPike: "Representative McBroom."

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

McPike: "Representative Hoxsey."

Speaker Daniels: "Representative Hoxsey. Representative Betty Hoxsey. Lady in the chambers? She's in the back."

McPike: "Representative Bartulis."

Speaker Daniels: "Representative Bartulis is in his chair. Further questions, Sir?"

McPike: "What is the count?"

Speaker Daniels: "90 'ayes'."

McPike: "Representative Brummer."

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

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

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

McPike: "Representative O'Brien."

Speaker Daniels: "Representative O'Brien. Gentleman in the

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Davis. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 486, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Daniels: "Representative Davis."

Davis: "Thank you, Mr. Speaker and Members of the House. Senate Bill 486 is in keeping with the notion of trying to lure industry back into the State of Illinois and into our towns and villages and even, of course, into the major cities that are decaying and lacking for industry moving out. It would provide that any taxing district upon a majority vote of its governing authority may, and the operating word is 'may'; it's a permissive Bill, after the determination of its assessed valuation of its property order the clerk of the county to abate any portion of its taxes on the property of any industrial firm locating within that taxing district during the immediate preceding year. It also addresses expansion of facility along the same lines. The abatement shall not, cannot exceed a period of ten years and the total aggregate amount of taxes shall not ex... of abated taxes shall not exceed one million dollars. I think if we're going to continue along the line of trying to bring industry back into the State of Illinois we have to provide similar incentives that the Sun Belt states do in relation to trying to lure that industry in and giving them some sort of inducement to settle in our towns and cities and villages in Illinois. I recommended it to you. It's a very good idea, a very good Bill and in keeping with the thrust of the move towards enterprise zones in the Constitutional Amendment is Sponsored by Representative Bullock, and I think it's a very good idea and I encourage your 'aye' vote. I'd answer any questions you might have."

Speaker Daniels: "Gentleman has moved for the passage of Senate Bill 486. On that Motion, Gentleman from Madison,

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Representative McPike."

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

Speaker Daniels: "Indicates he will."

McPike: "Jack, under this Bill, I understand it's permissive for various counties. I'm not clear on the definitions. Does any firm qualify or would any firm qualify under this? Do you define which firms qualify or which firms don't? Are there any guidelines set forth or is it just for anybody?"

Davis: "Well, Representative McPike, it's a firm locating within the taxing district during the immediately preceding calendar year from another state, territory or country or having been newly created within this state during the immediately preceding calendar year or an expanded previously existing facility. I think that covered almost all the definitions that we were trying to put in that would define new or expanded industry. In fact, this language is a great deal alike the Bill that you had introduced I think two or three years ago, Representative McPike. It's the same..."

McPike: "I introduced?"

Davis: "Yes, I think it was you."

McPike: "I doubt it, but does the..."

Davis: "Maybe it was this year. I forget."

McPike: "Does the entire firm have to locate within the district if it's an out of state firm, a multi-national firm?"

Davis: "You mean, could a branch or corporation or subdivision?"

McPike: "Yes."

Davis: "Yes."

McPike: "And they would qualify."

Davis: "Yes, indeed."

McPike: "Do they have to move in from out of state?"

Davis: "No, it's not provided that they do. It can be a newly created division or branch or facility within the state."

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McPike: "If they move from one county of the state to another county, would they qualify?"

Davis: "If you're suggesting that rating might go on between the two counties, I suppose that's all part of the same bag of worms, yes."

McPike: "That's my question. Would they qualify if they move from one county to another county?"

Davis: "Yes."

McPike: "Then against the Bill or to the Bill, Mr. Speaker."

Speaker Daniels: "To the Bill, Sir."

McPike: "Well, one follows upon another. I tried to give you some statistics a while ago to show that corporations in Illinois are really not paying their fair share of the taxes. They're not shouldering their fair share of the tax burden. I pointed out that when the Constitution passed we thought the corporations would pay 33% of the income taxes. Today they are paying 19% and going down. Now we just passed a Bill a few minutes ago that gives them an investment tax credit to further lower their tax burden, and now we come along with this Bill that says that any county, with no guidelines whatsoever, can abate taxes to corporations be they already Illinois corporations or be they out of state. So we would have a situation where a corporation could legally blackmail one county against another. By simply moving across the county line, in fact, if they moved a branch across the county line that was doing the same thing as the home office in another county..."

Speaker Daniels: "Excuse me, Representative McPike. Gentleman from Will, Representative Davis, for what purpose do you rise, Sir?"

Davis: "I hate to stop Representative McPike when he's on a roll but I believe I erred in my answer to your question,

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Representative McPike. The Bill does say and forgive me for this mistake. The Bill does say 'or having been newly created within this state'. I don't believe that the rating provision would work under that particular language."

Speaker Daniels: "Excuse me, Ladies and Gentlemen of the House, can we please have your attention."

Davis: "I apologize for the interruption."

Speaker Daniels: "Please have your attention. Representative McPike, proceed, Sir."

McPike: "Thank you, could I ask Jack that question again then because now I'm confused?"

Speaker Daniels: "Go ahead."

McPike: "Jack, if they move across county lines, would they qualify?"

Davis: "Under the Bill it was not my intent that that should be the case. If you're looking for legislative intent. The Bills say, 'from another state, territory or a country or having been newly created within this state'. To me, that language means a new facility that is not existing in another portion of the state."

McPike: "Okay."

Davis: "Or expanded facility that is on site in that particular county. That does not mean, to me, that a corporation coming from Chicago to Will County or to LaSalle County would qualify."

McPike: "Fine. Thank you. So, then to the Bill. What we have then is a situation, according to this explanation by the Sponsor where it would be more advisable for the firm to move out of state and receive an abatement than to move to another county of the state. So, regardless of how it's put, it's an unworkable Bill. What we're saying to a firm that's out of state is that we will give you an advantage

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if you move into our state. We will give you a competitive advantage. If you move into our county and manufacturer a product that's already made in our county, we will lower your taxes and put you at a competitive edge over businesses that already exist in our counties. If you manufacture pots and pans or steel or automobiles or car tires or whatever, we will give you a competitive edge over every one that exists currently in our state. Simply come to Illinois and drive the business that we have in Illinois, take their business away. Open a branch if you're headquartered in New York or California. Open a branch in Illinois and, effectively, because you have a competitive edge because you don't pay the same taxes that Illinois corporations pay, just drive our home-based corporations out of business. That's really not how we should go about inducing firms to locate or to expand in Illinois. It doesn't really make a lot of sense to have varying tax rates all across the state where one county abates taxes and another county abates half the taxes and another county abates a third of the taxes. You have no uniformity in taxation. You have a hodgepodge of tax laws. You have counties fighting counties. It would really lead to a situation which was completely unmanageable and it makes little to no sense to provide an additional incentive over all the other incentives that we now offer to businesses. I think it's a bad Bill and a poor concept. I would request a 'no' vote."

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

Birkinbine: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In response to the question that the previous speaker had, the Bill does read that a company moving in must indeed come from another state or another country."

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You cannot hop from county to county. But going back to the example that he gave about what might happen, it's absurd. Now, if a taxing district is going to entice a company to come into their area and provide jobs, they're not going to give it to a company that's going to directly compete with a company that's already there thereby driving it out of business. What sense would that make? Any taxing body, any area, any county that would be interested in doing this is looking for more jobs and retaining the jobs that are there for its people. They're not going to induce competing companies to come in. I don't know how long it's been since the previous speaker was with 3M, but it makes no business sense to do the kinds of things that he's saying might very well happen. I also direct to your attention the fact that this is voluntary. You're saying taxing districts may do this if they so desire. It provides an incentive for out of state businesses to come here. You need only pick up any of the weekly magazines to see that a variety of different states, be they Tennessee or South Dakota, are advertising what a terrific business climate they have and why don't Illinois businesses go there. What's so wrong about providing a county or another taxing area the ability to say, 'Look company X, we've got all this manpower here. They're out of work. You bring you industry in here and we'll give you a break over the next ten years.' Who gains? The worker gain and that taxing area gains because now you have working citizens who are earning a living. Think about it. The world runs on incentive. It runs on incentive. You and I are down here for some incentive, be it personal gain, wanting to do good, what have you. So do individuals when they go to work. There's some incentive that causes them to go there. Companies move for the same reason. Don't be so afraid



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about setting incentives to provide more jobs for Illinois workers. It's really not such a terrible idea. Thank you."

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

Madigan: "Question of the Sponsor."

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

Madigan: "How does this Bill provide for a situation where a particular city might wish to abate taxes for a particular piece of property but the county within which the city is located does not wish to abate the taxes?"

Davis: "Well, it would... They would petition the clerk for the abatement of that portion of the taxes that only affect the taxing district that authorizes the abatement."

Madigan: "What provision does the Bill make for a situation where a city and a park district wish to abate but a county and a sanitary district do not wish to abate?"

Davis: "Again, Representative Madigan, it's only that portion of the tax situation that reflects directly upon the revenues of the governing authority that authorizes the abatement."

Madigan: "What provision does the... How does the Bill provide for a situation where, on the north side of a street, a city wishes to abate but the county does not wish to abate and then on the south side of the street, it's just the reverse? The county wishes to abate, but the city doesn't?"

Davis: "Again, Representative Madigan, it's only that portion of the tax bill that would affect the revenue of the governing authority."

Madigan: "Does this mean that in any particular geographical area we could have a hodgepodge arrangement as to the real estate tax liability of each individual piece of property? We might have an industrial part with 50 industries all identical, as far as land area and with identical

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structures and identical valuations, but all 50 have a different tax liability because there may be up to 10 taxing districts which are authorized to levy taxes in that industrial park."

Davis: "Was that a question, Representative Madigan?"

Madigan: "The situation is this, Mr. Davis. Let's take, as an example, an industrial park and let's presume, for sake of discussion, that there are 50 buildings located within the industrial park. Each building is located on the same land area and is an identical building so that the valuation given to each building by the local assessing authority is identical. So we have 50 identical valuations but because there may be up to 10 taxing districts which are authorized to levy real estate taxes against that industrial park, we could have ten different schemes of tax liabilities for each property."

Davis: "Well, if that's the question, I don't view that as a particular problem since we're talking about bringing new industry, new wages, new payroll, new sales tax and everything else into the particular area. I would simply ask you a reverse question. Your fine Mayor and I do congratulate her, was talking about tax breaks for the north loop along the same lines and there would be, as you phrased it, a hodgepodge. I wouldn't phrase it that way. I think that's a terrific business incentive and I supported her on that particular notion. And I think these kind of tax incentives are absolutely necessary, particularly in your city and our city to the north, to bring industry back into the decimated areas that are now losing industry at a great clip."

Madigan: "Mr. Speaker, may I address the Bill?"

Speaker Daniels: "To the Bill, Sir."

Madigan: "Mr. Speaker, I have grave reservations regarding the

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utility of using real estate taxes as an incentive to lure industry into a given geographical area, but if one wishes to move ahead, with real estate tax incentives as a lure to industry, then clearly using the valuation process is far preferable to using the rates to be applied against the valuation by all of the taxing districts that are authorized to impose rates. When you proceed, as this Bill suggests, you use rates to set tax incentives to lure industry. What you are saying to those that you are attempting to lure into an area is that they have no assurance as to what the tax liability will be from time to time because this year one taxing district may abate for them. The following year ten taxing districts may abate for them and the year after that zero taxing districts might abate for them. And, if I hear clearly from the Chamber of Commerce and from organizations that represent business, a prime concern of industry in relocating is predictability of taxation. Predictability of taxation is more important than the initial lure because when a company or a business commits to a large scale capital investment, they must be concerned with their real estate tax liability, not for a period of one to three years, but for a period that will encompass their mortgage obligations which may run from 20 to 30 years. So I suggest to you that if this is considered to be a good incentive to lure industry, it is just the opposite because it leaves those who are sought to relocate with complete unpredictability as to the real estate tax liability."

Speaker Daniels: "Gentleman from Winnebago, Representative Swanstrom."

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

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

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question is, 'Shall the main question be put?'. All those in favor will signify by saying 'aye', opposed 'no'. The 'ayes' have it. Representative Davis, to close."

Davis: "Thank you, Mr. Speaker. I believe the Minority Leader does not totally understand what we're trying to do and would just confuse the issue somewhat. I think he's 180 degrees out of phase. Other states do this with alarming success as we note as our industry leaves Illinois. In closing, I just want to simply read four lines from the Digest. 'Amends the Revenue Act permits corporate autho...'. I hope you're all paying very close attention to this. 'Amends the Revenue Act. Permits corporate authorities to abate property taxes for up to ten years but not in excess of one million dollars of any industrial firm which locates within the county from another state or country, is newly created within Illinois or expands existing facilities.' I have just read to you the synopsis of House Bill 1548, sponsored by Representative McPike, from Madison who had an identical Bill introduced that's now on the Interim Study of the Calendar of Counties and Townships. Representative McPike, should this fail, I'll help you get yours out of Counties and Townships. I simply recommend to you it's a very good Bill. It's a very big step toward bringing industry back to the State of Illinois and creating jobs and payrolls, and that's what it's all about, Ladies and Gentlemen. And I encourage your 'aye' vote."

Speaker Daniels: "Gentleman has moved for the passage of Senate Bill 486. The question is, 'Shall Senate Bill 486 pass?'. All those in favor will signify by voting 'aye', opposed by voting 'no'. Voting is open. Gentleman from Cook, Representative Getty, to explain his vote. Timer's on, Sir."

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Getty: "Mr. Speaker and Members of the House, I rise to explain my 'no' vote. This, indeed, is a very attractive sort of proposition. I know many of you; however, don't care much to hear things about constitutionality, like equal protection of the laws but this Bill, as drafted without the standards and guidelines, has a clear lack of uniformity in taxation that would indeed be a violation, constitutionally, of the requirement of equal protection. We are also treading upon very thin ice when we release one particular class of people from paying taxes at the expense of others. That, again, is a question of serious denial of equal protection of the laws. I suggest to you this is a well-intentioned but poorly-drafted and poorly put...(cut off)."

Speaker Daniels: "Lady from Cook, Representative Balanoff, to explain her vote. Timer's on."

Balanoff: "Thank you, Mr. Speaker. Under this Bill, an industrial firm could save up to a million dollars in taxes over a five or six or ten year period and then it could move out of the state the following year without paying back one penny of those taxes that it saved. Therefore, I'm voting 'no' on this Bill."

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

Bullock: "Thank you. Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of Representative Davis and Mautino's Bill. I'm sure most of you believe in behavior modification. I'm sure you also believe in developing incentives for economic and industrial expansion. We've reached the limits of our public coffers relying on property tax to finance local services, whether they are recreational or social services. While this Bill may have some constitutional questions relative to its validity and

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consistent with the State Constitution of 1970, I think we perhaps should let the Governor and the courts make that decision. That is the only reservation I have for Senate Bill 486, and I think that will be resolved in due course. In the Interim, I rise in support of the Bill and would urge all of you who believe in the free enterprise system, in developing incentives and developing modification behavior techniques for...(cut off)."

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

Davis: "I'd just like to encourage a few more green votes to get up on the board to give this Bill a chance. I know Representative Getty is well-intentioned in addressing the constitutional issue; however, we do classify property taxes now. There's a dual system operating in the state and has for a long time. The courts blessed it. The courts are going to have to address this one, there's no question about it because it does classify outside or within the provisions that are currently existing by staredecisis. But I do believe that the courts will find this is well constitutional, and if we're going to get jobs and put people back to work in Illinois, we better get about it."

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

Lechowicz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Presently, the State of Illinois is an exporter in employment. If you want to change that position around, you'll strongly support the concept of this Bill. Unfortunately, there are many manufacturing organizations that have left my area of the City of Chicago because of the tax incentives that are available in other states. In 1974 this was a recommendation of a study made by the State

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of Illinois in bringing industry back to Illinois. I strongly support the concept in Senate Bill 486. It passed the Senate by a vote of 51 to nothing. It should pass by the same margin in this House."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. On this Bill there are 118 'aye', 37 'nay', 3 voting 'present'. Senate Bill 486, having received a Constitutional Majority... Representative Leverenz wishes to be recorded as 'no'. Having received a Constitutional Majority, is hereby declared passed. Senate Bill 512 and 513. You want to return that to Second, is that right, Sir? We're going to pass that over and just take ones on Third. Senate Bill 516, Representative Kosinski. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 516, a Bill for an Act to amend Sections of the Criminal Code. Third Reading of the Bill."

Speaker Daniels: "Representative Kosinski."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, I'm sure you're at least familiar through newspaper articles with a device called a silencer. A silencer is attached to a firearm for one purpose and that is the purpose of murder. Now, this Senate Bill increases the penalty for the possession of a silencer to the same penalty as we have for the possession of a sawed-off shot gun, a Class Three Felony and I solicit your vote."

Speaker Daniels: "Gentleman has moved for the passage of Senate Bill 516. On the question, all those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Vinson. Have all voted who wish? The Clerk will take the record. On this Bill there are 157 voting 'aye', none voting 'nay', 6 'present'. Senate Bill 516,

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having received a Constitutional Majority, is hereby declared passed. Senate Bill 524, Representative Jim Kelley. 524. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 524, a Bill for an Act to amend Sections of the Child Care Act. Third Reading of the Bill."

Speaker Daniels: "Representative Kelley."

Kelley (Jim): "Mr. Speaker and Members of the House, Senate Bill 524 is needed to protect and allow to continue a very important segment of the private school movement here in Illinois. Mainly, the private Christian church schools most of which are operated as identical ministry of their churches. These schools are not in the day care business but instead operate educational, religious and parochial schools pre-kindergarten through high school. These school churches, religiously and philosophically, believe it is their biblical mandate to conduct these schools free of government entanglement. If they were to secure a license for their pre-schools, they would have to yield the authority over enrollment procedures, curriculum, staffing and faculty management to the state. These church schools believe it is totally unnecessary and unwarranted for a state bureaucracy to exercise this sort of control over churches and their schools. These church schools are already obligated to comply with fire, health and safety standards and this is built into this Bill. These church schools have a teacher-child ratio well within the state mandates. I believe our opposition fears this Bill will open the way for phony religious groups like the Moonies and the Jim Jones movements to conduct day care free of regulation and state control. If there was a way to siphon off the illegitimate from the legitimate churches, we would certainly do so but, obviously, this is not possible. It



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would be unconstitutional. Why should 99% of our population be penalized because of two-tenths of one percent which are outside the realm of the recognized churches in this state? Don't forget, these church schools have been in existence for some time. Some of our church schools for as long as 25 years. They already comply with all fire, health and safety standards. Let us not forget the Senate passed this Bill by a vote of 47 to 2. I would appreciate an affirmative vote."

Speaker Daniels: "Representative Kelley has moved for the passage of Senate Bill 524. On that Bill the Gentleman from Cook, Representative White."

White: "Mr. Speaker, will the Sponsor yield for a question?"

Speaker Daniels: "Indicates he will."

White: "Representative, I'm concerned about the educational requirements of those who are, who are supposed to handle these young people. I say, I'm concerned about the educational qualifications of the individuals who are going to be in charge of these young people in these day care centers."

Kelley: "Most of the teachers in these schools come from their own churches. They are not in business as day care centers as such. They are mothers in the church. Some of them do have qualified, but some of them are mothers in the church who take care of children in their churches while the mothers go to a job so they can hold a full-time job."

White: "Even though you're saying to me that you're not in the day care business, you are still providing a day care function. Is that not right, Sir?"

Kelley: "I assume that's right, yes."

White: "In this Bill, have you considered the fact that if you are in the day care business you have to deal with ratio, meaning the number 15 youngsters would be handled by one

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teacher and we would hope that that teacher would meet the educational requirements that are necessary? Does your Bill address that question, Sir?"

Kelley: "Our Bill allows private church schools to operate their own system as they should be able to do under the Constitution."

White: "Let us talk about square footage. You know, there should be about 35 square foot per child and, again, my concern is that we have standards that are already set up and what you would be doing with this Bill is that you would be throwing these standards out the window. Does your Bill address the problem of footage per child?"

Kelley: "No, it does not because we think that nobody would take their child to a school that wasn't well-staffed and had the proper facilities. You wouldn't and I wouldn't and nobody else. It's, I'd say, a law of supply and demand. You wouldn't take a child there. You are familiar with the environment you're taking your child to. You're familiar with the people who are staffing it because it is your church, Sir."

White: "May I address the Bill?"

Speaker Daniels: "Proceed."

White: "First of all, what we're going is this. We are allowing, like in the City of Chicago, any self-ordained or self-styled preacher to set up a day care program, and I look upon that as more or less throwing our young people to the dogs so to speak. First of all, this Bill does not deal with the educational qualifications of the person who is to teach these young people. Because of the fact that when these youngsters attend this so-called day care program, they are attending the school in their formative years. These youngsters are at their greatest learning age, and if we were to allow any church to set up a day

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care program without regard to some of the things that I mentioned earlier, then we would be doing a great disservice to the young people that we're sworn to serve. This is, by far, the worst Bill I have heard in this House, and I very seldom stand to speak for or against a piece of legislation but this piece of legislation I am against. I urge you to vote 'no'."

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

Ewing: "Could I... the Sponsor yield for a question?"

Speaker Daniels: "Indicates he will."

Ewing: "This Bill de-regulates child care, day care centers for churches. Is that correct?"

Kelley: "That's correct."

Ewing: "Now, currently, does that just de-regulate them for children under five years of age?"

Kelley: "It would be the day care up to kindergarten I would assume. Yes."

Ewing: "Alright. So, it wouldn't affect the church Sunday school or any... If they have a regular approved school for children of school age, this Bill has no affect on it."

Kelley: "That's right. We feel this is an extension from Sunday school to Monday school to Tuesday yes from the church ministry."

Ewing: "But they're really in business aren't they as a child day care center five days a week?"

Kelley: "It would be five days a week. Yes, Sir. It would be for the ministry of that church."

Ewing: "But it has nothing to do with their Sunday school program?"

Kelley: "They could teach the same religion as they do because this is not a for-profit day care center. This is, I think, where we could differ by calling across the aisle."

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Ewing: "But many of our churches, all of our churches are not-for-profit. That doesn't mean that they won't make money on this particular thing, this particular operation and spend it to pay the ministers salary."

Kelley: "Certainly, they will pay but what I'm trying to say it's not a for-profit as we know some day care centers to be. They are in it just like any other business, for profit. Our churches would not be. It would be to a service for the mothers who want to go to work."

Ewing: "I understand that, but they could still make a profit on this and use it somewhere else and still be not for profit. Is that correct?"

Kelley: "I assume they could, yes."

Ewing: "Thank you."

Speaker Daniels: "Lady from Cook, Representative Braun."

Braun: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to quote for a minute the Sponsor's own words about this Bill. Quote, 'Any way to siphon off legitimate from illegitimate churches and we would certainly do that.' That's exactly the problem, Ladies and Gentlemen. We can't be in the business of deciding what is and what is not a legitimate religious institution. But the problem with this Bill is not that it pertains to religion. Day care licensure does not regulate religion. It regulates the quality of care. Now, I want to relate to you an experience I had not even a month ago driving down Loomis Boulevard in the City of Chicago from 87th Street to 55th Street. We went a total of 17 blocks and counted 32 storefront churches. Now, Ladies and Gentlemen, if you want to open the door and we can have the day care center, the church of What's Happening Now and the day care center of the Moonies and the day care center of the Hari Krishnas and the day care center of Holy Tax Exempt, Inc., then I

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submit to you to vote for this Bill. But this Bill will do nothing but jeopardize what little regulation we have over the safety of children in day care centers. I say to you, our little ones are much too precious to open that kind of a door to. If you want to begin to focus in on some of the other issues, then do that, but don't just throw the door open and say, 'Just because you put a hat on and call yourself a preacher, you don't have to stand up and you don't have to comply with any of the regulatory or licensure requirements pertaining to quality of care'. Ladies and Gentlemen, I urge a 'no' vote on this bad Bill."

Speaker Daniels: "Gentleman from Champaign, Representative Wikoff."

Wikoff: "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 will signify by saying 'aye', opposed 'no'. The 'ayes' have it. Representative Kelley, to close."

Kelley: "Mr. Speaker and Members of the House, I would urge an 'aye' vote on this. I know we can't have a Bill that's a complete vacuum. We cannot, as the Representative across the aisle has stated, and we cannot completely shut out some of the religions we do not adhere to, but I would only say that I believe that the churches in this state are doing a service for their parishioners, for their mothers who want to work, for their children. This is where they would like to take their children. I think we should give them that opportunity to do so without bureaucracy and the red tape. I urge an 'aye' vote."

Speaker Daniels: "Gentleman has moved for the passage of Senate Bill 524. The question is, 'Shall Senate Bill 524 pass?'. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Representative Chapman,

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to explain her vote. Timer's on, Ma'am."

Chapman: "Mr. Speaker and Members of the House, I have several points to make and I know I'm going to have trouble in one minute so I'm going to try talking fast. Senate Bill 224 which you passed earlier this week does everything that makes sense to do in terms of exempting church schools. You voted for a good Bill, Senate Bill 224. Let it stop right there. Don't vote for this bad Bill that goes too far. Secondly, the Bill requires that state standards be maintained but it provides no means of enforcing the maintenance of these state standards, provides for no review or inspection. Third, there's a lot of federal and state money going into these schools. I don't think they should be permitted to have it both ways. If you really don't care about protecting children, let's at least protect our state... (cut off)."

Speaker Daniels: "The Gentleman from Marion, Representative Friedrich, to explain his vote."

Friedrich: "Mr. Speaker and Members of the House, we need a few more votes up there. For goodness sake, what are we getting into when we can't let a church group run a school like this without having the bureaucracy breathing down their neck. I saw a church in Greenville which was trying to provide their services for free and all the bureaucracy moved in was going to make them spend about three thousand dollars when they admitted every child could get out of there within 30 seconds and so on. Let's get the bureaucracy out of it and let the people who are trying to do good work do it without interference from the government."

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

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

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House. I'm rising neither in support or in opposition to this Bill. I have the highest respect for the Sponsor of this Bill who has shown his intent to be of the highest. Unfortunately, we're charged with not voting on intent but with the language of a Bill. The language of this Bill permits the Unification Church to open a day care center without the requirements of licensing. It requires the Church for Krishna Consciousness, the Hari Krishna's, to open a day care center in your district without the requirement of licensing. Indeed, it allows Representative Daniels to call himself the Representative Daniels Day Care Center Church and open a storefront in your district without the requirement of licensing. That is what you are doing by voting for this Bill and having this Bill enacted into law. It's not the churches that will do... (cut off)."

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

Preston: "Thank you, Mr. Speaker."

Speaker Daniels: "And don't talk about my child care center anymore."

Preston: "It is... This Bill affects anyone who wants to call themselves a church or organization. That will be ...those groups will be allowed to open a day care center without the requirement of licensing. As one of my colleagues on the other side of the aisle stated the other day, I think we should all look at this Bill very, very closely."

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

Steele: "Thank you, Mr. Speaker. I rise to urge support for this legislation. I believe it is a good Bill. We certainly need to encourage child care centers here in Illinois and what better place and what better environment than to have it in a church-sponsored environment. Certainly, the advantages of this Bill outweigh any disadvantages that

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have been mentioned. Usually the cost is low. The cost is minimal. It's a non-profit organization so when you vote for this you're helping the people who are getting a cheaper cost, who are getting a good environment, and I urge your support."

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

Hannig: "Thank you, Mr. Speaker and Members of the House. I rise to explain my 'yes' vote on this issue. I think it's important that we remember that no student or no child will be put in any day care center without the consent of their parents, and I think that some of the responsibility for selecting a day care center has to rest with the parents. I believe the parents have to examine these centers and if they think it's appropriate that they put a child in a day care center that is in a religious organization and if they feel it's proper I believe that we should give them that right. I believe we should have more 'yes' votes on this issue."

Speaker Daniels: "We have approximately 14 lights flashing up here. Gentleman from Cook, Representative Sandquist, to explain his vote. The timer's on, Sir."

