

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

133rd Legislative Day

June 27, 1982

Speaker Ryan: "The House will be in order, and the Members will please be in their seats. The Chaplain for this evening is Reverend Anthony Tzortzis from St. Anthony's Hellenic Greek Orthodox Church in Springfield. Reverend Tzortzis."

Reverend Tzortzis: "In the Name of the Father, and of the Son and of the Holy Spirit, amen. Oh Lord, our God, we beseech Thee to look upon our State Representatives and send their souls, and their hearts and their mind the spirit of wisdom of understanding and of piety. Illumine them by the light of Thy knowledge. Teach them in Thy Commandments and preserve them in the Christian Faith. In the Name of our Lord, Jesus Christ, with whom God blessed us together with Thy most holy, and good and life-giving Spirit always, now and ever and unto ages of ages. Amen."

Speaker Ryan: "Thank you, Reverend. We'll be led in the Pledge today by Representative Davis."

Davis - et al: "I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Ryan: "Roll Call for Attendance. Take the record, Mr. Clerk. With 156 Members answering the Roll, a quorum of the House is present. Representative Getty, do you have any excused absences? Representative Telcser, do you have any excused absences?"

Telcser: "Mr. Speaker, could the Journal please show that Representative Jane Barnes is absent because of illness?"

Speaker Ryan: "The record will so indicate. How about on the Democrat side. Giorgi, anybody sick?"

Giorgi: "I move to reconsider the action taken yesterday in adopting the Journals that weren't read previously."

Speaker Ryan: "Would you mumble that one more time? On the

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Calendar, on page two, under the Order of Senate Bills, Second Reading, Short Debate Calendar appears Senate Bill 1599, Representative Piel. Read the Bill."

Clerk Leone: "Senate Bill..."

Speaker Ryan: "Could we have a little order in the chambers, please? Proceed."

Clerk Leone: "Senate Bill 1599, a Bill for an Act in relationship to municipal and county use and occupation taxes. Has been read a second time previously. No Committee Amendments."

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

Clerk Leone: "Amendment #1, Getty - Piel, amends Senate Bill 1599..."

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

Getty: "Mr. Speaker, Members of the House, I move that we adopt Amendment #1 which provides for the exchange of information between the Department of Revenue and a home rule unit concerning taxes which are similar taxes. I want to emphasize that this has absolutely nothing to do with an income tax. It is not applicable to that situation, as somebody apparently misunderstood the other day. This only applies to the sales tax situation. I understand that this is approved by the Department of Revenue. I know of no objection to the Amendment."

Speaker Ryan: "Any discussion? Representative Lechowicz. Is there any discussion? The Gentleman moves for the adoption of Amendment #1 to Senate Bill 1599. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "Amendment #2, Cullerton - Piel, amends Senate Bill 1599 as amended."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment increases the tax imposed on

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interstate motor carriers who use Illinois highways but who fail to purchase their motor fuel in Illinois. At present, such carriers do pay a tax of 7.5 cents per gallon through the use of a mileage a gallonage formula, but motor carriers who do purchase fuel within Illinois pay both that motor fuel tax; but, they also pay a local sales tax. Thus, the people that don't pay... or don't buy their gas in Illinois but use the roads, they add wear to the roads, but they escape part of the taxation. So, the purpose of this Amendment would be to put them on the same.. put the people who... interstate motor carriers who buy their gasoline in Illinois in the same level as those that don't buy it within Illinois. It's expected that this could raise about five million dollars, based on the amount of mileage that was rung up last year in Illinois. As far as I know, there's no opposition that I know of to the Amendment, and I would ask for its adoption."

Speaker Ryan: "Any further discussion? Gentleman moves for the adoption of Amendment #2 to Senate Bill 1599. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "Amendment #3, O'Connell, amends Senate Bill 1599..."

Speaker Ryan: "Representative O'Connell, on Amendment #3."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What Amendment #3 is, it changes the law as it was enacted last year. In 1981, we enacted a law which provided for a use tax on automobile renting arrangements. However, the terms of the rental arrangement was for one year or less. During the course of the last fiscal year, it has raised 10 million dollars in revenue. What this Amendment does is extends the penancy of the term from one year to five years or less. We anticipate that this would

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raise additional revenue in light of the fact that for one year we raised ten million. There is no opposition to the Amendment that I know of. It's in concurrence with the Sponsor. I would ask for its favorable adoption."

Speaker Ryan: "Any discussion? Gentleman moves for the adoption of Amendment #3 to Senate Bill 1599. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "Amendment #4, Piel, amends Senate Bill 1599..."

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

Piel: "Mr. Speaker, I'd like leave of the House to withdraw Amendment #4, please. Would like leave of the House to withdraw Amendment #4."

Speaker Ryan: "Withdraw #4. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Ryan: "Third Reading. On the Calendar on page two, under the Order of Concurrences appears House Bill 396, Representative Hallock. Out of the record? House Bill 712, Representative Terzich. Out of the record. House Bill 891, Representative Reilly. 891, Representative. Out of the record? Representative Flinn, for what purpose do you seek recognition?"

Flinn: "Well, Mr. Speaker, you skipped 394, and it has a faulty Amendment on it. I have to move to nonconcur."

Speaker Ryan: "I didn't hear you, Representative."

Flinn: "You skipped 39... House Bill 394, and it has a faulty Amendment on it. I'm going to have to move to do not concur, and send it back to the Senate with a Conference Committee in order to correct it. I don't think it's going to be controversial once they put the correct Amendment on it."

Speaker Ryan: "Could you hold that request, Representative?"

Flinn: "Sure."

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Speaker Ryan: "House Bill 1060, Representative Levin. Representative Levin on the floor? Representative Birkinbine, do you want to handle this Bill? Is Representative Birkinbine on the floor? Out of the record. Alright, House Bill 1060. Representative Birkinbine will handle the Bill. Read the Bill, Mr. Clerk. 1060."

Clerk Leone: "House Bill 1060, amends the Illinois Housing Development Act together with Senate Amendment #1."

Speaker Ryan: "Representative Birkinbine. Just a minute, Representative. The noise level is extremely high in the chamber tonight. I wonder if we could have a little order here. Representative Getty, for what purpose do you seek recognition?"

Getty: "Mr. Speaker, it's my understanding this is Representative Levin's Bill."

Speaker Ryan: "It's Levin - Birkinbine. I think they're probably in agreement on it. Did you want me to hold it?"

Getty: "I... I think that it should be held. Yes, Sir."

Speaker Ryan: "Representative Birkinbine, what do you have to say? Is it alright with you? You want it out of the record, Representative?"

Getty: "Thank you. Thank you. Thank you."

Speaker Ryan: "Out of the record. House Bill 1301, Representative Schneider. Representative Schneider in the chamber? 1301, out of the record? Out of the record. House Bill 1423, Representative Henry. Representative Henry in the chamber? Out of the record. On page three, appears House Bill 1925, Representative Hallock. Out of the record. House Bill 2039, Representative Huskey. Read the Bill."

Clerk Leone: "House Bill 2039, a Bill for an Act in relationship to public aid recipients and the enforcement of support obligations together with Senate Amendments #2, 3, 6 and

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7."

Speaker Ryan: "Representative Huskey."

Huskey: "Well, Mr. Speaker and Ladies and Gentleman of the House, I move that we concur with House Bill 2039. House Bill 2039 comes back from the Senate with the... with the child support provisions pretty much in tact as it went over. They did add a couple Amendments to it in... in the case of visiting, where the parents are dead, for the court to give permission for the visitation rights to the ...to the grandparents and the great grandparents, and... and some other Amendments that were permissive that don't really have much teeth in them. And, on this particular subject, if there's any questions on these...these technical Amendments that the Senate put on, I'll yield to... Oh, Mr. Speaker."

Speaker Ryan: "Yes."

Huskey: "Can I take it out of the record?"

Speaker Ryan: "You want to take the Bill out of the record? Out of the record. House Bill 2135, Representative Levin. Not here? Out of the record. House Bill 2266, Representative McBroom. 2266, out of the record. Out of the record. House Bill 2310, Representative Hastert. Read the Bill."

Clerk Leone: "23...House Bill 2310, a Bill for an Act to amend the Revenue Act together with Senate Amendments #2, 3 and 4."

Speaker Ryan: "Representative Hastert."

Hastert: "Mr. Speaker, Ladies and Gentlemen of the House, 2310 is a revenue Bill that requires the assessors and supervisors of assessors to pick up 48 additional hours. It was passed in the House and the Senate. The Senat... the Senate Amendment #2 allows county boards to fix a compensation for the members of the farmland assessment Bill. It was also an Amendment that we passed out of here on another Bill."

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It's permissive, and Senate Amendment...Senate Amendment #3 provides that assessors' books shall be returned to the supervisor of assessors within 120 days in counties under a million. I move to concur with these Amendments. Excuse me. Senate Amendment #4 is a cost-saving Amendment. It was put on in the Senate. It says that counties are not required to give receipts for tax Bills paid, unless requested. The savings, for instance, in Cook County on Amendment #4 would be between 200 and 300 thousand dollars per year. It's a cost-saving Amendment. It said that 95% of the people pay with their taxes with checks which became the only valid receipts anyway in this type of situation, and people can demand receipts... or will get receipts on demand. That's in the Bill. I now move that we concur with Senate Amendments 2, 3 and 4."

Speaker Ryan: "Is there any discussion? The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "A question of the Sponsor, Mr. Speaker. Amendment #4, Dennis, will save Cook County between 200 and 300 thousand dollars a year. Will this apply to the rest of the state as well?"

Hastert: "Yes."

Mulcahey: "Is there... Is there a savings, you know, throughout the entire state?"

Hastert: "Yes, I've talked to collectors in the case of smaller counties' treasurers, and the Association was for it. They thought it was... would give them a proportionate savings throughout the state."

Mulcahey: "Okay. Is there anybody that's opposed to any one of these Amendments? Is there any opposition?"

Hastert: "Not... Not that I know of."

Mulcahey: "Thank you."

Speaker Ryan: "Further discussion? The Gentleman from Wayne,

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Representative Robbins."

Robbins: "On Amendment #3, 'a vacancy of the office of multi-township assessor shall be filled... similarly filled'. Denny, does that mean the number... that all of the trustees of each township in the multi-county township, or is there a separate board of trustees for a multi-county township?"

Hastert: "It's my understanding, Representative, that it's just the... the combination of the trustees of those count... townships make that decision, however the multi-township works. In my county, I think all the, out of the three townships that are multi-township, it's all the trustees that make that appointment together."

Robbins: "Thank you."

Speaker Ryan: "Now, is there further discussion? Gentleman from Madison, Representative Wolf. Sam Wolf. Turn him on."

Wolf: "Thank you, Mr. Speaker, would the Sponsor yield for a question?"

Speaker Ryan: "He indicates that he will."

Wolf: "Representative Hastert, the Amendment #3. Your Amendment provides that the assessment books shall be returned to the Supervisor of Assessment within 120 days after their receipt or June the 1st, whichever is later. Is that correct."

Hastert: "Yes, it is."

Wolf: "In other words, what this Amendment does is that it nullifies legislation that we passed the... just this past Session which would have provided that the assessment books would be returned by April the 15th."

Hastert: "According to the synopsis on this Amendment, it would."

Wolf: "Do you... Do you concur in this Amendment?"

Hastert: "I did move to concur. It was my understanding that most of these books are coming back late, and it would

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probably extend that cycle 30 days."

