

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

76th Legislative Day

June 30, 1981

Speaker Ryan: "The House will come to order. The Members will be in their seats. We'll be led in prayer today by Reverend Ahgrim from the Berean Baptist Church in Springfield. Reverend."

Reverend Ahgrim: "Thank you for the courtesy extended in permitting me to lead this Assembly in opening prayer. Shall we talk to our Lord. Heavenly Father, again we thank You that we can come before you as children confessing that we do not know everything for this is why we meet together to make laws that should be binding upon people. We, therefore, come to You, our God, not as those who would be lords but those who would be servants. Grant us the awareness that those who would be great would be those who would be least and those who would be loved would be those who serve. We ask You, our Heavenly Father, for the heart of a solemn and that shall be wise in every decision and every rational and yet, our Heavenly Father, we would pray for the humility of a child that would say even a solemn, 'I am but a child and have a marvelous task to lead so great a people.' We pray, our Heavenly Father, that we might be looked upon as the years go by as an Assembly that has made decisions that were profitable and wise binding upon the people. And yet, our Father, for the good of the whole. We would ask that we might not be as stars that wonder that have no meaning, as waves that give forth only form and no meaning. May we never be viewed as trees that are bearing without fruit and roots that are rotted but rather, Father, as an Assembly may we make decisions that would be pleasing to You, good for the people and honoring to this great land. We thank You for a history and a heritage as fine as that we gaze back upon. We beseech You for understanding in the present and will look forward, our

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Heavenly Father, to a future that shall honor the decisions that You have led in. Bless this Assembly. Thank You for every Member of it. Grant wisdom to stay. And all decisions and discussions we'll be careful to thank You for. We approach Your throne of grace courageously, boldly but with thanksgiving in Jesus' name. Amen."

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

Pullen: "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 171 Members..wait a minute. Representative Donovan, is Representative McGrew's button on his desk pushed green? It is? Leave it there. That's alright. Would you..what color is McClain's? We got.. if you notice on the Board there's two green lights that show and the tally is three. There's one red light tally but there isn't any lit. Representative Vinson."

Vinson: "The total also adds to 178."

Speaker Ryan: "No comment."

Vinson: "Now, that may be the best thing that we've done since the voter's approved the cutback Amendment."

Speaker Ryan: "Let's try again Roll Call attendance one more time. Representative Piel."

Piel: "If you'll check Representative McBroom also. He was present and all of a sudden he went off the Board completely."

Speaker Ryan: "We've had a recount. We're down to 176 now. Alright, we're going to take Roll Call for attendance again. No, I guess we're not. Roll Call for attendance again. You're only going to get paid one per diem. Roll

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Call for attendance. I think we've got things cleared up now. You want Yourell's button left off? 173 Members answering the Roll. A quorum of the House is present. Agreed Resolutions."

Clerk Leone: "House.. Agreed Resolutions. House Resolution.. House Joint Resolution 45, Hanahan. House Resolution 451, Breslin. 452, Terzich. 453, Terzich. 454, Terzich. 456, Huskey. 461, DiPrima-et al. 462, DiPrima-et al. 463, DiPrima-et al. 464, DiPrima-et al. 465, Dick Kelly. 466, Ewing-Hoxsey-Breslin."

Conti: "Mr. Speaker, Ladies and Gentlemen of the House, House Joint Resolution 45, Hanahan-Lechowicz-Conti-et al, United Brotherhood of Carpenters and Joiners of America, AFL-CIO was founded August 8, 1881 celebrating its centennial. House Resolution 451, Breslin, Joseph T. Monahan Jr. has recently announced his resignation from the position of Executive Director of the Youth Service Bureau in Ottawa. House Resolution 452, Terzich, Mr. and Mrs. Walter Pula, honored and active citizens of Chicago's great Southwest Side community for many years, will celebrate fifty years of wedded bliss. House Resolution 453, Terzich, the Wentworth Park Oilers, an outstanding football team in the Chicago Park District Junior Bear Football Program, have successfully competed in the South Section Division, with a six-win, no-loss season and scored 178 point. House Resolution 454, Terzich-et al, Andrew Francis Nowak won the highest award that The Boy Scouts can bestow upon a Scout which is the Eagle Scout. House Resolution 456, Huskey, Lt. Lewis Ahner was piloting a B-17 crashed near the tiny village of Saint Andre La Cote and then a high school physic teacher in Oak Lawn, returned to St. Andre with his wife. House Resolution 461, DiPrima-et al, the Veterans of WW I, Department of Illinois met in the annual convention

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at Decatur. House Resolution 462, DiPrima-et al, the Ladies Auxiliary of the Department of Illinois, Veterans of Foreign Wars of the United States, held their 67th Annual Convention at the Conrade Hilton. House Resolution 463, DiPrima-et al, five veterans were honored in recognition and appreciation of their many years of humane service to their fellow veterans and families. House Resolution 464, DiPrima, the Illinois Girls State is a program sponsored by the American Legion, Department of Illinois, to educate high school junior grade schools in the movement at all levels and expose them to the practical methods of nominating and electing governmental officers for city, county and state offices. House Resolution 465, Dick Kelly, Rick Reuschel, who is a native son of Illinois, has distinguished himself as a professional baseball by pitching for the Chicago Cubs from 1972 until 1981. Now, he has been traded to the New York Yankees. House Resolution 466, Ewing-Hoxsey-Breslin, the Planagan, Illinois.. whereas, Planagan, Illinois was founded by Planagan brothers, Peter, Patrick and Edward will celebrate its centennial in a ceremony to take place on July 31, 1981. I move for the adoption of the Resolutions."

Speaker Ryan: "The Gentleman moves for the adoption of the Agreed Resolutions. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Agreed Resolutions are adopted. Death Resolutions."

Clerk Leone: "House Resolution 455, DiPrima-et al, in respect to the memory of the honorable Daniel A. Covelli."

Speaker Ryan: "Representative DiPrima."

DiPrima: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I move for the adoption of the Resolution on behalf of Judge Covelli."

Speaker Ryan: "The Gentleman moves the adoption of the Death

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Resolution. All in favor will signify by saying 'aye', all opposed 'no'. The 'ayes' have it and the Resolution is adopted."

Clerk Leone: "Representative Daniels in the Chair."

Speaker Daniels: "On the order of nonconcurrency, page four of the Calendar, Senate Bill 62. Read the Bill, Mr. Clerk. Representative Stewart."

Clerk Leone: "Senate Bill 62, a Bill for an Act to amend the School Code together with House Amendments #2 and 5."

Speaker Daniels: "Representative Stewart."

Stewart: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to refuse to recede from Amendments 2 and 5 and I request a Conference Committee."

Speaker Daniels: "The Lady moves that the House refuse to recede from House Amendments #2 and 5 and that a Conference Committee be appointed. Representative Collins."

Collins: "Yes, Mr. Speaker, I'd like to ask the Lady what the Amendments 2 and 5 did."

Speaker Daniels: "Representative Stewart, could you explain the Amendments to the House briefly, please?"