Sandquist: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I think we've completely missed what's intended by this Bill. We passed a great Bill out of here, 224, for day care. We're talking here about day care of kids. We're not talking about churches. We're talking about the kids that go there. They need the protection whether it's in a church school or when it's any other kind of a day care center. If we're going to regulate and control, we should do church schools as well as others, and I have before me from the Illinois Consortium of Governmental Concerns on the Illinois Conferences of Churches recognize this. All



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of the leading church groups that they should be under control. The church schools should be as much in conformance as any other day care center. And remember, the kids have got to be protected. Forget about the churches involved. We're talking about the kids, and I urge a 'no' vote."

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

Greiman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill has somehow made me think more than most Bills. Usually, I can make up my mind quickly on a Bill and know which way I'm going to go. That's not the case with this Bill. I really, I've been listening to debate and I've tried to understand where we're going. Too often, we substitute our judgement for parents' judgement. We believe that people can't make judgements about their own children. I think people can, but I have to look at the language of this Bill and the language of this Bill, I think, makes this Bill probably unconstitutional. It says that if programs created which are operated as an integral part of a local church ministry. Had it just said a church, I think I might have voted for it. But it says integral part of a local church ministry. That's not just a church. That means that somebody who gives that exemption is going to have to decide whether...(cut off)."

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

Greiman: "Whether it is an integral part of a local church ministry not just whether it's a church, but whether it's an integral part. That means they're going to have to go into the doctrine, to the set up of a church, and I think that's something that none of us, no matter how we feel about this Bill and the good intent of it, want to do. Accordingly, I think I'm going to have to vote 'no' on it."

Speaker Daniels: "Gentleman from Rock Island, Representative

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Bell, to explain his vote. Timer's on, Sir."

Bell: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I strongly urge a 'no' vote on this Bill. I want to remind you that day care licensing standards are minimal and they are designed to protect the safety and well-being of young children. In no way do the day care standards restrict a church-operated program from incorporating religious instruction. In fact, day care standards set that. Day care standards cover such issues as a adult-child ratios, nutrition guidelines, square foot requirements, health guidelines and basic operational procedures. In no way do they constitute the social code. I strongly urge a 'no' vote on this."

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

McCormick: "Mr. Speaker and Ladies and Gentlemen of the House, this is not a Bill that we need to, that I think that I need to get excited about and make one of those major jump jumps that I do sometimes. But I think that maybe some of you people I see voting on this Bill up there on the red are the same people that are always talking about the poor. You're talking about the women that have to work and take their kids to day care. Have you ever stopped to think in the southern part of Illinois, if we didn't have the church oriented, operated day care centers, we wouldn't have any at all in most of the small areas of southern Illinois? And I can see across there all of my black Legislator friends and I see most of them voting 'no' and yet I have Cairo in my district where we have a great unemployment, a great relief load and whenever they have somewhere to take their children there's no place if they don't have a church school to go to to keep them during the day... (cut off).."

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appreciate all of you remembering this. We down there need some help and we need it from you now and I know that my veterans' friend over there will give me a vote. I know he will. Thank you."

Speaker Daniels: "Representative Bowman, to give Representative McCormick a vote. Explain your vote, Sir. Timer's on."

Bowman: "Thank you, Mr. Speaker. The problem with this Bill is, first of all, we don't need it because we just passed Senate Bill 224 which did have an exemption for part day facilities run by churches. The problem with this particular piece of legislation is that it isn't limited to the membership of the church. These particular churches can except children from anywhere in the neighborhood regardless of what their church affiliation is, but because the center is an integral part of the church ministry this day care operation is going to be used as a recruiting device for a lot of churches. It seems to me that the state should not be getting itself involved in sanctioning of recruiting techniques, especially when the health and safety and welfare of children are at stake. We give an exemption in the Bill and say, by the way that they're supposed to follow appropriate health and safety standards but there's no definition of what appropriate is and... (cut off)."

Speaker Daniels: "Representative Bowman, bring your remarks to a close."

Bowman: "Right. My... The point that I was making was that because we give the exemption the state, then, is not in a position to determine what appropriate is. There is then therefore, no definition of appropriate whatsoever and health and safety standards are just out the window. We don't need the Bill. We have Senate Bill 224. This is a bad Bill. It should be defeated."

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Speaker Daniels: "Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the House, I did have an Amendment prepared which I think would have made this a much better Bill. I exempted from this Bill those day care centers in churches which are supported by federal and state dollars. They should be licensed. The reason for this is a lot of the day care centers in our town here are completely funded by federal funds and, if we didn't license them, we wouldn't have any kind of control over them. If they want the federal dollars, they should take the federal control."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take... Representative White, you already spoke."

White: "I just want to ask for a verification."

Speaker Daniels: "You'll be recognized. Clerk will take the record. On this Bill there are 100 voting 'aye', 55 voting 'no'. 6 'present'. The Gentleman from Cook, Representative White."

White: "Mr. Speaker, I would ask for a verification."

Speaker Daniels: "Representative DiPrima votes 'aye'. Representative DiPrima wishes to be recorded as 'aye'. Now, is the demonstration done over there? Okay. Representative Kelley. Gentleman from Cook, Representative White, requests a verification. The Gentleman, Representative Kelley, requests a poll of the absentees. Mr. Clerk. Representative Wikoff."

Wikoff: "Thank you, Mr. Speaker. Might I be verified?"

Speaker Daniels: "Representative White, Representative Wikoff requests leave to be verified. Does he have leave, Sir? Leave is granted. Representative Bartulis requests leave to be verified. Representative White, he's up here in front. Leave is granted. Representative Bower requests

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leave to be verified. Well, now Representative White, it is customary and we do keep very close track of it. Now, it is your... if you do not wish to grant leave, you don't have to, Sir. Representative Tuerk requests leave. Alright now, on your side, Representative White, we have Representative Leverenz wishing to be verified. Representative Beatty. Representative Richmond. I'll read these back to you, Sir. Representative Van Duyne, what purpose do you rise? Leave to be verified. I'll read them back to you. And DiPrima. Now, Representative White, the following people have requested and been given leave to be verified: Representative Wikoff, Representative Bartulis, Representative Bower, Representative Tuerk, Leverenz, Beatty, Richmond, Van Duyne and DiPrima. Proceed with the poll of the absentees."

Clerk O'Brien: "Poll of the absentees. Farley. Flinn. Garmisa. Huff. Johnson. Keane. Kulas. Margalus. Mautino. McAuliffe. Redmond. Ronan. Schuneman. Irv Smith. Tate. No further."

Speaker Daniels: "For the record, Representative DiPrima had requested to be voted as 'aye'. I thought I had stated that but somebody said I didn't. Okay. Alright, now, what's the count, Mr. Clerk? 101 'aye'. Representative White, Representative Lechowicz requests leave to be verified. Leave is granted. Proceed with a Poll of the Affirmative Roll."

Clerk O'Brien: "Abramson. Ackerman. Barkhausen. Barnes. Bartulis. Beatty. Bianco. Birkinbine."

Speaker Daniels: "Representative White, Representative Domico requests leave to be verified and Representative Watson over here on the left. Domico and Watson and Martire. Domico, Watson and Martire."

Clerk O'Brien: "Continuing the poll of the affirmative."

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Speaker Daniels: "Bluthardt. Boucek. Bower. Brummer.  
Capparelli. Carey. Collins. Conti. Daniels. Davis.  
Deuster. DiPrima. Domico. Donovan. Jack Dunn. Ralph  
Dunn. Fawell."

Speaker Daniels: "Representative Giorgi requests leave to be  
verified, Representative White. Leave is granted to  
Representative Giorgi. Proceed."

Clerk O'Brien: "Pindley. Virginia Frederick. Dwight Friedrich.  
Giorgi. Griffin. Grossi."

Speaker Daniels: "Representative Kucharski requests leave to be  
verified. He's up here in front, Representative White.  
Leave is granted to Representative Kucharski."

Clerk O'Brien: "Hallock. Hallstrom. Hannig. Hastert. Hudson.  
Huskey. Jim Kelley."

Speaker Daniels: "Representative Mulcahey."

Mulcahey: "Mr. Speaker, may I have leave to be verified now,  
please?"

Speaker Daniels: "Representative White? Leave is granted."

Clerk O'Brien: "Dick Kelly. Klemm. Kociolko. Koehler.  
Kornowicz. Kosinski. Krska. Kucharski. Lechowicz.  
Leinenweber. Leverenz. Macdonald. Martire. Matijevich.  
Mays. McBroom. McClain. McCormick. McGrew. McMaster.  
McPike. Ted Meyer. R. J. Meyer. Miller. Mulcahey.  
Murphy. Neff. O'Connell. Ozella. Pechous. Piel.  
Pierce. Polk. Pullen. Reed. Reilly. Richmond."

Speaker Daniels: "Representative Stearney. How is Representative  
Stearney recorded?"

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

Speaker Daniels: "Change Representative Stearney from 'aye' to  
'no'. Proceed, Sir."

Clerk O'Brien: "Rigney. Robbins. Ropp. Saltsman. Schraeder.  
E. G. Steele. C. M. Stiehl. Stuffle. Swanstrom.  
Terzich. Topinka. Tuerk. Van Duyne. Vinson. Vitek."

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Watson. Wikoff. Winchester. Sam Wolf. Woodyard.  
Younge. Yourell. Zito. Zwick and Mr. Speaker."

Speaker Daniels: "Questions of the Affirmative Roll,  
Representative White."

White: "'Representative Donovan."

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

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

Speaker Daniels: "Remove him."

White: "Representative Hallock."

Speaker Daniels: "Representative Hallock. Representative John  
Hallock. He's in the aisle, Sir."

White: "Representative Yourell."

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

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

Speaker Daniels: "Remove him."

White: "Representative Bower."

Speaker Daniels: "Who was that, Sir?"

White: "Bower."

Speaker Daniels: "Bower was verified, Sir."

White: "Representative Peters."

White: "Representative Peters. The Gentleman, I think, is... How  
is the Gentleman recorded?"

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

White: "McPike. Representative McPike."

Speaker Daniels: "Representative McPike. Right here by the  
center aisle."

White: "Representative Roland Meyers."

Speaker Daniels: "Representative Roland Meyer is in the back."

White: "Representative McClain."

Speaker Daniels: "Representative McClain. Representative Mike

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McClain. How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

White: "Representative Rigney."

Speaker Daniels: "Representative Rigney. Gentleman in the chambers? Representative Harlan Rigney. How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

White: "Representative Tate."

Speaker Daniels: "Representative Tate. Gentleman in the chambers? Representative Tate is in the aisle. Raise your hand, Representative Tate. How is he voting?"

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

Speaker Daniels: "How would you like to vote, Representative Tate? Representative Tate votes 'aye'."

White: "Got bad information."

Speaker Daniels: "Sorry."

White: "Okay. Representative Schraeder."

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

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

Speaker Daniels: "Remove Representative Schraeder and return Representative McClain to the 'aye' Roll. Representative Johnson, for what purpose do you rise, Sir?"

Johnson: "How am I recorded?"

Speaker Daniels: "How is Representative Johnson recorded?"

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

Johnson: "In explaining my vote, I see and hear so many people who feel with good reason that this is just a blatantly bad Bill and I sat here thinking should I vote for what's good politically or should I vote what I think it right? What I



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think right is 'no' and I'd ask to be recorded as 'no' on this Bill."

Speaker Daniels: "Representative Johnson casts a right vote 'no'."

White: "Representative Collins."

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

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

Speaker Daniels: "Remove Representative Collins."

White: "Representative Bianco."

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

White: "Representative Terzich."

Speaker Daniels: "Representative Terzich is in his chair or one over."

White: "Representative Hanahan."

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

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

Speaker Daniels: "You want him changed? He's recorded as voting 'no'."

White: "Again, bad information. Representative Pechous."

Speaker Daniels: "Representative Pechous. Representative Pechous. The Gentleman in the chambers? How is Representative Pechous recorded?"

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

Speaker Daniels: "Remove Representative Pechous from the Roll and return Representative Collins to the Roll."

White: "Representative Bluthardt."

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

White: "Representative Brummer."

Speaker Daniels: "Representative Brummer in his chair."

White: "Representative Carey."

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

White: "Representative Richmond."

Speaker Daniels: "Representative Richmond. Representative Richmond. He's been verified."

White: "Representative Abramson."

Speaker Daniels: "Representative Abramson. Gentleman in the chambers? Representative Abramson is in his chair. He's waving there."

White: "Representative Piel."

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

White: "Representative Conti."

Speaker Daniels: "Representative Conti. He's in the center aisle. There he is talking to Representative Vitek."

White: "Representative Zwick."

Speaker Daniels: "Representative Zwick is over here by Senator Schaffer. Welcome Senator Schaffer."

White: "Representative Ozella."

Speaker Daniels: "They're talking about the remap over there. Senator Schaffer and Representative Zwick. Representative Ozella. Gentleman in the chamber? Representative Ozella. How is the Gentleman recorded?"

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

Speaker Daniels: "'Remove Representative Ozella.'"

White: "Representative Robbins."

Speaker Daniels: "Representative Robbins is in his chair as usual at Robbins Grocery Store. Delicatessen. A very popular man."

White: "Representative Mautino."

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

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

Speaker Daniels: "Gentleman's not voting, Representative White."

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White: "Representative McAuliffe."

Speaker Daniels: "Representative McAuliffe, Roger McAuliffe is in his chair reading on the latest police techniques."

White: "Representative Martire."

Speaker Daniels: "He's not voting either. Representative Martire was given leave to be verified."

White: "No more questions."

Speaker Daniels: "No more questions. One more. Hold it."

White: "Representative Tuerk."

Speaker Daniels: "Representative Tuerk. He had leave to be verified, Representative White. I have him on my list."

White: "Representative Hallstrom."

Speaker Daniels: "Representative Dolly Hallstrom is back there in the center aisle with Representative Barkhausen. Any further questions, Sir? What's the count, Mr. Clerk? On this question there are 95 'ayes', 57 voting 'no', and 6 'present'. Senate Bill 524, having received a Constitutional Majority is hereby declared passed. Congratulations, Representative Kelley, on your first Bill. Representative Kelley."

Kelley: "After voting on the prevailing side, I would like to move to reconsider."

Speaker Daniels: "Representative Kelley moves to reconsider. Representative Kociolko moves that that lie upon the table. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Motion is tabled. Representative Conti, you have a smile on your face. Ok next Bill. Senate Bill 531, Representative J.J. Wolf. Read the Bill Mr. Clerk."

Clerk O'Brien: "Senate Bill 531, a Bill for an Act to amend Sections of the State Mandates Act. Third Reading of the Bill."

Speaker Daniels: "Representative J. J. Wolf. And, Representative

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Nelson, I'm sorry that I failed to call on you in the last debate. I'll keep more attention to your light there. Representative Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the House. This Bill is somewhat similar to a House Bill we passed. This is Senator Egan's Bill. It makes changes in the Mandates Act regarding the sponsors statement and the fiscal notes and reimbursement provisions. The detail is that a statement of the statewide policy objectives which justify the imposition of a mandate is currently required of the sponsor and when it should be filed is not provided in the Act. This Bill would require that it would be prepared prior to any committee hearing on a Bill. Secondly, the fiscal note is required prior to any committee hearing. In other words, you can't even hear a Bill unless you have one and the fiscal note must be prepared to DCCA or the State Office of Education or a community college board, depending on which government is effected. This requires that the fiscal note be on Second Reading rather than before the Committee and it says that a home rule unit can be reimbursed even if a mandate does not state that it is a preemption of home rule authority, and I would encourage your 'aye' votes. It passed the Senate 54 to nothing."

Speaker Daniels: "Gentleman has moved for the passage of Senate Bill 531. 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? Henry. Have all those voted who wish? The Clerk will take the record. This Bill having received... Well, let me start over again. There are 146 'aye', 1 'no', none voting 'present'. Senate Bill 531, having received a Constitutional Majority, is hereby declared passed. Senate Bill 534, Representative Preston.

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Representative Preston."

Preston: "Mr. Speaker, I'd ask leave of the House to return this Bill to the Order of Second Reading for the purpose of tabling an Amendment."

Speaker Daniels: "Gentleman have leave to return this Bill to Second Reading? Leave being granted, Senate Bill 534, Second Reading."

Clerk O'Brien: "Motion. 'I move to table Amendment #1 to House Bill 534.' Representative Preston."

Speaker Daniels: "Representative Preston."

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is an Amendment that was put on by Representative Stearney in Committee. The same Amendment has been attached to another Bill and it's with agreement of the Representative as well as with the Senate Sponsor that this Amendment be tabled."

Speaker Daniels: "Gentleman moves to table Amendment #1. All those in favor signify by saying 'aye', opposed by saying 'nay'. The 'ayes' have it. Amendment #1 is tabled."

Preston: "Thank you."

Speaker Daniels: "Any further Floor Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Daniels: "Third Reading. Senate Bill 535, Representative Swanstrom. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 535, a Bill for an Act to amend Sections of an Act to revise the law in relation to recorders. Third Reading of the Bill."

Speaker Daniels: "Representative Swanstrom."

Swanstrom: "Thank you. Mr. Speaker, Senate Bill 535 along with three other Bills that are on this same page all deal with county recorders. Representative Yourell and I, Representative Yourell is a Cosponsor with me on these Bills, we would ask leave to have all of these heard at this time. Separate Roll Calls, but take them in order.

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So I would ask leave of the House."

Speaker Daniels: "That's Senate Bill 535, Senate Bill 589 and Senate Bill 590. Is that correct, Sir?"

Swanstrom: "And 588."

Speaker Daniels: "And 588. That's a total of four Bills all dealing with... Representative Preston, what purpose do you rise?"

Preston: "Mr. Speaker, I have a question of the Sponsor on Senate Bill 535 so I would not like them combined with any other vote until I have an opportunity to ask that question."

Speaker Daniels: "He's just asking that they be heard in succession."

Preston: "Okay. I'm sorry, Mr. Speaker."

Speaker Daniels: "Alright. Does the Gentleman have leave? Leave is granted to hear Senate Bills 535, 588, 589 and 590 in succession. First Bill is Senate Bill 535. Read the Bills, Mr. Clerk."

Clerk O'Brien: "House (sic, Senate) Bill 588, a Bill for an Act to revise the law in relation to recorders. Third Reading of the Bill."

Speaker Daniels: "Senate Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 588. Senate Bill 589, a Bill for an Act providing for the registration of foreign names in the Soil and Water Conservation District Act. Third Reading of the Bill. Senate Bill 590, a Bill for an Act to revise the law to revise an Act relating to fees of recorders. Third Reading of the Bill."

Speaker Daniels: "Representative Swanstrom."

Swanstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 535 increases the fee under the Recorder of Deeds Act for filing a release of chattel mortgage or trust deed which has been filed but not recorded or for indexing the same from one dollar to five

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dollars. This comes at the request of the Association of County Recorders. It passed out of the Senate 57 to nothing and I would appreciate a favorable Roll Call."

Speaker Daniels: "Representative Preston. Representative Peters..."

Preston: "Will the Gentleman yield for a question?"

Speaker Daniels: "Representative Peters in the Chair."

Preston: "Representative Swanstrom, it's my understanding that in Illinois we follow the Uniform Commercial Code and that there is, in this state, no such thing as a chattel mortgage. Could you tell me to what items of property this Bill applies to?"

Swanstrom: "No, Lee, I cannot. This was a Bill introduced at the recorders' request and they provided the language for the Bill. I can't tell you, no."

Preston: "Speaking to the Bill, it's just my understanding that there are no chattel mortgages in this state and I don't think that there is a release of a chattel mortgage since there is no chattel mortgage in the first place. I assume what they're referring to here is a release of the UCC filing under the security agreement or financing statement, release of a financing statement which is not a chattel mortgage in this state. So, I'm just bringing that out. I don't care anybody votes on the Bill, but I don't think the Bill uses the correct terminology."

Speaker Peters: "Further discussion? Representative Vinson."

Vinson: "Thank you, Mr. Speaker. I can't answer Representative Preston's question in detail, but I would pose to him the question whether there may be chattel mortgages that came into existence at the time that chattel mortgages were authorized by law that have not been released yet and that that's the purpose for the 'phraseology'."

Speaker Peters: "Representative Preston."

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Preston: "Thank you, Mr. Speaker. That certainly is a possibility, but I can't believe that this Bill would be addressing something that came into existence prior to the Uniform Commercial Code which would have been many decades ago. So, I... I mean, that's a possibility, but I can't believe that's the intent of the Bill."

Speaker Peters: "Representative Leinenweber."

Leinenweber: "In partial response, the UCC releases are not governed by the Recorder's Office anyhow. That's under the County Clerk or the Secretary of State as the case may be, and I think the Gentleman from DeWitt is accurate. There would be chattel mortgages outstanding which would have to be released, and if the Gentleman was right and there was no such thing, then that I would just that the recorder won't make much money off of this."

Speaker Peters: "Any further discussion? Representative Swanstrom, to close."

Swanstrom: "Thank you, Mr. Speaker. I'd just appreciate a favorable Roll Call."

Speaker Peters: "Question is, 'Shall Senate Bill 535 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Voting is open. Representative Woodyard. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 130 voting 'aye', 2 voting 'nay', 17 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 588, Swanstrom-Yourell. Representative Swanstrom. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 588, a Bill for an Act to amend an Act to revise the law in relation to recorders. Third Reading of the Bill."

Speaker Peters: "Representative Yourell. Representative



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Swanstrom."

Swanstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 588 provides that the fee for recording of a condominium flat which has been approved by a county or municipality shall be 50 dollars for the first page and a dollar for each additional page thereafter."

Speaker Peters: "Any discussion? The question is, 'Shall Senate Bill 588 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 152 voting 'aye', 4 voting 'nay', 3 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 589, Representative Swanstrom. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 589, a Bill for an Act to amend Sections of an Act to provide for registration of farm names and to repeal Sections of the Soil and Water Conservation District Act. Third Reading of the Bill."

Speaker Peters: "Representative Swanstrom."

Swanstrom: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 589 is another Bill that was proposed by the Association of Recorders'. It raises the fee for recording a farm name in the County Recorders' Office from one dollar to five dollars."

Speaker Peters: "Any discussion? Being none, the question is, 'Shall Senate Bill 589.. Representative Getty."

Getty: "Is this.. Does this still have the provision in that the Attorney General provides free legal services?"

Swanstrom: "That is correct."

Getty: "I didn't hear that in the explanation. I would think that that's a rather major provision of this Bill that it deletes the provisions for the Soil and Water Conservation

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District to have its own attorney and you're now putting the burden on the Attorney General. I would think that it isn't just an increase in recording."

Speaker Peters: "Representative Swanstrom."

Swanstrom: "Excuse me. Representative Getty, that was an oversight on my part. I do apologize for that..."

Getty: "And then there's another provision. The Administrative Procedures Act would no longer be applicable as I understand that. I don't think I heard you mention that aspect of this Bill."

Swanstrom: "To the best of my knowledge, the Amendment that added that has been withdrawn earlier. I didn't know it was in the Bill at this time..."

Getty: "I believe that's part of the Bill as it is. I'd suggest you take it out of the record, Representative."

Speaker Peters: "Representative Ropp."

Ropp: "Mr. Speaker and Members of the House, there was another Amendment that was put on in Committee which stated that the.. it was to bring in compliance with the federal income tax that said if you received a state grant for doing soil-water conservation programs, that would not be considered taxable income as the Federal Government now has under their law. That Amendment that was adopted in Committee was tabled yesterday when this Bill was on Second Reading. Either yesterday or the day before. So that provision is no longer a part of the Bill."

Getty: "Alright. Now, I'm ... I would direct you, Representative, to page two, line 31 through 33 which says Section 43 of the Soil and Water Conservation District Act approved January 1, 1978 as amended is repealed. What does that repeal, Sir?"

Speaker Peters: "Representative Swanstrom, the Chair ..."

Swanstrom: "Take it out of the record."

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Speaker Peters: "Yes, Sir. You might discuss that with Representative Yourell and Representative Getty. Senate Bill 590, Representative Swanstrom. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 590, a Bill for an Act relating to fees of recorders. Third Reading of the Bill."

Speaker Peters: "Representative Swanstrom."

Swanstrom: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 590 increases the fee for recording on oil or gasoline from three dollars to five dollars. It also provides for a one dollar fee for the indexing of each name other than the first name in deeds, leins and other instruments. I'd appreciate a favorable Roll Call."

Speaker Peters: "Any discussion? Representative Robbins."

Robbins: "Nord, on... at the present time, they charge their fees according to the number of sections and the number of part sections in a lease. Now, does this increase it from three dollars to five dollars for each sectional part of that lease?"

Swanstrom: "For each total lein."

Robbins: "Each total lease(sic, lein). Well, some of these leases(sic, leins), at the present time, the recording fees is already 35 dollars. Are you aware of that?"

Swanstrom: "On each individual lein, there's only a three dollar charge."

Robbins: "Okay."

Speaker Peters: "Further discussion? There being none, the question is, 'Shall Senate Bill 590 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? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 152 voting 'aye', 4 voting 'nay', 2 voting 'present'. This Bill,

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having received a Constitutional Majority is hereby declared passed. Senate Bill 542, Representative Getty. Out of the record. Senate Bill 556, Representative McMaster. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 556, a Bill for an Act in relation to compensation of county officials. Third Reading of the Bill."

Speaker Peters: "Representative McMaster."

McMaster: "Thank you, Mr. Speaker. I believe that one of the Representatives did put on, Representative Fawell put an Amendment on this Bill on Second Reading that was faulty. For that reason, I have agreed for it to be brought back to Second Reading to correct that Amendment with an Amendment that is good."

Speaker Peters: "The Amendment as technically incorrect?"

McMaster: "It did not cover the Bill as amended. It referred to lines that had been changed by the previous Amendment."

Speaker Peters: "The Gentleman asks leave to bring Senate Bill 556 back to the Order of Second Reading for the purposes of Amendments. Does the Gentleman have leave? Leave is granted. Second Reading. Representative McMaster."

McMaster: "Now, if you would recognize Representative Fawell, she would like to withdraw Amendment #4...3 I believe it is on the Bill and replace it with Amendment #4."

Speaker Peters: "Representative Fawell moves to table Amendment #3. Those in favor will signify by saying 'aye', those opposed. In the opinion of the Chair, the 'ayes' have it. Amendment #3 is tabled. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Fawell, amends Senate Bill 556..."

Speaker Peters: "Representative Fawell, Amendment #4."

Fawell: "This just... This Amendment is just identical to the Amendment that I just tabled except that it moves it down

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and merely adds our Clerk to the Bill."

Speaker Peters: "The Lady moves adoption of Amendment #4 to Senate Bill 556. Those in favor will signify by saying 'aye', those opposed. In the opinion of the Chair, the 'ayes' have it. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Third Reading. Representative McMaster."

McMaster: "Mr. Speaker, I hope this will stay on the Priority of Call where it was originally."

Speaker Peters: "Yes, Sir."

McMaster: "Thank you."

Speaker Peters: "Senate Bill 558, Representative Wolf. 558. Read the Bill, Mr. Clerk."

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

Speaker Peters: "Representative Wolf."

Wolf (J. J.): "Mr. Speaker, I would ask leave to return Senate Bill 558 back to the Order of Second Reading. There is a technical error on Amendment #3."

Speaker Peters: "Just a technical change, Sir?"

Wolf: "Mr. Meyer would like to offer a different Amendment and table that."

Speaker Peters: "We have a list of Bills here that we, at some point, will get to. Third Reading Bills and bring them back to Second if they're of any kind of substance at all. The Chair is not eager to get into a hassle on the content. If it's technical, we'll go back. If not, we would rather just as soon wait till we get to that Order, Representative. Out of the record. Senate Bill 559, Representative Telcser. 559, Sir? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 559, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of

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the Bill."