Wolf: "Would you run that by me again?"

Hastert: "I said it's my understanding... This is... It's my understanding of this Amendment that it did extend the cycle probably from 15 to 30 days."

Wolf: "Well, I don't believe that's the way the Amendment reads. The Amendment states that the books will be returned within 120 days after receipt of the assessment books or by June the 1st, whichever is later. In effect, what this Amendment does is that it puts the return of the assessment books back to June the 1st which is what it was prior to the time... prior to the passing of the legislation that we passed last year." Hastert: "It's my understanding, Representative, that, in some counties, that the books aren't even received by the assessors until April 1st, and the deadline of April 15th becomes unworkable in these counties. So, it does give them at least a time frame that's workable."

Wolf: "Well, Mr. Speaker, would the.. would the Sponsor divide the question?"

Hastert: "Representative, I would be willing to take this out of the record, and let's work it out a little bit. Okay?"

Wolf: "Thank you."

Speaker Ryan: "Out of the record. House Bill 2485, Representative Bell. Representative Bell, 2485. You want... Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2485, amends the Illinois Revenue Act together with Senate Amendments 2, 4 and 6."

Speaker Ryan: "Representative Bell."

Bell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that we concur on Senate Amendments 2, 4 and 6. Senate Amendment 2 is actually House Bill 2486. The Senate Sponsor neglected to get 2486 exempt from the Rules. It

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was an oversight on his part. He simply forgot to turn the form in. So, he amended that onto 2485. 2486 passed this House 129 to 29. There is... should be no problems with that whatsoever. It has to do with downstate counties, bringing them in line with Cook County in being able to appeal to the State Property Tax Appeal Board. Nowadays, if you appeal under protest, you have to go through a court process. You must show fraud. This will make a much easier burden of proof. Senate Amendment #4 addresses a redefinition issue regarding real and personal property. What it is, in effect, it's a sunset clause for House Bill 1296. Senate Amendment #6 was written by the Taxpayers' Federation and the Illinois Realtors'. It's a clean-up Amendment, provides improved language regarding notice to taxpayers about property tax assessment. Such notice shall include the immediate level of assessment, a test whereby a taxpayer may determine if he is over or under-assessed, and a procedure for appeal. This was an Amendment that was suggested on the House floor when we originally voted on House Bill 2485, and I request that we concur."

Speaker Ryan: "Is there any discussion? The Gentleman from Sangamon, Representative Kane, on Senate Bill 2485.. or House Bill 2485. Gentleman from Peoria, Representative Tuerk, on House Bill 2485."

Tuerk: "Would the Sponsor yield?"

Speaker Ryan: "He indicates he will."

Tuerk: "Is there anything in 2485 relative to unitary tax, Representative Bell?"

Bell: "No, Sir. It has nothing to do with that at all. This is nothing in that area."

Tuerk: "Nothing. Thank you."

Speaker Ryan: "Is there any further discussion? The Gentleman from Cook, Representative Bowman, on 2485."

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Bowman: "Question of the Sponsor."

Speaker Ryan: "Indicates he'll yield."

Bowman: "I'm interested in Senate Amendment #4 to 2485. Is that not the same as House Bill 1296? I think you said that. Is that what you..."

Bell: "What it... What it is, Representative, it is the sunset clause for House Bill 1296."

Bowman: "Oh, I see. So, it puts a limitation on it?"

Bell: "Yes, Sir."

Bowman: "And it runs it out to January 1, 1985?"

Bell: "Yes, Sir."

Bowman: "And that's all it does that's different from 1296?"

Bell: "Yes, Sir."

Bowman: "Thank you."

Speaker Ryan: "Further discussion? The Gentleman from Madison, Representative McPike, on House Bill 2485."

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

Speaker Ryan: "Indicates he will."

McPike: "Would you explain Amendment #2?"

Bell: "Amendment #2, Jim, is...was House Bill 2486 which passed out of this House 129 to 29. The Senate Sponsor had just simply neglected to get it exempted from Rules. This had to do with... Cook County already weighs their multiplier by class. That's what this Amendment does. It weighs it by class; the residential, industrial, commercial. It's the exact same, exact same Bill as 2486 that passed out of here."

McPike: "That was the one that you amended on the floor. Is that correct?"

Bell: "Yes. We had an Amendment on the floor to that."

McPike: "Yeah, and that simply weights downstate by class?"

Bell: "Yes, Sir. That's right."

McPike: "Okay, thank you very much."

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Bell: "This... All of these Amendments in the concurrence are in full agreement with the Taxpayers' Federation of Illinois and the Illinois Realtors'."

Speaker Ryan: "Is there any further discussion? Gentleman from Rock Island, Representative Bell, to close."

Bell: "I simply ask that we concur on this. I move we concur."

Speaker Ryan: "The question is, 'Shall the House concur in Senate Amendments 2, 4 and 6 to House Bill 2485?'. This is final action. 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 148 voting 'aye', 2 voting 'no', 1 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2502, Representative Bower. Out of the record. House Bill 2508, Representative Ewing. Read the Bill."

Clerk Leone: "House Bill 2508, a Bill for an Act to amend the Illinois Horseracing Act together with Senate Amendment #2."

Speaker Ryan: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I would move to concur with Senate Amendment #2 to the Horseracing Act here. The original Bill increased the fees in regard to the horseracing in Illinois. The Senate Amendment changes that around, but we get back to the same place. It all involves the fees charged to those involved in the racehorsing (sic - horseracing) business in the state."

Speaker Ryan: "Is there any discussion? The Gentleman from St. Clair, Representative Flinn."

Flinn: "Well, Mr. Speaker, I don't think there's any opposition to the concurring to the Amendment, but I would like to say that we only have one track left downstate and that's Fairmont. The other one's out of business, and this.. this

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amounts... this amounts to the survival of that track by getting this Amendment on the Bill. And so I would support the mover of concurring."

Speaker Ryan: "Did you have a question, Representative Flinn?"

Flinn: "No, I've already spoken. Apparently, nobody was listening, including you."

Speaker Ryan: "No, I was listening. I didn't hear what you said."

Flinn: "Well, I'm saying..."

Speaker Ryan: "I always listen to you, Representative."

Flinn: "Thank you. I'll repeat shortly. I don't want to take a lot of time, because I think we're not doing very much anyway, but..."

Speaker Ryan: "I'm glad to hear that."

Flinn: "It is very important to the only track that's left in downstate, truly downstate Illinois, Fairmont track, to concur in this Amendment. The way the Bill was originally written would have put Fairmont Racetrack out of business. This Amendment amounts to the survival of that track, and I would support the Sponsor in moving to concur."

Speaker Ryan: "The Gentleman from Bureau, Representative Mautino, on Senate... or House Bill 2508."

Mautino: "Will the Gentleman yield, please? Will the Gentleman yield?"

Speaker Ryan: "Indicates that he will."

Mautino: "Representative Ewing, how much additional revenue will this bring into this Department of Revenue?"

Ewing: "Approximately 400,000 annually."

Mautino: "That is, as I read the Amendment, for the smaller tracks it's 100 dollars, and 200 dollars for the larger tracks. Is that right?"

Ewing: "That's correct."

Mautino: "And the handle break down is that 700,000?"

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Ewing: "For the smaller tracks, it's between 400 and 700, and over 700 for the larger tracks."

Mautino: "What was it... What was the cost for each racing license fee before this Amendment to each track?"

Ewing: "It was a flat fee."

Mautino: "What..."

Ewing: "Three hundred. It was 300, and this Amendment reduces it back to 100."

Mautino: "That's what I thought it did. Why is the rationale for reducing it back to 100 dollars when it was 300?"

Ewing: "Well, I think they feel that the variable rate, depending on the size, will be fairer than the absolute fee. Representative, this is an administration Bill. The agreement has been worked out on this - I'm not a racehorse man - between the industry and the Department."

Mautino: "I'm not a racehorse man either. I just remember that a few years ago on 2120... or 2111 the fee was around 300 dollars. I see that we are reducing it, and I was just wondering what kind of an agreement would reduce the license fee. But you're saying it would bring in an additional 400,000 dollars?"

Ewing: "That's right."

Mautino: "Thank you."

Speaker Ryan: "Is there any further discussion? Gentleman from Cook, Representative Ronan, on House Bill 2508."

Ronan: "Thank you very much, Mr. Speaker and Members of the House. I rise wholeheartedly on this fine Amendment. This is probably one of the best Amendments ever to be attempted to be added here in the Illinois House of Representatives. I know for a fact, having led an excursion down to Fairmont track, that it's one of the finest facilities in southern Illinois. It knows how to treat people with respect, and it's the type of institution that we've got to maintain for

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the people of southern Illinois. And I wholeheartedly support this Amendment. I'm going to do everything in my power to urge every Member... to urge every Member of the General Assembly to vote for this important Amendment and to do what's right for the people of the State of Illinois. Let's get about the business of the people of the State of Illinois and put these kinds of Amendments on these fine Bills. And I think the Governor is right on target on this fine piece of legislation. I wholeheartedly support it."

Speaker Ryan: "The Gentleman from Winnebago, Representative Gas Stone...Giorgi."

Giorgi: "Representative Ewing, did the Racing Board conduct hearings on this license escalation?"

Ewing: "Mr. Speaker, did he give permission? I think he should go through you to ask the question."

Speaker Ryan: "The Gentleman wants to know if you'll yield to a question, Representative."

Giorgi: "I'd like to..."

Ewing: "Would you tell the Gentleman I'll be happy to."

Speaker Ryan: "Gentleman will yield to your question, if he can understand it, Representative."

Giorgi: "I'm not going to ask him please. Did the Racing Board conduct hearings on this new increase?"

Ewing: "Not that we know of."

Giorgi: "Well, why didn't you consult the Governor's gold-plated Racing Board Commission? What's the matter? Don't you trust them?"

Ewing: "Well, you said did we hold hearings, Mr.... Representative Giorgi. I don't know that we didn't consult him. You said did we hold hearings. You didn't ask if we consulted him."

Giorgi: "Well, I thought anytime there's a change in the racing laws, the Racing Board conducts hearings so that there can

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be some input from the track owners, the horse beaters, the patrons and everyone concerned."

Ewing: "I think I've answered the question."

Giorgi: "Okay. Fine."

Speaker Ryan: "Gentleman from Cook, Representative Parley."

Parley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also rise in support of this concurrence. Back in 1975 we created and put in place a standard-bred Illinois racing program. I think that that was a boon to the business of standard-bred racing in the State of Illinois. It created jobs. It created revenue for the state. As this concurrence is before us, I can guarantee you that, also in the thoroughbred industry, we have to keep it a viable industry in the state, and Fairmont and... as the other tracks in this state so desperately need. They need this type of legislation. So, I would also agree with the Sponsor and move to concur."

Speaker Ryan: "The Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Ryan: "Indicates he would."

Ropp: "Representative Ewing, this is a question that doesn't exactly deal with this Bill, but I'd like it for general information. As you well know, there have been attempts to, on a few days, not race in Chicago because of a certain test that the Racing Board determined was necessary. Do you... Can you bring me up to date, or is legislation through the hopper that has provided funds for laboratory tests in Illinois? Or where are we on that?"

Ewing: "Representative, I can't answer your question specifically, but I understand that problem has been corrected. I had some constituents that had a problem, and I went to the Department. They were very cooperative and corrected it."

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Ropp: "Thank you."