Stewart: "Yes, Amendments 2.. Amendment 2 added concerned infant care lapse and Amendment 5 struck language from Amendment 2 that was not palatable to the Department of Public Aid. 2, in order.. in reply to your request for a fiscal note."

Collins: "Amendment #2 struck that language. What did Amendment #1 do again?"

Stewart: "Amendment #1 clarified the situation where concerning atten... school attendance by pregnant school age girls."

Speaker Daniels: "Any questions? The Lady moves that the House refuse to recede from House Amendments #2 and 5 and that a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendments #2

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and 5 and a Conference Committee should be appointed. Senate Bill 116, Representative Breslin. Representative Breslin. Senate Bill 116. Read the Bill."

Clerk Leone: "Senate Bill 116, a Bill for an Act to amend the Retailers Installment Sales Act and Motor Vehicle Retail Installment Sales Act together with House Amendments 1 and 2."

Speaker Daniels: "Representative Breslin."

Breslin: "I move to nonconcur and ask for a Conference Committee."

Speaker Daniels: "The Lady moves that the House refuse to recede from House Amendments #1 and 2 and a Conference Committee be appointed. On that question, Representative Leinenweber."

Leinenweber: "Not necessarily on this one but on all of them. It would be very helpful if the Members would perhaps review very briefly what the Bill is and what the Amendment is that we don't want to recedee from and maybe even why."

Speaker Daniels: "Representative Breslin, could you explain the Amendments and your reasons for refusing to recede?"

Breslin: "Yes, as I understand it the Senate would prefer to deal only with the redemption period on Retail Installment Sales contracts and Motor Vehicle Retail Installment Sales contract. And as I recall in the House when we had the debate on the issue, the major issue was the election of remedies and we would, instead, eliminate the whole issue of the change in the election of remedies and only deal with the redemption period. So in .. from the feel from the debate on the House floor I believe that the House would agree with this change that the Senate would like to make."

Leinenweber: "Thank you."

Speaker Daniels: "Further discussion? Being none, the Lady moves

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that the House refuse to recede from House Amendments #1 and 2 and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendments #1 and 2 and a conference Committee shall be appointed. Senate Bill 171, Representative Hannig. Out of the record. Senate Bill 565, Representative O'Brien. Is the Gentleman in the chambers? Out of the record. Senate Bill 644, Representative Preston. Is the Gentleman in the chambers? Out of the record. Senate Bill 650, Representative Jones. Is the Gentleman in the chambers? Out of the record. Senate Bill 654, Representative Keane. Senate Bill 700, Representative Capparelli. What's that mean? Okay. Representative Levin, on his telephone."

Levin: "Okay, I move that we refuse to recede and that a Conference Committee be appointed."

Speaker Daniels: "Could you explain the Amendment and your reason, Sir?"

Levin: "Yes, Senate Bill 700 deals with aircraft boarding and use of evidence from the x-ray machines. House Amendment #1 deleted the provision in the statutes that totally eliminated the waiver of how the results of the x-rays could be used. And Amendment #1 limited its use to carrying weapons under the aircraft boarding statute and the UUW."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves that the House refuse to recede from House Amendment #1 and that a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendment #1 and a Conference Committee shall be appointed. Senate Bill 714, Representative Bullock. Read the Bill."

Clerk Leone: "House Bill... Senate Bill 714, a Bill for an Act to

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amend the Illinois Wage Payment and Collection Act together with House Amendment #1."

Speaker Daniels: "Could the Gentleman please have your attention? Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move that the House refuse to recede from House Amendment #1 to Senate Bill 714 which amends the Wage Payment and Collection Act. House Amendment #1 added the language knowingly to the issue of issuing a check for insufficient sums. I would like the House to refuse to recede from that Amendment and that a Conference Committee be appointed."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves that the House refuse to recede from House Amendment #1 and a Conference Committee shall be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendment #1 and a Conference Committee shall be appointed. Senate Bill 726, Representative Stuffle. Read the Bill."

Clerk Leone: "Senate Bill 726, a Bill for an Act to amend the Illinois Pension Code together with House Amendment #1."

Speaker Daniels: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker. The House Amendment contains two elements that we've tried to put in two or three different Bills and we've been unable to get the Senate to agree to the language. One deals with the early retirement law that we have in effect for downstate teachers. The other with the extension of sick day credit for those people under IMRF. A simile situated to downstate teachers. Since we can't iron those differences out at this time I would move that we nonconcur.. I'm sorry. I would move that we not recede and that we ask for a Conference Committee."

Speaker Daniels: "Any discussion? The Gentleman moves that the

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House refuse to recede from Amendment #1. A Conference Committee shall be appointed. All those in favor will signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendment #1 and the Conference Committee shall be appointed. Senate Bill 791, Representative Terzich. Is the Gentleman in the chambers? Right in front. Read the Bill."

Clerk Leone: "Senate Bill 791, a Bill for an Act to amend an Act in relationship to campaign financial disclosure together with House Amendment #1."

Speaker Daniels: "Representative Terzich, would you explain the Amendment. The Members of the House have asked for an explanation of the Amendment and why you want to recede, refuse to recede. Would you go to your desk, Representative Terzich? Representative Terzich."

Terzich: "Yes, Mr. Speaker. What information..."

Speaker Daniels: "Explain the Amendment and your reasons for refusing to recede."

Terzich: "Well, let me get my file first. Could we come back to this, Mr. Speaker?"

Speaker Daniels: "Out of the record. Senate Bill 829, Representative Beatty. Read the Bill."

Clerk Leone: "Senate Bill 829, a Bill for an Act to amend the Illinois Pension Code together with House Amendments #1, 2, and 3."

Speaker Daniels: "Representative Beatty."

Beatty: "Mr. Speaker and Members of the House, this is the Bill that has the.. three Amendments on it. One is the State's Mandate Amendment. The other one deals with the police duty disability Amendment which we've discussed. And the third one was the one that apparently is causing problems in the Senate and that is, it provides that Members of the General Assembly may buy time for the non-salary positions

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that they've held in elective office and so we have to go into a Conference Committee to try and straighten this out. I'd ask that we nonconcur."

Speaker Daniels: "You refuse to recede from all three Amendments, Sir?"

Beatty: "Yes."

Speaker Daniels: "The Gentleman moves that the House refuse to recede from House Amendments #1, 2, and 3. All those in favor.. and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendments #1, 2, and 3 and a Conference Committee shall be appointed. Senate Bill 860, Representative Leverenz. Read the Bill."

Clerk Leone: "Senate Bill 860, a Bill for an Act to amend the Illinois Vehicle Code together with House Amendment #1."

Speaker Daniels: "Governor Hoffman has entered the chambers. Representative.."

Clerk Leone: "Correction. House Amendment #2."

Speaker Daniels: "Representative Leverenz."

Leverenz: "I thought we were going to concur."

Speaker Daniels: "Your pleasure, Sir."

Leverenz: "Take it out of the record a second."

Speaker Daniels: "Out of the record. Senate Bill 875, Representative Ted Meyer. Read the Bill, Sir."

Clerk Leone: "Senate Bill 875, a Bill for an Act to amend the Environmental Protection Act together with House Amendment #2."