Speaker Peters: "Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, Senate Bill 559 reduces the time that a Chicago teacher must wait to receive a refund of their contribution to the Chicago Teachers Retirement System from four months to two months. It also requires deductions for retirement to be paid to the system within five days rather than the 30 days and deletes some language which isn't necessary. That's all there is to the Bill and I'd appreciate a favorable Roll Call."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 559 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted... Representative Martire, vote Representative Stanley 'aye', please, at his request. Have all voted who wish? Representative Woodyard, Representative Peters 'aye'. Thank you, Sir. Have all voted who wish? Take the record. On this question there are 162 voting 'aye', 1 voting 'nay', 3 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 560, Representative Henry. Read the Bill, Mr. Clerk. Representative... Senate Bill 560. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 560, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Peters: "Representative White."

White: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 560 amends the Chicago Teachers Retirement Article of the Pension Code to allow remarriage of a surviving spouse

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at the age of 55 without loss of pension beginning January 1, 1982. There's a second part to the Bill and that's Amendment 1 which would provide a three percent increase in the survivors annuity. Mr. Speaker, I'd appreciate a favorable Roll Call."

Speaker Peters: "Any discussion? There being none, Representative Henry, to close."

Henry: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is similar to a piece of legislation that was hung up here in the House because we did not extend the deadline. The Bill has the support of the Pension Laws Commission. The second part on the survivors increase is very minimal. It's an ad hoc position and it's supported by the Pension Laws Commission and; therefore, we're asking for your support."

Speaker Peters: "Discussion? Representative Friedrich."

Friedrich: "I noticed this had a ... It's under the Mandates Act. What is the cost of this going to be?"

Speaker Peters: "Representative White?"

White: "Okay, for Senate Bill 560, 2. million dollars. It's a one shot deal and that's it."

Friedrich: "By the state. It's going to cost the state two million dollars?"

White: "Yes. The disclaimer's already within the Bill."

Friedrich: "Well, Mr. Speaker, right now we're 135 million dollars short of being able to even pay the bills we've got."

Speaker Peters: "Any further discussion? Question is, 'Shall Senate Bill 560 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Voting is open. Representative Henry, to explain his vote."

Henry: "Yes, Mr. Speaker, thank you very much. The... most of the cost would be beared from the system because when the

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increases in salaries and increases in the pension goes into the system, the system is able to repay some of the money on the pension. Therefore, it is not that figure that you just were quoted. It's not accurate at all."

Speaker Peters: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 101 voting 'aye', 39 voting 'nay', 5 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. The Clerk informs me that to this point we have passed 32 Bills on Third Reading. The Senate, to this point, has passed 86 and left for the day. Senate Bill 565, Representative O'Brien. Gentleman in the chamber? Out of the record. Senate bill 574, Representative Kornowicz. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 574, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Speaker Peters: "Representative Kornowicz."

Kornowicz: "Mr. Speaker, Members of the House, Senate Bill 574 amends the Civil Administration Code. Senate Bill 574 allows the Department of Registration and Education to prescribe rules governing the general operation of the Department under the Open Meetings Act or other Acts which authorize such rule making. This Bill was prompted by the Joint Committee on Administrative Review of the Department of Rules. They present the language seems to limit the Department rule-making ability by requiring all rules to be approved by the Committee...the Department charged with the examining rules pertaining to specific profession. I ask for a favorable vote."

Speaker Peters: "Any discussion? Representative Ropp."

Ropp: "Mr. Speaker, would the Sponsor yield?"

Speaker Peters: "Indicates he will."

Ropp: "Okay, I see in our analysis here it says something about



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eliminates the five-member weather modification control board. Isn't that.. didn't that go over to the Illinois Water Survey. Is that where.... It's not totally eliminated. It's just moved to another agency."

Kornowicz: "That was a technical Amendment."

Ropp: "Technical Amendment. Okay."

Speaker Peters: "Any further discussion? There being none, the question is, 'Shall Senate Bill 574 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. On this question there are 160 voting 'aye', none voting 'nay', 2 voting 'present'. This Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 578, Representative McPike. Out of the record. Senate Bill 580, Representative Ewing. Out of the record. Senate Bill 584, Representative Sandquist. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 584, a Bill for an Act relating to the enforcement of water well construction codes. Third Reading of the Bill."

Speaker Peters: "Representative Sandquist."

Sandquist: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 584, I believe, is one Sunset Commission Bill. You can all vote for it. It's similar to House Bill 980 which we passed out of here and what it does is it gives stronger enforcement to our Water Well Code. And whether you want to vote to keep the water well licensed, you still need this additional enforcement. As I say, we passed it overwhelmingly in House Bill 980 and I'd ask your favorable vote."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 584 pass?'. Those in favor will

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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. On this question there are 157  
voting 'aye', none voting 'nay', 1 voting 'present'. This  
Bill having received the Constitutional Majority is hereby  
declared passed. Kornowicz 'aye'. Senate Bill 585,  
Representative Flinn. Out of the record. Senate Bill 587,  
Representative McAuliffe. Representative McAuliffe. Out  
of the record. Representative Mautino, for what purpose do  
you rise, Sir?"

Mautino: "I'm the major Cosponsor as well of 587, Sir. I'd be  
happy to go with it."

Speaker Peters: "Gentleman have leave? No objections. Proceed."

Clerk O'Brien: "Senate Bill 587, a Bill for an Act to amend  
Sections of the Illinois Pension Code. Third Reading of  
the Bill."

Speaker Peters: "Representative Maut..."

Mautino: "Thank you, Mr..."

Speaker Peters: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the  
House. This legislation, Senate Bill 587 that came over  
from the Senate under the Sponsorship of Senate Sam  
Vadalebine, authorizes an alternative retirement annuity  
for the persons employed by the Division of Law Enforcement  
of the Department of Conservation who are ineligible for  
Social Security coverage. It establishes a graduated  
allowance, up to 75% of the average final compensation.  
Currently, state policemen, firefighters, pilots, special  
agents and Secretary of State investigators who are a  
member of the system are entitled to provide a special  
alternative retirement annuity for all periods of service  
during which the member was not a covered employee subject

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to coordination with the Federal Social Security benefits. So those people that don't become eligible for Social Security benefits can be eligible under this provision and I believe that we're talking approximately around 57 or 47 people that are involved in this particular proposal. I'd be happy to answer any questions."

Speaker Peters: "Any discussion? Representative Getty."

Getty: "What is the annual cost if we were to adopt this?"

Mautino: "The increase in the accrued liability is 1,160,000 and the minimum recommended annual contribution would be 190,000."

Getty: "Is the Pension Laws Commission supportive of this?"

Mautino: "It came out of their Committee, I believe...Roger McAuliffe handled the Bill in Committee and I can't respond to it. He's the Chairman of that Committee. I'm assuming yes."

Speaker Peters: "On that point, Representative Wolf."

Wolf (J. J.): "I was just going to ask the Sponsor. I believe there's... Mr. Sponsor. I believe that there is a contribution here on the part of the employees on this of 1 and 1/12%."

Mautino: "That's right."

Wolf: "...benefits...This is one of the few people who have offered to make a contribution out of their pocket to pay for the benefits. I think it's a good Bill."

Mautino: "Yes, thank you."

Speaker Peters: "Representative Getty, your point is not... Repeat your question."

Getty: "My question was, did the Pension Laws Commission support this legislation?"

Mautino: "I would like to refer that to Representative Ebbesen. I can't answer it, Mr. Speaker."

Speaker Peters: "Does anyone have an answer to that question so

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we can... Representative Ebbesen."

Ebbesen: "Well, Mr. Speaker, according to my staff analysis that it says that the Pension Laws Commission is opposed. Now, I think what may have a bearing on that is the fact that this increased contribution from eight to nine and a half percent, which is a one and a half percent increase, is one of the few, if not the only system, that's been willing to at least increase that. And I guess my question is, I don't know if, with that one and a half percent increase, how that reflects into the increase into the increase in the cost of the unfunded accrued liability and the annual cost. If that is, taking that into consideration, was it part of the original Bill?"

Speaker Peters: "Representative Mautino."

Mautino: "I've been informed that that one and a half percent covers it, Representative Ebbesen."

Ebbesen: "If that one and a half percent covers it, then there's really not a problem because those who are contributing are going to cover that cost."

Speaker Peters: "Any further..."

Ebbesen: "And if that's the case, it's a good Bill. If it's not the case, it's a bad Bill."

Mautino: "I've been informed by Representative Henry who serves on that Committee as well that that is the case, Representative Ebbesen, and I it is a good Bill."

Speaker Peters: "Representative... Any further discussion? Representative Getty."

Getty: "I had not finished, Mr. Speaker."

Speaker Peters: "I'm sorry."

Getty: "We had somebody else volunteering an answer..."

Speaker Peters: "Interveners."

Getty: "Right. Interveners. I, apparently, it is not crystal clear that all the increased costs, then, is going to be

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borne by the members. There still is an increased cost and annual contributions out of state funds of 190,000 dollars. Is that correct?"

Mautino: "That's what I understand, but I'm not exactly sure that's correct."

Getty: "And 1,160,000 in unfunded liability. Is that correct?"

Mautino: "No, that's the total liability of those people in the alternate program. That is not the unfunded liability."

Getty: "Alright. Now, would you please explain to me the theory under which you would put a conservation officer in the same category with the law enforcement to the Department of Law Enforcement?"

Mautino: "They are the law enforcement officers of the Department of Conservation."

Getty: "What is the extent of their police power? Is it not limited to enforcing the Fish and Game Code and things related thereto?"

Mautino: "I believe that's probably correct."

Getty: "Alright. So that they do not have general peace officers authority but have limited peace officers authority."

Mautino: "I believe it would have to be considered limited, yes."

Getty: "Alright. Now, do you have any statistical data to indicate a hazard or risk to persons performing this service to the state that would put them on the same parr with and thus justify this pension benefit you're asking us to give them?"

Mautino: "First and foremost, I think that hazardous provisions can always be applied to those that are in law enforcement in the Department of Conservation. If you ever run into any poachers out in the middle of no-mans land or if you happen to be hunting in an area where you shouldn't be, I'm sure that that hazardous conditions would fall into the same posture as a law enforcement official who is going

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down a dark alley in his proper provisions. But..."

Getty: "Representative Mautino, I'm asking if you have any statistics. I have before me a document from the Conservation Police Lodge of the Fraternal Order of Police which makes a statement not supported by any facts that says, and I quote, 'Studies have consistently revealed that conservation law enforcement officers nationwide bear a higher risk of physical injury resulting from assault than any other category of policemen.' Now, what I'm saying to you is I'd be inclined to support this if, indeed, the State of Illinois Conservation Law Enforcement officers did, in fact, bear a high degree of risk. However, if they don't, if their risk is no more than other general state employees, then I don't think we should extend this benefit."

Mautino: "Okay. I'd like to respond to your inquiries. Number one, law enforcement officer in the Department of Conservation does not carry a firearm, number one. And number two, those people that he is addressing in his normal course of employment, in most cases, do have a firearm. Number one, that's a hazardous situation. Number two, I am reasonably sure for every law enforcement officer of the Department of Conservation that I have been involved with work individually, not in pairs. Of course, they work on the lakes, individually in boats, etcetera and I think that that provision takes it in a realm of hazardous duty not in the same vein as a regular policeman."

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

Speaker Peters: "Proceed, Sir."

Getty: "Mr. Speaker and Members of the House, you have before you a Bill that we really don't have a clear answer on I'm afraid. I would be inclined to support it if I knew, in fact, that there was additional hazardous risk and I would

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be inclined not to support it if there isn't. I don't think that any demonstrative evidence has been presented before us. We're asked to take 190,000 dollars out of the state coffers. Governor Thompson has told us that things are very tight. I think that puts all of us, especially you, my colleagues on the Republican side of the aisle, in a little bit of a quandary on this. I know conservation officers are nice guys. I think we ought to have better facts as to substantiate it than this. I think I'm going to vote for it and hope that the Governor will veto it if the representation that there is the hazardous risk is not true. This won't go back to the Senate. There are no Amendments. It's going to go straight to the Governor's desk and I think we ought to be careful about that. I hope the Governor, when he gets it, will be sure that he has the statistical data to back up signing this if he chooses to sign it."

Speaker Peters: "Representative Robbins."

Robbins: "Mr. Speaker and Ladies and Gentlemen of the House, I would like to reply to the fact of the risk. A conservation officer is called on anytime of the day or night to perform his duty. It is usually to enforce the Game Code laws. It is, a lot of times, to enforce the laws of poaching and stealing game for which it is not uncommon to find, and not unheard of for a conservation officer to be shot at, to be, in some instances, killed in order that these poaching operations can continue. This is definitely a hazard in the occupation whether you want to vote the additional funds or not, is on your conscience, but whether... I don't think that you can find any reason to say that there is not an hazard in enforcing the game laws just the same as there is a hazard in enforcing the highway laws."

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Speaker Peters: "Representative Wolf."

Wolf: "Thank you, Mr. Speaker. I didn't get a chance to conclude mine because I didn't realize I had interrupted a previous speaker. Mr. Speaker, Members of the House, I think it's been pretty well established what the duties of a conservation police officer are. Years ago, they weren't armed, they didn't go through the police training. They are now. They all carry side arms and they carry it for a reason, because they run into situations where there is indeed danger to life. Last year, I believe it was, the year before, we passed a similar thing for the Secretary of State's Police and if you recall, I got up and argued against that. It doesn't make any sense at all for a Secretary of State's trooper who does not lay his life on the line like I believe a conservation officer does. Now, regarding the money; we're talking... Again, we pass Bills out of here sometimes with 20 million dollars a year accrued liabilities and you're picking on the wrong Bill. This one was a total of a 190,000 dollars annual cost. Deduct from that, deduct from that the contribution that is made by these officers which are willing to increase the contribution, I think, by 1 and a twelfths percent of their salary. So whatever that generates, you reduce that from the 190,000 dollars a year and I think we're talking about peanuts. This is not a bad concept. I think it's a pretty good Bill and at a very negligible cost and I would hope it would pass."

Speaker Peters: "Representative Hallock."

Hallock: "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. The 'ayes' have it. Representative Mautino, to close."



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Mautino: "Thank you, Mr. Speaker. The previous speaker, Representative Wolf, was exactly right. The total cost in this program is 190,000 dollars less the amount of one and a half percent that the employees are putting into the annuity and; therefore, what this is doing is making that subtraction and this being one of the few Bills that will be self-sufficient for inclusion within this program and the alternate methods, and I ask for an 'aye' vote."

Speaker Peters: "The question is 'Shall Senate Bill 587 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Representative Vinson, to explain his vote."

Vinson: "I think this is going to fly and I don't think it's necessary, but it is a good Bill and I would urge an 'aye' vote."

Speaker Peters: "Representative... Have.. Representative Wolf. Yes... no. Peters 'aye'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 145 voting 'aye', 9 voting 'nay', 5 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 591, Representative Bower. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 591, a Bill for an Act relating to the leasing of oil and gas where the owners cannot be located. Third Reading of the Bill."

Speaker Peters: "Representative Bower."

Bower: "Thank you, Mr. Speaker. I would ask leave to take this from Third Reading to Second Reading for the purposes of an Amendment."

Speaker Peters: "Is it a technical Amendment?"

Bower: "It is technical and clarifies a definition."

Speaker Peters: "It is not new substantive language?"

Bower: "No."

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Speaker Peters: "The Gentleman asks leave to bring Senate Bill 591 back to the Order of Second Reading for the purpose of an Amendment. Gentleman have leave? There objection? Leave is granted. Second Reading."

Bower: "Thank you, Mr...."

Clerk O'Brien: "Amendment #2, Bower, amends Senate Bill 591 as amended."

Speaker Peters: "Representative Bower."

Bower: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment clarifies language that was added to the Bill by an Amendment that Representative Robbins put on. It clarifies definitions and makes the Bill acceptable to the oil and gas division, to Representative Robbins, to the Senate Sponsors and to the Oil and Gas Association. I would urge an 'aye' vote."

Speaker Peters: "Quest... Any discussion? Being none, the question is, 'Shall Amendment #2 to Senate Bill ... Representative Getty."

Getty: "Now, I'm not quite sure I understand it. I don't have expertise in the oil area, but I'm advised that this does exempt certain types of equipment that were not previously exempted. Is that correct?"

Speaker Peters: "Representative Getty, excuse me. Representative Bower."

Bower: "To what are you referring?"

Speaker Peters: "Representative Bower."

Bower: "Yes."

Speaker Peters: "Mr. Clerk. Mr. Clerk, let us take this out of the record for right now, Representative. I will not be fair to other people who've asked for the same consideration. I asked you if this was substantive in nature. You told me no and it appears that it is. It's not just technical. I don't want to not let you do it, but

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we have not allowed other people to do it. Take it out of the record. Senate Bill 599, Representative Stuffle. Read the Bill."

Clerk O'Brien: "Senate Bill 599, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Peters: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, Senate Bill 599 is a Bill that is identical in its current form with House Amendments to House Bill 1122 which the Pension Committee of this House passed out unanimously as I recall. It was one of the many Bills caught on the Calendar at the deadline on Third Reading. We put Senate Bill 599 in the posture of that same Bill. Senate Bill 599 as amended came out of the Pension Committee of this House on an 11 to nothing vote and out of the Senate 47 to 2. It has two basic changes. The first is consistent with what we've been doing with each of the other pension systems this Session and that is to increase the maximum possible survivors benefit under the downstate teachers system by 100 dollars. The second provision in the Bill refers to the lump sum benefit to beneficiaries where there is a death in service within the teaching system. The Bill is consistent, as I said, with the other pieces of legislation that we have alive and some that we've already passed for other systems. There have not been any changes in this particular survivors benefit for a number of years. The Bill has the approval of the Pension Laws Commission. It is also sponsored, along with myself, as hyphenated Sponsor by Representative C. L. McCormick who also joined me in Sponsorship of the other Bill which we lost due to the deadline of effecting the House Calendar earlier in the year and I would ask for an affirmative vote and be glad to answer your questions with

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regard to this Bill."

Speaker Peters: "Representative Ebbesen."

Ebbesen: "Will the Sponsor yield?"

Speaker Peters: "Indicates he will."

Ebbesen: "What is, according to your analysis there, Representative Stuffle, the annual cost, first year benefits and then..."

Stuffle: "275,000, two-tenths of one percent of payroll. This is the Bill which, as I said, voted on in Committee which you supported."

Ebbesen: "No, 13 to 2."

Stuffle: "I have 11 to nothing in our book."

Ebbesen: "It's 13 to 2. There were 2 negative votes. I was one of them. What was the increase in..."

Stuffle: "That's not what the Roll we have shows."

Ebbesen: "What was the increase in the unfunded accrued liability?"

Stuffle: "Just a second, Joe. The Pension Laws Commission on our report does not have that figure that I see."

Ebbesen: "According to our analysis, it's 3.2 million dollars..."

Stuffle: "You're right. They've got it but it's under the wrong... it's under the wrong heading. You're right. We've got it too."

Ebbesen: "Alright. To the Bill then, Mr. Speaker."

Speaker Peters: "Proceed."

Ebbesen: "I'd just like to point out to the Membership, we just passed a Bill out of here a few moments ago; I forget the number, that the increase in the unfunded accrued liability was a little over 1.1 million dollars and 190,000 dollars annual cost. Now here's the next pension Bill and I want to tell the Members of this House there are somewhere around 35 to 37, 38 pension Bills out here on the floor in the form of Bills to say nothing of Conference Committees

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that we'll be seeing later. But just taking the last, this Bill and the last Bill, you say, 'Well it's just 100,000 here or 200,000 there'. Pretty soon you're up in the millions and, when you're talking about that unfunded accrued liability, 3.2 on this, 1.1 on the last one. That's 4.3 and another one comes along with five million, then seven million, ten million. By the time you total that up and all the Bills that go to the Governor's desk, what you are doing is transferring payments, transferring payment for today's services to the younger generation tomorrow. Somebody's going to have to pay the piper one of these days and I'm telling you that you better watch very carefully the legislation that you're acting on. If you... There's 35 to 37, 38 Bills out there that I've indicated. You better start looking some of those pension Bills over those that you'd like to support and there's no provisions in this Bill for an increase of the contribution of those who are the contributors. Now, if there was one half of one percent or a one percent increase in that contribution to cover the cost, that's another story. Fortunately, in the last Bill, there is that increase. It's one of a kind, I think, for this Session, but I would encourage each of you with these pension Bills to take a very close look at those numbers because it's overwhelming on the years ahead, believe me, for the young people that are coming along. They're going to have enough trouble paying the taxes as it is."

Speaker Peters: "Further discussion? Representative Stuff... There being none, Representative Stuffle, to close."

Stuffle: "Yes, Ladies and Gentlemen, just to indicate again that the effort we have made this year was not to load all these Bills up with the type of things we have in the past but to speak to some of the problems we found in specific areas

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where there has been rather minimal impact pension-wise with regard to costs. I would reiterate to you only in asking for your vote that this is the same Bill that the Committee did pass out earlier, the same Bill that the Senate passed out 47 to 2 and a Bill which, as I said before, is approved by the Pension Laws Commission. In the Senate, the Senate accepted an Amendment from the Pension Laws Commission to bring it into conformity with their policies and that Amendment remains on the Bill today with the Pension Laws support of the Bill in its current form. It is identical, I believe you will note, to the other Bills that we passed out for other systems and some others that are still on the Calendar all approved by the Pension Committee of this House. And Representative McCormick and I, as the Sponsors, would appreciate a favorable Roll Call on this Bill. There has not been a change in this benefit with regard to this maximum for a number of years. I believe seven and that's the reason for the requested change of minimal impact in this system."

Speaker Peters: "Question is, 'Shall Senate Bill 599 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. On this question there are 115 voting 'aye', 32 voting 'nay', 5 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Chair would now like to go or will go to the Order of Second Reading, Short Debate Calendar, the Amendments. Page 11 of the Calendar. The Chair will attempt to look over the Assembly and pass over those that he sees is not here, and if I pass over you and you're here, let me know. Senate Bill 423, Representative Ebbesen. Second Reading. Out of

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the record. Findley, are you ready? Mr Clerk, has the Amendment been distributed? Out of the record. 464, Representative Schneider. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 464, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motion filed."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #2, Schneider, amends Senate Bill 464 as amended in the title and so forth."

Speaker Peters: "Representative Schneider, on Amendment #2."

Schneider: "Thanks. Mr. Speaker, Members of the House, 464, the Amendment I am addressing to this Bill, is an Amendment to delete Sections that were included in the enrolled and engrossed portion of the Senate Bill. The Senator, Senator D'Arco, has agreed for its deletion because that language has moved to another Bill and has now passed out of the Senate and the House. So, basically, I'm eliminating language relating to Section 16, 133 and '36. It is an eligibility Section which reduces from 15 to 5 years the number..."

Speaker Peters: "Excuse me. Mr. Clerk, has this Amendment been distributed?"

Schneider: "It's distributed."

Speaker Peters: "It has been. Proceed."

Schneider: "So that it really, then, has no relevance to the Bill and I'm asking for its removal. Again, the concept is embodied in another proposal that's already on the Governor's desk. I would move its adoption."

Speaker Peters: "It's the intention of the Chair to stay on this Order of Business for at least one hour. Any further discussion? Representative Ebbesen."

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Ebbesen: "Yes, would the Sponsor yield?"

Speaker Peters: "He indicates he will."

Ebbesen: "I didn't quite grasp that explanation. You talked about numbers and deleting language. Are you talking about the money, any money in there at all or what are you doing? I didn't understand your explanation."

Schneider: "If there's any money in there, it's gone now, Joe, because we're deleting that Section. The proposal was in another Bill. I'm just taking it out of this one."

Ebbesen: "Okay."

Speaker Peters: "Question is, 'Shall Amendment #2 to Senate Bill 464 be adopted?'. Those in favor will signify by saying 'aye', those opposed. In the opinion of the Chair, the 'ayes' have it. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Third Reading. Senate... Short Debate. Senate Bill 903, Representative Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 903, a Bill for an Act concerning public utilities. Second Reading of the Bill."

Speaker Peters: "Representative Levin. The Amendment's not printed, Sir."

Levin: "Amendment 1 is and I'm going to withdraw Amendment #2."

Speaker Peters: "Amendment #1..."

Levin: "Is printed."

Speaker Peters: "Is printed."

Levin: "And distributed and I will withdraw Amendment #2 which I just filed."

Speaker Peters: "Alright."

Clerk O'Brien: "No Committee Amendments."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Levin-Rigney, amends Senate Bill 903 and so forth."

Speaker Peters: "Representative Levin."



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Levin: "Mr. Speaker, Ladies and Gentlemen of the House, I present this Amendment on behalf of myself and Representative Rigney. You may have seen a couple weeks ago the lead article in the Chicago Tribune on Sunday involved Kuwait purchasing seven billion dollars in assets of corporations in the United States. A couple of years ago this Legislature passed a Bill requiring farm land disclosure of non-resident alien ownership of Illinois farm lands. What this Amendment does and this Amendment has been worked out with the Illinois Commerce Commission, is to require a similar kind of disclosure where more than 5% of the ownership of a public utility in the State of Illinois is by non-resident aliens. This would be attached to the annual report. If, in fact, there is a filing with the Federal Government that filing would be sufficient to be attached to the state report. I'd be happy to answer any questions on this Amendment."

Speaker Peters: "Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, the Sponsor of this Bill never ceases to amaze me. He's been the champion of the people for a good many years trying to protect the 'maja' group and Illinois Politician Action Committee group, but I can't imagine the restrictions that he keeps placing on the public utilities and expect the public utilities to absorb this expense. Do you have any idea what the cost of the administration costs would be to make this report and to keep these records?"

Levin: "Okay. Representative, the individual utilities already have this information. Many of them are currently required to file under federal legislation. I have a copy of the form. It's a one page form, two sided. If they, in fact, do file it currently with the Federal Government, this Amendment provides that they simply take a copy of that and

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attach it to their annual report to the Commerce Commission. So there would be no duplication in expense. If they do not... they're not currently required to file with the Federal Government, you know, they would certainly know who owns more than 5% of their stock. We require this now for farm land. It's the same procedures that are being employed for farm land that we would employ here. We need to begin to know whether the OPEC countries are controlling the Illinois economy."

Conti: "Mr. Speaker, I understand and I'd wish he'd keep to the Amendment and I can appreciate the fact that we must check into the farm land and some of the foreign money coming in and buying up the bread baskets of the United States, but this is a public utility company and I don't know. If I can speak to the Amendment."

Speaker Peters; "Proceed, Sir."

Conti: "A list of the names, residence and citizenship of each foreign person owning directly or indirectly five percent or more of any class of security in the utilities and the amount so owned. The Commission shall actually report to the Governor and the General Assembly with respect to the level of ownership by foreign persons of public utilities. Now when we're getting involved with public utilities, somebody's going to have to pay this cost and I am not under the impression and I've talked to the people from public utilities and I know definitely that they are opposed to this, that this would be a tremendous job for them in trying to make this report and just the administration cost alone. It's going to be passed onto the consumers and we've been fighting hard to keep the utility rates down but we still regulate them. We put these restrictions on them. We put these terrible Amendments on public utility companies and we expect them to absorb the

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cost. I urge the defeat of this Amendment."

Speaker Peters: "Representative Vinson, for two minutes."

Vinson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I am just almost stunned to see an Amendment like this flow through. It's incredible really. The utility is compelled to report who owns directly or indirectly a five percent interest. That can include a trust. It maybe illegal for the trust officer to report to the utility who the recipients or the beneficiaries of the trust are. There is no public purpose served by this. I would strongly urge the defeat of it. I would also indicate that there's no way in which the word 'security', as I see it, as defined in the Amendment is a simple note, a security. Does it have to be a bond? Does it have to be a stock...whatever? And, in closing, I would ask for a verification if this should get the requisite number of votes."

Speaker Peters: "Representative Bower."