Speaker Ryan: "Further discussion? The Gentleman from Cook, Representative Zito."

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

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

Ewing: "Mr. Speaker, the Bill's been well discussed. I think everybody's very well aware of what it does, and I would ask for a favorable vote."

Speaker Ryan: "The question is, 'Should the House concur in Senate Amendment #2 to House Bill 2508?'. Final action. All in favor will signify by voting 'aye', all opposed by voting 'no'. Take the record, Mr. Clerk. On this question there are 130 voting 'aye', 6 voting 'no', 14 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Telcser, on page two of the Calendar, under the Order of Senate Bills, Second Reading appears Senate Bill 1654. Are you prepared to go with that Bill this evening?"

Telcser: "I'm prepared, Mr. Speaker, if the other Members are, and everyone is willing to."

Speaker Ryan: "Well, there's several Amendments. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1654, a Bill for an Act to amend the Illinois Public Aid Code. Has been read a second time previously. Amendment #1 was adopted in Committee."

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

Clerk Leone: "Motion: 'I move to table Amendment #1 to Senate Bill 1654, Representative Bullock, Currie and Chapman'."

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Speaker Ryan: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have a Motion to table Committee Amendment #1. Committee Amendment #1 I think most of you know is a centerpiece for hospital cost containment. Unfortunately, the Amendment, in my estimation, exceeds reasonable rates of reduction for Medicaid cost reimbursement. It is my understanding that negotiations have succeeded between the Democratic Leadership, the Speaker of the House and various individuals in the Governor's Department of Public Aid budget and Chief of Staff. It is my understanding that an Amendment will be offered which will codify that agreement; and, with that understanding, I think that my Motion to table Committee Amendment #1 should receive almost unanimous approval, for all of us on this floor understand that hospital cost containment is a necessity, but I think what many of us tend to frown upon is the unreasonableness in which the administration sought to implement those goals. More specifically, I believe and others like me believe that the proposed cuts in Amendment #1 for funds and services in our hospitals in the State of Illinois are far too drastic and exceeded all levels of reasonableness and certainly were inhumane and cruel. And, with that in mind, I certainly would ask for an affirmative vote on a Motion to table Committee Amendment #1 and would be glad to respond to any questions, Mr. Speaker."

Speaker Ryan: "Gentleman moves to table Senate Amendment...Committee Amendment #1. Is there any discussion? All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment is adopt... or is tabled. Further Amendments?"

Clerk Leone: "Amendment #2, Reilly - Currie, amends Senate Bill 1654 on page one and so forth."

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

Reilly: "Withdraw."

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

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

Speaker Ryan: "Representative Reilly, Amendment #3."

Reilly: "Withdraw."

Speaker Ryan: "Withdraw #3. Further Amendments?"

Clerk Leone: "Amendment #4, Currie, amends Senate Bill 1654 as amended."

Speaker Ryan: "Representative Currie. Withdraw Amendment #4. Further Amendments?"

Clerk Leone: "Amendment #5, Vinson, amends Senate Bill 1654 as amended."

Speaker Ryan: "Representative Vinson, on Amendment #5."

Vinson: "Mr. Speaker, although I have serious doubts about the operation of the agreement that has been reached, it's too late in the Session and I have too few votes to have any impact on it. As a consequence, I will withdraw all of the Amendments that Mr. Kane objected to as being illegible, as well as the one that he would discover is legible."

Speaker Ryan: "Withdraw #5. Further Amendments?"

Clerk Leone: "Amendment #6, Currie, amends Senate Bill 1654 as amended."

Speaker Ryan: "Representative Currie, Amendment #6. Withdraw #6. Further Amendments?"

Clerk Leone: "Amendment #7, Vinson, amends Senate Bill 1654..."

Speaker Ryan: "Representative Vinson, Amendment #7. Withdraw. Further Amendments?"

Clerk Leone: "Amendment #8, Currie, amends Senate Bill 1654 ..."

Speaker Ryan: "Representative Currie, on Amendment #8. Withdraw. Further Amendments?"

Clerk Leone: "Amendment #9, Preston - Oblinger, amends Senate Bill 1654..."

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Speaker Ryan: "Representative Oblinger, on Amendment #9. Representative Oblin... Withdraw Amendment #9. Further Amendments?"

Clerk Leone: "Amendment #10, Vinson, amends Senate Bill 1654..."

Speaker Ryan: "Representative Vinson, on Amendment #10. Withdraw. Further Amendments?"

Clerk Leone: "Amendment #11, Currie, amends Senate Bill 1654..."

Speaker Ryan: "Representative Currie, on Amendment #11. Withdraw #11. Further Amendments?"

Clerk Leone: "Amendment #12, Preston - Oblinger, amends Senate Bill 1654 as amended."

Speaker Ryan: "Withdraw #12. Further Amendments?"

Clerk Leone: "Amendment #13, Vinson, amends Senate Bill 1654..."

Speaker Ryan: "Withdraw #13. Further Amendments?"

Clerk Leone: "Amendment #14, Currie, amends Senate Bill 1654 as amended."

Speaker Ryan: "Withdraw #14. Further Amendments?"

Clerk Leone: "Amendment #15, Vinson, amends Senate Bill 1654 as amended."

Speaker Ryan: "Withdraw 15. Further Amendments?"

Clerk Leone: "Amendment #16, Preston - Oblinger, amends Senate Bill 1654 as amended."

Speaker Ryan: "Read #16. Representative Preston, on Amendment #16."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #16 amends the Public Aid Code, the Act on Aging and Rehabilitation Services Act. This Amendment requires the Department of Public Aid to apply for a waiver from the U. S. Health Care Financing Administration to allow payment for home and community based services. It also requires the Department of Public Aid to establish a pre-screening pilot project program to determine if Medicaid clients can use home and community services as a

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lower-cost alternative to nursing home care, and it permits an income eligibility test for applications received after June 30th of 1982."

Speaker Ryan: "Is there any discussion? Have you completed your presentation, Representative Preston? Have you completed your presentation?"

Preston: "Withdraw it, please."

Speaker Ryan: "Withdraw #16. #17. Further Amendments, Mr. Clerk. Withdraw 16. Further Amendments?"

Clerk O'Brien: "Amendment #17... Amendment #17, Currie."

Speaker Ryan: "Representative Currie, Amendment #17. Withdraw. Further Amendments?"

Clerk O'Brien: "Amendment #18, Vinson."

Speaker Ryan: "Withdraw. Further Amendments?"

Clerk O'Brien: "Amendment #19, Currie."

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

Clerk O'Brien: "Amendment #20, Preston - Oblinger."

Speaker Ryan: "Representative Preston, on Amendment #20. Representative Oblinger. Withdraw #20. Further Amendments?"

Clerk O'Brien: "Amendment #21, Vinson."

Speaker Ryan: "Withdraw. Further Amendments?"

Clerk O'Brien: "Amendment #22, Vinson."

Speaker Ryan: "Withdraw. #22 was withdrawn. Further Amendments? Representative Telcser, Amendment #23 is not printed at this time. Representative Chapman, for what purpose do you seek recognition?"

Chapman: "Mr. Speaker, has Amendment #23 been distributed, please?"

Speaker Ryan: "No, I just was announcing, Representative, that it had not been printed, and I was about to ask Representative Telcser if he would take the Bill out of the record for right now. Is that what your request would be? Out of the

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record. We'll get back to it in just a little bit. Page three, Concurrences, House Bill 1607, Representative Keane. Representative Keane. Out of the record. House Bill 1882, Representative Barkhausen. You're not ready. Out of the record. Representative Henry, would you like to call House Bill 1423? Representative Henry, House Bill 1423. Out of the record. House Bill 396, Representative Hallock. Do you want to call that? House Bill 712, Representative Terzich. Out of the record. House Bill 891, Representative Reilly. Out of the record. House Bill 1060, Representative Levin. Not here. Out of the record. House Bill 1301, Schneider. Out of the record. House Bill 1423, Representative Henry. You haven't changed your mind have you, Representative Henry? Change your mind on 1423?"

Henry: "Yes, thank you, Mr. Speaker. I'm trying to prepare this Bill to be a nonpartisan Bill. If you'll give me a little time today, we'll go with the Bill a little later after I sit down with the Republican side and we come to agreement."

Speaker Ryan: "Out of the record. 1607, Representative Keane. Out of the record. 1882, Representative Barkhausen. Out of the record. 2038, Representative Keane. Out of the record. 2135, Representative Levin. Out of the record. 2266, Representative McBroom. Out of the record. 2310, Representative Hastert. Out of the record. You haven't got your problem worked out yet on that? 2502, Representative Bower. Out of the record. Representative Collins in the Chair to handle this heavy load."

Speaker Collins: "For what purpose does the Gentleman from Lee, Representative Olson, rise?"

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In this lull in our busy Session, I would like to take the time to pay honor to the tall oak from Red Oak,

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the great pretender to the throne in the Senate 35th District. He's 79 years old today. Let's give a big hand to Harlan Rigney."

Speaker Collins: "He has asked me to extend a typical Quaker reading to you, Sir. Agreed Resolutions. For what purpose does the Gentleman from Cook, Representative Lechowicz, rise?"

Lechowicz: "Thank you, Mr. Speaker, for the purpose of an introduction. In the east gallery is a former Member's wife and family, a Gentleman who this entire Body knows, Representative Pete Miller and his wife and two daughters. Extend them a warm welcome."

Speaker Collins: "Agreed Resolutions."

Clerk O'Brien: "House Joint Resolutions 102, DiPrima - et al; 103, DiPrima; 104, DiPrima; 105, DiPrima; 106, DiPrima; and, 107, DiPrima. House Resolutions 1051, Getty - et al; 1052, Madigan - et al; 1053, Grossi - Getty; 1054, Rea; 1055, Brummer - et al; and, 1057, Zito."

Speaker Collins: "The Gentleman from Cook, Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, House Joint Resolution 102, DiPrima - et al. It has come to the attention of this House that Reverend Armando Pierini, C. S. is celebrating the Golden Jubilee of his ordination to the holy priesthood by the Bishop of Piacenza on June 29, 1932. House Joint Resolution (103), DiPrima - et al. The 1982 officers elected to lead in the activities of the 1982 Youth Police Program. President-Elect was Marie Lindgren of Byron, Vice President Amber Virtanen of Springfield, Secretary Kristal Pouletre of Blandinsville. House Joint Resolution (104), DiPrima - et al. Whereas, the Military Order of The Purple Heart is observing its 200th Anniversary in 1982. House (Joint) Resolution 105, DiPrima - et al. The National Americanism Commission of the

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American Legion adopted the program of Boys State at the national level and now all 50 states are sponsoring this program where high school junior-grade students are taught through practical application the mechanics of government at local, and county and state levels. House (Joint) Resolution (106), Greiman - DiPrima - et al; that we congratulate for the good work they perform for the veterans and their dependents and that we congratulate Janet Schatz on her election to the high office of the Illinois Department President of the Jewish War Veterans Auxiliary of the United States. House Joint Resolution (107), DiPrima - et al. Whereas, the Illinois Girls... Illini Girls State participants are assigned to two mythical political parties, the Nationalist Party and the Federalist Party, thereby giving them an opportunity to learn by practical participation the structure and activities of political parties. The election of officers is Governor Debbie Weistine of Morrison, Lieutenant Governor Kris Cockerill of Milan, Attorney General Sally Armstrong of Ottawa, Secretary of State Debbie Duncan of Mendon, Comptroller Brenda Baer of El Paso, Treasurer Annie Hodel of Roanoke, U. S. Senator Sarah Geis of Highland Park and U. S. Senator Diane Mikulecky of Wood Dale. House Resolution 1051, Getty - Giglio - Dick Kelly and Collins. ...joined the parishioner of St. Jude the Apostle Parish in South Holland celebrating their 25th Anniversary of the founding of the Parish. Madigan - Beatty - Kucharski, House Joint (sic) Resolution 1052; that we warmly congratulate and commend Morris Leibman for his many great accomplishments and that we extend to him our best wishes for a long, happy, healthy and successful future. Gross and Getty, House Resolution 1053. The Village of South Chicago Heights is celebrating its 75th Anniversary this

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year, having been incorporated in 1907. House Resolution 1054, Rea. Representatives of the State of Illinois that the Marion Democratic Women's Club will celebrate its Golden Anniversary on August 8, 1982. House Resolution 1055, Brummer - Van Duyne - Leinenweber. Whereas Sister Marie Grunloh is retiring from Saint Francis Academy in Joliet, Illinois after a 34-year association with the high school. House Resolution 1057, Zito. Joseph and Elizabeth Guber of Melrose Park, Illinois will celebrate their 50th Wedding Anniversary on September 17, 1982. Ladies and Gentlemen of the House, I move for the adoption of the Agreed Resolutions."