Speaker Daniels: "Representative Ted Meyer."

Meyer, Ted: "Thank you, Mr. Speaker. I move that the House refuse to recede from House Amendment #2 and that a Conference Committee be appointed. Senate Bill 875 amends the Environmental Protection Act authorizing the agency to

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delegate to departments and other units of state and local government. The administration of the.. in permit and certification of the Resource Conservation and Recovery Act. House Amendment #2 provided that waste reclamation and waste reuse shall conform exactly to federal regulations pertaining to recycling."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves that the House refuse to recede from Amendment #2 and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendment #2 and a Conference Committee is appointed. Senate Bill 883, Representative Macdonald. Read the Bill. 883."

Clerk Leone: "Senate Bill 883, a Bill for an Act in relationship to the disclosure of medical and mental health record together with House Amendments #1 and 2."

Speaker Daniels: "Representative Macdonald."

Macdonald: "Can we take this out of the record for a moment until I have the Representative from the Department of Corrections..?"

Speaker Daniels: "Out of the record. Senate Bill 884, Representative Virginia Frederick. Read the Bill."

Clerk Leone: "Senate Bill 884, a Bill for an Act relating to the interest rate on bonds issued by port districts together with House Amendment #2."

Speaker Daniels: "Representative Virginia Frederick."

Frederick: "Mr. Speaker, I move that the House refuse to recede from House Amendment #2 to Senate Bill 884 and ask that a Conference Committee be appointed. House Bill 884 (sic, Senate Bill 884) establishes an interest rate of 9% for general obligation and revenue bonds for port districts. Amendment #1 simply includes townships. This Bill passed out of the House 143 majority vote and I ask for your ..."

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Speaker Daniels: "Any discussion? Being none, the Lady moves that the House refuse to recede from House Amendment #2 and that a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendment #2 and the Conference Committee shall be appointed. Senate Bill 1073, Representative Birkinbine. Read the Bill."

Clerk Leone: "Senate Bill 1073, a Bill for an Act to amend the Insurance Code, the Non-profit Health Care Service Plan Act, Medical Service Plan Act and the Voluntary Health Service Plan Act together with House Amendment #1."

Speaker Daniels: "Representative Birkinbine. Out of the record? Out of the record. Senate Bill 1095, Representative Reilly. Is the Gentleman in the chambers? Who says they're ready? Representative Leverenz is ready. Senate Bill 860, Representative Leverenz. Read the Bill."

Clerk Leone: "Senate Bill 860, a Bill for an Act to amend the Illinois Vehicle Code together with House Amendment #2."

Speaker Daniels: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. I now have my signals straight and we're going to refuse to recede and ask that a Conference Committee be appointed."

Speaker Daniels: "Could you explain the Amendments, Sir and the reasons?"

Leverenz: "The Amendment that the House put on refers to using a speed entrapment device within the five hundred feet of the posting of the twenty mile an hour speed limit in front of a senior citizen housing center zone. Maybe Senator Chew didn't understand the Amendment but I would ask that we refuse to recede in his wishes that we take the Amendment off and a Conference Committee be appointed."

Speaker Daniels: "The Gentleman has moved that the House refuse to recede from Amendment #2 and a Conference Committee

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should be appointed. All those in favor signify by saying 'aye'. Representative Nelson, how do you vote? Opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendment #2 and Conference Committee shall be appointed. Senate Bill 1104, Representative Miller. Is the Gentleman in the chambers? Out of the record. Senate Bill 1108, Representative Wikoff. Read the Bill."

Clerk O'Brien: "Senate Bill 1108, a Bill for an Act to amend certain Acts in connection with the Illinois State Lottery together with House Amendments #1 and 2."

Speaker Daniels: "Representative Wikoff."

Wikoff: "Yes, thank you, Mr. Speaker. I would move to re.. refuse to recede from Committee Amendment #1 and House Amendment #2. Committee Amendment #1 basically, House Bill 1108 deals with the Lottery. Committee Amendment #1 was technical. House Amendment #2 or Floor Amendment #2 was one which limited the lottery which for the University of Illinois and the Senate has not concurred and I would refuse to recede and ask for a Conference Committee."

Speaker Daniels: "The Gentleman moves that the House refuse to recede from House Amendments #1 and 2 and the Conference Committee shall be appointed. All those in favor signify by saying 'aye'. Representative Nelson, how do you vote? Opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendment #1 and 2 and a Conference Committee shall be appointed. Senate Bill 1109, Representative Sandquist. Read the Bill."

Clerk O'Brien: "Senate Bill 1109, a Bill for an Act to amend the Illinois Insurance Code together with House Amendments #2, 3, 4, 5, 6, and 7."

Speaker Daniels: "Representative Sandquist."

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

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Speaker Daniels: "He always waves so just go ahead."

Sandquist: "This is a very important Bill and a serious one.

This is a Bill which makes certain Amendments to the Privacy Act which we passed last year. And I might say that some of them I certainly believe do have some merit in them. However, the overall impact of the Privacy Bill, I believe it's important that we pass it this time. The Amendments which were put on by Representative Greiman and Representative Bowman as I say, do have some merit to them. However, the Senate has refused to concur on these Amendments and a Senate Sponsor is very strong on it that he's not going to concur and I feel if we went to a Conference Committee we would not be able to get our point across. And, therefore, because of the overall importance of the Bill I do believe we should now recede from Amendments 2 through 7 on this Bill. Amendment #2 takes out the word 'facially valid', and I think it is a disagreement as to terms and I don't think it's..."

Speaker Daniels: "Excuse me. We're being interrupted. Who's yelling the loudest over there. I can't tell which one. Representative Levin."

Levin: "We would ask for a division of the question and we have no..."

Speaker Daniels: "Sir, we aren't even at that point yet. If you will relax, listen to the explanation you will be given a chance. Now, Representative Sandquist, continue. You want a division of the question. Explain Amendment #2 and then we'll vote on that."

Sandquist: "Well, it seems to me. When I don't have an objection to the division as long as I'm receding from all of them. If we vote that way then we could just take one vote. If that doesn't pass then that's something else again. I don't see the merit for the division when I'm going to ask

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to recede from all of them."

Speaker Daniels: "Why don't you explain the Amendments first and then we could get into the question the Gentleman asks."

Sandquist: "Alright, as I say, Amendment #2 takes out the word 'facially valid' and this is, I believe, a disagreement as to what that really means. I don't think it's important. Amendment #3 takes out on...has to do with the.. says that the only remedies under this Bill..."

Speaker Daniels: "Excuse me, Representative Sandquist. Representative Greiman."

Greiman: "Mr. Speaker, I rise on a Parliamentary point, Sir. When there has been a division of the House requested the purpose of that is in part to develop the vote but in part to make the discussion meaningful. And what we are doing now is we are having each one discussed in a group. Each of these.. some of these are trivial Amendments that no one objects to having receding from. Some are serious and they should be debated separately. And I think the point that Representative Levin was making was that each, when there's division of the question requested during the debate the debate then is divided also so that there can be a focus on each specific Amendment since each one covers a very different portion of the Bill. So I would renew that request and ask that we divide the question and discuss each one separately, Sir."