Bower: "Thank you, Mr. Speaker. I don't understand why we're even considering this Amendment. It appears to be controversial and I didn't think we were going to handle anything that was going to be controversial now."

Speaker Peters: "This is Second Reading. It's not Third and he didn't bring it back. Representative Levin, to close."

Levin: "Mr. Speaker, in response to the last speaker, the language criteria of direct and indirect is, in fact, the federal law. It has a track record of interpretation. It is being complied with now. The various corporations that are required under the federal law to disclose understand what they have to disclose. It is not a burden to them. It is not all ownership. It is 5% or more. We've got these OPEC countries with billions of dollars of our oil money and they're turning around, in many cases, investing

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it in our country in various industries and we need to begin to know whether or not they're investing it in industries that have a severe impact on our economy. I can see where various of the public utilities would be opposed referring to the Tribune article about Kuwait. It lists three Illinois utilities that Kuwait has recently invested in quite severely; Central Illinois Public Service to the tune of two million dollars; Commonwealth Edison to the tune of four and a half million dollars; Illinois Power Company to the tune of three and a half million dollars. We need to know about foreign investment in the State of Illinois, it is a concern of many people in the City of Chicago, who are concerned about OPEC domination. It is a concern from many downstaters as well. It doesn't regulate anything. It simply says, let's find out whether or not our economy in the State of Illinois is beginning to be controlled by OPEC. I urge your favorable Roll Call on this Amendment."

Speaker Peters: "The question is 'Shall Amendment #1 to Senate Bill 903 pass? Those in favor will signify by saying 'aye', those opposed by....The Gentleman is joined by four people for a Roll Call. All those in favor will signify by voting 'aye', those opposed by voting 'nay'. Peters, 'no'. Thank you. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 57 'no', 32 'aye', 1 voting 'present'. This Bill...this Amendment having failed to receive the Majority vote, is hereby declared lost. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Levin."

Speaker Peters: "The Gentleman withdraws Amendment #2. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Peters: "Third Reading. Senate Bill 17, Representative

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Deuster. Senate Bill 17, Representative Deuster. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 17, a Bill for an Act to amend Sections of the Revenue Act, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Peters: "Any motions filed with respect to Amendment #1?"

Clerk O'Brien: "No motions filed."

Speaker Peters: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #2, Pierce, amends Senate Bill 17, as amended by deleting the title and so forth."

Speaker Peters: "Representative Pierce, Amendment #2. Representative Getty, what purpose, Sir?"

Getty: "Is it the Chair's intention now to begin taking controversial measures?"

Speaker Peters: "Yes, right down the line."

Getty: "Okay."

Speaker Peters: "I don't know what's controversial and what's not."

Getty: "Your intention is to go right down the line with controversial matters, is that right?"

Speaker Peters: "1759, 60, 62, whatever...whatever's in order. I have no idea whether they're controversial or not, Sir. Who was Amendment #2?"

Clerk O'Brien: "Amendment #2 was Representative Pierce."

Speaker Peters: "Representative Pierce on Amendment #2. Representative Deuster."

Deuster: "Well, my good friend from the 32nd District not being here, I'd move to table Amendment #2. This is..."

Speaker Peters: "The Gentleman moves to table Amendment #2. Those in favor will signify by saying 'aye', opposed? The opinion of the Chair the 'ayes' have it. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Ewing, amends Senate Bill 17

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by deleting the title and so forth."

Speaker Peters: "Amendment #3, Representative Ewing. Yes, Representative Krska?"

Krska: "I question the quorum here, Sir."

Speaker Peters: "Well, we were not, in all due respects, Sir, you were not recognized for that purpose. Representative Krska, what will happen, is we'll go to the office and we'll bring ten or eight people in and we'll have the quorum. It's a useless motion. Proceed, Representative Ewing."

Ewing: "Mr. Speaker, I'd like to move to table Amendment #3."

Speaker Peters: "The Gentleman moves to table Amendment #3. Withdraw Amendment #3. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Ewing."

Speaker Peters: "Representative Ewing, Amendment #4."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this Amendment puts this tax limitation Bill in its proper order. It, maybe, leaves some in the House to know that it removes home rule units. It clears up the language. It allows for, it removes the permanent tax limitation which was in the original Bill. It's only a two year tax limitation and the limitation is 13% over two years, plus any growth that might occur in new development in the taxing district, which would come out to about an average over the two year period of 19%."

Speaker Peters: "Representative McClain."

McClain: "Mr. Speaker, I'm not an expert on this but it seems to me that this would be a significant Amendment. It would cause some discussion and maybe we'd be better...handle this Amendment when we have a fuller Body here. I would suggest the Gentleman take it out and then handle it later when we have a fuller Membership."

Speaker Peters: "If that is the Gentleman's wish? It evidently

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is not. Any further discussion? Representative Yourell."

Yourell: "Yes, Mr. Speaker, since the Gentleman is unwilling to take this out of the record at the present time. There's obvious lack of attendance here and I don't know if you want to recognize me for a quorum call but really, we're going to verify the Roll Call."

Speaker Peters: "What will end up happening, Representative, is that we know the Gentlemen are out, one room or another, having dinner, having lunch and they'll all be right back in here and it's...we'll waste 45 minutes taking a Roll Call and we'll be back to 89 people. Representative McClain."

McClain: "Mr. Speaker..."

Speaker Peters: "Oh, I'm sorry, Representative Yourell, to conclude."

Yourell: "Yes, I have no problem with that, Sir. You know, the only thing I have a problem with is the adversity of the Gentleman, who is proposing Amendment #4 to this Bill...to take it out of the record temporarily so that we have a full Membership to consider this very important Amendment. I don't think that's proper. I don't think he is acting in the best interest of the Body and if he doesn't want to do that, then let's do it."

Speaker Peters: "Representative Ewing."

Ewing: "Yes. Well, to the last speaker, I'll tell him right quick that this isn't my Bill, I'm just the one with the Amendment but I'm here, your people can be here. We didn't recess for dinner and we if don't pass these Bills out, they're going to get caught in the crunch. That's exactly what you want to happen to it. If you'd listened to my explanation you'd realize that it doesn't affect Cook County. It takes the home rule out of it."

Speaker Peters: "I think, Representative Yourell, we'll let you

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conclude on this, McClain and then we'll go back to the Amendment. Vote it up or down, whatever the pleasure of whoever is here is. Representative Yourell."

Yourell: "Yes, thank you, Mr. Speaker. I don't argue with the Sponsor of the Amendment. I have no quarrel with him. I think that, you know, we do have this very...I don't care if it effects Cook County or not. I think that there is not substantial Membership and people sitting up the gallery know that and we're going to vote switches that are not here. Fine, let's do that and let's make it known, right now, that's exactly what we're going to do. There are not 80 people here in attendance, Mr. Speaker, you know that. I know that, the Sponsor of the Amendment knows that. Now, I don't...you know if he wants to argue with me, fine. I listened to his Amendment. I have no quarrel with the Amendment but I don't think it's a valid Amendment at this particular time in the Body."

Speaker Peters: "Representative McClain."

McClain: "Thank you, Mr. Speaker. In consideration that he's going to be stonewalling, I question a quorum."

Speaker Peters: "Representative, the Chair did not recognize you on that point and Representative, we are....let us not get into...an extraordinary debate on this. Representative McClain."

McClain: "Mr. Speaker, this is a legitimate question to ask Mr. Ewing to take out of the record for one hour.."

Speaker Peters: "You ask the Gentleman to do that and he refused. Now, what do you want the Chair to do? The Chair is not going to recognize you for that motion."

McClain: "Quorum. You question it any time with the proper motion."

Speaker Peters: "Representative Ewell."

Ewell: "Mr. Speaker, I have a few questions on the Bill."



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Speaker Peters: "Proceed."

Ewell: "Wait, tell me which one it is, first. Okay, let me find it. Will the Sponsor yield for a question?"

Speaker Peters: "He indicates he will."

Ewell: "Mr. Sponsor, I have a problem with the...oh."

Speaker Peters: "Representative Deuster."

Deuster: "We have been through this before. I love my friend Ray Ewell, if he wants to filibuster, I make the point of order, he's being dilatory and I may be a little anticipatory but I think I know what he has in mind and I would ask the Chair if he has a question, he doesn't even know what the Bill is and he...if with all due respect, maybe he's finding out but we certainly want to shed light on the Amendment but I don't think we want to make a farce out of the House by participating in some of the things we've done in the past. If he has a question, I hope he will ask Representative Ewing."

Speaker Peters: "Representative Deuster, the Chair asks you to take this Bill out of the record, now, if you would, please."

Deuster: "Yes, Sir."

Speaker Peters: "Out of the record. We're back on the Order of Third Reading. The Chair is going to absolutely insist no switches be pushed that are not here. If need be, the Chair, itself, will ask for a verified Roll Call. If people are not here, they should not go back to their constituents saying they voted for a Bill. The Chair will request Representative Jim Kelley to do it and he will do it. Third Reading. Senate Bill 601, Representative Greiman. Representative Greiman. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 601, a Bill for an Act in relationship to requiring defendants to pay for the cost of appointed

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counsel, Third Reading of the Bill."

Speaker Peters: "Representative Greiman."

Greiman: "Thank you, Mr. Speaker. I'm relying on all of the goodwill of my many friends on both sides of the aisle today. This is a Bill that is nonpartisan. It allows for court, in Cook County, to impose the costs of a court appointed lawyer where the court finds that that defendant in a criminal case can afford...can afford that lawyer. The court would have to go through a hearing and decide after there was a conviction that indeed the court appointed lawyer, payed for by the county, any costs of the defense, that the defendant could indeed pay for that and have the assets to pay for it. There are limitations of money and it allows the court to go to the bond for the payment of these expenses if the defendant, himself, put up the bond. At the Committee level, one of the Members said, what if Aunt Matilda puts up the bond and so we have an Amendment that lets Ann Matilda take her money out but allows for the...allows for the bond to be used for costs and for expenses if necessary. It's a good Bill. It is a law and order...part of the Greiman law an order package and should be supported by everyone on a nonpartisan basis."

Speaker Peters: "Any discussion? Representative Friedrich."

Friedrich: "Mr. Speaker, I think this is one of the best Bills that Representative Greiman ever introduced and I'm surprised he did. I'm going to vote for it."

Speaker Peters: "Representative Henry.!"

Henry: "Yes, will the Sponsor yield?"

Speaker Peters: "He indicates he will."

Henry: "Representative Greiman, how would you ascertain if the money came from the person that's charged or the money was given to him? Couldn't the person say that the money was

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given to him by his mother, wife, sister, brother...?"

Greiman: "Yes, what happens is, I can put up a bond for you and I can say that it's my bond. I'm putting it up for you."

Henry: "Please, please, don't put it up for me, please."

Greiman: "Yes, well, okay, I could put up a bond for someone else and say this is my bond for so and so's appearance and that would be a perfectly proper bond and that's what we do do, in fact, very often."

Speaker Peters: "Any further discussion? Representative Giorgi."

Giorgi: "Didn't we just pass a Bill that specified how an attorney was going to get paid, in the event, there was question? Didn't we just pass a Bill?"

Greiman: "I don't think so. There were two Bills touching this subject that passed out of the House and died in the Senate Committees. Representative Wikoff had a Bill and Representative Cullerton had a Bill, which do basically the same thing as this Bill."

Giorgi: "Where does this pose a problem? You're talking about the Public Defender's Office recouping their money?"

Greiman: "No, this is where they have a court appointed lawyer and the court actually makes the appointment of the lawyer and they get some money back."

Giorgi: "Well, doesn't the court then see that the lawyer is paid?"

Greiman: "Yes, but they're paid out of the county. The county pays it, rather yes, and this is a way for the county to recoup where the fellow has, in fact, got funds. You know, sometimes the court hasn't got the opportunity to go into great detail as to whether he has...he needs a lawyer right then and there. He says, I need a lawyer and they give him a lawyer. If later on, we show that he can afford it, then he should pay the county back for the lawyer. The lawyers doesn't mean anything. It means for the county..."

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Giorgi: "Well, is it a problem in the courts now, that any monies the defendant might have the court issues a check to the attorney and the defendant, isn't that the case, now?"

Greiman: "The county with the taxpayers are paying for it right now and..."

Giorgi: "Yes, but you mentioned something about getting the money out of the bond?"

Greiman: "Well, yes, if...I mean if he has a bond that he's put up and he's entitled to get some money back, the court could use it if the court finds after a hearing, a full hearing that he's entitled to, that he indeed should be paying for his share and the court can then say, well, he should be paid part of his share, that's all."

Giorgi: "How elaborate now? Are we going to create another system now, bill collectors or snoops to go out and see if the guy, indeed, has money to pay for the attorney the court appointed, is that what you're talking about another...?"

Greiman: "I don't think we're having snoops, Representative Giorgi. I think that the court can reasonably inquire as to what his financial situation is. If he says..."

Giorgi: "Well, what's a reasonable inquirement?"

Greiman: "Pardon?"

Giorgi: "Give me a reasonable inquirement? How do you...?"

Greiman: "Well, they can say, what do you...how much do you earn? How much do you have in the bank? What are your assets? You've asked the city...you've asked the county to pay your share. How much should the county pay? Well, we think the..."

Giorgi: "He answers those questions when you appoint a public defender or the court appoints an attorney. You're being redundant now."

Greiman: "He doesn't necessarily...the court has to appoint if

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standing there without a lawyer, the court appoints somebody for him, right then and there. Nobody goes to trial in America today without a lawyer standing next to him."

Giorgi: "That is correct and then he doesn't get a public defender until the court determines that he's indigent and is entitled...."

Greiman: "Then he doesn't have any problem. The court isn't going to find a hearing later on. They're not going to find to the contrary later on."

Giorgi: "Well, in what case did you find attorneys not being paid?"

Greiman: "Attorneys are paid by county funds, Representative Giorgi. They're paid by the public funds. If a man can afford to pay a lawyer under our system, he should pay for that lawyer rather than have the county pay for it. This is a way for counties to be reimbursed in those situations where he cannot...where he has the funds to pay for it."

Giorgi: "You figure you're going to get me off of that point?"

Greiman: "That's what the Bill is about."

Speaker Peters: "Representative Bradley."

Bradley: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I hesitate to rise on this occasion but, Mr. Speaker...Mr. Speaker...Mr. Speaker? To you, Sir."

Speaker Peters: "To the Bill, Sir."

Bradley: "To you, Sir."

Speaker Peters: "To the Bill."

Bradley: "I've been a Member of this House for a number of years and I've been here on Saturday when we worked and I've been here on Sunday when we worked..."

Speaker Peters: "Representative...."

Bradley: "Now just a minute, Mr. Speaker. I have a request to make of you, Sir. And I hesitate because you, Sir, happen

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to be in the seat this evening, in the Chair. If we cannot work on House Bills...or Senate Bills, Second Reading at the Amendment stage, how in the world, Sir, can we work on Senate Bills at Third Reading? So, my request to you, Sir, is this."

Speaker Peters: "I will answer that, if the Members are here, they will vote on the Bills. If the Bill is called, the Member can take it out of the record. We will be here until 10:00 if nothing passes. That is all that I have been instructed to do. Representative Bradley."

Bradley: "I understand that. I said, I apologize that you happen to be in the Chair, this evening and we're going to be here until 10:00. We've done many things on many occasions to make ourselves look bad. This night, in my opinion, is another one of those occasions when we are in that situation. And if you're instructions are to work until 10:00...."

Speaker Peters: "You may be correct, Sir. Then I suggest that at some point you start preparing a suspension of the rules, so that we can go longer than Monday. Proceed. Representative Bradley, leave him on."

Bradley: "So, I hesitate very much to do this but you, Sir, have the power and I urge you and request you that on this Roll Call that you ask for an oral verified Roll Call and you, Mr. Speaker, under our rule 47, have that prerogative available to you so that we can determine if do have enough people here to work and then we will also, Mr. Speaker, make sure that only those Members present are voting. And I would suggest to you, Sir, that you do that for the good of the House of Representatives. I think you would be making the right steps."

Speaker Peters: "Thank you, Sir. Do you wish to address the Bill? Now, Representative Wikoff."

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Wikoff: "Thank you, Mr. Speaker. Al, get a hold of your mic, cause this doesn't happen very often. I'm going to support your Bill. The...as Al mentioned earlier that I did have a similar Bill in the House. Was introduced at the request of one of the judges in Champaign County. The savings to the counties throughout the State of Illinois could be tremendous and I think that what this is going to do is not going to penalize those who are indigent but it is going to get rid of a tremendous amount of freeloaders that we have who are abusing the privilege of indigency in the State of Illinois and I think there should be nothing but green votes on this. I think Al Greiman's got a good vote...or a good Bill and I would recommend your support."

Speaker Peters: "Representative Vinson."

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

Speaker Peters: "He indicates he will."

Vinson: "The language on page two, lines 27 through 32, is that language which refers to when the county...the Circuit Clerk can make payment to the State under this Act? Is that language designed and intended to have the same effect as the language under which the county...the Circuit Clerk makes payment to the County Treasurer when the payment is due the County Treasurer?"

Greiman: "I'm sorry, on page 32, no, page two, lines what?"

Vinson: "Lines 27 through 32?"

Greiman: "What about it?"

Vinson: "Okay, the question is, under that language you say that the Circuit Clerk can't make payment to the State until the full bill has been paid by the defendant, right?"

Greiman: "Well, that is where the court has made a decision as to how much it is. And the Circuit Court then informs the court of the fact and the court then orders the clerk to pay the State Treasurer all the sum paid."

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Vinson: "And no payment can be made until the full balance due has been made to the Circuit Clerk."

Greiman: "Says, he retains...the Clerk of the Circuit Court retains them until the order is paid or until such time as they...the court modifies his order. The court can modify it later on. That's what's interesting about this Bill. Unlike most of the other Bills that have touched this subject, once the order is entered, it's entered. But if a fellow is paying so much a month or so much a week on his attorney's fees or costs or what not and finds himself out of a job, or a change of circumstances, he can come in and ask for a modification and the court would then modify at that point. So the court could modify it if no payment was coming in."

Vinson: "And the same payment provision applies to payments made by the Circuit Clerk to the County Treasurer where the payments are due to the county."

Greiman: "I guess, once it's in there, I suppose."

Vinson: "I'm sorry?"

Greiman: "Once it's in there, I guess you're right. I think, yes, you're right, I think so. I'm not sure I understand you, frankly. I just don't understand...."

Vinson: "The Circuit Clerk can't make payment to the County Treasurer unless the full balance due has been paid to him."

Greiman: "Or unless the court orders that there is no more balance which the court could do."

Vinson: "Fine, thank you."

Speaker Peters: "Representative Roland Meyer."

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

Speaker Peters: "The question is, 'Shall the previous question be put?' Those in favor will signify by saying 'aye', those opposed? The opinion of the Chair the 'ayes' have it."



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Representative Greiman to close."

Greiman: "Well, despite the fact that Dwight and Virgil are for it, I'm still going to ask you to vote for it. And I think it's a good Bill and I would ask for your favorable vote."

Speaker Peters: "Question is, "Shall Senate Bill 601 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? Take the record, Mr. Clerk. Mulcahey 'aye'. On this question there are...On this question there are 109 voting 'aye', 1 voting 'nay', 1 voting 'present'. Representative Yourell."

Yourell: "Roll Call."

Speaker Peters: "Gentleman asks for a verification of the Roll Call. Representative Deuster."

Deuster: "In response to the request made by Representative Yourell. I was just over there visiting with Representative Bradley. I think Representative Yourell, Bradley and I all have the same attitude. I was not going to request a verification on this Bill out of respect for Mr. Greiman who sort of got his Bill called at this time. I'm rising on the point of order. I was going to seek recognition to say that after we've concluded this Bill I think some of us would like to suggest that the Chair move back to the Amendment stage. Because we had a little political flack, the Chair, out of response to that, moved now to Third Reading. And I think it's supper time when a lot of people just aren't here. It's one thing to consider Amendments, but it's not really good to be considering Bills on final passage. I just wanted to state that for the next Bill called, I will seek a verification and hope other Members will join in that. I don't think we should... the bodies aren't here and for final passage, this is the wrong time, and I suspect that's what

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Representative Yourell had in mind and perhaps he might consider withdrawing his request at this time out of respect to Representative Greiman's Bill."

Speaker Peters: "Representative Ewing."

Ewing: "Mr. Speaker, would you please have me recorded 'aye' on this Bill? We're in the midst of a verification. I happen to be one of the absent."

Speaker Peters: "Ewing 'aye'. Kane 'aye'. Donovan 'aye'. Bullock 'aye'. Do you have them, Mr. Clerk? Ewing, Bullock, Donovan, Kane 'aye'. Proceed with the verification of the affirmative. Representative Yourell."

Yourell: "I'll remove that objection, Mr. Speaker. I think that I just wanted to make a point. The bodies are not here. People in the gallery know there's not 109 bodies here. You want to pass a Bill on Third Reading, fine. That's the reason we have the cut back Amendment today because this is a farce. It's an absolute farce and we have contributed to the effort for the cut back Amendment. Next year, next Session there's going to be 119 people here instead of 177. I don't want to be one of them, but you've contributed because you let this farce go on. You want to do it, let's do it. Let's really screw the people because that's what you're doing with this vote. Anybody can tell me there's 109 bodies on this floor, I'll eat them one by one."

Speaker Peters: "The rules clearly provide that the Members are to vote their own switches. If anyone contributes to the farce, it's the Members who vote somebody else's switches. It is not within the prerogative of the Chair to question a Members vote unless that is brought to the Chair's attention. On this Bill... Representative Bradley."

Bradley: "I request..."

Speaker Peters: "Explanation of vote?"

Bradley: "I will request a verification."

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Speaker Peters: "Proceed. Verification of the vote."

Clerk Leone: "Poll of the affirmative. Ackerman. Alstat."

Speaker Peters: "Excuse me. Representative Johnson, for what purpose do you rise?"

Johnson: "I want to be verified. Can I be verified, Gerry?"

Speaker Peters: "Representative Bradley, the Gentleman asks leave to be verified. Representative Johnson. Proceed."

Clerk Leone: "Balanoff. Barkhausen. Barr. Bianco. Birkinbine. Boucek. Bower. Bowman."

Speaker Peters: "Representative... Excuse me. Representative... Mr. Clerk, start from the beginning, go very slowly, so Representative Bradley can pick them up. Slowly. Very slowly."

Clerk Leone: "Ackerman. Alstat. Balanoff. Barkhausen. Barr."

Speaker Peters: "Representative Levin, for what purpose do you rise?"

Levin: "... have leave to be verified?"

Speaker Peters: "Representative Bradley, Representative Levin asks leave to be verified. Proceed, Mr. Clerk."

Clerk Leone: "Barkhausen. Barr. Bianco. Birkinbine. Boucek. Bower. Bowman. Bradley. Breslin. Bullock. Capparelli."

Speaker Peters: "Representative Barnes votes 'aye'. Representative Breslin."

Breslin: "Leave to be verified."

Speaker Peters: "Representative Jim Kelley objects. Representative Daniels votes 'aye'. Representative Hanahan votes 'aye'. Representative Huskey votes 'aye'. Representative Griffin votes 'aye'. Proceed with the verification. We'll pick everybody else who walks in the door."

Clerk Leone: "Carey. Catania. Collins. Conti. Cullerton. Currie. Daniels. Davis. Deuchler. Deuster. DiPrima. Donovan. Ebbesen. Epton."

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Speaker Peters: "Representative Bell votes 'aye'."

Clerk Leone: "Ewell. Ewing. Farley. Fawell. Findley. Flinn.  
Virginia Frederick. Dwight Friedrich. Getty. Giglio.  
Greiman. Griffin. Grossi. Hallock. Hallstrom. Hanahan.  
Hannig. Hastert. Henry. Hoffman. Hoxsey. Hudson.  
Huskey. Jackson. Jaffe. Johnson. Jones. Kane.  
Karpel. Keane. Jim Kelley. Dick Kelly. Klemm.  
Kociolko. Krska. Kulas. Kustra. Leinenweber. Leon.  
Levin. Macdonald."

Speaker Peters: "Representative Barkhausen asks leave to be  
verified, Representative Bradley. Leave. Preston 'aye'.  
Kosinski 'aye'. Pechous 'aye'. Yourell.. .is that 'aye'  
or... 'aye'. I wasn't sure which one... Representative  
McBroom 'aye'. They're all around here. You know that,  
Bus. We're waiting for the verification. He's waiting for  
you. Proceed, Mr. Clerk. Christensen 'aye'. Kulas.  
Representative Kulas."

Kulas: "Yes, Mr. Speaker, on a point of personal privilege."

Speaker Peters: "What's the privilege?"

Kulas: "The point is, Mr. Speaker, I realize it's not your  
fault."

Speaker Peters: "Representative, please, I don't want to hear  
anymore of that. Go on, Mr. Clerk."

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

Speaker Peters: "You might have fun but it's a pain in the ass up  
here, let me tell you. Alright. Proceed."

Clerk Leone: "Madigan. Mautino. Mays. McBroom. McClain.  
McCormick. McGrew. McMaster. McPike."

Speaker Peters: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. Would you please record me  
as 'aye'."

Speaker Peters: "Lechowicz 'aye'."

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Clerk Leone: "Continuing with the poll of the affirmative.  
McPike. Ted Meyer. Roland Meyer. Miller. Murphy. Neff.  
Nelson. Oblinger. O'Brien. Ozella. Pechous. Piel.  
Polk. Pouncey. Preston. Pullen. Rea. Reed. Reilly.  
Rhem. Richmond. Rigney. Robbins. Ronan. Ropp.  
Satterthwaite. Schraeder. Steczo. E. G. Steele.  
Stuffle. Swanstrom. Tate. Telcser. Vinson."

Speaker Peters: "Steele 'aye'. Irv Smith 'aye'. Slape 'aye'.  
Terzich 'aye'. Jake Wolf 'aye'. Bartulis 'aye'.  
Representative Vinson."

Vinson: "Leave to be verified, Mr. Speaker."

Speaker Peters: "Gentleman asks leave to be verified. What's the  
count now, Mr. Clerk? Representative Pierce 'aye'.  
Representative Mulcahey."

Mulcahey: "Mr. Speaker, if it's okay with everybody up there and  
if I won't irritate anybody at this particular time, I  
would like to change my vote to 'no'. I don't want to  
upset anybody."

Speaker Peters: "Representative Mulcahey from 'aye' to 'no'.  
Representative Koehler."

Koehler: "Mr. Speaker, please record me as voting 'aye'."

Speaker Peters: "Representative Koehler is voting 'aye'.  
Proceed, Mr. Clerk."

Clerk Leone: "Continuing with the poll of the affirmative.  
Telcser. Vinson. Vitek. Watson. White. Wikoff.  
Winchester. J. J. Wolf. Sam Wolf. Woodyard. Yourell.  
Zito and Mr. Speaker."

Speaker Peters: "Representative Bradley."

Bradley: "Woodyard."

Speaker Peters: "Representative O'Connell."

O'Connell: "Mr. Speaker, will you record me as 'aye'?"

Speaker Peters: "Record the Gentleman as 'aye'. Representative  
Bradley, proceed."

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Bradley: "Woodyard."

Speaker Peters: "Representative Woodyard. Gentleman in the chamber? How is he recorded?"

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

Speaker Peters: "Remove him from the Roll."

Bradley: "Zito."

Speaker Peters: "Representative Zi...Representative Friedrich asks leave to be verified. Representative Zito. How is the Gentleman recorded?"

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

Speaker Peters: "Remove him from the Roll."

Bradley: "Kornowicz."

Speaker Peters: "Representative Kornowicz. How is the Gentleman recorded?"

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

Bradley: "I'm sorry, Sir. Everett Steele."

Speaker Peters: "Everett Steele. How is the Gentleman recorded?"

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

Speaker Peters: "Take him from the Roll."

Bradley: "Satterthwaite."

Speaker Peters: "Representative Satterthwaite. Lady in the chamber? How is she recorded?"