Speaker Collins: "The Gentleman moves the adoption of Agreed Resolutions. All those in favor will indicate by saying 'aye', opposed 'nay'. And the Gentleman's Motion prevails, and the Agreed Resolutions are adopted. For what purpose does the Gentleman from Rock Island, Representative Darrow, rise?"

Darrow: "Thank you, Mr. Speaker. As Chief Sponsor of Senate Bill 1030, which is currently in Interim Study Calendar of Person... Personnel, Pensions and Veterans, I wish to table that legislation. The Gentleman from the 55th District had wanted to put an Amendment on there and use it for a vehicle; however, he indicates that he has found another vehicle, and the legislation is on the Governor's desk. So, since there's no longer any need for this Bill, I'd move to table it."

Speaker Collins: "Pardon me, Sir? We didn't get the number."

Darrow: "Senate Bill 1030."

Speaker Collins: "The Gentleman asks leave to table Senate Bill 1030. Does he have leave? Hearing no objection, the Bill will be tabled. For what purpose does the Gentleman from Cook, Representative Epton, rise?"

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Epton: "Thank you, Mr. Speaker. Mr. Speaker, I would ask leave of the House to move to the Order of Motions and House Bill 93 at this time."

Speaker Collins: "State your Motion."

Epton: "I would like leave of the House."

Speaker Collins: "The Gentleman have leave? Hearing no objection, he has leave."

Epton: "Mr. Speaker, Ladies and Gentlemen, House Bill 93 was originally proposed by Representative Deuster. I have here his written authorization to proceed in his behalf on House Bill 93. House Bill 93 is really a concurrence Motion on our desk. Originally, it had to do with the adoption of stepchildren relative to the inheritance tax. Senate Amendment #3 which is not the Bill, and it has to do with the removal of the inheritance tax which will not affect this fiscal year. I would appreciate a favorable vote."

Speaker Collins: "The Gentleman has moved to take House Bill 93 from the table. Does he have leave? Hearing no objection, the Gentleman has leave. Proceed. Does he have leave for the Attendance Roll Call? The Gentleman from Effingham, Representative Brummer, for what purpose do you rise?"

Brummer: "Yes, I apologize, but it's very noisy back here and I could not hear the substance of this Bill."

Speaker Collins: "Well, right now, we're on the Motion to take it from the table."

Brummer: "Yes, but I think it's a fair question to ask what the Bill deals with."

Speaker Collins: "Yes, of course. He tried to say it. If we have a little order. Representative Epton."

Epton: "Mr. Speaker, I believe I already received leave of the House to go to this Order of Business. Now, we're speak... Mr. Speaker. Mr. Speaker, we already received leave of the House to go to this Order of Business. Now I am speaking

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on a Motion for concurrence, the Bill itself. Leave was granted."

Speaker Collins: "Leave was granted to go to this order. Now, we're on your Motion to take from the table."

Epton: "Thank you. I suppose we're wording it somewhat differently. Actually, this is a move to concur with Senate Amendment #2. Senate Amendment #2 is relative to the inheritance tax and will remove the inheritance tax so as to comply with existing... the new federal legislation. It will not have any fiscal effect whatever on the next fiscal year. It will only have a minimal effect on the following Fiscal Year '83 - '84. We've discussed this with the Bureau of the Budget. They agree with our figures on the next fiscal year; although, there are some differences of opinion as to Fiscal Year '84 - '85. However, the Governor always has an amendatory veto, and he can even extend that another year by making it a further year away. However, this is a tax which is probably one of the cruelest in the state. It's a tax which prevent farmers from passing farms on in the family, prevents small businesses, particularly at a time when there's a death in the family, from being able to pay an inheritance tax. And, again, I would ask for a favorable Motion to concur and pass this Bill out of the House."

Speaker Collins: "The Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, first of all, Mr. Speaker, what are we on? The board indicates a Motion. He indicates..."

Speaker Collins: "We're on a Motion to take from the table."

Brummer: "A Motion to take from the table?"

Speaker Collins: "That's correct."

Brummer: "Okay, and then where will it be if it is removed from the table?"

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Speaker Collins: "On the Order of Concurrence."

Brummer: "Is there a Motion that was in writing regarding this?"

Speaker Collins: "Yes, the Motion is in writing."

Brummer: "And was it... was... could the Clerk read the Motion, please?"

Speaker Collins: "The Motion's on the Calendar."

Clerk O'Brien: "Motion, 'Pursuant to Rule 63A, I move to take House Bill 93 from the table'."

Brummer: "Does..."

Speaker Collins: "The Gentleman does also have written authorization to handle the Bill he tells me."

Brummer: "And, if... if it is removed from the table, does there not need to be an additional Motion to move it to the Order of Concurrence on the Calendar?"

Speaker Collins: "No, when it... when it comes... when it's removed from the table, it goes back to the same order on the Calendar from which it came, and that was the Motion of concurrence."

Brummer: "Okay. Where is the Bill right now?"

Speaker Collins: "Right now, the Bill is on the table."

Brummer: "Okay, and this is a Motion to remove from the table, and we will, subsequently, if this Motion prevails, we will subsequently get to the Bill itself and the Motion to concur."

Speaker Collins: "That's correct."

Brummer: "Okay."

Speaker Collins: "Is there further discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I have an inquiry of the Chair. Just looking in the synopsis and Digest, if you look..."

Speaker Collins: "I already looked at that, and it's absolutely wrong. We punched it out on the computer, and the Gentleman has stated the history correctly."

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Cullerton: "Okay, so the Bill has... has passed the House?"

Speaker Collins: "It has passed the House. It has passed the Senate, and it was back in the House on the Order of Concurrence at which time... Senate Amendment, at which time it was tabled pursuant to rule. And now the Gentleman has moved to take from the table."

Cullerton: "This requires 107 votes?"

Speaker Collins: "That's correct."

Cullerton: "Thank you."

Speaker Collins: "The Gentleman from Macon, Representative Dunn."

Dunn, John: "Thank you, Mr. Speaker. Because of the noise level in this chamber, when... I was looking at the Digest at the time the Sponsor told us about the history of the Bill to date. I'd like to know if he would repeat what is in the Bill at the present time, if this Motion succeeds."

Speaker Collins: "Alright, if we could have a little order. This will be the third time the Gentleman has explained the Bill. No, third. You weren't listening the first time. Representative Epton."

Epton: "Thank you. Again I'll try. This originally was a Bill by Representative Deuster which had to do with the effect of inheritance insofar as a stepchild was concerned. It passed this House by 154 to 1 in March of '81. It then went over to the Senate. The Senate amended it and took out all of that and put in a new... a new Bill, in effect. The new Bill eliminates the State Inheritance Tax to the extent that it will effect, obviously, the revenues of this state. It will not effect the revenues presently. We have discussed this with the Bureau of the Budget, and Director Mandeville agrees that there will be no effect under any logic or reasoning in the Fiscal Year '82 - '83. The Bill, obviously, calls for some effect on the state budget in '83 - '84, and there is a difference of opinion between the

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Bureau of the Budget and the Farm Bureau as well as the Fiduciary Association of Illinois as to what effect it will have then. It's our feeling at that time it will only be seven and a half million dollars. There are two alternatives to the Governor if this Bill passes. One, of course, is to amendatorily veto it, which would make it effective '84 - '85. The other, of course, is to, in the event that the then Governor, at that time this goes in effect we are still in a bad economic state, he can, of course, repeal it. What this Bill will do, however, is will allow farms, particularly, and small businesses to inherit their farm or to inherit a small business without the necessity of coming up with money which they do not have. It has to do... At the present time, even an office... law office like ours, has residents moving to Florida. They are still members of Chicago. They have homes in Chicago. They're moving their residences to Florida and Arizona, which has no inheritance tax. This will enable us to keep those people still in Illinois. It will enable us to have, not only the inheritance tax which may be due which is a credit against the federal, but also will enable us to continue paying their sales tax and also the income tax. Again, I state this will have no effect on the following fiscal year, and I think that many of my colleagues, as I, will again be happy to answer any questions you have as to the effect of this Bill."

Speaker Collins: "The Gentleman from Macon, Representative Dunn."

Dunn: "Is this a complete repeal of the Illinois Inheritance Tax?"

Epton: "No, it's really more or less, for all practical purposes, it does in the lowest stage. It amends the Illinois Inheritance Tax. So, it doesn't completely repeal it. It more or less is in line with the... the economic

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recovery... the Federal Economic Recovery Act of 1981. A tax will be paid at a much higher level."

Dunn: "Is this a gradual phase-out of the Illinois Inheritance Tax up to an estate of 600,000 dollars?"

Epton: "Yes."

Dunn: "Over a period of how many years? Is it completely in line with the federal law?"

Epton: "This will repeal immediately, in the next fiscal year, the federal... the State Inheritance Tax."

Dunn: "To the extent of about 225,000?"

Epton: "Yes."

Dunn: "And what else does the Bill do?"

Epton: "Nothing."

Dunn: "What is the effective date of this proposed piece of legislation?"

Epton: "Well, that will depend upon the passage by this House and the Governor. As I indicated to you, we have been in discussion with the Governor and the Bureau of the Budget. They are nervous, not only about next fiscal year, which it will have no effect on, but about the following fiscal year. So, if the Governor signs it as is, it will go into effect July 1st."

Dunn: "Does this piece of legislation amend the Revenue Code?"

Epton: "It amends the Illinois Inheritance Tax, which is a separate..."

Dunn: "And the Transfer Tax Act. Is that correct?"

Epton: "That's correct."

Dunn: "And does this legislation have the support of the Governor?"

Epton: "I'll repeat, again. The Governor believes very much that this is a hard and cruel tax. If we were not in our present economic state, we would not have any problem at all with the Bureau of the Budget or the Governor. Their

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fear is that the economy might not be able to afford such a tax. However, we have agreed that it will not effect the next fiscal year. So, there are two obvious alternatives available. One, if their fear is well-founded, the Governor can amendatorily veto it; or, in the alternative in the following year the then Governor and the Legislature can repeal it. So, in answer to your question, yes, the Governor favors this repeal. He would like to keep Illinois residents here. He's uneasy about what effect this would have on the budget."