Speaker Daniels: "The Chair is requesting Representative Sandquist to explain the Bill and each Amendment. We'll then proceed to a division and each Amendment by discussion. We want an overall view of the legislation and each Amendment and then we will go to each question on the division. So we're asking Representative Sandquist to give us an overview to begin with."

Sandquist: "Getting back to Amendment #3, the Act itself provides

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for certain remedies for violations under the Act. And what this Amendment would do, it would eliminate that provision which says that only..."

Speaker Daniels: "Excuse me, Representative Sandquist. The Gentleman please have your attention? All those not entitled to the floor please retire. All those not entitled to the floor please retire. Members be in their seats. Can we please listen to the discussion? It's a very important piece of legislation. Representative Sandquist."

Sandquist: "Amendment #3 takes out the provision which says only remedies.. the only suits you have are under the Act itself. In other words, it would take out the limitation. Amendment #4 takes out in the immunity section, it takes out the immunity for negligence actions. Amendment #5 strikes the language which permits a governmental unit to obtain personal or privileged information. The reason for this, it would give problems in the arson reporting if they were not allowed to get this. Amendment #6 limits the monetary awards to the actual damage and does not allow for punitive damages. And Amendment #7 provides that anyone filing information with not just false information but with willful intent to injure person is not exempt from the legal action. That's briefly what the Amendments do."

Speaker Daniels: "Okay, Representative Sandquist, discussion is on the question has been divided on House Amendments 2, 3, 4, 5, 6, and 7. The Gentleman has moved that the House recede from House Amendment #2 and discussion will be at this time on House Amendment #2. Any discussion? Representative Levin. Are you the Sponsor of that Amendment, Sir? Representative Greiman."

Greiman: "I think that's one of the trivial ones. I don't have any objection from receding from that Amendment."

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Speaker Daniels: "Alright. The Gentleman moves... is there any discussion? Being none, the Gentleman moves that the House recede from House Amendment #2. Takes a Roll Call, 89 votes. All those in favor will signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 126 'aye', no 'nays', 5 voting 'present'. And the House recedes from House Amendment #2. The question now is on House Amendment #3. The Gentleman, Representative Sandquist, has moved that the House recede from House Amendment #3. Is there any discussion? Representative Greiman."

Greiman: "Thank you, Mr. Speaker. On this Amendment I have a very different view, however, than the last. This one cuts down the rights of individuals very significantly. It limits the... it takes away any common law actions that you would now have. Any, any, any common law actions that you would have by reason of a violation and makes it, this Bill, the only remedy, the only remedy under this Act. It limits the... later on in other provisions, the damages are limited, the method of assessing those damages are limited. The punitive... there's no punitive damages so that if you had a willful cruel violation purposefully laid upon a person there could be no remedies other than those in this Bill which are very limited. So that what we are doing is cutting down the rights of individuals whose privacy has been violated. The Amendment #3 took out that and said that you have available to you any common law remedies that you might have as well as anything that might be written in the Act. Certainly a fair way. One doesn't want to cut down the rights of people I think. So, I think Amendment #3 should stay in there. We should not recede. And on the general scope of what Representative Sandquist has said I

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might point this out. He suggests that the Senate doesn't want to recede from these. The Senate says they've come over here. They're engraved in stone the way the Senate wants it and they're not going to recede. And so we might as well take them off now. Well, I don't know. If we go to Conference Committee indeed we may get part of the loaf, half a loaf, third of the loaf, three quarters of the loaf. I can't tell that. But it seems to me that we ought not to just throw up our hands and say well, Senate says that that's the way it's going to be and so we might as well take our tails, tuck them underneath and kind of slide away. I think that we should go to that Conference Committee. Maybe we'll get something out of that Conference Committee. Maybe we'll lose. Maybe he's right. But certainly go to that Conference Committee and let us not recede from Amendment #3."

Speaker Daniels: "Further discussion? Representative Bowman."

Bowman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I simply want to point out that what this Bill is is an Amendment to the Insurance Privacy Act which we passed last year. The Bill or the Act which is now in the books was passed after rather a tortured legislative history. It was killed in Committee and it was killed again as an Amendment, I believe, on the floor. Finally came out as a Conference Committee Report in the last days. And the underlined Act, I believe, Members of this Body are really pretty unfamiliar with and probably not even aware that we have it on the books. It seems to me that we ought to be protecting the privacy of people whose life history is contained in their insurance records. And if their privacy is violated by some employee of an insurance company who releases this information to unauthorized people, it seems to me that they.. a person who is grieved ought to have

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the broadest possible rights to redress that grievance and to get damages or other relief. And that's why Representative Greiman's resistance to receding from this Amendment is very very important. Thank you."

Speaker Daniels: "Further discussion? The Gentleman from Whiteside, Representative Schuneman."

Schuneman: "Questions of the Sponsor."

Speaker Daniels: "Indicates he'll yield."

Schuneman: "Representative, what is this particular Amendment that is being discussed at this time? What would this Amendment do?"

Sandquist: "Well, this would limit the rights under this Act to the ones that are provided in there. The Amendment would try to remove that limitation. And I should point out that any time you create a new Act there weren't any rights here before. So all this does with the new Act being created, it says that your rights are limited to those which are under the new Act and they're trying to remove that limitation."

Schuneman: "Mr. Speaker, Ladies and Gentlemen of the House, what Representative Sandquist is trying to do is a perfectly reasonable thing. The National Association of Insurance Commissioners which is the organization of all the commissioners of all the states in the United States have designed a model Bill to protect consumers everywhere. Not just in Illinois but in all states. This is the Bill that they have proposed. That's the Bill that Representative Sandquist is trying to get passed. It's not an unreasonable Bill. It does provide protection for consumers that consumers have not previously had. We should not allow a lot of tampering with this law. Representative Sandquist's request is perfectly reasonable and we should support him."

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Speaker Daniels: "Further discussion? The Gentleman, Representative Brummer."

Brummer: "Yes, I would rise very briefly in support of Representative Sandquist's position. At the time we adopted the original Privacy Act I was in opposition to this because we did not have enough history with regard to it. We did not have enough examination of it. It had not been finally adopted. It was anticipated that it would be adopted as a national model Act. In fact, it was not. The changes incorporated in Representative Sandquist's Bill or the national Act. We ought to have a national uniform Act that protects the purchasers of insurance and those people that deal with insurance companies all across the United States. That's what Representative Sandquist's Bill does without the Amendments. And I would support his Motion to recede."

Speaker Daniels: "Further discussion? The Gentleman, Representative Sandquist, to close."

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I'd just like to correct one thing that Representative Bowman said. This Bill was... originally was not... was passed on a Conference Committee but the reason for that, I had that Bill two years ago and we did have it here in the House. It went over to the Senate. They wanted to use a Bill for Worker's Compensation and my Bill was the only one available for that. And I had to recede from that and, therefore,... but they promised they would put the Bill on another Bill which they did so that it wasn't passed in a Conference Committee. We had it through Committee and we did have it here on the House floor. I want to correct that. As far as this Amendment is concerned I just repeat that this is a new Act and it sets up the remedies for violation of the Act. I think

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it's a reasonable one and I think we should vote 'yes' to recede from Amendment #3."