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

Speaker Peters: "Take her from the Roll."

Bradley: "Ropp."

Speaker Peters: "Representative Ropp. He's here."

Bradley: "Pechous."

Speaker Peters: "Pechous is in his seat as always."

Bradley: "Ozella."

Speaker Peters: "Representative Ozella is here. Representative Winchester wishes to be verified."

Bradley: "O'Brien."

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Speaker Peters: "Representative O'Brien. Gentleman in the chamber? How is he recorded?"

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

Speaker Peters: "Take him from the Roll."

Pierce: "God bless Mayor Byrne."

Bradley: "Roland Meyers."

Speaker Peters: "Who?"

Bradley: "R. Meyers. Roland Meyers."

Speaker Peters: "Roland Meyers is in his seat."

Bradley: "Ted Meyers."

Speaker Peters: "Ted Meyer. Representative Ted Meyer. Is the Gentleman in the chamber? How is he recorded?"

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

Speaker Peters: "Take him from the Roll."

Bradley: "McPike."

Speaker Peters: "Representative McPike. How is the Gentleman recorded?"

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

Speaker Peters: "Take him from the Roll."

Bradley: "McMaster."

Speaker Peters: "Representative McMaster. The Gentleman in the chamber? How is he recorded?"

Clerk Leone: "As voting 'aye'."

Speaker Peters: "Take him from the Roll."

Bradley: "Mays."

Speaker Peters: "Representative Mays is in his seat."

Bradley: "Mautino."

Speaker Peters: "Representative Mautino. How is the Gentleman recorded?"

Clerk Leone: "As voting 'aye'."

Speaker Peters: "Take him from the Roll."

Bradley: "Leinenweber."

Speaker Peters: "Representative Leinenweber. How is the

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Gentleman recorded?"

Clerk Leone: "As voting 'aye'."

Speaker Peters: "Take him from the Roll. Return Representative  
McPike and return Representative Woodyard."

Bradley: "Flinn."

Speaker Peters: "Flinn. Is the Gentleman in the chamber? How is  
he recorded?"

Clerk Leone: "As voting 'aye'."

Speaker Peters: "Take him from the Roll."

Bradley: "Jim Kelley."

Speaker Peters: "Representative Jim Kelley. Gentleman in the  
cham... He's in the rear."

Bradley: "Keane."

Speaker Peters: "Representative Keane. Gentleman in the chamber?  
How is he recorded?"

Clerk Leone: "As voting 'aye'."

Speaker Peters: "Take him from the Roll."

Bradley: "Hoffman."

Speaker Peters: "Representative Hoffman. Gentleman in the  
chamber? How is he recorded?"

Clerk Leone: "As voting 'aye'."

Speaker Peters: "Take him from the Roll."

Bradley: "Hastert."

Speaker Peters: "Representative Hastert's in the chamber."

Bradley: "Grossi."

Speaker Peters: "The Gentleman's in his seat."

Bradley: "Findley."

Speaker Peters: "Representative Findley? Is the Gentleman in the  
chamber? How is he recorded?"

Clerk Leone: "As voting 'aye'."

Speaker Peters: "Take him from the Roll."

Bradley: "Ebbesen."

Speaker Peters: "Ebbesen. Gentleman in the chamber? How is he



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recorded?"

Clerk Leone: "As voting 'aye'."

Speaker Peters: "Take him from the Roll."

Bradley: "DiPrima."

Speaker Peters: "Representative DiPrima's in his seat."

Bradley: "Currie."

Speaker Peters: "Representative Currie is in her seat."

Bradley: "Collins."

Speaker Peters: "Gentleman in the chamber? How is he recorded?"

Clerk Leone: "As voting 'aye'."

Speaker Peters: "Remove Representative Collins."

Bradley: "Catania."

Speaker Peters: "Representative Catania. The Lady in the chamber? How is she recorded?"

Clerk Leone: "As voting 'aye'."

Speaker Peters: "She's in the rear."

Bradley: "Bianco."

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

Clerk Leone: "As voting 'aye'."

Speaker Peters: "Remove him from the Roll. Excuse me..."

Bradley: "Birkinbine."

Speaker Peters: "... Representative Hudson?"

Hudson: "Leave to be verified, Mr. Speaker."

Speaker Peters: "Gentleman asks leave to be verified. Representative Ropp."

Ropp: "Mr. Speaker, I have a parliamentary inquiry. The question is, if the person who is calling for this particular procedure is himself voting in support of the Bill. With 109 votes, is there an attempt to kill the Bill? If the person's voting for it that's calling this and it's passed, why is he attempting to oppose the Bill now?"

Speaker Peters: "I take it those are rhetorical questions."

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Representative Ebbesen has returned. Return Representative Ebbesen to the Roll."

Bradley: "Birkinbine."

Speaker Peters: "Representative Birkinbine. The Gentleman in the chamber? How is he recorded?"

Clerk Leone: "As voting 'aye'."

Speaker Peters: "Remove him from the Roll."

Bradley: "Alstat."

Speaker Peters: "The Gentleman's here."

Bradley: "Ackerman."

Speaker Peters: "Ackerman is here."

Bradley: "Richard Klemm."

Speaker Peters: "Excuse me. Representative Meyer has returned. Return him to the Roll."

Bradley: "Klemm."

Speaker Peters: "Are we alright, Mr. Clerk? Klemm. Representative Klemm. Gentleman in the chamber? How is he recorded?"

Clerk Leone: "As voting 'aye'."

Speaker Peters: "Remove him from the Roll."

Bradley: "Kustra."

Speaker Peters: "He's in his seat. Record Representative Sandquist as voting 'aye'."

Bradley: "Sue Deuchler."

Speaker Peters: "She's here."

Bradley: "Mr. Rigney. Representative Rigney."

Speaker Peters: "He's here."

Bradley: "Okay. Barr."

Speaker Peters: "Who?"

Bradley: "Barr. Barr. Robert Barr."

Speaker Peters: "He's here."

Bradley: "Representative Telcser."

Speaker Peters: "The Gentleman in the cha... He's here."

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Representative Bowman, for what purpose do you rise?"

Bowman: "Leave to be verified, please."

Speaker Peters: "Gentleman have leave? Go ahead. Schneider 'aye'. Jack Dunn 'aye'. Doyle 'aye'. Cissy Stiehl 'aye'."

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

Speaker Peters: "Ralph Dunn 'aye'. You've been returned, Representative Ebbesen. You wish to change your vote, Sir? Representative Topinka. Record her as 'aye'. Representative Brummer 'aye'. What's the count, Mr. Clerk? Stanley 'aye'. Peters 'aye'. Representative Birkinbine has returned. Representative Mautino has returned. Representative Flinn has returned. What's the count, Mr. Clerk? Pardon? On this question there are 131 'aye', 2 voting 'no'. 131 voting 'aye'. Someone want to verify it again? Someone...This question there are 131 voting 'aye', 2 voting 'nay'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Greiman."

Greiman: "I just wanted to thank my many friends who stood with me at this moment on this controversial Bill. Thank you, very much."

Speaker Peters: "Representative Bowman, for what purpose do you rise?"

Bowman: "Having voted on the prevailing side, I now move that we reconsider the vote by which this passed."

Speaker Peters: "Representative Sandquist moves it lie on the table. ... House, Senate Bills, Third Reading. The Chair will go back to pick up Senate Bill 585 for Representative Flinn. 585. Read the Bill, Mr. Clerk. We did take a Roll Call."

Clerk Leone: "Senate Bill 585, a Bill for an Act to amend an Act to create a Bi-State Development District and Bi-State

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Development Agency Visitation Commission. Third Reading of  
the Bill."

Speaker Peters: "Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker, Ladies and  
Gentlemen of the House, all this Bill does is eliminate a  
Commission that has not been active since 1973 when it was  
created. We had one meeting, as far as I know, and ever  
since that the Attorney General has been asking for an  
annual report. There has been no annual report because  
there's been no meeting. And all this thing does is just  
clutter up the statutes and I would ask for a favorable  
vote to do away with the Bi-State Visitation Commission."

Speaker Peters: "Any discussion? Representative Youngue."

Youngue: "I'd like to ask the ... a question."

Speaker Peters: "Gentleman indicates he'll answer."

Youngue: "What is the status at this time of the Bi-State  
Development Agency so far as its provision of services to  
the counties in which it has the bus service? Is there a  
controversy over the service?"

Flinn: "There might very well be, but this has nothing to do with  
this Bill. All this Bill does is eliminate a visitation  
committee which has no powers whatsoever and it has not met  
for the last eight years, has not made a report in the last  
eight years. I think we'd be well to do away with  
something that just clutters up the statues. So far as any  
problems with Bi-State, this wouldn't solve them one way or  
the other."

Youngue: "Are you familiar with Chapter 63, Section 364.02?"

Flinn: "No. If that's not the Criminal Code, I'm not familiar  
with it."

Youngue: "This isn't the Criminal Code, but this is a Section in  
reference to the Bi-State Visitation Commission and it  
says, 'The Commission may study, investigate and evaluate

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any act done by the district or Bi-State Agency in such detail and at such times in places that it may determine'.

Are you saying that that is no power?"

Flinn: "Let me say this to you; if they do have any power, they've never used it. I've been on the Commission, Senator Hall's been on the Commission. You've been on the Commission. Representative Steele's been on the Commission. Senator Vadalabene's been on the Commission and nobody's ever had a meeting, nobody's ever made a report and the Attorney General's getting sick and tired of sending... asking for a report each year when there's been no Committee meetings or Commission meeting. We had one appropriation of 2400 dollars and we never spent that and that's been eight years ago. And I think it's high time we got rid of something that shouldn't have existed to start with."

Younger: "Are you familiar with Section... Chapter 63, Section 364.01 giving this Visitation Commission the power to examine all the books and records of the Bi-State Development Agency?"

Flinn: "No, but I can say this to you. The Bi-State Development Agency has an annual audit by Price Waterhouse and the Auditor General has the authority anytime one of us asks to go in and audit the books. There's no problem with auditing whatsoever."

Younger: "Is it true that the Speaker of the House has the power to appoint Members to this Commission?"

Flinn: "Well, I suppose so or they wouldn't have been appointed to start with like eight years ago when they didn't meet."

Younger: "I'd like to speak to the Bill."

Speaker Peters: "Proceed, Ma'am."

Younger: "I think that it would be a mistake to repeal this Commission because, after this Bill was filed, there has

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been a great deal of controversy that has developed in reference to the Bi-State Transportation Agency. One of the municipalities in one of the counties is actually suing the Bi-State Development Agency over the lack of adequate bus service. I think that law suits at a local level could be eliminated or could have been avoided if this Commission were allowed to continue and were allowed to function. The union of the bus drivers came up here in the Committee and testified that they did not want this Commission repealed. I think this is the worst possible time of all for the General Assembly to give up its power to look at the books and records of the Bi-State Agency. This Bi-State Agency is the transportation agency for the metropolitan St. Louis area. It's like the RTA. I think that this would be the worst possible thing in the world for this General Assembly to give up its power to evaluate and to investigate their books and records. I think to say that because they have never met we ought to repeal it is just like to say that just because a crime of incest has not been committed we ought to take incest off the books. I think that's very scurilous reasoning and I think that because there has, after this Bill was filed, been a break down on the local level that we ought to take a great deal of caution and not repeal this Act but leave it there in case this General Assembly, this House would want to use these powers to investigate this Bi-State Agency."

Speaker Peters: "Representative Schraeder. There are approximately nine people seeking recognition and the Chair will call on them all. Representative Schraeder."

Schraeder: "I wonder if the Sponsor, Representative Wolf(sic, Flinn) would give us his opinion whether this is good for his district or not. I'd like to know."

Speaker Peters: "Representative Wolf, Sam Wolf."

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

Speaker Peters: "Representative Slape."

Slape: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I reluctantly stand in support of this legislation that Representative Flinn has brought here today. The problems of the Bi-State Development Agency have been addressed several times before this General Assembly and the problems have just grown in magnitude and have increased it seems like, every day. The Bi-State Agency serves the western edge of my legislative district. I've seen services deteriorate and I haven't seen anything out of this Commission. And to continuously have a Commission on the books that apparently is not going to do anything, is just going to sit there in limbo would be foolish, and I think this is an opportunity for the General Assembly to remove one of the many Commissions that is in error for the past years established. I'd ask for a favorable Roll Call."

Speaker Peters: "Representative Pullen."

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

Speaker Peters: "Representative Pullen."

Pullen: "I move the previous question."

Speaker Peters: "The question is, 'Shall the previous question be put?'. Those in favor will signify by saying 'aye', those opposed. The 'ayes' have it. Representative Flinn, to close."

Flinn: "Well, Mr. Speaker, I'm not going to take any more time on this Bill. This is a nothing Commission. It's been a nothing since its creation. It's never done anything. The Attorney General is getting sick and tired of sending letters to the last known Chairman, Senator Hall, and he is getting sick and tired of being notified to be told to make an annual report. All the Lady from East St. Louis or St.

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Clair County wishes to do is use this as a method of harrassing the Bi-State Development Agency. She's done everything but admit that. I think we ought to get rid of this thing once and for all and I would ask for a favorable vote on the Bill."

Speaker Peters: "The question is, 'Shall Senate Bill 585 pass?'. Those in favor will signify by saying 'aye', those opposed by voting 'nay'. Voting is open. Have all voted who wish? Representative Ewell, to explain his vote."

Ewell: "Mr. Speaker, it has often been written that we should beware of foreign wars. I suggest those of us from other areas should not... should have a little more hesitance to jump into the foreign wars of other people. I think there should be more of us voting 'present' lest it come back to haunt us."

Speaker Peters: "Representative Fawell, to explain her vote. Representative Fawell, do you wish to explain your vote? Representative Yourell, to explain his vote."

Yourell: "No, I don't want to explain my vote. I want to explain Kelley's vote. That's Representative Flinn's golfing partner voting against him and it's going to be hell tomorrow at 8:00 in the morning."

Speaker Peters: "Representative Younge. Take the record, Mr. Clerk. On this question there are 120 voting 'aye', 10 voting 'nay', 11 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 611, Representative Pierce. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 611, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Peters: "Representative Pierce."

Pierce: "Mr. Speaker, Senate Bill 611 is not the Bill that came over here which provided for the 1000 dollar exemption on



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interest from bank and savings and loan deposits. That was amended out in the House Revenue Committee and, in turn, we amended into the Bill House Bill 730 which had been approved in Committee and was on Third Reading and not reached at the time that the Third Reading Bills reached their deadlines. So it's on the Spring Calendar. Senate Bill 611 is now exactly the same as House Bill 3190 which passed this House in the Spring of 1980 but didn't get hurt by the Senate Rules Committee. It ends the discrimination against state municipal bonds where under the Illinois Income Tax Law, the cost of acquisition of corporate bonds are fully deductible, but the cost of acquisition of our own state municipal bonds are not deductible. The reason that the discrimination arose was, under the Federal Income Tax Act, the costs are not deductible on state municipal bonds because the interest is not taxable. Under Illinois law, the interest is fully taxable on state municipal bonds and; therefore, the cost of acquisition should be deductible as it is for corporate bonds. That's what this Bill does. It's a good Bill. It ends discrimination against our own state municipal bonds and I urge passage of Senate Bill 611."

Speaker Peters: "Representative Ewing."

Ewing: "Yes, I wonder if the Sponsor would relate to the Body what the loss in revenue is in this case."

Pierce: "Yes, the Illinois Department of Revenue said that the lack of reliable data base precludes the calculation of a cost estimate; therefore, the Department of Revenue is unable to provide an estimate of fiscal impact of House Bill 730. We don't believe it would be very great. It would encourage acquisition of state municipal bonds, and, of course, their income is subject fully to our tax as ordinary income. So it's only fair, if the income is

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subject to tax, that the expenses in connection therewith be deductible. And all they are is the cost of acquisition, commissions and premium amortization which we now allow for the corporate bonds. So really we're discriminating against our own bonds."

Ewing: "How would that be shown on our tax form? Do you have any idea, Representative?"

Pierce: "I'm not much of a tax form expert. We do have a place where you add back in... where you do add back in the interest on state municipal bonds on the Illinois Income Tax, Representative Ewing. We do have a line where you add that back in the income which is not taxable under the Federal. So I suppose we could put another line where you add back in the expenses."

Ewell: "Mr. Speaker, Ladies and Gentlemen of the House, I think, as long as we are clear on the issues here, everyone can make up their own mind. This Bill has passed this House in another form at another time. What we're talking about is no great disservice to those who buy stocks and bonds because the deduction is only worth 2.5% of the expense. This will require some modification of what we have always considered to be a clean income tax. So, if you take that in mind and remember that most people who buy tax exempt bonds are not particularly in a bad way financially, the fact that we may have to amend our income tax return to make it more complicated, and third, that there will be some loss of money and if we want this Bill passed then we'll vote 'yes'. If you don't, vote 'no'."

Speaker Peters: "Any further discussion? Representative Piel."

Piel: "Thank you, Mr. Speaker. Question of the Sponsor. Dan, I missed what you said at the very beginning. You said that it had been amended. Now, what exactly form is it in now? I'm trying to figure out..."

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Pierce: "It's in the exact form of House Bill 730. The original Senate Bill.."

Piel: "Mr. Speaker..."

Pierce: "... has been gutted out."

Piel: "Excuse me, Dan. I'm sorry. I can't even hear what he's saying."

Speaker Peters: "I have the same problem, Sir."

Piel: "Thank you."

Pierce: "To answer your question, the original Bill that came over from the Senate has been completely taken out and all we're left with now is House Bill 730 that you were the Chief Co... no, that Bill was the Chief CoSponsor of. That passed the Revenue Committee and it's also the same as House Bill, last year, which passed the House and, in 1980. That was House Bill... I haven't got the number right here but it did pass the House last year."

Piel: "Thank you, Dan. Basically what..."

Pierce: "House Bill 3190."

Piel: "Let me reiterate and see if I'm correct on the Bill that passed the Revenue Committee. This is the one that encouraged people to buy into public-held bonds. Am I correct?"

Pierce: "Yes, it encourages the purchase of state and municipal bonds. Ends the discrimination against the purchase of those bonds in favor of corporate bonds which is now the law."

Piel: "Thank you, very much. Mr. Speaker, I'd like to speak to the Bill."

Speaker Peters: "Proceed."

Piel: "Mr. Speaker, Ladies and Gentlemen of the House, what this Bill is now, and it passed out of our Committee with the Amendment on 18 to nothing, but I wanted to make sure that this is the Bill that I was thinking about. This

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encourages the participation of purchasing state bonds and local bonds. Many times on the floor what we're talking about is to helping state government, helping local government and this Bill encourages people to buy state and local bonds. It gives them the needed help as far as the state and local government and this Bill is in a very good shape right now. I would ask the passage of Senate Bill 611. Thank you."

Speaker Peters: "Representative Bell."

Bell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, very briefly what Representative Pierce and Representative Piel have said is true. This would not cause a lot of conflict with the income tax. I am a supporter of keeping our income tax as clean as possible. All it will take is one little line. It's not going to be a complicated affair. There should be no difficulty in implementing it. It makes sense. It's a good piece of legislation and I strongly encourage an 'aye' vote from everyone here. Thank you."

Speaker Peters: "Further discussion. Representative Pierce, to close."

Pierce: "Yes, Mr. Spea...."

Speaker Peters: "Representative Hoffman, excuse me. Your light was on, off, on, off, on. It's on now. Representative Hoffman."

Hoffman: "Thank you, very much. Will the Sponsor yield for a question? Is this an additional exemption to the 1000 dollar exemption that has been in effect since the income tax was passed?"

Pierce: "No, this is not an exemption at all. It's an itemized... It's a deduction that's allowed. We add back in the income from these bonds on a special line on our state income tax. They're not subject to federal income

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tax and what this would do would allow a deduction, not an exemption, but a deduction against income for the expenses of acquisition. So, we're taxing that income like we do everything else we tax. We don't tax gross income in Illinois. We tax net income. It has nothing to do with the personal exemption."

Hoffman: "That's my point. We now have the personal exemption of 1000 dollars and this would add an additional exemption."

Pierce: "It's not an exemption. It's a... Any business that files an income tax return in Illinois has a net income. They have income. They have expenses. They have their... forgetting exemptions. If their income is five million and their expenses if 4,999,000, their income is 1000 dollars. Here, we're doing the same thing. They take in the income fully and they deduct the expense of acquiring that income. It's not an exemption."

Hoffman: "What do we... What is the estimate of the reduction in income for the state with the addition of this in the..."

Pierce: "That question was asked by Representative Ewing and answered by me a few minutes ago. The Department of Revenue says, due to a lack of reliable data base, we preclude the calculation of a cost estimate; therefore, the Department of Revenue is unable to provide an estimate of the fiscal impact. However, as you could tell from the tone of Representative Ewing, although he questioned the need for making our tax more complicated, he didn't get red in the face as he would if it were really important to the Department of Revenue. His face remained quite pale."

Hoffman: "So I should make a judgement on this Bill on the basis of the degree of redness that we see in Representative Ewing's face who is the Chairman of the Revenue Committee?"

Pierce: "Right. There is not a great impact on state revenues

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and..."

Hoffman: "Thank you. I'm going to look at his face right now."

Speaker Peters: "Have you concluded, Sir? Representative Wolf, J. J.."

Wolf: "Just one question of the Sponsor. Dan, is.. if you buy municipal or government bonds, those are tax exempted. Am I.. Is that right?"

Pierce: "They are fully subject to the Illinois Income Tax. Every dime of interest is subject to Illinois Income Tax as ordinary income. They're exempt under the Federal Tax Law, but Illinois does a special column where it's all added back in and taxed at the full 6 1/2% rate or whatever a corporation pays."

Wolf: "Thank you."

Speaker Peters: "Representative Vitek."

Vitek: "Question of the Sponsor. Thank you, Mr. Speaker. Mr. Pierce, I'm looking at Senate Bill 611. Originally the Senate Amendment #1 exempted 1000 dollars changed from 5000 of interest received by individuals from the State Income Tax it received from banks, savings and loan or credit union. Now, what happened? Did House Amendment #2, which deleted everything, knock that provision out? In other words, we don't get no exemption anymore."

Pierce: "I favored that exemption. I offered... brought that to a vote and it was short in the Revenue Committee. I won't say why it was short, but there was a partisan difference of opinion and it was short. We couldn't pass it out of the Revenue Committee. And then the Bill was amended to provide this provision, but I support that concept as do you, I'm sure, of exempting interest income."

Vitek: "Absolutely."

Pierce: "I always support Representative Capparelli, Kosinski and the other pioneers who fought that battle over the years

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for the little people of our state and even some of those Bills passed and were vetoed. We didn't have the votes to get that concept out of Committee so it's no longer in the Bill. And I feel as badly about it as you do, but it's just not there anymore."

Vitek: "I feel sorry it's not in there because looking at the Amendment now, it provides for the big guys that can afford to buy these bonds and that. It exempts them. They take an exemption there for their cost and left the little guys forgotten. I hope to God that a lot of people realize the next time that we need this help."

Pierce: "You're right."

Speaker Peters: "Representative Tuerk."

Tuerk: "I move the previous question."

Speaker Peters: "The question is, 'Shall the previous question be put?'. Those in favor will signify by saying 'aye', those opposed. In the opinion of the Chair, the 'ayes' have it. Representative Pierce, to close."

Pierce: "Yes, to close, we explained the Bill, I think. To close, I'm not worried about a complication of deducting the expense because the State of Illinois has found a way to add back in the income on their forms. Here is the... they don't think it's too complicated to tax the income from state municipal bonds which are not taxed under the Federal Income Tax Law, and so I don't think it's too complicated to deduct the expense of acquisition. It's only fair. We have a net income tax in Illinois, not a gross receipts tax. All this Bill does is make sure that state municipal bonds are not discriminated against. We have to sell those bonds. Big guys may buy them, but little guys benefit from their sale; school districts and other municipalities. And; therefore, I move the adoption of Senate Bill 611 which keeps our income tax a net income

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tax rather than a gross receipts tax."

Speaker Peters: "Question is, 'Shall Senate Bill 611 pass?'. Those in favor will signify by voting 'aye', those opposed by voting 'nay'. Voting is open. Representative Barr, to explain his vote."

Barr: "Mr. Speaker, this is an unwarranted complication on the Illinois Income Tax Act. I would urge everyone to vote 'no'. Interest on bonds, the Illinois Housing Development Authority is exempt from Illinois Income Tax and yet this would benefit the persons who buy those bonds by not only exempting the income, but permitting them to deduct the expenses of the purchase. Representative Pierce is in error on this. I would urge a 'no' vote."

Speaker Peter: "Have all voted who wish? Representative Birkinbine, to explain his vote."

Birkinbine: "Thank you, Mr. Speaker. The Sponsor of this Bill, just a minute ago, said that we have a net income tax and not a gross receipts tax. Does that mean he opposes a gross receipts tax?"

Speaker Peters: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 93 voting 'aye', 48 voting 'no', 5 voting 'present'. This Bill having reached a Constitutional Majority is hereby declared passed. Representative Tate. Representative Tate from 'no' to 'aye'. Representative Richmond 'aye' with leave of the House. Senate Bill 614, Telcser. Out of the record. Senate Bill 623, Grossi. Out of the record. Senate Bill 626, Representative Deuster. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 626, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Peters: "Representative Deuster."

Deuster: "Senate Bill 626 is identical to House Bill 561 sponsored by Representative Yourell that we passed out of



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the House in May by a vote of 158 to nothing. Perhaps this illustrates the reason we have a bicameral Legislature so we can do everything twice, at least. This did pass the Senate 56 to nothing. What the Bill does substantively is to repeal the old requirement that a township assessor posts a bond. The township assessors no longer handle any money. No reason for the bond. Township clerks, township trustees, road commissioners don't have bonds. I'd appreciate your support."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 626 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? Take the record, Mr. Clerk. On this question there are 158 voting 'aye', 1 voting 'nay', 1 voting 'present'. This Bill having reached a Constitutional Majority is hereby declared passed. Senate Bill 639, Representative Robbins. Out of the record. Senate Bill 642, Representative Kustra. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 642, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Peters: "Representative Kustra."

Kustra: "Mr. Speaker, I'd like to return.. leave to return this Bill to Second Reading for the purpose of adding an Amendment Representative Hoffman has. I have no objection."

Speaker Peters: "Is it a technical Amendment?"

Kustra: "No, it is not."

Speaker Peters: "We're not going to do that. Get you name up on a list. We have a list of Bills here going back to Third at some point."

Kustra: "Okay. Thank you."

Speaker Peters: "Senate Bill 650, Representative Jones. Out of

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the record. 651, Jones. Out of the record. 662,  
Representative Sandquist. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 66..."

Speaker Peters: "Representative Daniels in the Chair."

Clerk Leone: "Senate Bill 662, a Bill for an Act to amend the  
Illinois Insurance Code. Third Reading of the Bill."

Speaker Daniels: "Representative Sandquist."

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the  
House, 662 as originally introduced, amended the Insurance  
Code to provide that rating plans under Worker's  
Compensation must permit employers with similar risk  
characteristics to pool their premiums and loss experience  
in fixing the premium. The Amendment, which was added on  
in the Senate by Senator DeAngelis, I think, is a good  
thing because it allows small employers with similar risk  
characteristics to pool and join a pool to cut down the  
cost of Worker's Compensation. That's what we're talking  
about here. We're trying to reduce the cost of Worker's  
Compensation. It passed out of the Senate with an  
overwhelming majority. It passed out of the House  
Executive Committee 17 to 1 and I think this is one way  
that we can do something to cut down the cost of Worker's  
Compensation for small business, and I promised in the  
Committee that I would not use this for any kind of an  
Amendment. Here's the chance we can pass it out and then  
this will help to cut it down for small business. I ask an  
'aye' vote."