Dunn: "What commitment are you, as... as the Representative handling this piece of legislation right now, willing to make on behalf of yourself and the Sponsor in the event the Motion before us succeeds and concurrence fails? Are you going to put this Bill in Conference Committee?"

Epton: "Well, I, of course, I doubt that I would put it in Conference Committee. No, I don't think so. I... Representative Deuster would have the final say--so; but, as far as I'm concerned, if this Bill fails, this would be the end of my effort on this Bill."

Dunn: "Mr. Speaker and Ladies and Gentlemen of the House, to the... to the Bill. This is two or three days before the end of the Session, and we are being called upon to bring back before this chamber legislation which would repeal the tax, a tax that doesn't tax the working man. It doesn't tax the school teacher. It doesn't tax the children. It doesn't tax the senior citizens. It only taxes people who receive gifts. If you happen to be fortunate enough to receive a gift from someone who dies, this Bill... this legislation may tax you. At the present time, there are exemptions for most of the people we know who receive gifts from immediate members of their family not to exceed 20, 40 or 60,000 dollars. The purpose of this piece of

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legislation is to say that anyone who receives a gift up to 600,000 dollars will have no tax to pay, and I ask you, Ladies and Gentlemen, if now when we cannot provide the funds for the poor of this state, if we cannot provide the funds for children of this state, if we're talking about cut backs in Social Security at the federal level and if we have our senior citizens scared to death that they're going to lose their homes because the Circuit Breaker isn't big enough for them to keep their homes, how in the name of heaven can we talk about repealing any part of the Illinois Inheritance Tax which taxes no one who is alive? It only taxes people who receive gifts from someone who dies. Ladies and Gentlemen, I urge your red vote on this Bill for all the people of the State of Illinois. We cannot afford a tax cut at this time. The Sponsor knows this. This Bill should be resoundingly defeated."

Speaker Collins: "Gentleman from Will, Representative Leinenweber."

Leinenweber: "Well, Mr. Speaker, that last Gentleman completely misstated what the Illinois Inheritance Tax is all about. It's not a gift tax. It's not a tax on gift. It's a tax on inheritance, and the type of inheritance you're talking about is the family farm, the family home, the family bank account and things of this nature. Now, there are a lot of gifts that you can receive and probably they ought to be taxed, but the Illinois does not... tax gifts. It does, however, taxes cruel, this very, very cruel tax on inheritances. The wid... this is a widows' tax. It's a farm widows' tax. It's a tax which costs an immense amount of money to enforce for very little return, and we're not talking about eliminating the inheritance tax. We're talking about eliminating the inheritance tax on those smaller estates where the cost of recovery probably either

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equals or exceeds the amount of money recovered. Now, the Gentleman talks about gifts of these huge amounts. Well, I can tell you that any person in this state who receives an inheritance has to go to a lawyer and get a Form 600 filled so he can get a consent from the Attorney General. All of this costs him money. The state... The Attorney General's Office has to maintain many, many employees to administer the consents and the review of the inheritance tax returns. This is a tax which costs virtually as much, except for the huge estate that we continue... will continue to tax which cost virtually as much to administer as receipts come in. This is not a gift tax. This is a tax on inheritance. This is a tax on the widows, a tax on the children, based upon the amount of money that the decedent has been able to accumulate during his lifetime. It's a tax that makes no sense. It's a tax whose time has come and gone. It's a tax that is unfair. It's a tax that is costly to administer. It's a tax that ought to be repealed with the exception of those large estates that can afford to pay it. If you want to keep the requirement that the widows in your Legislative District go to a lawyer and pay a lawyer to make out a form for them so that they can go down to the bank and recover their money from their checking account, then do as the Gentleman asks and vote red. If you want to continue a tax on the widows' whose husband dies and leaves them a home in joint tenancy, who leaves them a bank account, then go ahead and vote red as the Gentleman requests. But, if you want to get rid of that unfair tax that costs more to administer and leave it only on the big estates that can afford to pay it, then vote green. That's what I'm going to do."

Speaker Collins: "Gentleman from Sangamon, Representative Kane."

Kane: "Would the Sponsor yield to a question?"

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Speaker Collins: "Indicates he will."

Epton: "Yes."

Kane: "The last speaker talked about widows receiving houses in joint tenancy. They're already exempt under the inheritance tax, are they not?"

Epton: "Yes. They are relieved from the tax insofar as their contribution, not whatever their husband's share is."

Kane: "Yes, but the widow doesn't pay anything on the house."

Epton: "If she can, of course, show... If the widow has paid nothing towards the house, she's subject to a tax, as you well know."

Kane: "Yes, but she's already exempt, isn't she not?"

Epton: "No."

Kane: "...change that we've already made."

Epton: "She's not exempt by virtue of being a joint tenant. She's exempt by whatever... If she's got a house which was 48,000 dollars ten years ago, it's probably 150,000 today and she's going to pay a tax."

Kane: "What's the widow's exemption?"

Epton: "I really don't know. I think..."

Kane: "Is it 120,000?"

Epton: "I think 60,000."

Kane: "So..."

Epton: "40,000? Some of your colleagues back there tell me it's 40,000. As a lawyer, I should know; but, unfortunately, after 14 years down here, I've forgotten some of my law."

Kane: "Well, there's been a lot of talk about small businesses and family..."

Epton: "I'm sorry, Doug, what?"

Kane: "There's been a lot of talk about family farms and small businesses and widows; but, if that's the case, why is.. why is most of the inheritance tax paid out of suburban Cook and DuPage and Lake Counties?"

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Epton: "Well, I don't know where you get your figures, but we have found that, actually... I had some figures here. I have several files. We have found that, in many cases, one reason would be because the enforcement comes out of Cook County, which incidentally, of course, costs us almost as much to collect, except in large estates, as it does in the small ones. As far as the widows in the... in downstate, I suspect there's probably been a laxity of enforcement."

Kane: "So, basically what's happening is that this tax is basically paid on the inheritance of large blocks of stock and things like that. Is that not true?"

Epton: "Oh no. No, not at all. This is based out of... in the meaning you find that this is a tax entirely across the board. I can't tell you what the exact figures are. You may have them, Doug, but the... there's no question that large corporations pay the tax. There's no question that small widows pay the tax as well as, obviously, the farmers who are hit the hardest. I have no grief for... I can't speak for downstate. I would simply tell you that the Farm Bureau, the... obviously, the Agricultural Association, the Illinois Bar Association, as Representative Leinenweber indicated, even those who are exempt from the tax are faced with a cost of proving their exemption."

Kane: "Doesn't... Doesn't the Governor have a task force now for looking at the whole state tax structure that's suppose to report next year on fairness and equity of the tax structure?"

Epton: "Originally, that was what I thought; but, according to the task force, they will make recommendations to the Governor on property, sales, utility and income taxes. There's no mention of inheritance tax. I brought that up in some discussion with the Governor and the Bureau of the Budget, and I have... Actually, this does not repeal the

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inheritance tax in its entirety. So, if that task force chooses to go into it, we'll be more than happy to receive their recommendations."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, since the repeal of this tax does not affect this fiscal year, is not... does not affect this coming budget, I think it would be much more appropriate for us to leave the consideration of this tax to the consideration of the Fiscal '84 budget, and then the people that are in office at that time can determine whether or not the tax is fair, how it fits in with other taxes and whether the revenue is needed to meet the budget of that year. I don't think that we ought to be repealing taxes now for years that will be effected in '84 and '85. I think we ought to leave that to those Legislatures and to the consideration of that budget, and I would urge a 'no' vote at this time."

Speaker Collins: "Ladies and Gentlemen, I think most of the discussion has been to the merits of the Bill and that's the Motion. He's has explained the Bill, and I would ask that we refrain from the discussion of the Bill until such time as it receives the sufficient number of votes, if it does, to take from the table. The Gentleman from Champaign, Representative Wikoff."

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

Speaker Collins: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?'. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Gentleman from Cook, Representative Epton, to close."

Epton: "Mr. Speaker, I think your remarks are well put. We've been arguing about the Bill, and that should be reserved after the Motion has been passed. So, I would appreciate

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receiving the necessary votes to discuss this Bill shortly after. I would appreciate a favorable vote."

Speaker Collins: "The Gentleman from Cook, Representative Epton, has moved that, pursuant to Rule 63A, House Bill 93 be taken from the table. All those in favor will indicate by voting 'aye', opposed by voting 'no'. The Gentleman from Peoria, Representative Schraeder, to explain your vote?"

Schraeder: "Thank you..."

Speaker Collins: "One minute."

Schraeder: "Thank you, Mr. Speaker. I'd like to point out to the Member from Sangamon and the Member from Macon County that they must have been sleeping for the last ten or fifteen years or at least during their term in Springfield... terms in Springfield. The Democratic Party for years has advocated the removal of the income... of the inheritance tax, and now all of sudden we get two guys that are suppose to be in favor of the widow, and the farmer's wife, and all the kids and so forth and they're leading the fight to kill an income (sic - inheritance) tax removal Bill. This is the first opportunity we've had with ever... both Party's to eliminate the income.. the inheritance tax, and I think we ought to do that. This isn't going to pass a Bill. It gives us a chance to debate the issue and what it covers. And we need 89 votes if we're going to eliminate the inheritance tax, and I'd like to see a few more votes."

Speaker Collins: "The Gentleman from Stephens..."

Schraeder: "Excuse me. 107."

Speaker Collins: "The Gentleman from Stephenson, Representative Rigney."

Rigney: "Well, Mr. Speaker and friends in the General Assembly, lest you think that this is the rich man's tax relief Bill, I would like to point out to you that about 75% of the inheritance tax payers are paying something under 3,000

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dollars. So, it is not what I would term as rich mans tax relief. I would point out to you, for instance, that a widow will pay approximately 41,000 dollars to inherit the average-sized farm in this state, and someone more distantly related will pay about 85,000 dollars to inherit the average-sized farm in this state. So, think that over. It is a widows' tax. The Federal Government has eliminated their widows' tax, and I think it's time that we did the same."

Speaker Collins: "The Gentleman from Madison, Representative McPike."

McPike: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would certainly disagree with the last speaker. I don't know how this could be classified than to say it is a rich individual's tax relief. Only three out of one thousand people in Illinois, three out of a thousand, would have... would benefit at all from this Bill. Only one out of a thousand would receive a 250 dollar benefit, and only one out of ten thousand would receive a benefit of 5,000 dollars or more. So, in an average Legislative District, this would benefit about ten people. Now, I doubt very much if you would classify these ten people as middle class, poor or working class. It would benefit those people who are exceedingly wealthy. About one out of ten thousand people really benefit from this Bill, and those people that say it's not a rich man's tax absolutely refuse to look at the statistics. This Bill will cost Illinois 80 million dollars, 80 million dollars. It goes into effect the first of the year, and the only reason that there could not be a fiscal impact is because there's a ten month lag in collections. That's the only reason. It starts costing Illinois the minute it goes into effect, and the total amount will be 80 million dollars.

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Now, if you think there's 80 million dollars in the budget for tax relief for the rich, then vote for it; but, if you have any conscience and recognize what the state finances are today, you will say that we cannot afford tax relief for the rich and that this...(cut off)..."