Speaker Daniels: "The Gentleman, Representative Sandquist, has moved that the House recede from House Amendment #3. It takes 89 votes. It's final action. All those in favor will signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record. There are 125 'aye', 16 'no'. 1 'present', and this question, the House recedes from House Amendment #3. Proceed on House Amendment #4. Representative Greiman, are there any other Amendments that you have objections to, Sir? Which ones are those?"

Greiman: "We'll try one more."

Speaker Daniels: "Alright, do you have objections to #4, Sir?"

Greiman: "Pardon?"

Speaker Daniels: "On 4, do you have objections to that?"

Greiman: "Four is okay, right?"

Speaker Daniels: "Representative Conti, you have your green sports coat on today. You look great. Representative Matijeovich."

Matijeovich: "Mr. Speaker and Members of the House, it's my honor and privilege to introduce a celebrity which I never have had the occasion to do in my whole darn life. Patty Duke Astin, a celebrity, a star and I want to take a picture with her."

Speaker Daniels: "You're on the wrong side of the aisle. Representative Greiman. You have objections to #4?"

Greiman: "Four, yes. We have objections for."

Speaker Daniels: "Alright, and 5, 6, and 7. Do you have objections to any of those?"

Greiman: "Let's take them as we go along."

Speaker Daniels: "Alright. We'll start with #4. Representative Sandquist, on House Amendment #4. One second. Excuse me.

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Representative Braun."

Braun: "Thank you, Mr. Speaker. For purposes of an introduction, we have with us today Mrs. Ester Rolle, television and screen star and Reverend 'Adi Wyatt' of the coalition of Labor Union Women."

Speaker Daniels: "Welcome to Springfield. Representative Schraeder."

Schraeder: "Yes, Mr. Speaker, I just wondered if this a captive audience or the rally's going to be held in the House."

Speaker Daniels: "Alright, Ladies and Gentlemen of the House, please have your attention. Representative Sandquist, on Amendment #4. Please have your attention. Amendment #4, Representative Sandquist."

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, and I do welcome the new visitors and I am an active supporter of ERA and will continue to be. However, and I hope I didn't lose too many votes on it. However, I wish we could get back. This is an important piece of legislation and I wish we could consider that and have our visiting in another place and time. Amendment #4, what this talks about.. we're requiring insurance companies and individuals to do new things they weren't required to do before. And what this immunity section says as long as they do things that are required under the Act they're immune for prosecution. Now, if they violate the Act that's something else again. But as long as they carry out their functions under the Act they're immune. And what this does is to remove the word 'negligence' and as I say, if they are negligent but they're still under the Act they should be immune and that's what this does. And I ask for a Motion to recede."

Speaker Daniels: "Any discussion? The Gentleman, Representative Greiman."

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Greiman: "I'm neutral on ERA. Now, Representative Sandquist, that was a nice try. It was. It really was but you had a lot of trouble explaining that and well you should. The Bill, as the law was originally passed... I'm sorry. The Bill takes away a cause of action for the negligence. Mr. Speaker, may I have a little order. This one's a little more important. Mr. Speaker, a little gaveling. This Amendment..."

Speaker Daniels: "You will be more than happy to in a second, Sir."

Greiman: "... takes away a cause of action."

Speaker Daniels: "Excuse me. Ladies and Gentlemen of the House, we need your attention and your cooperation. Midnight tonight is the deadline."

Greiman: "Thank you, Mr. Speaker."

Speaker Daniels: "Representative Vitek, for what purpose do you arise, Sir?"

Vitek: "Mr. Speaker, on a point of personal privilege."

Speaker Daniels: "Proceed, Sir."

Vitek: "Yesterday, Susan Catania passed out a letter that the ERA group would hold their rally out in the east rotunda. Now, that they would not bother the Legislators while we were in Session. Here they violate the letter of the intent and they come on the House floor introducing these celebrities. I don't object to that but I oppose breaking in on our business here when we've got so much work to do. I wish they would bar them from the floor and let them to their... outside the rotunda."

Speaker Daniels: "Representative Vitek, your request is within the rules. Will all those not entitled to the floor please retire? Will all those not entitled to the floor please remove yourself from the floor? Will the Members please be in your seats? Representative Greiman."

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Greiman: "Thank you, Mr. Speaker. The Bill takes away an action that you might have for negligence against the investigators and the gatherers of information. If they violate the Act by giving out information. It seems to me if they're in a business and there are restrictions on them to hold the information except on some very specific rights to get the information that where there is negligence on the part of the gather of that information they should be liable. Now, Amendment #4 merely takes out the word 'negligence' and it says that if they are, in fact, negligent they can be sued. What business do you have if you're negligent? Are you not sued? If you're an insurance agent and you're negligent in renewing a policy when the customers told you to renew you're reliable because you're negligent. If your a lawyer and you're guilty of malpractice you're negligent. If you run your business any other way you're negligent. You can be liable to the public. But what we're saying in this Act, what the insurance companies are trying to hand us in this Act is that somehow they shouldn't be negligent. They shouldn't be held for their own negligence. Now, you can recede from everything else but, my goodness, why would you want to exculpate them from their own negligence. This is a case situation where you'd, after all you still have to prove the negligence, prove freedom of contributing negligence, all the elements would have to be proved. I say to you that it would be, it would be a very special case to release these people from their own negligence. All Amendment #4 does is say that they're liable for their own negligence. And I don't know how anybody can quarrel with that. We should not recede from Amendment #4."

Speaker Daniels: "Representative Epton."

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

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House, the Gentleman across the aisle makes a very valid point. In most instances I would be inclined to agree with him. However, we should remember that this is an Act which is given certain privileges to the individual consumer. Not to the insurance company. It protects us in the area of the right of privacy. It provides for certain penalties which here before did not exist. Now, time and again there are many negligent Act which are of no consequence. No one will go to court. They're not major. We're not dealing the case of an arm being off or a person being dishonored. It's a simple case of whether or not this Act itself provides sufficient punishment. And as you review the Act passed by the Commissioners you will find that there are prescribed penalties to cover all of these situations. Now, I would ask that you concur with Representative Sandquist's request to recede."

Speaker Daniels: "Further discussion? Representative Sam Wolf."

Wolf, Sam: "Mr. Speaker, I move the previous question."

Speaker Daniels: "Could you hold that Motion, Sir? Could you hold that for a minute, please? Representative Stearney."

Stearney: "Would the Gentleman yield?"

Speaker Daniels: "Indicates he will."

Stearney: "Yes, Mr. Greiman says that if you recede from this Amendment then the certain entity organization would be immune from any suit for negligence. Is that true?"

Sandquist: "No, that is not true. What this does, it provides immunity only under the terms of this Act. If they violate the Act there is no immunity. And I might further go on to say that it provides that there's no immunity for disclosing or furnishing false information with malice or willful intent. So I think the protections are there."