Speaker Daniels: "Gentleman has moved for the passage of Senate  
Bill 662. Is there any discussion? Hearing none, the  
question is, 'Shall Senate Bill 662 pass?'. All those in  
favor signify by voting 'aye', opposed by voting 'no'. The  
voting is open. Have all voted who wish? Have all voted  
who wish? Have all voted who wish? The Clerk will take

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the record. On this Bill there are 155 voting 'aye', 4 'nay', 1 'present'. Senate Bill 662, having received a Constitutional Majority, is hereby declared passed. Representative Jones, Senate Bill 651. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 651, a Bill for an Act to amend the Court Reporter's Act. Third Reading of the Bill."

Speaker Daniels: "Representative Jones."

Jones: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 651 raises the maximum salary to pay for court reporters in the State of Illinois. It raised the max from 20,000 to 24,000 for 1981. From 22,500 to 26,500 for '82 and from 24,000 to 29,500 every year thereafter. This is a permissive Bill. It carries no fiscal impact and I ask for a favorable vote."

Speaker Daniels: "Gentleman has moved for the passage of Senate Bill 651. On that question, the Gentleman from Rock Island, Representative Polk."

Polk: "Your question... You just said it in the last aspect of it. You say there is no fiscal impact whatsoever in this Bill?"

Jones: "There is not fiscal impact because the administrator of the court would have to raise the salaries if necessary. So it's just permissive if he so desires to raise the salary to the max. It's up to the court and then we would have to appropriate. But that's no fiscal impact."

Polk: "Then we would have to appropriate. What do you perceive as the cost being?"

Jones: "I don't see any cost at this particular point. I don't see any cost in the legislation whatsoever. All I'm doing is raising the max that they are to be paid court reporters. There is no fiscal cost at this particular point."

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Speaker Daniels: "Any further discussion? Gentleman from DeKalb, Representative Ebbesen."

Ebbesen: "Yes, I'm a little confused. How are they paid now? Where does the money come from?"

Speaker Daniels: "Representative Jones."

Jones: "The administrator of the courts, more or less, pays the salary, sets the fees as to what the court reporters are paid. That is a minimum salary scale between 6,000 and let's say, 24,000. So anywhere along in that range the court will, you know, decide what they ought to be paid."

Ebbesen: "Would the sources of revenue to pay it. Really, I'm honestly asking you an honest question."

Jones: "From the state, the Supreme Court."

Ebbesen: "There's no state dollars involved?"

Jones: "Of course there are."

Ebbesen: "I see. And where does... So there's no fiscal impact to this Bill whatsoever."

Jones: "There is no fiscal impact because it is permissive legislation."

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

Vinson: "I may end up voting for this Bill, Mr. Speaker, but I think that Members deserve to have the Bill accurately explained to them and on page one of the Bill, the current law says; this is no change, but the current law says, 'the salaries of all court reporters shall be paid by the state.' Then the Bill goes on to raise the maximums. Now, that means potentially there is a fiscal impact for the state. I think the fiscal impact is desirable and I'm going to vote for the Bill but I do think Members ought to have the right to understand what the Bill does."

Speaker Daniels: "Representative Jones."

Jones: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I explained the Bill accurately. As I said before,

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it's up to the courts to decide what the amount of salary that they're going to pay the court reporters. If they decide not to raise their salary to the max, it has no fiscal impact."

Speaker Daniels: "Representative Giorgi."

Giorgi: "If I were Representative Vinson, I'd be for the Bill too. We provide them with a beautiful court house so they can practice law. We provide them with court reporters so they can keep a record of their doings. We provide them with clients. We do everything for these lawyers. I'd be for the Bill, Vinson. I agree with you."

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

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

Speaker Daniels: "Indicates he will."

Ewing: "Does this Bill authorize the court reporters to increase the charges which they make for typing or for transcribing?"

Jones: "No, this Bill does not."

Ewing: "That doesn't have anything to do with that. Thank you."

Speaker Daniels: "Gentleman from Cook, Representative Meyer, Ted Meyer."

Meyer: "Yes, Mr. Speaker, a question of the Sponsor."

Speaker Daniels: "Indicates he'll yield."

Meyer: "Wasn't this leader Taylor's Bill last year?"

Jones: "No, this was not leader Taylor's Bill last year. It's leader Taylor's Bill this year in the Senate."

Meyer: "Thank you."

Speaker Daniels: "Gentleamn from Kankakee, Representative McBroom."

McBroom: "Yes, 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

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in favor will signify by saying 'aye', opposed 'no'. The 'ayes' have it. Representative Jones, to close."

Jones: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd ask for a favorable vote for this Bill."

Speaker Daniels: "Gentleman has moved for the passage of Senate Bill 651. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Representative Jaffe, to explain his vote. The timer's on, Sir."

Jaffe: "Mr. Speaker, I merely rise in support of this Bill. I would tell you that the court reporters have not received their raise for a long period of time plus the fact that court reporters in the private industry can get a lot more than what we're paying them in the public service. So I would urge an 'aye' vote on it. It's a good Bill and they deserve the raise."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. On this Bill there are 116 voting 'aye', 44 'nay', 2 'present'. Senate Bill 651, having received a Constitutional Majority, is hereby declared passed. Senate Bill 565."

Clerk Leone: "Senate Bill 565, a Bill for an Act to amend the Park District Code. Third Reading of the Bill."

Speaker Daniels: "Representative O'Brien."

O'Brien: "Yes, Mr. Speaker and Members,...Yes, Mr. Speaker and Members of the House, Senate Bill 565 amends the Park District Code and allows a part district to levy an annual tax for the purpose of establishing a working cash fund for any four years. At present, a park district may only levy an annual tax for no more than four years and those years are dated from 1976 through 1980. There are some 352 downstate park districts that would have the opportunity to

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levy this tax for their working cash fund. Many of them did not take advantage of the opportunity when we passed the original Bill and opted in at a later date and out of the 352 there are about 150 downstate park district authorities that would like to have the opportunity to take advantage of the four year, and this would just give them the opportunity to take advantage of the four years that we had passed and some of those park districts did take advantage of that. In addition to that, the only portion of the Bill that applies to the Chicago Park District is an Amendment that was put on and that Amendment requires that the Chicago Park District Board have three of their annual monthly meetings out in the field houses in the park program, in the park district program so that they can see the actual maintenance and operation and needs of the park facilities rather than meeting down there at Soldier's Field. So the Bill, in relation to the working cash fund, deals with all of the downstate park districts only and does not deal with the City of Chicago working cash fund. The only portion of the Bill that does deal with the City of Chicago is the one that requires the Board to meet out in the field houses. I know of no opposition. It's supported by the Park District Association. It is a back door referendum and I'd be happy to answer any questions and hope for an 'aye' vote. Thank you, Mr. Speaker."

Speaker Daniels: "Gentleman, Representative Bower."

Bower: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Daniels: "Indicates he will."

Bower: "Representative O'Brien, is this a tax increase without a referendum?"

O'Brien: "No. This Bill allows for a back door referendum and, in the last Session in the Illinois General Assembly, we passed a Bill which allowed for the park districts to have

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a levy for the years 1976 through 1980. And there were some 33% of the downstate park districts that did not take advantage of it and now would like to have the opportunity to take advantage of it. And there is a provision for a back door referendum on the Bill. It applies only to downstate, once again."

Speaker Daniels: "Lady..."

Bower: "Excu..."

Speaker Daniels: "Excuse me. Representative Bower."

Bower: "Yes, on the Bill, Mr. Speaker."

Speaker Daniels: "To the Bill, Sir."

Bower: "Thank you, Mr. O'Brien, for clarifying that. I just think the Membership should be aware it is a tax increase with a back door referendum so you should know what you're voting for."

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

Pullen: "I'd like to ask the Sponsor a question or two."

Speaker Daniels: "Indicates he'll yield."

Pullen: "Sir, my analysis over here indicates that the part about the Chicago Park District having some of its meetings out in the field houses requires them to have the meetings in outlying areas of Cook County. Would you please assure me that that is not accurate."

O'Brien: "Yes, Representative Pullen. I can assure you that that is not accurate. The Chicago Park District would only have three of their twelve meetings in the Chicago Park District authority which is only within the boundaries of the City of Chicago, and, quite frankly, the reason for it is that the Park Board meets down there at Soldier's Field and, in many instances, does not get the opportunity to be out on the north side or the west side or the south side of the City of Chicago and see the condition of the parks on a first hand basis. And we also felt that it would bring the



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Park Board closer to the community groups and that those Park Boards would be able to meet with the groups and talk about programming, maintenance, etcetera, etcetera."

Pullen: "I think that's a great provision, but I'd like to ask you a couple more questions about the back door referendum..."

O'Brien: "I'd be happy to answer any questions that you have in relation to the Chicago portion of the Bill or the downstate portion of the Bill."

Pullen: "Thank you."

Speaker Daniels: "Representative Pullen."

Pullen: "Thank you. How many signatures are required by petitioners to call a back door referendum?"

O'Brien: "Five percent of the electors voting for the park district commissioners."

Pullen: "How many days..."

O'Brien: "So, it's a very, very minimal amount of signatures that would be required."

Pullen: "How many days do they have in which to circulate petitions?"

O'Brien: "I'm not sure. I think it's 30 to 60 days."

Pullen: "Is there someone by you that might be able to have that answer?"

O'Brien: "Thirty days."

Pullen: "Thank you. I thought that was more likely. Is there any provision that would require the Park District Board to provide a petition form to anyone requesting them or do they have to go get one drawn up on their own?"

O'Brien: "Would you repeat the question?"

Pullen: "Is there any provision that would require the Park District Board to offer a petition form or supply a petition form to anyone requesting one or would they have to get it drawn up on their own."

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O'Brien: "I don't think that's consistent with the concept of a back door referendum and I'm sure that you're familiar with it, Representative."

Pullen: "It's not at all inconsistent with a back door referendum, Sir. Do they have to get the petition drawn up on their own then?"

O'Brien: "Yes. Sure. Yes."

Pullen: "Don't say sure because that's not in accordance with the Bill that overwhelmingly passed this House."

O'Brien: "Well, then you show me, you show me any other authority or municipality that will draw up a petition for the taxpayers."

Pullen: "Wait about three months after the Bill is signed and I'll show you. Sir, I think that your provision about the meetings being held in outlying field houses is absolutely great, but I can't support the Bill as long as the referendum is back door instead of front door. Thank you."

O'Brien: "Representative, I'd like to point out to you that this is not in the language and we are not changing the law. This is existing law..."

Pullen: "That's was not a question. That was not a question, Mr. Speaker."

O'Brien: "... and all we are doing is giving the opportunity for those park districts that did not take advantage of the opportunity to have the tax levy for the working cash fund increased, giving those park districts that did not take that opportunity, once again, the opportunity to take advantage of the four year period."

Pullen: "Mr. Speaker, if I may speak to the Bill without being answered since I was not asking a question at the end. I was speaking to the Bill."

Speaker Daniels: "To the Bill, Representative Pullen. Representative O'Brien, don't say anything."

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Pullen: "Thank you. What I said was that I thought that the provision about having meetings in field houses was very good but the provision for tax increases with a back door referendum rather than front door would cost my support for the Bill and I urge others to consider voting against it likewise."

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

Terzich: "I'd like to back door this Bill and move the previous question."

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

O'Brien: "Well, I'd just indicate once again to the Members that we are not changing any of the present laws. This is the existing law that we've had in effect for a number of years and some of those downstate park districts that did not take advantage of the opportunity to increase their working cash fund levy would like an extension on the Bill so that they can and the extension only provides for a four year period. So if they've done it for two years, they would only get a two-year extension. I'd ask for an 'aye' vote and I'd like to point out once again that that part of the Bill does not apply to the City of Chicago."

Speaker Daniels: "Question is, 'Shall Senate Bill 565 pass?'. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Gentleman from Cook, Representative Leverenz, to explain his vote. The timer's on, Sir."

Leverenz: "Thank you, very much, Mr. Speaker. First of all, the Bill says and it is not a mandate shall it is a mandate may and they can do what they want and provides for local control. The Gentleman from the other side of the aisle

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that says that this is a mandate for a tax increase is totally out of line. The lady from the other side of the aisle too stands to criticize the back door referendum. At least it provides for one and normally when the Reference Bureau drafts a back door referendum, it's for 10% and this provides for 5% in terms of the signature requirement. I think it's very fair. Normally, it's ten days, I understand. This provides for 30 days. This allows for local control which is exactly what everybody's normally screaming about, the fact that the Chicago. (cut off)."

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

Ronan: "Thank you, Mr. Speaker, Members of the House. I'm really amazed. Here we again have an opportunity to help the little kids of the City of Chicago and the State of Illinois. It's about time we rallied around together. Here we are adult Legislators sitting here day in and day out worrying about the problems of the state, but I sit here in utter amazement and appalled at the lack of sensitivity I see on that board where we should have at least 175 solid green votes for the little kids of the State of Illinois. The little kids can't get elected to come down here and serve themselves. We've got to do it for them. The only way we can help out the little kids is put them in the parks, give them programs and give them something to do. I encourage all my friends on this side of the aisle and on the other side of the aisle... (cut off)."

Speaker Daniels: "Lady from Cook, Representative Hallstrom, to explain her vote. The timer's on."

Hallstrom: "Mr. Speaker, what I really wanted to do was to clarify something. If this is not the appropriate time, then I will not. May I?"

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Speaker Daniels: "On the legislation, Ma'am?"

Hallstrom: "Oh, yes."

Speaker Daniels: "Oh, yes. Please proceed."

Hallstrom: "Right because our analysis says that this does not affect the Chicago Park District and I heard the Representative from the other side talking about the small children from Chicago, and I wondered if my analysis is wrong and to clarify that if it really does affect the Chicago Park District."

Speaker Daniels: "Representative Currie, are you going to clarify that?"

Currie: "Yes."

Speaker Daniels: "Alright. Representative Currie, for clarification. Timer's on."

Currie: "Thank you, Mr. Speaker and Members of the House. I'm supporting this good Bill which really has two quite separate parts. One affects only downstate park districts and it's only provision is to say that those park districts that were not quick enough to pick up on the opportunity to operate the working cash flow program between the years 1976 and 1980 have not lost that chance. They may participate in that program for any four years starting even later than 1976. The other piece of the Bill, the piece that I'm particularly interested in is the citizen participation provision that affects only the Chicago Park District. This year, for the first time, the Chicago Park District found itself holding hearings in community parks. Congressman Sidney Yates' federal urban park recreational recovery program required participation at the local level before those dollars were spent. Friends of the parks, the citizen watchdog group in the City of Chicago organized hearings at local parks throughout the City of Chicago. Park district people were present. The way those federal

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dollars are now being spent reflects the wishes of the citizens who are going to use those parks. I would like to commend Representative O'Brien for proposing this legislation which will institutionalize that kind of opportunity for people to participate in the question, how their park programs are operated and how park dollars are spent."

Speaker Daniels: "The Lady from Cook, Representative Jane Barnes, to explain her vote. The timer's on, Ma'am."

Barnes: "Mr. Speaker and Ladies and Gentlemen of the House, I'm not a friend of the parks but I am a friend of Representative Ronan. For that reason, I vote 'aye'."

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

Yourell: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I don't want to refer to the previous remarks of my running mate in the new legislative district. I know that we're going to get along splendidly in spite of any obstacles placed in our path, but I did want to, at the time when we had the questions to the Sponsor to reply to some of the questions to the sometimes distinguished Chairman of the Executive Committee as to some of the questions that she posed to the Sponsor. I was not recognized to do so and so I can't do that now, of course, but I would be delighted and privileged to vote 'aye' on this very, very fine Bill."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. On this Bill there are 100 voting 'aye', 58 'nay', 5 'present'. This Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 666, Representative Huskey. Yes, Representative Kelly, for what purpose do you rise? Richard Kelly."

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Kelly: "Yes, Mr. Speaker, this would be a point of personal privilege. I noticed that the light is on for allowing pictures to be taken. Now, we have been in Session over nine hours consistently and between now and July 1st, I don't want to see any of these silly pictures especially when we're working long hours."

Speaker Daniels: "Do you wish the light off, Sir?"

Kelly: "And I would like to object and I thank you very kindly."

Speaker Daniels: "The TV light will be turned off, Sir. Thank you for bringing that to my attention. And if the gentleman in the gallery from the TV communication will please put the cameras away. Thank you, very much. Representative Schraeder."

Schraeder: "Mr. Speaker, I've been quiet a while and I'm having one devil of a time trying to find out where you go from the Calendar. You're switching all back and forth. Can't we stay to one Order of Business in the proper numerical order?"

Speaker Daniels: "Page six, Senate Bill 666. The next one will be 672. 666, Representative Huskey."

Clerk Leone: "Senate Bill 666, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Daniels: "Representative Huskey."

Huskey: "Mr. Chairman(sic), this was... the main part of this Bill is a Committee Bill so I am going to pass it to the Subcommittee Chairman, Representative Mautino and let him explain the Committee Amendment."

Speaker Daniels: "Would you like to explain for Representative Mautino, Representative Huskey?"

Huskey: "I will start with the Bill."

Speaker Daniels: "For Representative Mautino, Representative Huskey. Proceed, Representative Huskey."

Huskey: "Well, thank you. Thank you, very much."

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Speaker Daniels: "Representative Huskey, Representative Mautino appeared. Would you like him to proceed? Representative Mautino."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 666 has been amended three, with three Amendments and I'd like to explain those Amendments to you. Amendment #1 retained the provisions that Senator Gitz had originally in the Bill that provided that anyone convicted for an offense under Chapter IV of the Anti-Theft Laws and Abandoned Vehicles may be required to compensate the victim for any loss that the victim may sustain. The Bill was further amended, excuse me, that allowed for a five dollar surcharge for every forty dollars in overweight fines by the trucks in the State of Illinois and four of that five dollar surcharge would go into the Driver's Education Fund for funding driver's education in the State of Illinois. The third provision that was added to that Bill was what has been considered an agreed Bill with no opposition agreed between the Illinois Commerce Commission, the trucking industry, Secretary of State's officials who are under this provision for mandating warrants and issuing tickets that they were not able to do in the previous years. They were only allowed to address those questions of truckers who did not have a valid authority. That Amendment of the Bill provides for a mandate establishing the guidelines to grant new common carrier authorities and does not affect those companies that already have authorities which they operate within the State of Illinois. There are also provisions for new contract authorities and the rationale used in deciding new authorities that come before the Commerce Commission. It also allows for enforcement of the existing statutes under the Commerce Commission, and it authorizes the Secretary of



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State and his investigators to enforce all of the Chapter XVIII Codes along with the State Police and the Commerce Commission. It's supported by the Illinois Commerce Commission, the Secretary of State, the trucking industry. I know of no opposition to this Amendment or the Bill in its present form. I'd be happy to answer any questions."

Speaker Daniels: "Gentleman from Macon, Representative Dunn."

Dunn (John): "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation. This legislation incorporates a fine concept which was defeated in the House earlier this Spring in the House Education Committee. It includes a provision which would go a long way toward funding of drivers education in the State of Illinois. If we are to maintain this fine, outstanding program to teach our youngsters how to drive both in the classroom and behind the wheel and to do it safely, we must provide the funds with which to do that. This Bill includes a provision which would increase traffic fines a minimum amount and place that increased money in the Driver's Education Fund so that, at the local level, your school districts can afford to maintain these programs. Without help of this kind, those programs are in very serious jeopardy and I don't think with the increased volume of traffic on our highways that we want our youngsters going out driving without proper training, nor do we want to force them to seek drivers training from private sources and have to pay the cost of tuition to do that. I urge your support for this legislation to fund drivers education in the State of Illinois, if for no other reason, and, of course, it is a good Bill in all respects. And, I respectfully request an 'aye' vote on this legislation."

Speaker Daniels: "Gentleman from Cook, Representative

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Birkinbine."

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

Speaker Daniels: "He indicates he will."

Birkinbine: "Question relative to House Amendment #5 that says, 'prohibits a person or common carrier of property by motor vehicle from engaging in intra-state operations over Illinois highways unless there is in force, with respect to such person or common carrier, certificate of public convenience and necessity issued by the ICC'."

Mautino: "That's called the authority, yes. The certificate of authority."

Birkinbine: "In other words, in English, if somebody wants to conduct some business, start up a trucking company if you will and carry business, say, from Springfield to Decatur or Decatur to Chicago. In order to do that, they must get an okay from the ICC?"

Mautino: "They must have an authority, a certificate from the ICC, yes, if they're in general hauling. Commodities. That's what the law is right now, Representative Birkinbine."

Birkinbine: "You say that's what the law is now."

Mautino: "Yes."

Birkinbine: "Why is the Amendment in if you're not changing the law?"

Mautino: "This clarifies everything that was put in to, as I understand it, federal law on the industry and as well as Senate Bill 1219 which was Public Act 81-501 that was proposed in the last Session of the General Assembly. Sections 18-301 and 302 were deleted at the request of the Commerce Commission. The industry was informed that the proposed requirements could be and would be implemented without legislative mandate; however, this has not been the

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case. Therefore, that's the reason that it's in the legislation."

Birkinbine: "Well,..."

Mautino: "In other words, they thought they could do it by rule and reg. but what they've been doing is now codified in this statute."

Birkinbine: "Okay. To speak to the Bill, Mr. Speaker. If, indeed, House Amendment 5 codifies what we've just heard, I would suggest that we're better off without it being codified. In fact, one of the movements at the federal level in recent years has been deregulation of the airline industry and of the trucking industry, and to deregulate the trucking industry means to do away with just this kind of thing. The idea that someone must go out and get an okay from an ICC or an FCC in order to transport or run a business from one area to another is not only more expensive to the industry, but frankly, runs up the expense of everyone who might buy things that are transported by truck. If, indeed, this Amendment, Amendment #5 helps codify something such as that, I would suggest that not only are we advised to vote against this, but legislation would be well advised in keeping with legislation at the federal level to do away with this whole idea and really free-up the trucking industry."

Mautino: "Well, may I respond? Alright. Let me explain to you how it works now. Okay? As it works now, and you could probably check with Roland Meyer. A person who wants to be a common carrier and get involved in a transportation of goods and services in the state, before they get an authority under the existing provisions, they have to basically do it illegally. They've got to go out and do it and then go before the Commission and say, 'Well, I've been giving this service to my customers. No one else is doing

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it. I know I'm doing it illegally so; therefore, I would like to have it done legally."

Birkinbine: "But my point is, they should not even have to go to the authority. I thought we had a free enterprise system here?"

Mautino: "They're operating now illegally, so what we have to do is you have to have authority to operate."

Birkinbine: "Only because of the authority."

Speaker Daniels: "Gentleman, let's limit your question on the debate between yourselves. You may address the Bill if you desire. Representative Birkinbine, any further questions?"

Birkinbine: "Based on that, I would vote against this Bill."

Speaker Daniels: "Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House, I think Representative Birkinbine has raised a very valid point. They've taken a pretty good Bill and I suspect somebody had a Bill that got beat somewhere and they've hung it on this Bill. It has nothing to do with driver education or anything else very much. I was assured by the Illinois Commerce Commission that we were going to deregulate trucking in Illinois and particularly for those little things where you're just going to haul a load of gravel or a load of water or something else. Now, we're right back in the act and we're trying to put government back in the business for some little guy who wants to take a truck and make a living with it, and I think this is wrong. I wish you'd take this Amendment off and, if you don't, I'm going to vote 'no'."

Speaker Daniels: "Gentleman from Lake, Representative Deuster."

Deuster: "Well, Representative Friedrich expressed the way I feel about this. I've run into some people in my district who are unemployed. They're trying to figure out some way to support their families. They thought they'd get a little

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truck and help people move and, you know, try a free enterprise system and you find out you have to go to the Interstate Commerce Commission and spend a lot of money with attorneys fees. I guess that's fine, but nonetheless, I believe, as Representative Birkinbine does, in the free enterprise system. If somebody who's unemployed in Illinois wants to go out and help you move to move some goods, he ought to be free to do that, and I, too, share a great concern over House Amendment #5 and think that that ought to be dumped."

Speaker Daniels: "To close, Representative Huskey, are you closing or is Representative .. Representative Mautino, to close."

Mautino: "Thank you very much, Mr. Speaker. I've got a few things to clarify and I'd like to have everyone understand it. This does not stop that person from hauling grain from his farm down to, for example, a grain elevator, but what it does do is clarify and get him a certificate to do so without having to operate under the provisions that he may get stopped and he may get fined. My original feeling when I saw this legislation was very similar to those that are opposing it, but we met with the industry, the Commerce Commission, the Secretary of State's people. This Amendment does exactly what I proposed in my original statement. It clarifies and legalizes all those activities that are going on now. They must be under one or two provisions. Either they have an authority or a certification to be in business or they don't. This basically stops the gypsy truckers who are not involved... they are involved illegally. I think what you'd like to do is have everybody who's going to operate in a business of moving commodities all under the same provisions of the law. Now, the Commerce Commission does have the authority

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to send their people out as does the Secretary of State and their only allowable industrious movement is to stop those trucks that don't have an authority. This way we're putting everybody under the same umbrella, having the certification and protecting those people that want to do exactly what everyone here is interested in. Let them do their own business and get a certification. That's all that we're asking for in this. It's an agreed Bill. There's no opposition to any of these Amendments that appeared on this Bill. For those of you that might not be able to find it in the analysis, it was House Bill 1898. It was recommended on the Consent Calendar of the House by the Motor Vehicles Committee and then it was taken off the Consent Calendar and that's how we got in this particular posture. And if... I just can't see any other way to do it to make everybody operate under the same provisions, and I ask for an 'aye' vote."

Speaker Daniels: "The question is, 'Shall Senate Bill 666 pass?'. All those in favor will signify by voting 'aye', opposed by voting 'no'. Representative Gene Hoffman, from DuPage. Dr. Hoffman, to explain his vote. The timer's on."

Hoffman: "Thank you, very much, Mr. Speaker. Ladies and Gentlemen of the House, there is no question but what this Amendment which is under discussion provides for equity and fairness. Do you want your family or your constituents out on the highway with gypsy truckers out on the road that haven't met the requirements that everybody else does? You and I all have friends in the trucking business. Do you want them to have unfair competition from people who don't have to meet the same kinds of standards of safety and fairness? I don't think you do. Now, if you do not want that, you will vote for this fine Bill of Representative Mautino. This is equity. This is fairness."

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I ask you to support it."

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

Yourell: "Yes, thank you, Mr. Speaker. I think this is an excellent Amendment to this Bill and I think that it does what we want in the State of Illinois to do relative to this very, very serious problem. I'm just sorry that the Sponsor of this Bill hasn't seen fit to address himself to the Bill and has left all of the expertise up to a Democrat, Mr. Mautino. I'm going to vote for this Bill. I'd like to hear from the Republican Sponsor of this Bill as to why we should vote for it."

Speaker Daniels: "Here he comes. The Republican Sponsor, Representative Huskey."

Huskey: "Thank you, Representative Yourell. I wasn't able to get recognition till you asked for it for me. So, thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Bill has required hours and hours of hard work. It's an agreed Bill. It's agreed to by all the truckers associations, the Mid-West Truckers Association, the Illinois State Police and the Illinois Secretary of State. It's taken hours and hours of hard work to put a complicated Bill such as this together. Now, the things that are being read in the Bill aren't actually there. The things that are being read into the Bill is the existing law. What this Bill does is remove those inequities from the existing laws, get these gypsies off of the highways and, basically, that's the main purpose of it, to get the regulations and the gypsies and the trucking industry working in a harmonious relationship. It doesn't control prices. It doesn't do anything of that sort, and it isn't a thing that adds more regulation to the trucking industry. It really helps deregulate it and helps put it in a uniform matter...(cut off)..."

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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 Bill there are 126 voting 'aye', 28 'no', 7 'present'. Senate Bill 666, having received the Constitutional Majority, is hereby declared passed. Senate Bill 672, Representative Ewing. On deck is Representative Leverenz. Senate Bill 672, Representative Ewing."