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

Epton: "Mr. Speaker, I would only point out that I have tried to refrain from speaking on the Bill time and again. We're speaking only on the Motion to take from the table. All of these arguments you're discussing, both pro and con, are out of place as you pointed out. It needs 107 votes to then discuss the very thing that we're taking. At that time, we can rectify some of the very, very erroneous statements made, but I would appreciate 107 votes. I certainly intend to give you ample time to discu... to review the Bill; but, at least, put it in the position where it can be worthy of passage."

Speaker Collins: "Have all voted who wish? The Gentle... The Lady from Sangamon, Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the House, when you asked us to put out our light and not discuss the merits, I did, and the next two speakers kept right on. And so I feel that I have the same privilege coming."

Speaker Collins: "Your point is well taken."

Oblinger: "I have three things I'd like to say. Number one, I didn't know that we went for double and triple taxation in this nation. When we earn the money, we pay income tax. Then we buy a piece of land, and we pay property tax. And now we're going to pay on the same thing, inheritance tax. It's not fair. It's not right. It penalizes the people who work and save their money. Number two, I laugh at the people over there who were talking about the rich who just voted 16 million dollars for the Judges. I suppose they're

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poor. What are you talking about? With that 16 million, you could go out and do a lot of welfare, a lot of education. What kind of crazy double-talk is that? And, number three, all of you know people, and I know you know people who have had to sell parts of their farm. And now we have agri-business, and we say, 'Oh, we're losing the poor little farmer'. You're darn right we're losing the little farmer. They can't afford to keep it up. A lady down here in Hillsboro, and some of you ought to know about it over there, just got through selling 80 acres of her little farm in order to pay her inheritance tax. What are you talking about rich people? You should know about rich people. They're not the ones we're talking about."

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

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I probably have an odd vote up there, a 'no' vote, but I think it's a fiscally responsible vote. We've known and we've discussed this issue now for two years. We know what it's going to cost. We're fooling ourselves if we think 1983 is going to be the magic year when we're not going to need the 100 million, and I've heard the other people talk about the horror stories. Well, I happen to be part of my business, handling estates, and I haven't seen these same horror stories that they're talking about. Maybe I just don't get the right estates, but I've handled a number of average farms, I guess, Representative Rigney, and haven't seen any of them pay the State of Illinois 40,000 or 80,000 dollars. Some of the prior speakers have told about how much we spend... (cut off)..."

Speaker Collins: "Gentleman from Cook, Representative Yourell. Representative Yourell. The Gentleman from Cook, Representative Bullock."

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Bullock: "Thank you, Mr. Speaker. I just rise to state that should this Bill receive the requisite number of votes I request a verification of the affirmative vote."

Speaker Collins: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. Representative Bowman, for what purpose do you rise?"

Bowman: "For purposes of a verification."

Speaker Collins: "That's already been requested. Representative Epton."

Epton: "Before you proceed with the verification, I already indicated that I will not proceed with this Bill tonight. This will merely put it on the Calendar. I don't know what the purpose of the verification is, because all it does is put it on the Calendar. It still will require the 107 votes for the passage."

Speaker Collins: "Alright. On this Motion, there are 108 voting 'aye', 40 voting 'no', 5 voting 'present'. The Gentleman from Cook, Representative Bullock, has asked for a verification. The Gentleman from Cook, Representative Epton, has asked for a Poll of the Absentees. And for what purpose does the Gentleman from Winnebago, Representative Mulcahey, rise?"

Mulcahey: "Mr. Speaker, may I have leave to be verified now, please?"

Speaker Collins: "Gentleman asks leave to be verified. Is leave granted, Representative Bullock? Representative Bullock, your seatmate asked leave to be verified. Leave is granted. Same request of Representative Flinn. I think we opened the flood gates. Wait 'til Representative Bullock gets back to his desk. What purpose does the Gentleman from Champaign, Representative Johnson, rise?"

Johnson: "Same request."

Speaker Collins: "Alright, if you'll hold that until

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Representative Bullock returns to his seat. Mr. O'Brien, are you making a list of those requesting... Then Representative Flinn was the last one granted. Representative Johnson has asked for the same privilege. Representative Donovan, Representative Rea, Representative Pechous, Representative Barr. Representative Irv Smith, same request. Oh no, Representative Barr is seeking recognition."

Barr: "Mr. Speaker, I have a conflict of interest on this Bill and wish to be recorded as voting 'present'."

Speaker Collins: "Let's record Representative Barr as voting 'present'. I think he voted himself though. Oh, no. Alright, Mr. Clerk, if you'll proceed with the Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Balanoff. Barnes. Bell. Deuster. Jack Dunn. Ebbesen. Garmisa. Getty. Hanahan. Jaffe. Karpiel. Levin. Martire. Ted Meyer. R. J. Meyer. Murphy. Peters. Pierce. Sandquist. Harry Smith. Stanley. Stearney and Telcser."

Speaker Collins: "Alright, the Poll of the Absentees is concluded. We'll proceed with the Verification of the affirmative Roll Call."

Clerk O'Brien: "Abramson. Ackerman."

Speaker Collins: "Representative Bullock."

Bullock: "Could you merely ask the Members to either raise their hand or be in their seats? I don't care which one, as long as I can find them."

Speaker Collins: "Yes, the rule... the rule requests that they do both, be in their seat and raise their hand when their name is called, and I would ask that the Members comply with the rule."

Clerk O'Brien: "Alstat. Bartulis. Beatty. Bianco. Birkinbine. Boucek. Bower. Bradley. Breslin. Brummer. Capparelli.

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Christensen. Collins. Conti. Daniels. Darrow. Davis.
Deuchler. DiPrima. Domico. Donovan. Doyle. Ralph Dunn.
Epton. Fawell. Findley. Flinn. Virginia Frederick.
Dwight Friedrich. Giglio. Griffin. Grossi. Hallock.
Hallstrom. Hannig. Hastert. Hoffman. Hoxsey. Hudson.
Huskey. Johnson. Jim Kelley. Klemm. Kociolko. Koehler.
Kornowicz. Kosinski. Krska. Kulas. Kustra. LaHood.
Laurino. Lechowicz. Leinenweber. Leon. Leverenz.
Macdonald. Margalus. Mautino. Mays. McAuliffe.
McBroom. McCormick. McGrew. McMaster. Miller.
Mulcahey. Neff. Nelson. Oblinger. O'Brien. O'Connell.
Olson. Ozella."

Speaker Collins: "Excuse me, Mr. Clerk. Representative Daniels asks leave to be verified."

Clerk O'Brien: "Continuing the Poll of the affirmative. Pechous. Piel. Preston. Pullen. Rea. Reed. Beilly. Richmond. Rigney. Robbins. Ropp. Schraeder. Slape. Irv Smith. E. G. Steele. C. M. Stiehl. Stuffle. Swanstrom. Tate. Terzich. Topinka. Tuerk. Van Duyne. Vitek. Watson. Wikoff. Winchester. Sam Wolf. Woodyard. Zito. Zwick and Mr. Speaker."

Speaker Collins: "Are there any questions of the Affirmative?"

Bullock: "Thank you, Mr. Speaker. What number are we starting with, Mr. Speaker?"

Speaker Collins: "We're starting at 108 'ayes'. For what purpose does the Gentleman from Cook, Representative Abramson, rise?"

Abramson: "How am I recorded?"

Speaker Collins: "How's the Gentleman recorded?"

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

Abramson: "Vote me 'present'."

Speaker Collins: "Gentleman wishes to be recorded as voting 'present'. There are 107 voting 'aye'. Questions of the

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affirmative Roll Call."

Bullock: "McAuliffe. McAuliffe."

Speaker Collins: "I didn't hear you..."

Bullock: "McAuliffe."

Speaker Collins: "Representative McAuliffe. Is the Gentleman in the chamber? How is he recorded?"

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

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

Clerk O'Brien: "E. G. Steele."

Speaker Collins: "E... for what purpose does the Gentleman from Cook, Representative Peters, rise?"

Peters: "How am I... How am I recorded?"

Speaker Collins: "How's the Gentleman recorded?"

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

Peters: "Vote me 'aye'."

Speaker Collins: "Record the Gentleman as voting 'aye'. I... E. G. Steele is the last request?"

Bullock: "Yes, Sir."

Speaker Collins: "Is the Gentleman in the chamber? How is he recorded?"

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

Speaker Collins: "Remove him."

Bullock: "Terzich."

Speaker Collins: "Representative Terzich. Gentleman in the chamber? How is he recorded?"

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

Speaker Collins: "Remove him. Further questions?"

Bullock: "Klemm."

Speaker Collins: "I didn't hear that."

Bullock: "Klemm."

Speaker Collins: "Representative Klemm."

Bullock: "Klemm."

Speaker Collins: "Representative Klemm. Representative Klemm."

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

Speaker Collins: "Remove him."

Bullock: "White."

Speaker Collins: "Representative White. Is the Gentleman in the chamber? How is he recorded?"

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

Speaker Collins: "Remove him."

Bullock: "Did I..."

Speaker Collins: "Further questions?"

Bullock: "Did I call Terzich?"

Speaker Collins: "You did call Terzich, yes, and we removed him."

Bullock: "McAuliffe we removed also."

Speaker Collins: "We removed McAuliffe also."

Bullock: "Okay. Margalus."

Speaker Collins: "Representative Margalus. Is the Gentleman in the chamber? How is he recorded?"

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

Speaker Collins: "Remove him."

Bullock: "Capparelli."

Speaker Collins: "Representative Capparelli. Is the Gentleman in the chamber? How is he recorded?"

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

Speaker Collins: "Remove him."

Bullock: "Kosinski."

Speaker Collins: "Representative Kosinski. Is the Gentleman in the chamber? How is he recorded?"

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

Speaker Collins: "Remove him."

Bullock: "Domico."

Speaker Collins: "Representative Domico. Is the Gentleman in the chamber? How is he recorded?"

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

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Speaker Collins: "Remove him."

Bullock: "Pechous."

Speaker Collins: "Representative Pechous. Return Kosinski to the Roll Call. Pechous had leave to be verified."

Bullock: "Sorry, Mr. Speaker."

Speaker Collins: "And he's back there anyway."

Bullock: "Okay."

Speaker Collins: "Record Representative Telcser 'aye'."

Bullock: "LaHood."

Speaker Collins: "Representative LaHood. Is... The Gentleman's in the center aisle."

Bullock: "Beatty."

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

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

Speaker Collins: "Remove him. Further questions?"

Bullock: "Laurino."

Speaker Collins: "Representative Laurino. Is the Gentleman in the chamber? How is he recorded?"

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

Speaker Collins: "Remove him."

Bullock: "Bianco."

Speaker Collins: "Representative Bianco is in his seat raising his hand."

Bullock: "Rea. R-E-A."

Speaker Collins: "I... check your list. I thought he had leave or did he? Yes, Representative Rea had leave."

Bullock: "Yes, he had permission. I didn't write them all down, Mr. Speaker. Giglio."

Speaker Collins: "Representative Giglio. Is the Gentleman in the chamber? How is he recorded?"

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

Speaker Collins: "Remove him?"

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Bullock: "Flinn."

Speaker Collins: "Flinn had leave to be verified."

Bullock: "Hastert."

Speaker Collins: "McMaster did you say? He's in his seat."

Bullock: "Hastert. H-A-S. Hastert."

Speaker Collins: "Oh, Hastert, I'm sorry. He's in the aisle with Representative Peters."

Bullock: "Doyle."

Speaker Collins: "Representative Doyle. The Gentleman is right in back of you. Further questions?"