Stearney: "However, you're saying if they do something willfully and wantonly. But, nevertheless, what if they do something

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negligently. This would.. receding from this Amendment,
would immunize them. Am I right?"

Sandquist: "If they do something under the provisions of the Act
they are immunized. If they do not it..."

Stearney: "What kind of information could be divulged that would
harm some individual?"

Sandquist: "What do you mean? What kind..."

Stearney: "I'm not familiar with this Act so can you tell me what
kind of information might be disclosed that would harm
someone entitling them to sue for defamation."

Sandquist: "Well, there are certain information insurance
companies use to underwrite and set up in their policies
and maybe something private that people should not know
about."

Stearney: "Well, tell me this. Why should we immunize them at
all? Why should someone be given total blanket immunity?"

Sandquist: "Because this was a new Act that required to do new
things they were not required to do before. And,
therefore, if we're asking them to carry out functions and
to do things under this Act then we should give them
immunity for carrying out the terms of the Act. That's all
it does."

Stearney: "Why are you asking them to carry out any Acts at all?"

Sandquist: "Because the provisions of the Privacy Act. There are
protections for individuals as well as protections for
insurance companies and for government agencies. This is a
protection primarily for consumers so that information
cannot be disclosed."

Stearney: "Well, tell me why do we even need this Bill?"

Sandquist: "Well, why we needed the original Bill is that is we
did not take action in the states there could be a federal
government taking over and big brother down there would
have us all under it."

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Stearney: "Well, that's an assumption. That's not necessarily true. Well, Mr. Speaker, in addressing myself to the Bill.."

Speaker Daniels: "Proceed, Sir."

Stearney: "I think Mr. Greiman is right. There is not reason why we should give them total absolute blanket immunity for a negligent Act. No one else is entitled to that privilege so I don't believe these entities should be entitled or accorded any greater rights than an individual is in any other area of our lives. I would ask that they not get 89 votes. That you would vote 'no' on this particular measure and the House not recede from this particular Amendment. We should not capitulate to the Senate on this particular matter. Vote 'no'."

Speaker Daniels: "Further discussion? Representative Bowman. Did you speak in debate already, Sir?"

Bowman: "Yes, thank you. I just wanted to point. The Act that Representative Sandquist is amending with this Bill is a trojan horse. It is a trojan horse, Ladies and Gentlemen. It is a Bill that was demanded by the insurance industry. Now, since when does an industry come in and say they're protecting consumers. The Bill was drafted by insurance industry lawyers to provide bars to cause... a bar to cause of action in the case of negligence. Insurance companies don't want to be sued. The only reason that this Bill was introduced, I hope you listened to Representative Sandquist very carefully, is because they're afraid that the federal government might enact legislation which is now pending and they're hoping to be able to grandfather in existing state laws of which this would be one. Now, the Bill or the Act does indeed, as Representative Sandquist suggests, provides a limitation on disclosure of information. It says the insurance companies can't disclose information about their

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clients. However, there are then six pages of exemptions to that bar.. that prohibition on disclosure. Six pages of exemptions, Ladies and Gentlemen. It is like a sieve. There's very ample scope for negligence in this particular Act. The Bill provides a bar to a cause of action which was not in the original Act. The original Act, when it passed this House, did not have a bar to a cause of action arising from negligent disclosures. This Bill provides a bar to a cause of action in the case of negligence which was not in the original Act. If it was such a good idea and so good for consumers why did not the insurance industry provide it in the original Act. I suggest to you, Ladies and Gentlemen, that the Bill we passed last year was the foot in the door. It came in under the guidance of consumer protection and good government and now everything that we gave the consumer last year is being taken away this year with these Amendments and that's why we're refusing to recede. We hope to refuse to recede. I urge a 'no' vote."

Speaker Daniels: "Representative Sam Wolf."

Wolf, Sam: "Mr. Speaker, I move the previous question."

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

Sandquist: "Well, to begin with I'd like to correct something. This Bill was not brought out by the insurance companies. This Bill was brought out by the insurance regulators and it was the director of insurance who got me interested in it to get protection to the public. So, it was not brought out by the insurance companies. Now, I just want to say this. As far as Amendment #4 is, the reason that this immunity is in there is we're asking people to do something

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they didn't have to do before. And the only immunity is they comply with the provisions of this Act and if they do not then they do not have the immunity. And, therefore, I would ask that we recede from Amendment #4."

Speaker Daniels: "The Gentleman moves that the House recede from House Amendment #4. It takes 89 votes. Final action. All those in favor will signify by voting 'aye', opposed by voting 'no'. And the voting is open. On that question... Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 107 'aye', 36 'no' and 6 'present' on this question and the House recedes from House Amendment #4. Amendment #5, Representative Bowman."

Bowman: "Thank you, Mr. Speaker. I'm the Sponsor of Amendment #5 and while I'm afraid that it looks like we're on the losing side of this and I hate to take the time of the House. I do want to point out one thing which the original Act did which I believe a lot of people are unaware of. And this Amendment attempts to correct something that was in the original Act which I think frankly was dreadful and we should have never let get by us in the first place. The Act provides a prohibition on disclosure of private and privileged information to anybody. There's very direct language that effect. However, as I indicated in my last remarks, there are about six pages of exemptions to that prohibition. The Act is pretty much like a sieve and provides for many, many different circumstances under which private and privileged information about you and your constituents can be released to other individuals. Now, one of them that I think is particularly obnoxious is an exemption which permits disclosure to law enforcement or other governmental authorities. If they do not have a subpoena and if they provide the insurance company with

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some reasonable basis for believing that the... that there's something illegal going on. Now, the Bill also provides in exemption, which I have no quarrel with, if the insurance companies themselves feel like there's fraud going on they can offer the information to law enforcement authorities. They can go to the State's Attorney and say, 'We think there's an arson ring that you ought to take a look at and here's the evidence that we have to support our contention.' But I don't think law enforcement authorities should be prying into people's insurance files. I might have felt a little more relaxed and sanguine about this last year or the year before last because up until the Reagan administration took over in Washington we did have the, finally after many years, the FBI and the CIA were pretty much towing the line and were not burglarizing the psychiatrists offices and stealing files any longer. They weren't going around and snooping into people's private lives for 'national security reasons' without any evidence of criminal misconduct to back them up. However, the Reagan administration has given very clear indication that they're going to unleash the FBI and the CIA on domestic intelligence gathering operations. And they're going to be doing this when there's no criminal activity involved. Just... we're going to see the resurrection of the Nixon enemies list. And we're going to see the FBI and the CIA supporting or acting in lieu of the White House plumbers. So, I think it's very important that we have a law that is as tight as possible to prevent the FBI and the CIA from just coming into an insurance agency and say, 'well we have some national security problems that involve persons X, Y and Z and we'd like to look at their files.' Now, I think that would give the insurance agent reasonable grounds for believing there might be something illegal going on. We

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should provide a bar to that and that's what this Amendment does. I urge a 'no' vote on the Motion to recede."

Speaker Daniels: "Representative Ewing."

Ewing: "Is the speaker speaking on the Motion or was this matter? I thought he was talking about something we'd already completed."

Speaker Daniels: "Representative Schuneman."