Clerk O'Brien: "Senate Bill 672, a Bill for an Act authorizing the Department of Revenue to make certain refunds. Third Reading of the Bill."

Speaker Daniels: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill is to do by statute and clarify procedure instituted by the Department of Revenue. Sometime back for the years of '77, '78 and '79 through July of '80 there was a ruling that any sales tax on improvements that went into municipal developments should not have been charged the developer. The Department of Revenue has ruled and has been giving refunds on sales tax improperly paid for that period of time. Their requirement though said that the developer had to go to the supplier and get his refund in cash and then the supplier could go to the state and make application for it. Well, this made it almost impossible for the developer to get his refund. This would clarify that procedure, would allow for the developer to still work with the supplier, but the supplier would not have to put out the funds. In this case, the Department would, instead of making reimbursement, would give the developer credit. I think it's a fair Bill. I think it will help the housing industry at a time when it's needed, and I would ask for a favorable approval."

Speaker Daniels: "On this Bill, Gentleman from Cook, Representative Bowman."



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Bowman: "Question of the Sponsor. Mr. ... Representative Ewing, is the theory behind this Bill that the local governments are exempt from such taxes and; therefore, anyone who constructs property or improvement and conveys them to the local government should also be exempt? Is that the theory behind the exemption?"

Speaker Daniels: "Representative Ewing."

Ewing: "Generally, that's the theory. If the city is paying for the improvement, of the developer's paying for the improvement and giving it to the city, it would not be a tax and isn't being taxed today."

Bowman: "Well, then Representative Ewing, is there any requirement in the Bill that this saving to the developer be passed onto the city or unit of local government?"

Ewing: "It was passed onto the city when they didn't have to pay it. They should never have paid it. They take bids for these things and that's not necessarily taking into consideration. The only person that came up with any extra funds is the state because they charged it without regard to the fact that it was a non-taxable item."

Bowman: "Wait a minute. Let me see if I get this straight. You're telling me that the city, a city that negotiated a contract with a developer for purchase of a building and the purchase price of the building was not negotiated based on the cost of the materials plus the sales tax, but less the sales tax?"

Ewing: "Well, it's a little different. It's generally the fact that the city didn't even pay for this. These are developments which are given to the city and are non-taxable like sewers and streets and new development."

Bowman: "Oh, I see. Okay. Wait a minute. It's only confined to those improvements that are given to the unit of local government?"

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Ewing: "I don't want to say only given, but generally it's developers. That's where the point came in. That's why the contractors need this is because they paid the tax for improvements that have gone to the city but would be non-taxable. It's not anything where the city should have the money coming back. That is not the case. The city has not paid down any money. They have received improvements that should have been tax free."

Bowman: "Okay. So they got... The city got it with no consideration. In that case, I support the Bill, but if the city had to pay up front then no."

Ewing: "It's not in any intention to give what would be due the city to the contractors. I see your point."

Bowman: "Okay. Thank you."

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

Getty: "Will the Gentleman yield?"

Speaker Daniels: "Indicates he will."

Getty: "And it's unfair for the Chair to engage me in conversation and then call on me. Sir, could you tell us what this will cost the people of the State of Illinois?"

Ewing: "It's estimated that totally there was some five million dollars in tax that's been paid. Now, Representative Getty, it has already been, by rule and regulation, the Department has been giving this money back. This isn't anything new. This isn't any five million new. This is just a procedure to make it actually more acceptable. A great deal of this money has already been given back in credits. So, I can't tell you if there's any new money, how much new money will be, if any, will be needed. There is no drain on the treasury because it is... now it's in the form of a credit. In the past, it's been actual refund of tax paid. So if I'm a contractor and I get a credit, the next time I owe the State of Illinois sales tax I will

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apply that toward my obligation to the State of Illinois."

Getty: "So that this would reduce the amount of revenue that the people of the State of Illinois would receive in future years. Is that correct, Sir?"

Ewing: "It might, yes, if it's for any credit given..."

Speaker Daniels: "Excuse me, Representative Ewing. Excuse me. Could we have a little bit of quiet and a little attention? Thank you. A little quiet. Representative Ewing."

Getty: "Alright. Now, under..."

Ewing: "Representative, I don't think I answered that. The State is already in the process of giving this money back. We can either give credits or we can take cash out of our pockets, whichever way you want it."

Getty: "Alright. So that if we do enact this legislation, and if Governor Thompson signs this legislation, in future years, credits will be issued to sales tax collections that will reduce general revenue funds. Is that correct?"

Ewing: "It is... Now, I want to make clear, it will for the years through July of 1980. From then on, this Bill has no effect. This only covers a period '77, '78, '79 and July of '80. Since that time, they've been handling the sales tax on these improvements differently. It was in July of '80 that they made the ruling that the money was improperly collected."

Getty: "Well, if we didn't pass this, when would the statute of limitation for collections expire?"

Ewing: "It's my understanding that '77 would be out now."

Getty: "So that we are actually extending the time for the statute of limitations to run? Is that correct?"

Ewing: "For the period 1977. I couldn't answer that for sure but there might be a possibility that it would. It may... If the statutes run, I'm not certain that this legislation would give them any added standing to go back. This just

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provides a different procedure. It doesn't say you can go back."

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

Speaker Daniels: "Proceed, Sir."

Getty: "Earlier I made reference to the fact that we would send to the Governor a Bill that would have a fiscal impact and it had a question as to whether it was justified. We didn't have all the answers from the Sponsor at that time and we hope that the Governor would be able, in his wisdom on the second floor, to fill in those examples, fill in those answers and now we're asked to do two things to extend the statute of limitations for refunds having a possible fiscal impact upon the state, presently, and in future collections of approximately five million dollars. I voted for that last one. I think I'll not vote for this. I think the degree of uncertainty here... (cut off)."

Speaker Daniels: "Representative Getty. Getty."

Getty: "I believe the degree of uncertainty evidenced by the answers of the Sponsors indicates that we all ought to withhold our vote until it's clear just exactly what the fiscal impact is to this State of Illinois now and in the future and the future credits that will be given out in something that we'd be led to believe the Department has been doing under regulation; and how we're giving away state money under regulation escapes me just a little bit. But I think maybe this, although it's characterized as being quote, 'not a raid on the treasury', end quote, may well have more to it than meets the eye. I think we ought to look a little bit more carefully before we turn down important projects that help people of this state, and yet vote to give big tax credits to others."

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

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the

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House, I'd like to put this in perspective. We are not talking about any kind of a tax break or a tax give away. We're talking about taxes which have been improperly collected. This has to do with construction projects which are turned over to the cities and municipal and other governments in which there is no tax involved. So we're not giving the tax away. All this does is to clarify the way in which the people who paid the tax, not erroneously, but on unconstitutional taxes can get their money back. So this is not a give away. This is a great way to clarify it so the people who paid it erroneously can get it back, and I think that we should go ahead and pass this Bill."

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

Giorgi: "I have a question for the Sponsor."

Speaker Daniels: "Indicates he'll yield."

Giorgi: "Does this become a little litigious with the Department of Revenue by attorneys trying to recoup this money, Mr. Ewing?"

Ewing: "Well, I'd have to answer that with a question and ask you to define the, tell me what word you're using and what the meaning is."

Giorgi: "What I meant was, do people hire lawyers and go before a hearing office in the Department of Revenue when the matter become litigious? What I'm trying to determine is what is your fee in this kind of case and how many cases have you appeared before the Department of Revenue with these matters?"

Speaker Daniels: "Representative Giorgi. Representative Giorgi. Representative Giorgi, that's out of line."

Ewing: "Thank you, Mr. Speaker."

Speaker Daniels: "Representative Giorgi."

Giorgi: "I didn't mention the five million dollars recoupment

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figure and I know that on workman's comp. where a guy loses a leg, you get a third of it. What do you get in a case where you go before the Department of Revenue and the fight is, say, for 20,000 dollars. What is your fee as an attorney in the Department of Revenue on a matter where it's doubtful whether the money is the states...on your recoupment? What's your fee?"

Speaker Daniels: "Representative Giorgi, that line of questioning is irrelevant to the Bill."

Giorgi: "He lost his tongue?"

Speaker Daniels: "Yes, he did. Do you have any other questions, Sir? Alright. Representative Conti."

Conti: "Mr. Speaker, Ladies and Gentlemen of the House, I saw absolutely nothing wrong with this Bill until the last two previous speakers spoke and now I'm thinking about it a little bit. If the contractor originally charged a village or the municipality or the governmental agency, whatever the case may be, and now he's entitled to receive that back he is actually falling into a windfall and he's getting... he charged the village in the first place or the governmental agency in the first place and now he's going to get a letter back from BOB to get his money back for the sales tax. It looks like he's going to get it twice. No?"

Speaker Daniels: "Representative Ewing. Did you hear the question, Sir?"

Ewing: "I'm sorry, I didn't."

Speaker Daniels: "Representative Conti."

Conti: "My point is, if the contractor charged the governmental agency, when he did the job and now he's going to be reimbursed by the state, wouldn't he be getting into a windfall in collecting the tax twice? He charged the village in the first place or the governmental agency and now you're asking that he be repaid that money for the next

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two years, three years, whatever your Bill calls for."

Speaker Daniels: "Representative Ewing."

Ewing: "The answer to the question which has been given before and I did not say 100% because I haven't been in 100% of these cases, but... Representative Conti, are you listening? The city didn't pay for it."

Speaker Daniels: "Okay. Further questions of the Sponsor? Representative Levin."

Levin: "Yes, will the Gentleman yield?"

Speaker Daniels: "Indicates he will."

Levin: "Okay. I rarely agree with Representative Conti, but I do agree with him in this case. Earlier there was a question that Representative Bowman asked about who this applies to and my understanding of what you said was that it applied if a developer built a street and then dedicated the street, gave it to the village. Obviously, that situation is fair that he recoup. But what about the situation where a contractor builds a structure for a village or city, is paid for it by the city or village? Don't we have a windfall here?"

Speaker Daniels: "Representative Wikoff."

Wikoff: "Yes, Mr. Speaker, I think maybe I can answer Representative Levin's question. I think I did Representative Conti's knowing a little bit how this works and I'm not in the development business, but let me give you two examples. One, if I build a street or a sewer for the city or for any governmental agency, that would not be taxable and I would not have to pay tax on the materials that went in that because that would be a tax exempt job. This is not what we're talking about. We're talking about the situation whereby a developer developed a tract of land or something on his own, not as part of the city or it could be part of the city. When it was completed, then he

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dedicated the street, sewers and so on and so forth to the city. He would be building it as a private individual and he would be paying tax on it, but when he then dedicated it to the city, he would be asking and eligible to receive the tax back. But if he built the job for the city in the first place, it would be tax exempt. That's part of the front end documents and he would not be paying any tax. There would be no windfall on it. This is a good Bill. Representative Ewing is explaining it properly and I hope I answered your question, Representative Levin, but that is the way it works."

Speaker Daniels: "Representative Vitek."

Vitek: "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 Gentleman, Representative Ewing, to close."

Ewing: "Mr. Speaker and Ladies and Gentlemen of the House, this is not any new money out of the state's pocket. They're already giving back tax that was improperly collected. There's been a lot of dispersions cast on this Bill tonight like we want to get rid of a lot of money. Well, I think anybody that knows me knows that I stand to protect the treasury of the State of Illinois. I also plan to not keep in that treasury funds which are not properly put there in the first place. That's exactly what we're trying to do with this Bill today is to return to those people who've paid tax who didn't owe the tax to the State of Illinois. It's not supposed to be a windfall to any part of business. It's not to be a rip-off to the cities. It's to be fair and it's to implement what the state is already doing, and I would ask for a favorable vote on this Bill."

Speaker Daniels: "Gentleman has moved for the passage of Senate



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bill 672. The question is, 'Shall 672 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 126 voting 'aye', 17 'nay', 7 'present'. Senate Bill 672 having received a Constitutional Majority is hereby declared passed. Representative Robbins on Senate Bill 639."

Clerk O'Brien: "Senate Bill 639, a Bill for an Act in relation to the filing of leases and standardized objects in purposes for which appropriations are made Third Reading of the Bill."

Speaker Daniels: "Representative Robbins."

Robbins: "This Bill just makes some technical changes to bring it in conformity. It changes from five to fifteen days the length of time on filing a contract and I move for previous... I move that this Bill be adopted."

Speaker Daniels: "On the Bill, are there any questions? Question is, 'Shall 639 pass?'. All those in favor will signify by voting 'aye', opposed by voting 'no'. Voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. This Bill having received 156 'aye', no voting 'nay', zero voting 'present'. Senate Bill 639 having received a Constitutional Majority is hereby declared passed. Representative Leverenz, Senate Bill 681. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 681, a Bill for an Act to amend Sections of the Civil Administrative Code. Third Reading of the Bill."

Speaker Daniels: "Representative Leverenz."

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

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House. Senate Bill 681 would provide for payment of the salary of an acting director or an acting secretary of a department to be paid by that departments' appropriation under the ordinary and contingent expense personal services line item. It would encourage a person that is placed in an acting position to be appointed as a permanent director as permanent directors are now coming from the Comptroller's Office line item for real directors within state agencies. Answer any questions and I'd solicit your 'aye' vote."

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

Vinson: "Will the Sponsor yield for a question?"

Speaker Daniels: "Indicates he will."

Vinson: "It's my recollection, Representative, that there's some statute somewhere around that says that you can't pay an acting director from the state officers payroll after a Session of the Legislature when he was not confirmed and my question is, am I right in that recollection, and if that is the situation, would we then be actually subverting ourselves because they could continue to be paid from the personal services line item?"

Speaker Daniels: "Representative Leverenz."

Leverenz: "I don't have the same recollection as you, but if that were to be the case, a person that would be appointed as a acting director would be paid from the ordinary and contingent expenses of that budget rather than to continue on being an acting director simply paid out of the Comptroller's budget."

Vinson: "Do you have anybody from the Comptroller's Office around you there?"

Leverenz: "Yes, certainly I do."

Vinson: "Okay. Let me..."

Leverenz: "Perhaps you can come over and talk to him."

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Vinson: "I'll come over and talk to them."

Speaker Daniels: "Gentleman from Sangamon, Representative Kane."

Kane: "Will the Gentleman yield to a question?"

Speaker Daniels: "He indicates he will."

Kane: "Does this, in any way, subvert the provisions that the Senate has to approve the appointment of directors?"

Speaker Daniels: "Representative Leverenz?"

Leverenz: "I didn't completely hear the question. I would ask the Gentleman to repeat his question."

Kane: "The Senate has to approve the appointment of directors and does this, in any way, allow the chief executive to avoid that by appointing an acting director rather than a director; therefore, not having to go to the Senate for approval of the appointment?"

Leverenz: "Currently, they appoint a person and leave them acting perhaps for continuing periods of time. For example, the problems certainly with the director that is in charge of the Illinois Legislative .. or Law Enforcement Commission has been acting now for two or three years. This would encourage the Governor to appoint people that can be confirmed by the Senate. It would provide that they be paid out of the ordinary and contingent personal line item in the budget of that department or commission rather than to remain acting for life eternal, and would encourage the Senate to move. This, in addition to what you've asked, comes from a recommendation from the Audit Commission and it was introduced at the request of the Comptroller so that they would not be continually paid from the line item for regular permanent directors and officials of the state."

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

Neff: "Thank you, Mr. Speaker. House Bill... Sentate Bill 681 was a Bill that came out of the Legislative Audit Commission. It was a studied very close and recommended by

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the full Commission. After listening to the Attorney General... the Auditor General, we decided that something was needed, and; therefore, it was sponsored and the Sponsor of this Bill is carrying on what the wishes of the Commission preferred. I think that this Bill is a good piece of legislation and I hope we'll all support it."

Speaker Daniels: "Gentleman from Lake, Representative Matijeich."

Matijeich: "Would the Gentleman yield? I think I support this Bill, but I'd like to have a question answered."

Speaker Daniels: "Indicates he will."

Matijeich: "Representative Leverenz, as you know, the Executive Director of the Illinois Law Enforcement Commission has been an acting director for three years and never even been offered for confirmation by the Governor. Does this, in any way, affect him?"

Leverenz: "That's correct. It will come out of his own budget rather than the Comptroller's budget for state officers. It would force the Governor to submit the name to the Senate Committee to confirm. I understand that the Senate Sponsor of the Bill has no problem in terms of the Governor's Office either, that he favors the Bill. You're entirely correct."

Matijeich: "Mr. Speaker and Ladies and Gentlemen of the House, I think this is good legislation and as usual, the Auditor and the Audit Commission, with a good recommendation and I urge your support."

Speaker Daniels: "Representative Oblinger. The gentleman in the gallery, the camera lights are not on, sir. The camera lights are off. Representative Oblinger."

Oblinger: "Mr. Speaker, may I ask the Sponsor a question, please?"

Speaker Daniels: "Indicates he'll yield."

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Oblinger: "Mr. Leverenz, is it true that this now will come out of the personnel monies of that department rather than out of the fund for state officers?"

Leverenz: "If I understand your question, under the Bill, it would do as you say."

Oblinger: "May I speak to the Bill, please?"

Speaker Daniels: "To the Bill."

Oblinger: "Representative Leverenz has made this sound like the only reason for it is to force the Governor to appoint a permanent director or secretary, but what he hasn't mentioned is that it also penalizes that department. They are now having to pay a salary that they didn't have before. When I left as the Director of the Department of Aging, they had a Director there for about ten months. That Department is already under funded. They're suppose to have 130 employees. They've got 90. Now you're going to take some more money away from them and they're going to lose two or three more employees. You're penalizing the departments as well as forcing the Governor and I urge a 'no' vote."

Speaker Daniels: "Gentleman, Representative Leverenz, to close."

Leverenz: "Thank you, Mr. Speaker. The Lady that spoke just now I don't believe is entirely on track. Certainly we have found in the appropriations process that the money has not necessarily been a problem, if, in fact, it is not the intent of the Governor to leave a person in a Representative Matijevich said, for year after year after year. It, in fact, would encourage an acting director to have his name put before the Senate Committee so that the person can be confirmed and be paid from the real directors line item that is in the Comptroller's Office. If it were for a period of six months, I don't know that there's any department in state government that would be hurt. The

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Bill passed in the Senate 51 to 0. I understand the Senate Sponsor, Senator Vadalabene, has had an indication from the Governor's Office that there is no opposition from the Governor's Office to the Bill. It is in the best interest of the Governor to bring forward his appointments so that they can be made real directors. I would solicit your 'aye' vote."

Speaker Daniels: "Gentleman has moved for the passage of Senate Bill 681. The question is, 'Shall Senate Bill 681 pass?'. All those in favor will signify by voting 'aye', opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. There are 135 voting 'yes', 16 'no', 3 'present'. Senate Bill 681 having received a Constitutional Majority is hereby declared passed. Senate Bill 685, Representative Braun. Out of the record. Senate Bill 689, Representative Satterthwaite. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 689, a Bill for an Act to amend the Mental Health Developmental Disability Code. Third Reading of the Bill."

Speaker Daniels: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, this Bill is jointly Cosponsored by me and Representative Bowman here in the House. It was developed by the Commission on Mental Health and Developmental Disability to replace into the statutes a provision that was there earlier and was inadvertently deleted by the enactment of the new Mental Health Code. It restores the provision that communication in sign language should be provided for hearing-impaired persons for whom sign language is their primary mode of communication. I know of no opposition. The Bill had been on Short Debate, but because of a technical Amendment got turned over to this Order. I'd be happy to answer questions

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and turn it over to Representative Bowman for closing."

Speaker Daniels: "Representative Sandquist."

Sandquist: "Well, as the Sponsor of the... House Sponsor of the new Mental Health Code, I concur with what Representative Satterthwaite said, and I urge an 'aye' vote on this Bill."

Speaker Daniels: "Representative Bowman, to close."

Bowman: "Thank you, Mr. Speaker. I just want to point out that when this was first enacted into law it received not one single negative vote in either House or Senate and either Committee or on the floor. Thank you."

Speaker Daniels: "Question is, 'Shall Senate Bill 689 pass?'. All those in favor signify by voting 'aye', opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Polk to his switch. Have all voted who wish? The Clerk will take the record. There are 151 voting 'aye', 9 'nay', none 'present'. Senate Bill 689 having received a Constitutional Majority is hereby declared passed. Senate Bill 694, Representative Telcser. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 694, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Daniels: "Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, Senate Bill 694 changes the eligibility requirement for the survivors annuity in the judges retirement system. the annuity would be paid if the employee died after working one and a half years or that the employee had retired after ten years of service. The benefits would be two-thirds of the employees earned annuity and this legislation would affect survivors of judges retiring after July 1 of 1967. Appreciate a favorable Roll Call."

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Speaker Daniels: "Representative Preston."

Preston: "Thank you, Mr. Speaker. I just want to announce a conflict of interest."

Speaker Daniels: "Question is, 'Shall Senate Bill 694 pass?'. All those in favor will signify by voting 'aye', opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 132 voting 'aye', 15 'nay', 8 'present'. Senate Bill 694 having received a Constitutional Majority is hereby declared passed. Senate Bill 714, Representative Bullock. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 714, a Bill for an Act to amend the Illinois Wage Payment and Collection Act. Third Reading of the Bill."

Speaker Daniels: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to request leave of the Body to return the Bill to Second Reading for purpose of an Amendment, technical and clarifying in nature."

Speaker Daniels: "What kind of an Amendment is it, Sir? We have not been returning Bills."

Bullock: "Technical and clarifying in nature, Mr. Chairman(sic)."

Speaker Daniels: "Is there any opposition to it?"

Bullock: "I know of no opposition, Mr. Chairman(sic, Speaker)."

Speaker Daniels: "Does the Gentleman have leave to return Senate Bill 714 to Second Reading? Leave is requested and granted. Second Reading. Senate Bill 714. Are there any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Getty, amends Senate Bill 714 on page one and so forth."

Speaker Daniels: "Representative Getty."

Getty: "Mr. Speaker, the Amendment merely clears up an ambiguity



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which the Sponsor intended in the legislation. It says clearly that the action of issuing the check must be knowingly and intentionally. That's all it does."

Speaker Daniels: "Representative Leinenweber."

Leinenweber: "Has this Amendment been distributed?"

Speaker Daniels: "Mr. Clerk. It has been distributed. Yes, Sir."

Leinenweber: "Why don't we have it over here?"

Speaker Daniels: "Republican Amendments has it been distributed, Mr. Page, head Page? Representative Leinenweber, the Gentleman indicates that it has been distributed. Does anyone have a copy they could show to Representative Leinenweber? Representative Getty, briefly, would you explain the Amendment for Representative Leinenweber again?"

Getty: "The Amendment merely puts the mental states clearly as a knowing and intentional act and it says that the employer or agent of the employer who issues the check or order for the payment of wages or final compensation and who, at the time of the issuance, knows and intends that the check or other order will not be paid is guilty of a Class A misdemeanor. Now, the only thing that's added is the mental state of intentional act. That's all."

Speaker Daniels: "Any questions on the Amendment? Being none, the question is, 'Shall Amendment #1 be adopted?'. All those in favor will signify by saying 'aye'. Somebody's got to say 'aye'. Okay. Opposed by saying 'nay'. The 'ayes' have it. Amendment adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Daniels: "Third Reading. Senate Bill 717, Representative Bullock. Out of the record. Senate Bill 724, Representative Schneider. Read the Bill."

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Clerk O'Brien: "Senate Bill 724, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Daniels: "We've had a request to turn on the TV lights. The TV lights are being turned on. Representative Kelly. We've requested TV lights to be turned on. The TV lights are being turned on. Representative Schneider."

Schneider: "Thanks a lot, Mr. Speaker and Members of the House. 724 is pretty routine. It takes a function that is really very perfunctary right now that is the petition for elected Board of Trustees to the Teacher's Retirement System and change it from the State Board of Education to the Teacher's Retirement System. In reality, the Teacher's Retirement System does determine validity of the signatures and it is the functioning Board whereas the State Board of Education is not. It is approved by the Pension Laws Commission, and to all of those who are watching for money, this costs absolutely nothing."

Speaker Daniels: "Any discussion? Being none, the question is, 'Shall Senate Bill 724 pass?'. All those in favor will signify by voting 'aye', opposed by voting 'nay'. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. There are 150 voting 'aye', 8 'nay', 1 'present'. Senate Bill 724 having received a Constitutional Majority is hereby declared passed. Senate Bill 726, Representative Stuffle. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 726, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Daniels: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, 726 is a pension Bill dealing with the downstate Teacher's Pension Article."

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There are a number of changes in the Bill most of which are very minimal. First of all, it makes a change with regard to the lump sum settlement that's available for those persons who are survivors in the systems of persons who died out of service. It makes a very minimal change there with regard to those persons. This particular benefit has not been changed in value for 22 years. It affects a minimum number of people. Secondly, the Bill provides for a clean up of the language. If you will recall, two years ago I and Senator Schaeffer passed a Bill allowing early retirement for downstate teachers. We made a commitment that if there was a problem in that particular law with regard to, if you will, cheating for salary purposes and pensions that we would clean it up. This Bill, by Amendment from the House, provides a limitation on the salary that can be used for pension purposes in that early retirement formula so that there will not be an adverse selection against the system, an attempt to save money if you will. Thirdly, the Bill provides by way of Amendment the same provisions that we did in a House Bill that came out of Committee I believe on a 13 to one vote, another Bill that died on the Calendar at the deadline a couple of months ago for the use of unused sick leave credit in the IMRF system. This is an Amendment worked out with the IMRF pension system, worked out with myself and with Representative Ebbesen on the other side of the aisle. Those are the provisions of the Bill. The Pension Laws Commission found some fault with the Bill initially. If you have a copy of their initial report, they took some exception to one provision of the Bill. The Bill has been addressed by them since then. They appeared in Committee on that particular issue and withdrew their opposition and I would ask for a favorable Roll Call."

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

Ebbesen: "Well, just of the Sponsor for the benefit of the Membership on the Amendment. What are the costs involved?"

Speaker Daniels: "Representative Stuffle."

Stuffle: "The costs involved, Representative, are about 200,000 dollars on an annual cost basis with regard, that is basically mostly with regard to the lump sum benefit payment. The reason for the cost is that we haven't changed that in 22 years. All that cost change does, and there is a cost, is provide that that person who is a survivor get at least what their husband or wife put in in the separate payment for survivors benefits."

Ebbesen: "Yes, but that's on the original Bill. I'm talking about as amended."

Stuffle: "I'm saying about 200,000, a little over. The cost of the unused sick leave benefit is about 50,000 dollars we understand. The other benefit is less than 200,000, that's why I say it's a little over 200,000 dollars."

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

Barr: "Mr. Speaker, Ladies and Gentlemen of the House, would the Sponsor yield for a question?"

Speaker Daniels: "Indicates he will."

Barr: "Yes, Representative, how accurate are the records that are kept as to unused sick days?"

Stuffle: "The records are not always well kept. That's why I provided in my Bill specifically that the only covered people would be those where there was a specific recorded program under INRF. You couldn't willy-nilly have somebody come in and say, 'I've got so many days and I want the credits in the Bill'. They have to have a specific program in a municipality or school district for unused sick leave credit or they don't qualify."

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Barr: "Thank you."

Speaker Daniels: "Gentleman, Representative Ropp."

Ropp: "Would the Sponsor yield? Yes, Larry, I thought generally that sick leave was something that was provided for employees for emergency in case they actually did become sick or ill and not to be used as a financial credit as, apparently, this Amendment now will provide. Is that kind of a change in philosophy that we have in state government?"