Bullock: "Findley."

Speaker Collins: "Representative Findley. Is the Gentleman in the chamber? He's in the center aisle."

Bullock: "What's the count, Mr. Clerk?"

Speaker Collins: "I don't know. What is the count, Mr. Clerk? Now it's 99."

Bullock: "I have no further questions at this time."

Speaker Collins: "On this question there are 99 voting 'aye', 40 voting 'no', 6 voting 'present', and the Gentleman's Motion is lost. ... liked the movie, Ray. Page two of the Calendar, Senate Bills, Second Reading. Senate Bill 1654. The Bill has been read. Are there any... A second time. Are there any further Amendments?"

Clerk O'Brien: "Amendment #23, Telcser - Bullock, amends Senate Bill 1654 on page one, line one by inserting..."

Speaker Collins: "The Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, I'd like to first of all say that Representative Bullock is a principal Cosponsor of Amendment #3 (sic - #23) along with me, and he will be closing the debate on Amendment #23. Amendment #23 is the work product of many, many hours of long, diligent, hard work with Speaker Ryan, the Members of... who

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represent the hospitals in Illinois and also with the help of Representative Madigan. Mr. Speaker and Members of the House, I believe that Amendment #3 (sic - #23) to House Bill 1654 will resolve the differences which we had between the hospitals of Illinois and the state, in order to provide adequate repayment for the hospitals and still maintain budgetary integrity for this next fiscal year. Amendment #23 will set forth a new formula with the most recent cost reports for each hospital to be trended forward to January 1, 1983 based on data from Data Resources, Incorporated. That is the inflation indicator for Fiscal 1983. The hospital utilization formula, as proposed by the Department of Public Aid, will be incorporated into the Amendment on hospital reimbursement for Fiscal 1983. 782 million dollars will be appropriated and would be a 12 month spending for hospital reimbursement for Fiscal 1983. In addition to this 782 million, there will be a 15.5 million dollar fund set aside for distressed hospitals, and that will be disbursed based upon a formula contained in Senate Bill 1672. The total spending for Fiscal 1983 for hospital reimbursement will be in the amount of 797 million and a half dollars for hospital reimbursement. The interim hospital rate payments will be reconciled in Fiscal 1984 at a level not to exceed 170 million dollars or this new statutory formula, whichever is the lesser of the two. The payments to be made, pursuant to House Bill 811 for Fiscal 1982, on or before September 15th, is estimated to be 25 million dollars. Continuation of the regular payment program is incorporated into the Amendment; and, Mr. Speaker and Members of the House, I again say that we owe a great deal of thanks to the principals who represented the hospitals in the state, to Speaker Ryan who put in a great deal of time and the help which Representative Madigan

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offered the principals involved in this long, hard negotiation period. I think that Amendment #23 to Senate Bill 1654 is one which all the Members can support so that we can go on and finish up the rest of the business necessary for this Session. I appreciate a favorable vote."

Speaker Collins: "Is there any discussion? The Gentleman from Cook, Representative Preston."

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

Speaker Collins: "He indicates he will."

Preston: "Representative Telcser, on page one of the Amendment, line 13 there's a reference to a Hospital Hardship Relief Fund. That Fund does not currently exist. Is that correct?"

Telcser: "It's in the Fiscal 1983 appropriation Bill. Is that your question, Representative?"

Preston: "No, the... my question is, the reference to a Hospital Hardship Relief Fund. There is no Hospi... There is no Hospital Hardship Relief Fund in existence. Is that correct?"

Telcser: "That is correct."

Preston: "Then payments, under this Amendment, would have to be made through the General Revenue Fund of the state. Is that right?"

Telcser: "That's correct."

Preston: "And in line... lines 14 and 15 on page one of the Amendment... and page... On line 14 it referred to the term 'financial hardship'. You're talking about hospitals which demonstrate that it's experienced a financial hardship. What... What do you mean by a financial hardship?"

Telcser: "If you continue to read on, Representative, to lines 15

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and 16, I think you'll find an explanation to your question. I think that adequately describes what a financial hardship would be."

Preston: "No, well... Well, my... First, I have a question about line 14 with 'financial hardship'. The rest of that, on line 15, is referring to a disproportionate number. That's my next question. I don't.... How do you... Are there any guidelines in here that state what a financial hardship is? Is there any formula included in this Amendment that will indicate when a hospital is experiencing a financial hardship?"

Telcser: "Currently, the Department of Public Aid has rules which set forth the guidelines for ascertaining financial hardship. Additionally, if you'll refer to page three, Section (E), you'll find additional language which, perhaps, could answer your question."

Preston: "Can you... I don't have time, while we're discussing this, to refer to it. Can you tell me what... where it is on page three and what it says that would indicate what a financial hardship is, because I mean... I... What I'm concerned with is any hospital can automatically... can come out and say, 'We're experiencing a financial hardship'. How are you supposed to know if, indeed, it's experiencing some financial hardship? Are there guidelines contained in this Amendment?"

Telcser: "Representative, perhaps again, as a more succinct explanation for you, if you refer to page four, Section (B), the Section starting off by saying, 'a hardship relief to any eligible hospital under this Section shall not exceed its unmet cash flow requirements caused by the reimbursement methodology... methodology used by the Illinois Department under this Code', and I think that's a reference back to the rules which I just alluded to that the

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Department has adopted - 'for hospital in-patient/out-patient or clinical services', etcetera, etcetera, etcetera. I think that goes to line 24. I think that, along with the language which I just referred you to and along with page two, Section (C), perhaps that could answer your question for you."

Preston: "Well, Representative, on continuing with from page..."

Telcser: "Additionally, let..."

Preston: "... From lines 14 on page one to line 15, it talks about a hospital that's experiencing financial hardship because that hospital serves a disproportionate number of low-income patients."

Telcser: "I think that, if you go to page three, Section ... line 28, in which it starts off by saying first, 'to a... all hospitals experiencing a financial hardship and which have at least 65% of their total in-patient day reimbursed under provisions of Title 20...18', etcetera, etcetera. I think the 65% figure is the ratio which you're looking for."

Preston: "Well, I ... If that's the only statement in this Amendment that talks... that defines what a disproportionate number is, I don't think it does it. What years are compared in order to determine what is disproportionate in Fiscal Year '83 versus... versus when? Is it compared to Fiscal Year '82 or Fiscal Year '81?"

Telcser: "This is.. This... Fiscal '83 will have to stand on its own weight and if the guidelines had been determined by prior experience throughout the state, and the 65% figure is one which will apply to Fiscal 1983."

Preston: "Then a hospital could, in fact, have fewer patients in Fiscal Year '83 than in '82; but, under this Amendment, they'd still be entitled to... could possibly be entitled to additional revenues from the General Revenue Fund."

Telcser: "That... That, perhaps, could or could not occur. I

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wouldn't be in a position to predict what the occurrence would be."

Preston: "Alright, and on line 22 on page one there is a reference to 'the reasonable and necessary cash flow requirements of the hospital'. It says that Section (B) says, to be eligible for hardship relief, a hospital must demonstrate that; one, insufficient funds are available to meet reasonable and necessary cash flow requirements. Are there any guidelines in this Amendment for determining what are reasonable and necessary cash flow requirements?"

Telcser: "Guidelines are not set forth in this Bill, because of the nature of the diversity of the various hospitals throughout Illinois and the patient population which they serve. Additionally, it's a common word of art used in accounting; that is, the word 'reasonable', and every institution, I think, would then have to come in and make their case; because, most institutions are really unique unto themselves."

Preston: "So, then the Department of Public Aid is given this extraordinary power to determine what they consider to be reasonable; and, of course, if Governor Stevenson, if that should happen, that his Director of the Department of Public Aid might have a different idea of what's reasonable than the current Director of the Department of Public Aid."

Telcser: "Well, Representative, that's the..."

Preston: "Because there are no guidelines. Is that..."

Telcser: "That's... that's the... that's the decision making power that we vest in anyone who's either elected to an office or who heads up an agency. Whether it's the director of an agency or a lower-level executive person, all of us make judgements every day in which we ascertain whether or not something is or is not reasonable. And I think, by leaving the language the way it is, it also gives

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us an opportunity to help hospitals who may, for one reason or another, be just over the borderline with stringent rules. I think that the language the way we've drafted it has given an opportunity for every hospital to come in and make their case. I don't think you would want stringent rules that never give some an opportunity to be an exception perhaps. You and I call it having to rock..."

Preston: "Well, going to page two, Representative Telcser, on line four... or lines three and four of page two where there is a reference to hospitals that serve a disproportionate number of low-income patients. Again, in this Amendment, I was able to find no definition of what low-income patient is. Is this also something that's going to be left up to the discretion of the Director of Public Aid? Because, Representative Telcser, as you know, sometimes Republicans and Democrats have different ideas on what constitutes low income."

Telcser: "Well, I don't think all Democrats or Republicans agree with each other necessarily among themselves; but, nevertheless, I think low income patients are defined as those patients receiving government aid. I think that the..."

Preston: "Well, can I go and seek government aid? I feel my income is far lower than it should be."

Telcser: "I don't know. Maybe you can. Maybe we all can. With the kind of salary we're getting, I think we are all entitled to it."

Preston: "Well, I agree with that..."

Telcser: "We go to the Department and get green cards."

Preston: "On line 32, Representative, again on page two, there is a reference to the, again, this Hospital Hardship Fund which does not exist, but it states that it shall not exceed 15.5 million dollars. This 15.5 million dollars, in

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fact, is not included in the Governor's budget. Is that correct?"

Telcser: "It was not included in his original budget; but, if we pass this Bill, it obviously will be in the budget. And the Fund to which you refer, while it doesn't exist now, will exist under this legislation."

Preston: "Well, I... I disagree with you. There is nothing in here that creates that Fund, and the 15.5 million dollars that is not now budgeted; this is not in the budget..."

Speaker Collins: "Gentl... Gentleman, Gentleman, you're getting into a dialogue now. If you're asking questions, please stay to... If you want to speak to the Bill... the Amendment, please speak to it."

Preston: "Representative, on... Has Cook County Hospital had an opportunity to review this Amendment?"

Telcser: "This was just worked out today; and, to the best of my knowledge, the Hospital has not yet looked over the Amendment, but certainly the needs of Cook County Hospital or other hospitals in those... with those kinds of patient profiles would have to be equitably treated with the legislation."

Preston: "Representative, going on to page nine of the Amendment. On page nine, there is references on line 5 to 797 and a half million dollars; and, on line 27, there's a reference to 170 million dollars for an... an amount to exceed that 797 and a half. Is there anything in this Bill that states that the sum of those two figures will be payment in full for Fiscal Year '83 cost needs?"

Telcser: "The answer is no."

Preston: "So, then we might find that it's... the cost... the money that is needed is in excess of that 797 and a half million and 170 million. It might be, instead of 170 million, we might need 230 million or 280 million."

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Telcser: "Except that the hospitals have agreed that this would be the ceiling of the expenses which they would submit to the state. Without that, the state would find itself absolutely bankrupt."

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

Speaker Collins: "You've practically exhausted your time, but please proceed."