Schuneman: "Thank you, Mr. Speaker. Contrary to the impression you may have gotten from the last speaker, this Bill has nothing to do with the CIA. It has nothing to do with Watergate or any great problem that may be involved in the Federal Government. And I really don't have any idea where the Gentleman was coming from. What the Amendment has to do with and what they're seeking to strike from this Act is a weapon that's been put into the law that would help the government bring down the law on arsonists in this state. Now, that's what he's seeking to try to take out of here. What Representative Sandquist is asking for is a perfectly reasonable thing as have all of these Amendments been. And I would urge that we get on with the business of the House. I think we've seen what direction the House is going to take on this matter and we shorten up our debate and vote on this Motion."

Speaker Daniels: "Further discussion? Representative Epton."

Epton: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I certainly don't want to prolong this debate but I must. I reaffirm what my colleague stated, not too long ago we were in the position of having information and defending an insurance arson case where we were hesitant to take it to the State's Attorney to prosecute the arsonist. As a matter of fact, finally after much discussion, we did take it to the State's Attorney and after some prodding suit was filed, criminal action was filed and the arsonists

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were sent to jail. Nevertheless, they had the audacity to sue our firm for furnishing the information to the State's Attorney. We were the object of a fifty million dollar law suit which incidentally increased our malpractice insurance. They did this from the jail cell and therefore, I again would suggest that.. I might also add that the Insurance Law Study Commission has discussed this privacy question with the ACLU. They, too, are fearful of some of the same apprehensions that my colleague across the aisle has and they feel that this is a perfectly valid provision. And I concur with Representative Sandquist's request."

Speaker Daniels: "Representative Flinn."

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

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

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. For the reasons given by Representative Epton and Schuneman and the fact that without this the Department of Insurance says it would have real difficulties in enforcing the arson legislation which we have already passed. I would urge an 'aye' vote to recede from Amendment #5."

Speaker Daniels: "The Gentleman, Representative Sandquist, moves that the House recede from House Amendment #5. Final action. It takes 89 votes. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. On that question... Representative Levin, to explain his vote. The timer's on, Sir."

Levin: "If you read the language in the Bill it doesn't say the word arson. In fact, what it says adds that not only law enforcement agencies but any governmental authority may get this information. And there are no standards in it. It's

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the belief of an insurance company agent, etc. that there may be an illegal action. Under this, President Nixon could have gone to an insurance company and gotten the file of anybody on the hit list. The Illinois Commerce Commission, if it decided it wanted to know more about the President of Commonwealth Edison could go to the insurance companies and get information. This is the most dangerous of all of the provisions in this Bill and I would hope that we would recede. It doesn't look like we're going to, though."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 117 'aye', 26 'no', 9 'present'. The House recedes from Amendment #5. Alright, Amendment #6. Representative Bowman, are you the Sponsor of that one as well? Do you wish to proceed, Sir? Are you a Sponsor of 7 as well? Alright, on Amendment #6, Representative Bowman, to his opposition on the Motion to recede."

Bowman: "Right, I am opposing the Motion to recede here. This particular Amendment deletes limitation on the kinds of damages that can be awarded in the event that some insurance company representative or employee does violate the disclosure section of this Act. That there is a cause of action against that person. There is a judgment against that person. The Bill, in its present form, would limit the judgment to actual damages. But I say to you, Ladies and Gentlemen of the House, that in the case of invasion of your privacy where information of the most private nature is shared with people who have no reason to be in possession of that information, the actual damages which you suffer may be impossible to measure. I mean literally impossible. Not just that there may be no upper bound on it but there may be, in fact, no actual damages. No economic loss suffered to you. But you may be humiliated.

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You may be embarrassed beyond belief. It may be.. there may be political implications. If it happens to be your own insurance file. You're a Member of the Legislature. And somehow information that was contained in your file was released to the public and you bring in action and you win. If, no matter what humiliation you have to suffer there would be no other penalty that could be imposed by the court other than actual damages. I think that's wrong, Ladies and Gentlemen. I think that's an impossible standard for judgments. I think we ought to give the court discretion to find the most appropriate judgment. This does nothing more than give... this Amendment would give nothing more than judgment to the court. Let them use their own discretion in determining what the award should be. I believe that is appropriate in the case where you cannot measure the damages. So I urge a 'no' vote on the Motion to recede from this Amendment."

Speaker Daniels: "Any discussion? Being none, the Gentleman, Representative Sandquist, to close."

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, what this Amendment does, it takes out the entire individual remedy that is given under the Act to a person. Now, it is true what Representative Bowman says is that the way the Act is now, it's limited to actual damages and not to punitive damages. But what the.. in the Act, the way it's going to be enforced against the insurance companies is by the regulatory. They can be fined and there can be other disciplinary action is taken and, therefore, I would ask for a 'aye' vote to recede from Amendment #6."

Speaker Daniels: "The Gentleman moves that the House recede from Amendment #6. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all

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voted who wish? Take the record. On this Motion there are 112 'aye', 22 'no', 3 voting 'present' and the House recedes from Amendment #6. Do you have any objections to #7, Mr. Bowman, Mr. Greiman? The Gentleman, Representative Sandquist, moves that the House recede from Amendment #7. All those in favor will signify by voting 'aye', when the machine is clear. Mautino, 'aye' on Amendment #6 and Leverenz, 'aye'. Pechous. Mautino, Leverenz and Pechous, 'aye' on Amendment #6. Alright, the question is, 'Shall the House recede in Amendment #7?' All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this Motion there are 128 'aye', 15 'no' and 6 voting 'present' and the House recedes from Amendment #7. And the House, having receded from Amendments 2, 3, 4, 5, 6, and 7, this Bill is hereby declared passed. Representative Macdonald."

Macdonald: "Thank you, Mr. Speaker. Now, if it would be possible I would like to go to .."

Speaker Daniels: "Senate Bill 883. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 883, a Bill for an Act in relation to the disclosure of medical and mental health records together with House Amendments #1 and 2."

Speaker Daniels: "Representative Macdonald."

Macdonald: "Mr. Speaker, I refuse to recede from Amendments #1 and 2 and request that this Bill go into a Conference Committee."

Speaker Daniels: "The Lady moves that the House refuse to recede from House Amendments #1 and 2 and a Conference Committee be appointed. All those in favor will... Representative Oblinger. The House recede from Amendment #1 and 2 and that a Conference Committee be appointed. All those in

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favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendments #1 and 2 and a Conference Committee is appointed. Representative Hannig, are you ready on 171 yet? Out of the record. Representative O'Brien. Is the Gentleman in the chambers? O'Brien. Are you ready on 565? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House(sic) Bill 565, a Bill for an Act to amend the Park District Code together with House Amendment #1."

Speaker Daniels: "Senate Bill 565. Representative O'Brien."

O'Brien: "Yes, Mr. Speaker and Members, I would refuse to recede from the House Amendment on 565 and ask for a Conference Committee."

Speaker Daniels: "The Gentleman moves that the House refuse to recede to House Amendment #1 and a Conference Committee be appointed. All those in favor signify by saying 'aye', whoops, excuse me. Representative Leinenweber."