Stuffle: "Not at all. There are two schools of thought and I think there's good argument for both. One is that you never grant any benefit with regard to sick leave credit. You've got to use it up, apply it as a lump sum payment or that you distribute the benefit as part of a pension system. We already have in the downstate teachers system exactly what is in this Bill for IMRF. The reason for this provision in this Bill is that if you happen to be a school teacher in downstate Illinois, you already get this benefit as an option. If you take a lump sum distribution of money when you leave work, you can't get this credit. But if you don't you can get this type of credit. The teacher can but the person who's a janitor or a cook or an aide or a bus driver in a school district who comes under IMRF and works along side that teacher under the downstate system can't get the benefit. All we're doing is trying to accommodate a request here from school districts and from those non-certified people that they have the same rights either to the lump sum or to the pension credit. Nothing else is provided for in that particular Section than that."

Speaker Daniels: "Representative Stuffle, to close."

Stuffle: "I'd appreciate a favorable Roll Call."

Speaker Daniels: "Gentleman has moved for the passage of Senate Bill 726. The question is, 'Shall Senate Bill 726 pass?'.

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All those in favor will signify by voting 'aye', opposed by voting 'nay'. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. Representative Kelly 'aye'. On this Bill there are 124 voting 'aye', 27 'nay', 3 'present'. Senate Bill 726, having received a Constitutional Majority, is hereby declared passed. Representative J. J. Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the Assembly. Pursuant to Rule 18K, I move to suspend the posting requirements of Rule 18 so that Appropriations Committee may hear Senate Bill 381 in Appropriations Committee tomorrow. That's fair and exposition authority appropriation which is to sign."

Speaker Daniels: "Gentleman asks leave to waive the posting requirements for Senate Bill 381. Is there any objections? Representative McClain."

McClain: "Thank you, very much, Mr. Speaker. Would the Gentleman yield? Jake, is that okay with John Matijevich? Was that okay with Representative Matijevich?"

Wolf: "I assume. My staff says it's okay. He's right here."

McClain: "... it would be worked out."

Wolf: "Yes."

McClain: "Okay. Thank you."

Speaker Daniels: "Gentleman asks leave. Is leave granted? Hearing no objections, leave is granted for Senate Bill 381 for tomorrow. Representative Polk on Senate Bill 1068. Representative Polk. Representative Friedrich. Representative Polk. Polk."

Polk: "On 1065..."

Speaker Daniels: "1068."

Polk: "1068. Having voted on the prevailing side, I move to reconsider the vote."

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Speaker Daniels: "Gentleman, Representative Polk, having voted on the prevailing side on Senate Bill 1068 moves to reconsider the vote by which that Bill failed. Senate Bill 1068 is the Bill dealing with the Auditor General and his appointment over a CPA audit of the Metropolitan Sanitary District that lost yesterday by one.. or today by one vote or yesterday. Representative Friedrich."

Friedrich: "Mr. Speaker, we have taken this up with the leadership and with the Majority Leader. He has no objection to it. There was a misunderstanding yesterday and I hope there will be no objection to this..."

Speaker Daniels: "Representative Getty."

Getty: "I'd ask you to take this out of the record for a minute."

Speaker Daniels: "That's fine, Sir. Out of the record. Consent Calendar, Third Reading. On the Consent Calendar, Mr. Clerk, read the Bills. That's page 17. We're holding out Senate Bill 202, Senate Bill 468 and Senate Bill 901. All other Bills have been... All other Bills having been read. What was the other, Mr. Clerk?"

Clerk O'Brien: "1111."

Speaker Daniels: "And 1111. On your Calendar, Consent Calendar, Third Reading, Second Day, those Bills have already been read a third time. Senate Bill 202, 468, and 901 and 1111. Question is, 'Shall these Bills pass?'. All those in favor will signify by voting 'aye', opposed by voting 'no'. Voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. These Bills having received 135 'aye', 4 'nay', 22 voting 'present' having received a Constitutional Majority are hereby declared passed. Senate Bill 740, Representative Terzich. Read the Bill, Mr. Clerk. Out of the record. Senate Bill 753, Representative Reilly. Read the Bill."

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Clerk O'Brien: "Senate Bill 753, a Bill for an Act authorizing the Department of Mental Health and Development Disabilities to license..."

Speaker Daniels: "Representative Reilly."

Reilly: "Excuse me, Mr. Speaker, but both this Bill and 756 are on the list of Bills that, at some point, we have to bring back to Second for an Amendment."

Speaker Daniels: "Alright, thank you, Sir, for advising of it. Senate Bill 769, Representative Vinson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 769, a Bill for an Act to amend Sections of the Illinois Land Sales Act. Third Reading of the Bill."

Speaker Daniels: "Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What this Bill does is to provide that the filing fees for people who have to file with Registration and Education under the Land Sales Act and the Land Sales Act requires that people who sell out-of-state real estate have to file, that those fees shall be put into a dedicated fund for regulation of the real estate industry in the state. The Bill is supported by the Association of Realtors. The Department of Registration and Education is neutral. There are no fiscal implications on the Bill until 1984 and I would urge favorable consideration and solicit your 'aye' vote."

Speaker Daniels: "Question is, 'Shall Senate Bill 769 pass?'. Representative Levin."

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

Speaker Daniels: "Indicates he will."

Levin: "Where does this money go now and what is the benefit of earmarking it?"

Vinson: "Number one, it goes into GRF now. Number two, the



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benefit for it is that this will insure that there is active and aggressive regulation of real estate practices in the state. It is very similar to the kinds of things we've done in the medical and dental field to make sure that there's regulation there."

Levin: "Would you yield further? Does this then, the way you describe it, does this take away the appropriation function from the General Assembly in terms of deciding how this money is going to be used?"

Vinson: "No, Sir. It requires appropriation annually."

Levin: "But this money could only be used for this purpose. If the General Assembly decided they wanted to put it to a different purpose, they wouldn't be able to."

Vinson: "Just like those other funds that I alluded to for regulation of professions of substantial magnitude."

Levin: "What if there's too much money in the fund? Does it just sit?"

Vinson: "Well, I would think that if there were too much money in the fund and I don't see any particular boom in out-of-state land sales, but if there were too much money in the fund we'll come in with an Amendment and appropriate the money elsewhere. McCormick Place or something."

Speaker Daniels: "Question is, 'Shall Senate Bill 769 pass?'. All those in favor will signify by voting 'aye', opposed by voting 'nay'. Voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? Representative McCormick hits his switch now. The Clerk will take the record. On this Bill there are 152 voting 'aye', 9 'nay', none voting 'present'. Senate Bill 769, having received a Constitutional Majority is hereby declared passed. Representative Claybaugh(sic, Senator), Representative Wolf is trying to get your attention down here. Down here, Representative Claybaugh. Over here.

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Senate Bill 771, Representative Ewing. Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 771, a Bill for an Act to amend the Messages Tax Act. Third Reading of the Bill."

Speaker Daniels: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, this is a duplicate Bill to one that we passed out of this House overwhelmingly, a House Bill earlier this Session. It clarifies the Message Tax Act to clarify the intention that when a single taxpayer is engaged in Illinois in the business of transmitting messages in another business, the investment capital is apportioned so that the business of transferring messages bears only its fair share of tax. At the time we replaced the personal property tax, we set a rate of .8% on the investment capital of all those businesses involved in the Message transfer. It was thought at that time that there were no companies that had any other business interests. That is not the case in this Bill. It is an effort to clarify that and I would ask for the favorable approval of the House."

Speaker Daniels: "Gentleman from Madison, Representative McPike."

McPike: "Will the Sponsor yield?"

Speaker Daniels: "Indicates he will."

McPike: "Representative Ewing, this Bill that clarifies the legislative intent, is there any cost to the, to the state on this? Are we going to lose any money on this clarification?"

Ewing: "Representative McPike, the law has been enforced only as the .8% tax on the value of the businesses involved in the transmittal of messages. No, there will be no reduction of revenue. It only clarifies what can be taxed under that law."

McPike: "Is it not true, under current law, that the businesses

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that are affected by this Amendment currently owe the State of Illinois two million dollars, and this alleviates, this removes that burden from those industries, specifically, General Electric?"

Ewing: "Well, it is the General Electric Company is the only that is affected by this. In fact, if the percentage had been applied to all of their properties in the State of Illinois, the tax would have exceeded the value of their investment in the message transfer business. It is not my understanding that there is any tax that's been assessed to them except that on their message transmittal business and that has been paid. There is no tax due and owing the State of Illinois."

McPike: "There's no... If there's no tax due or owed to the State of Illinois, I'm presuming from that that they haven't set aside two million dollars in escrow and are contesting the fact that that is not owed to the state this time."

Ewing: "Not to my knowledge, Representative."

McPike: "Why the Bill then? There's no need for the Bill if there's nothing owed and there's no confusion in the law."

Ewing: "It's kind of like living under a cliff. You like to shore it up so it doesn't fall in on you and I think this is to clarify the law, the intent of the Act when we passed it. You know it's not to tax General Electric. They're paying the tax other ways in this state. If you want to double tax them, then vote against the Bill."

McPike: "I think that the Bill should pass and I would stand in support of it. I'd just like to point out that, under current law, General Electric does owe the State of Illinois two million dollars and they have contested that and they have withheld payment pending decision either by the courts or pending a decision by the Legislature. I will go along with the Sponsor of this and say the

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legislative intent was not to do that two years ago. But, nonetheless, under current law, General Electric does owe the state two million dollars and the cost of this Bill is a two million dollar loss from revenues owed to the state."

Speaker Daniels: "Representative Giorgi."

Giorgi: "Representative Ewing, does this affect the recent Supreme Court ruling where the Supreme Court ruled that Illinois Bell Telephone was double taxing some of the cities in some of the rates that they were charging in the State of Illinois. Is this giving them some relief too?"

Ewing: "None at all. Has no affect. Is not connected in any way."

Giorgi: "Okay."

Speaker Daniels: "Representative Watson."

Watson: "Move the previous question."

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

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I think we know the issue here. I think it's a fair Bill and I would ask for a favorable vote."

Speaker Daniels: "Question is, 'Shall Senate Bill 771 pass?'. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. There are 153 voting 'aye', 6 'nay', none 'present'. Senate Bill 771, having received a Constitutional Majority, is hereby declared passed. Senate Bill 777, Representative Yourell. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 777, a Bill for an Act to amend the

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Illinois Library System Act. Third Reading of the Bill."

Speaker Daniels: "Representative Yourell."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, may I first say that, in spite of what the Republican analysis says regarding this Bill, this does not cost the state any money and... because there's no appropriation Bill accompanying this Bill. And, if the Secretary of State wants to implement the provisions of this Bill, it has to come out of the appropriations from his budget. It's an authorization Bill which is identical to House Bill 762 which passed out of this House on May 14th. It merely increases the authorization formulas for library system funding in the State of Illinois. As I have indicated, there's no companion appropriation Bill that makes this a mandatory increase in funding from the General Revenue Fund of the State of Illinois. If the money's there, they can use it. If it's not there, they don't have to use it. And so the Republican analysis is not right. It's not accurate in that there's a seven million dollar increase in the funding because it does not exist unless they actually use the authorization Bill for the appropriation. I would ask for a favorable Roll Call on House Bill ... or Senate Bill 777."

Speaker Daniels: "Now, the Gentleman, Representative Yourell, has moved for the passage of Senate Bill 777 and, on that Bill, the Gentleman from Cook, Representative Collins."

Collins: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would suggest to the Sponsor of this Bill that he read the Republican analysis a little more carefully because it agrees with him that while this is an authorization Bill, it states further that if the appropriation is to fully fund this Bill it would indeed cost seven million dollars. And if the history of this

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type of legislation is any indication, as soon as we authorize the expenditure of seven million dollars, you can bet your boots that the appropriation will follow closely behind. So this will be an expenditure of seven million dollars that we can ill-afford at this time, and I would suggest that we beat this Bill as we came very close to beating the identical Bill in the House a short time ago. This is a bad Bill. It should go down in defeat."

Speaker Daniels: "Representative Ewing."

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

Speaker Daniels: "Indicates he will."

Ewing: "Did we consider this in the form of a House Bill, Representative Yourell?"

Yourell: "Yes, if you were listening to the explanation, Representative Ewing, this is identical to House Bill 762, which passed out of this House on May 14th."

Ewing: "And where is that Bill now?"

Yourell: "It's in the Senate."

Ewing: "And this does raise the grant that the Secretary of State is authorized to pay the libraries?"

Yourell: "That's correct."

Ewing: "And is that each public library or is that the library systems?"

Yourell: "No, the systems. There's 18 library systems in Illinois that will be affected by this Bill."

Ewing: "I'm sorry. I didn't hear the answer."

Yourell: "There are 18 library systems in Illinois that will be affected by this Bill."

Ewing: "So it's the library systems that are getting the money and not the individual libraries."

Yourell: "That is correct."

Ewing: "Right. And is the cost going to be seven million dollars?"

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Yourell: "That is the cost of this Bill if it's authorized by the Secretary of State who is the Chief Librarian of the State of Illinois. This Bill has passed every year, Representative Ewing and it has not been implemented every year, but we do have to have the authorization the same as we do with bonds. And whether they're authorized or not, that does mean that there's going to be expenditures of state revenues from the General Revenue Fund of the State of Illinois. This is an authorization Bill and only an authorization Bill."

Ewing: "Mr. Speaker, I have opposed the Bill every year and I opposed the House Bill earlier this year. The point's been made that if we authorize it, there's a good chance we'll fund it. Now, Representative Yourell may tell you that we haven't funded this in seven years, but I know every year that I've been down here, we've spent a heck of a lot more money on libraries and seeing their Bills swished out of here like there was no end to it. Now, this money is not for your local library. This is for the library systems and that's a nice little bureaucracy that they have set up around the state to serve libraries. And some of it's good service and some probably isn't needed. We'd probably get along for a long time without this added authorization, and if we do authorize it, that's seven million dollars out of the Treasury."

Speaker Daniels: "Gentleman, Representative Yourell, to close."

Yourell: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I can understand the reluctance of the just previous speaker to add any impetus to this Bill because he has said to me, on several occasions and in public, that he wants to live to see the day when he will defeat a library Bill sponsored by Representative Yourell. Now, if that's a reason for defeating this Bill, so be it, but I don't think

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that's the reason. This is not an appropriation Bill. This is an authorization Bill to the Secretary of State who is the Chief Librarian of the library systems and the libraries in the State of Illinois. And if he has money to fund it, he'll fund it. If he doesn't fund it, he will not fund it because if the money is not there he cannot do it. Representative Ewing, who just spoke, he said that this has not been funded in seven years. As I have indicated, that is not true. That is a falsehood. That's not what I had said. This was authorized in 1979, two years ago and it was not expended any money to fund this authorization Bill. This is strictly an authorization Bill for the library systems in Illinois and I think it deserves your attention. It deserves your support and I solicit that support on Senate Bill 777."

Speaker Daniels: "Gentleman has moved for the passage of Senate Bill 777. The question is, 'Shall 777 pass?'. All those in favor will signify by voting 'aye', opposed by voting 'no'. And Representative Ewing."

Ewing: "On a point of personal privilege. The Sponsor used my name in debate. He misquoted me. He doesn't even know when I say something with tongue and cheek. I'm surprised at him."

Speaker Daniels: "Representative McMaster."

McMaster: "I think to clear up one thing. This is just an authorization Bill. That is true. But I think Representative Yourell will agree with me that over the past two years the authorization of the funding of the library system in the State of Illinois has been funded 100% by the Secretary of State."

Speaker Daniels: "Further discussion?"

McMaster: "I think it has."

Speaker Daniels: "Have all voted who wish? Have all voted who



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wish? Have all voted who wish? The Clerk ...  
Representative Dunn, John Dunn."

Dunn: "Mr. Speaker and Ladies and Gentlemen of the House, I live downstate where there are a number of small communities who have library systems that are served by the funding that we intend to, hopefully, will approve here this evening. These libraries use these funds to exchange books between libraries that they cannot afford to buy on a separate basis. It reduces the individual cost for individual libraries, promotes for interchange of films, for tapes and, as well as books. This is money that is well spent. How can you spend money better in the State of Illinois than on the library systems and the education systems in our state? And I think that an 'aye' vote would be money well spent here. This is not a large sum. It's a good Bill and I hope we get enough votes up there on the board to put this Bill over."

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 Bill there are 94 'aye', 62 'nay', 4 'present'. Representative Collins."

Collins: "I request a verification, Mr. Speaker."

Speaker Daniels: "Gentleman has requested a verification. Representative Yourell."

Yourell: "Poll the absentees."

Speaker Daniels: "And Representative Yourell has requested a poll of the absentees. Proceed with the poll of the absentees."

Clerk O'Brien: "Bluthardt. Garmisa. Griffin. Jackson. Karpiel. Margalus. Martire. McMaster. Ted Meyer. Miller. Oblinger. Ozella. Peters. Redmond. Stanley. Stearney and Winchester."

Speaker Daniels: "Representative Darrow."

Darrow: "Thank you, Mr. Speaker. Vote me 'aye', only because of

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the Sponsor, not for the system."

Speaker Daniels: "Change Representative Darrow from 'no' to 'aye' for the Sponsor. Representative Vitek."

Vitek: "Mr. Speaker, for the same reason, not for the system but for the Sponsor. 'Aye'."

Speaker Daniels: "Change Representative Vitek from 'present' to 'aye' for the Sponsor. Further changes? Representative Winchester? Winchester."

Winchester: "For the same reason, Mr. Speaker, vote me 'no'. For the Sponsor."

Speaker Daniels: "For the Sponsor, vote Representative Winchester 'no'. Anything else for the Sponsor? Proceed with a poll of the Affirmative Roll."

Clerk O'Brien: "Alexander."

Speaker Daniels: "Excuse me. Representative Griffin, for the Sponsor, wishes to be recorded as 'no'. Representative Karpel, for the Sponsor, wishes to be recorded as 'no'. Representative Karpel."

Karpel: "Mr. Speaker, for the Bill, I'd like to vote 'yes', but for the budget, I would like to vote 'no'. So please vote me 'present'."

Speaker Daniels: "Okay. Representative Karpel is in the middle with a 'present'. Vote Representative Karpel 'present'. Any further changes? Okay. Proceed with a poll of the Affirmative Roll. You're starting with 96 'aye', Representative Collins. 96. Proceed."

Clerk O'Brien: "Alexander. Balanoff. Barr. Beatty. Bianco. Bowman. Bradley. Braun. Breslin. Brummer. Bullock. Capparelli. Carey. Catania. Chapman. Christensen. Cullerton. Currie. Daniels. Darrow."

Speaker Daniels: "Representative Johnson, for what purpose do you rise? Representative Johnson wishes to be recorded as 'aye', from 'no' to 'aye'. Proceed, Mr. Clerk."

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Clerk O'Brien: "DiPrima. Domico. Donovan. Doyle. Jack Dunn.  
John Dunn. Ralph Dunn. Ewell. Farley. Fawell. Flinn.  
Getty. Giglio. Giorgi. Greiman. Hallstrom. Hanahan.  
Hannig. Henry. Huff. Jaffe. Johnson. Jones. Kane.  
Katz. Keane. Dick Kelly. Koehler."

Speaker Daniels: "Representative Preston."

Preston: "Verified, Mr. Speaker."

Speaker Daniels: "Representative Collins, Representative Preston  
requests leave to be verified. Does he have leave? Leave  
is granted."

Clerk O'Brien: "Kornowicz. Kosinski. Krska. Kulas. Laurino.  
Lechowicz. Leon. Leverenz. Levin. Madigan. Matijevich.  
Mautino. McClain. McCormick. McGrew. McPike. Mulcahey.  
Murphy. O'Brien. Pechous. Pierce. Pouncey. Preston.  
Rea. Rhem. Richmond. Ronan. Saltsman. Sandquist.  
Satterthwaite. Schneider. Schraeder. Slape. Margaret  
Smith. Steczko. Stewart. Stuffle. Terzich. Turner. Van  
Duyne. Vinson. Vitek. Watson. White. Sam Wolf.  
Younge. Yourell. Zito. Zwick. No further."

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

Collins: "Yes, Representative Alexander."

Speaker Daniels: "Representative Alexander. Lady's in her  
chair."

Collins: "Barnes."

Speaker Daniels: "Representative Barnes. Representative Jane  
Barnes. She's voting 'no'."

Collins: "Alright. Beatty."

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

Collins: "Bradley."

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

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

Speaker Daniels: "Remove him."

Collins: "Braun."

Speaker Daniels: "Representative Yourell."

Yourell: "Can the Chair indicate to me what we're starting with?"

Speaker Daniels: "We started with 96? 97. We now have 96."

Yourell: "Thank you."

Speaker Daniels: "Representative Barr. Change Representative Barr from 'aye' to 'no'. Representative Collins."

Collins: "I asked you about Representative Braun. I don't know if you..."

Speaker Daniels: "I'm sorry. Representative Braun. Lady in the chambers? Representative Braun. How is the Lady recorded?"

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

Speaker Daniels: "Remove her."

Collins: "Bianco."

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

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

Speaker Daniels: "Remove him."

Collins: "Christensen."

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

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

Speaker Daniels: "Remove him."

Collins: "Cullerton."

Speaker Daniels: "Representative Cullerton. He's back there."

Collins: "I thought that was Pouncey. Currie."

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

Collins: "Domico."

Speaker Daniels: "Representative Domico. Representative Domico."

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Is the Gentleman in the chambers? How is he recorded?"

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

Speaker Daniels: "Remove him."

Collins: "Donovan."

Speaker Daniels: "Representative Donovan. Gentleman's in his chair."

Collins: "Jack Dunn."

Speaker Daniels: "Representative Jack Dunn. Gentleman in the chambers? Jack Dunn. How is he recorded?"

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

Speaker Daniels: "Remove him."

Collins: "Ewell."

Speaker Daniels: "Representative Ray Ewell. Representative Ray Ewell. Is the Gentleman in the chambers? How is he recorded?"

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

Speaker Daniels: "Remove him."

Collins: "Farley."

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

Collins: "Flinn."

Speaker Daniels: "Representative Flinn, Monroe Flinn. Representative Flinn. Gentleman in the chambers? How is the Gentleman recorded?"

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

Speaker Daniels: "Remove him."

Collins: "Giglio."

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

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

Speaker Daniels: "Remove him."

Collins: "Hanahan."

Speaker Daniels: "Representative Hanahan. Representative Yourell."

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Yourell: "Yes, I don't want to prolong the deliberations of this House. The House Bill has already passed out so this is an exercise in futility. We've already passed the House Bill out and whatever you want to do with this Bill, fine."

Speaker Daniels: "Sir, what's your pleasure? Would you..."

Yourell: "Postponed Consideration."

Speaker Daniels: "Postponed Consideration."

Yourell: "We've got the House Bill in the Senate and there's not a damn thing you can do about it."

Speaker Daniels: "Thank you, Sir. Postponed Consideration. Special Order of Business. No, I can't do it, Mike. I don't have the heart at 10:30 at night. Representative Telcser. Excuse me. Before we go to that. Alright. We have a number of announcements to make before we adjourn. Just a second. Okay. Let's see, we have Agreed Resolutions. Mr. Clerk."

Clerk O'Brien: "House Resolution 392, Leverenz, 393, Sam Wolf, 394, Leon, 395, Conti."

Speaker Daniels: "Representative Conti, Agreed Resolutions."

Conti: "Mr. Speaker, Ladies and Gentlemen of the House, House Resolution 392 by Leverenz, et al, Barbara M. Mehlenbeck, Executive Assistant of the Legislative Audit Commission is completing her 25th year of service with the State of Illinois. Mrs. Nina R. Henkhaus is retiring as Clerk of the Jury Commission for Madison County. Miss Katherine Mary Larocca graduates from Coultrop Middle School in Geneva, Illinois. She was one of our Pages. House Resolution, Conti, et al, Father Philip Neenan will be retiring is pastoral duties at St. Celestine Church in Elmwood Park on June 21(sic, 30), 1981. Mr. Speaker, Ladies and Gentleman of the House, I move for the adoption of the Agreed Resolutions."

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

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Agreed Resolutions. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the Agreed Resolutions are adopted. Representative Hoxsey."

Hoxsey: "Yes, Mr. Speaker, to announce that the Appropriations Committee will meet at 8:00 tomorrow morning in room 114."

Speaker Daniels: "Appropriation meets tomorrow at 8:00 in the morning. Representative Pullen."

Pullen: "Mr. Speaker, I stand to announce the change in the time for the House Executive Committee meeting. It will be at 9:00 a.m. tomorrow in room 118, which is not our usual meeting room. So, I ask Members to notice room 118, 9:00 a.m., Executive Committee. Thank you."

Speaker Daniels: "House Executive Committee, 9:00 a.m., room 118. Representative Polk on Senate Bill 1068. Did you want to go with that?"

Polk: "Having voted on the prevailing side, I'd like to reconsider the vote."

Speaker Daniels: "Representative Polk, having voted on the prevailing side, moves that Senate Bill 1068 be reconsidered. It takes 89 votes. All those in favor will signify by voting 'aye', opposed by voting 'no'. This is Senate Bill 1068. It's being reconsidered by the agreement of both sides of the aisle. It's the Bill that failed by one vote which deals with the authority of the Auditor General to appoint an accountant for the Metropolitan Sanitary District. Those of you from that area would definitely want to vote 'yes'. In case you were wondering. Clerk will take the record. On the Motion to reconsider, there are 120 voting 'yes', 6 'no', 1 'present' and the Motion carries and Senate bill 1068 is reconsidered. Now, on Order of Third Reading and we'll take that up tomorrow. Want to run that right now, Representative Leverenz?"

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Leverenz: "Yes, thank you. With the agreement worked out with the leadership on both sides, I would ask for your 'aye' vote on the Bill, 1068."

Speaker Daniels: "Gentleman moves for the passage of Senate Bill 1068. All those in favor will signify by voting 'aye', opposed by voting 'no', and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative John Dunn, your light is on, Sir. Did you want to..."

Dunn: "Yes, Mr. Speaker, I had my light on to ask leave to be verified early during the last verification."

Speaker Daniels: "Leave is granted, Sir."

Dunn: "Thank you."

Speaker Daniels: "Have all voted who wish? Clerk will take the record. On this Bill there are 123 voting 'aye', 25 'no', 6 'present'. Senate Bill 1068, having received a Constitutional Majority, is hereby declared passed. Representative Telcser, for the Adjournment Resolution."

Telcser: "Mr. Speaker, let me first announce that there will be a leadership meeting in the Speaker's Office immediately after adjournment. Now, Mr. Speaker, Republican leaders that is...Now, Mr. Speaker, allowing the Clerk five minutes for Perfunctary time, I now move that the House stand adjourned until Thursday morning, June 18th at the hour of 11:00 a.m."

Speaker Daniels: "You've heard the Gentleman's Motion. All those in favor signify by voting 'aye', ... saying 'aye', all those opposed 'no'. The 'nos' have it. No, the 'ayes' have it. House stands adjourned until tomorrow morning at 11:00 a.m. We moved 69 Bills today, for your information. House stands adjourned till 11:00 a.m. tomorrow morning."

Clerk O'Brien: "Messages from the Senate. A message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am



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65th Legislative Day

June 17, 1981

directed to inform the House of Representatives that the Senate has concurred with the House in the passage of Bills with the following title, to wit: House Bills #49, 103, 130, 198, 218, 241, 308, 382, 488, 752, 753, 758, 776, 909, 1030, 1498 and 1653 together with Amendments passed by the Senate as amended June 17, 1981.' Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House in passage of Bills with the following title, to wit: House Bills #2, 55, 60, 101, 104, 125, 129, 149, 196, 212, 213, 223, 226, 238, 246, 287, 292, 296, 301, 310, 317, 318, 323, 397, 430, 431, 432, 475, 476, 483, 498, 500, 501, 523, 571, 577, 604, 649, 671, 683, 699, 702, 750, 755, 756, 759, 767, 775, 801, 814, 843, 846, 888, 895, 934, 959, 986, 1007, 1070, 1091, 1097, 1152, 1184, 1209, 1389, 1397, 1411, 1507, 1646, and 1880 passed the Senate September... or September... passed the Senate June 17, 1981.' Kenneth Wright, Secretary. No further business, the House now stands adjourned."

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