Preston: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I think you should pay attention. I'd ask you, Mr. Speaker, if you can get some of the attention of the Members of the House. Mr. Speaker, if you can get some attention on the floor. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think you'd be well advised to pay particular attention to this Amendment #23. This is not a good Amendment. This Amendment is very substantive and has not had the opportunity to go through Committee. It has not been discussed. It has not been debated. It is designed to help among others, primarily, Cook County Hospital, which, as Representative Telcser indicated, has not even had the opportunity to read this Amendment which just got into print this morning. This Amendment does not indicate that the money being budgeted is sufficient to cover the cost needs. It may be undersufficient. It may be oversufficient. This Amendment refers to a Fund that does not even exist. To pass an Amendment like this, which is supposedly an agreed Amendment that will solve problems without having the opportunity of Cook County to review it, without having the opportunity of a Committee to review it, is ludicrous. This is a bad Amendment which should not, at this time, be considered, and I certainly urge people to look at this very carefully and to come out with a 'no' vote on it."

Speaker Collins: "The Gentleman from DeWitt, Representative

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Vinson."

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

Speaker Collins: "He indicates he will."

Vinson: "Representative Telcser, on page four of your Amendment, at least the page four that I have in your Section 5-5.11... Do you follow where I am? Okay. There's a line that says, 'an estimated amount for payments for services provided prior to July 1, 1982'. Could you explain what that language relates to?"

Telcser: "Representative, for each fiscal year that we start to spend money, we...we... we repay expenses for the last couple, three months of the prior fiscal year or the fiscal year ahead of time. So, that has to be estimated."

Vinson: "I think I understand that. Now, on what I have as page six of the Amendment, your categorization in Section 3A-2 for major teaching hospitals. Follow where I am, Sir? Okay, now what is the purpose for distinguishing major teaching hospitals from other hospitals?"

Telcser: "Because teaching hospitals have, in their patient population, a uniquely different type of patient than does the other general type of hospital; and, in order to calculate that type of patient population, we would have to calculate a different patient day population calculation, because of the uniqueness of the type of people they treat and the length of time they may keep people in the institution in order to perform the services for training physicians, as a teaching hospital may do; physicians or nurses or that type of personnel. That could alter the time period in which people are kept in the hospital."

Vinson: "You mean we're keeping patients in the hospital longer in teaching hospitals to accommodate medical students?"

Telcser: "No, Representative. No, Representative. No, Representative. You're a good lawyer, but please. We are

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not keeping people frivolously in a hospital for longer than is necessary. First of all, teaching hospitals have a number of patients who have illnesses which are very complex in nature in which... at which this type of facility they can only be treated or helped. If you had a very, God forbid, a very complex, difficult illness, you may have to go to a teaching hospital who have more equipment, more specialists, more people familiar with the uniqueness of the type of illness you may have. That could necessitate a longer stay in the hospital. Additionally, additionally, if we... if the hospital were to keep you in the hospital for an extra day or two, in order to train other physicians to learn how to treat some complex dread illness, I would say, in my personal opinion, that is a legitimate function."

Vinson: "Now, let me see if I understand your answer. Point number two first, you're saying that in some cases the teaching hospitals do keep the patients longer to train doctors."

Telcser: "I don't know if that's a fact. That's, frankly, is something which I thought may occur."

Vinson: "Okay. Now, on your point number one, you're suggesting that the patients in the teaching hospitals are different from the patients in the other hospitals; that they have different illnesses."

Telcser: "I'm saying, in some cases, the more complex cases are frequently sent to the teaching hospitals where the patients can be better served."

Vinson: "Now, Mr. Telcser, it's my understanding that, pursuant to this Amendment, the Department will establish or has established various diagnostic codes in order to determine the various kinds of excess days for the various kinds of illnesses. Is that right?"

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Telcser: "That is correct."

Vinson: "Now, are you suggesting that a diagnostic code, some 241 diagnostic codes I think. Is that about right?"

Telcser: "That is correct."

Vinson: "Now, are you suggesting that diagnostic code 239 is different at St. John's than it is at, say, Springfield Community Hospital?"

Telcser: "No, I'm not saying that, Representative; but, for those diagnosis, the length of stay will vary from one to the other and, therefore, the different rules to which you refer. Every illness is a different length of stay. I think that's... everyone understands..."

Vinson: "We... Within diagnostic code 239, there are differences. Within diagnostic code 239, there are substantial differences."

Telcser: "Between teaching and non-teaching, is that what you mean?"

Vinson: "Well, just between the diagnosis, between the illness the patient has."

Telcser: "But, do you mean between hospitals, teaching or non-teaching?"

Vinson: "No, I'm talking about the diagnosis now."

Telcser: "Could you read rule 239 to me? Do you have a copy of it?"

Vinson: "No, I'm just saying, for a specific diagnosis, patients substantially differ. Is that what you're arguing?"

Telcser: "I am arguing... I am arguing that, as a rule, teaching..."

Speaker Collins: "Please bring your remarks to a close. Your time is getting very short, Representative Vinson."

Telcser: "Teaching hospitals keep patients with complex illnesses a longer period of time than do other hospitals whose caseload or patient population does not have those... those

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complex cases in those larger numbers."

Vinson: "Does the effect of this divert more money into major teaching hospitals than would otherwise be the case if that categorization were not in the Bill?"

Telcser: "I don't think it follows necessarily that that will be the case."

Speaker Collins: "Speaker Ryan in the Chair."

Telcser: "It may be the case if, in fact, the patient days... if, in fact, the patient days turn out that way, but it doesn't follow that it's going to happen. As an ergo, therefore, it happens."

Vinson: "On page eight of the Bill, Mr. Telcser, where you reduce... where you talk about the expected number of patient days in D... in 2D, does that include the correction in G2?"

Telcser: "Does that include... Does that include what?"

Vinson: "Does that include... You make a correction in G2."

Telcser: "Oh, yes. That includes the correction, yes."

Vinson: "Okay, to the Bill, Mr. Speaker. This Bill does one thing that's good in that it contains costs. It does another thing that's bad in that it distorts the way in which the money is distributed. The way in which the money will be distributed, I think, although I'm not certain because we have not had time to digest this Amendment, but the way in which the money will be distributed more of it will go to big city teaching hospitals and less of it will go to your community hospitals; be they community hospitals in downstate or in the City of Chicago. Every Member has to make a decision whether they want to see the money go to big teaching hospitals or whether they want to see the money go to community hospitals. That's a decision each Member has to make for themselves. The Bill does have the single laudatory effect of containing costs, and that is a

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reason for voting for it."

Speaker Ryan: "Any further discussion? Representative Leverenz."

Leverenz: "I move the previous question."

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1654, as amended, deals with hospital cost containment. The negotiations between the Democratic Leadership and the Speaker of the House, the Thompson administration and the Hospital Association officials have resulted in a definitive commitment on interim hospital rate payments which will be reconciled in FY '84 at a rate not to exceed 170 million dollars or any new statutory rate formula, whichever is the lesser amount. I think this is perhaps the centerpiece of this argument. I think the specific legislative intent cannot be understated during the debate on this particular Amendment, particularly because it is a most crucial issue. Hospitals in the State of Illinois will still receive severe underfunding for FY '83, which can only be translated into paying for the hospitals in our state and subsequently the third-party payers as well. Particularly, it will be painful for those institutions who have shown a commitment to treating the poor, the working poor and the distressed citizens of our state. However, given the miserable financial conditions of our state as well as the conditions that exist within the health-care industry, we realize that this legislation is nothing more than perhaps a band-aid for the hemorrhaging health-care industry, and our work, in this area, remains unfinished. We now must proceed, however, to adopt this Amendment to develop a reasonable and

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comprehensive approach and equitable cost containment for the hospitals in Illinois. This legislation, in my estimation, represents an admission by the Department and by the administration and by the Hospital Association that there's an unfinished agenda. There's an unfinished plan that we must proceed with in this state to deliver quality health care for all of the citizens, but it is the best that we can afford at this point. And I would urge an 'aye' vote."

Speaker Ryan: "Gentleman moves for the adoption of Amendment #23 to Senate Bill 1654. All in favor will signify by saying 'aye', all opposed 'no'. Is there any doubt in your mind, Representative Preston. You want a Roll Call vote on this Representative? All in favor will signify by saying 'aye', all opposed 'no'. Roll Call. All in favor will signify by voting 'aye', all opposed by voting 'no'. Is there any question in your mind, Representative Preston? You want to verify the Roll Call? Representative John Dunn, did you care to explain your vote?"

Dunn: "Point of inquiry, Mr. Speaker. All the copies of the Amendment that I see have some kind of attachment at the back of them, and I wonder if that's part of this Amendment or not. It would appear to my untrained eye to be a distribution of literature in violation of the rules of this House, but that surely wouldn't be so; but, if it isn't I don't understand the form of the last page of the Amendment. So, I wonder if the Amendment's in order."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. Got to be... On this question there are 143 voting 'aye', 10 voting 'no', 4 voting 'present', and Representative Smith, for what purpose do you seek recognition?"

Smith, Margaret: "Mr. Speaker, I'd like to address this to the

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Sponsor... I want to support this Bill, but I want..."

Speaker Ryan: "Just a minute, Representative. You're certainly not timely. We're... just completed the Roll Call. What... Did you have a question, you said?"

Smith: "I said I want to support this Bill, and I want to vote for the Bill. But I want to ask a question."

Speaker Ryan: "Well, it's not timely, Representative."

Smith: "I've had... Yes, I had my button on for quite some time, Sir. My button... In fact, my button was on before Mr. Bullock..."

Speaker Ryan: "You know, I really hate to tell you this. It's just not in order, but I'll... I'm going to let you do it, but it's really way out of line. Proceed."

Smith: "I ask leave of the House, please, if I may ask this question. I merely want to ask - the budget... the budget that had been provided for some of the hospitals that was promised and they did not receive their monies, will this any ways hurt them or will they get their monies? Are the... their cash flow running are provided now that they are getting their monies?"

Telcser: "This Bill wouldn't hurt them at all, Representative. They will get the money to which they're entitled."

Smith: "They are going to get to get the money."

Telcser: "Yes, Ma'am."

Smith: "That's what I wanted to make certain, Sir. That's all I wanted to know, and I'd like to be registered as voting 'aye'."

Speaker Ryan: "Record the Lady as 'aye'. We now have 144 voting 'aye', 10 voting 'no', 4 voting 'present', and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Ryan: "Third Reading. Representative Epton, do you seek recognition? Messages from the Senate."

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Clerk Leone: "A Message from the Senate by Mr. Wright, Secretary, 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their Amendments to Bills of the following titles, to wit; Senate Bills 1418, 1417, 1416, 1415, 1414, 1407, 1405, 1404, 1403, 1402, 1400, 1399, 1398, 1397, 1386, 1374, 1363, 1359, 1285, 1413, 1411, 1409, 1406, 1678, 1524, 1516, 1514, 1445, 1428, 1427, 1419, 1420, 1421, 1422, 1425 and 1426, action taken by the Senate June 27, 1982, Kenneth Wright, Secretary'. A Message from the Senate by Mr. Wright, Secretary, 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to recede from their Amendments to Bills of the following titles, to wit; House Bills 2498, 2359, 2276, 2285, 1913, 2133 and 1271, action taken by the Senate June 27, 1982, Kenneth Wright, Secretary'."

Speaker Ryan: "Representative Telcser."

Telcser: "Mr. Speaker, I now move that the House stand adjourned until Monday afternoon at the hour of 2:00..."

Speaker Ryan: "The House now... The Gentleman moves the House stand adjourned until the hour of 2:00 p.m. Monday, tomorrow. All in favor signify by saying 'aye', all opposed 'no'. The 'ayes' have it, and the House now stands adjourned."

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