Leinenweber: "Once again..."

Speaker Daniels: "Excuse me. You're correct, Sir. Representative O'Brien, would you explain the Amendment and your reasons?"

O'Brien: "Yes, Representative Leinenweber. Amendment #1 that was put on in the House is an Amendment that would require the Chicago Park District Board to have revolving or roving meetings. At least three a year so that they could actually go out into the field houses and have their Board meetings there and talk about the recreation programs, the maintenance programs, etc., etc., in the specific communities within the City of Chicago. It's a good Amendment and we'd like to keep it on. The Senate didn't want to keep it on and that's why we're asking not to recede from this and to go into a Conference Committee."

Speaker Daniels: "Further questions?"

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O'Brien: "For the kids."

Speaker Daniels: "The Gentleman has moved that the House refuse to recede from Amendments #1 and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendment #1 and a Conference Committee shall be appointed. Representative Preston. Representative Preston. Is the Gentleman in the chambers? Second time out of the record. Representative Jones. Senate Bill 650. Read the Bill."

Clerk O'Brien: "Senate Bill 650, a Bill for an Act to amend the Court Reporter's Act together with House Amendment #1."

Speaker Daniels: "Representative Jones."

Jones: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move that the House refuse to recede in House Amendment #1 to Senate Bill 650 and ask that a Conference Committee be appointed."

Speaker Daniels: "Explain the Amendment and your reasons, Sir."

Jones: "House Amendment #1 to Senate Bill 650 exclude the State the Illinois, the counties as well as the State's Attorney's office from any increase that is included in this Bill by the court reporter's fees. The fee schedule that's in the Bill would exempt the state, the county and the State's Attorney's office from any increase. So, I refuse to recede in the Amendment."

Speaker Daniels: "Any discussion? The Gentleman has moved that the House refuse to recede from Amendment #1 and a Conference Committee be appointed. All those in favor signify by saying 'aye'. Representative Nelson, how do you vote? Opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendment #1 and a Conference Committee shall be appointed. Representative Keane. Read the Bill."

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Clerk O'Brien: "Senate Bill 654, a Bill for an Act to amend the Revenue Act together with House Amendment #1."

Speaker Daniels: "Representative Keane."

Keane: "Thank you, Mr. Speaker. I refuse to recede from Amendment #1 to Senate Bill 654 and ask that a Conference Committee be appointed."

Speaker Daniels: "Explain the Amendment, Sir."

Keane: "Yes, the Amendment deals with the effective date of the Act."

Speaker Daniels: "Representative Leinenweber."

Leinenweber: "Well, in what way does it deal with the effective date of the Act and why... what's wrong with it?"

Keane: "The Senate refused to make it effective July 1, 1981."

Leinenweber: "What's the matter with that? Why would we want to waste time with insisting on a Conference Committee for such a minor Bill as this?"

Keane: "It's not minor to the Sponsor."

Leinenweber: "Pardon."

Keane: "It is not minor to the Sponsor."

Leinenweber: "That's you or Senator...."

Keane: "Yes, that's me. I've talk to and I've explained my position on this to the Leadership on the Republican side and they agreed with my position."

Leinenweber: "In other words, this isn't going to be a vehicle, then. Is that correct?"

Keane: "No."

Leinenweber: "Okay."

Keane: "It may be but it's... if it is it's something that's acceptable to all sides."

Leinenweber: "What did you just say? You said no and then you added some."

Keane: "I said if it is it will be something that will be acceptable to you because you'll have a chance to vote on

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it."

Leinenweber: "Oh, I see."

Speaker Daniels: "Further discussion? The Gentleman, Representative Keane, moves the House refuse to recede from Amendment #1 and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendment #1 and a Conference Committee is appointed. Senate Bill 791, Representative Terzich. Out of the record. Senate Bill 644, Representative Preston. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 644, a Bill for an Act to amend the Criminal Code together with House Amendment #1."

Speaker Daniels: "Representative Preston."

Preston: "I move to recede from..."

Speaker Daniels: "Amendment #1."

Preston: "Amendment #1."

Speaker Daniels: "Explain the Amendment and your reasons, Sir."

Preston: "Amendment #1 adds a section concerning jewelry dealers and the purchase of gold from people on the street and has a number of requirements that the Senate refused. They discussed it. It had few votes in the Senate and it doesn't touch the... that was added to the Bill. The Bill as it is raises the level for criminal damage of property to \$300 for a felony conviction to enable State's Attorneys to prosecute those felonies. And I'd ask to recede from the Amendment."

Speaker Daniels: "Any discussion? Being none, the question is, 'Shall the House refuse to recede from Amendment #1 and a Conference Committee be appointed?' I'm sorry, Sir. My mistake. The Gentleman has moved that the House recedee from Amendment #1. It'll take 89 votes. Final action. All those in favor will signify by voting 'aye', opposed by

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voting 'no' and the voting is open. Have all those voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there 153 'aye', 2 'no' and none voting 'present'. Representative Ebbesen, 'aye'. 154 'aye', 2 'no', none voting 'present' and the House recedes from Amendment #1 and the Senate Bill 644 is hereby declared passed. Senate Bill 791, Representative Terzich. The third time."

Clerk O'Brien: "Senate Bill 791, a Bill for an Act to amend an Act in relation to campaign financial disclosure together with House Amendment #1."

Speaker Daniels: "Representative Terzich."

Terzich: "Yes, Mr. Speaker. I do not want to recede from Amendment #1 and request a Conference Committee. There has to be some Amendments made because of the.. on the election code because of the failure of the Senate Bill 501. And I move that we ..."

Speaker Daniels: "Any questions? The Gentleman moves that the House refuse to recede from Amendment #1 and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendment #1 and a Conference Committee is appointed. Senate Bill 1073, Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the House added Committee Amendment #1 to Senate Bill 1073 that amended the insurance holding company article of the Insurance Code that in effect, lessens the restrictions on the type and form of information the acquiring parties must present to the Department of Insurance. It was an Amendment offered by the Department of Insurance. The Senate has objected. I would move that the House refuse to recede and ask for a Conference

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Committee so we can come to a meeting of the minds. I move that the House refuse to recede and ask for a Conference Committee after explaining the Amendments."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves the House refuse to recede on Amendment #1 and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The House refuses to recede from Amendment #1 and the Conference Committee is appointed. Senate Bill 1095, Representative Reilly. Is the Gentleman in the chambers? Out of the record, second time. Senate Bill 1104, Representative Miller. Read the Bill."

Clerk O'Brien: "Senate Bill 1104, a Bill for an Act amending certain Acts in relation to township, multi-township assessors together with House Amendment #3."

Speaker Daniels: "Representative Miller."

Miller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move that the House refuse to recede from the nonconcurrency of the Senate in Amendment #3."

Speaker Daniels: "Could you explain the Amendment, Sir, briefly?"

Miller: "The Amendment provided for the appointment of assessors and multi-township assessors prior to December 31, 1981. There were some problems in the way it's drafted and we think that those can best be worked out in Conference Committee."

Speaker Daniels: "The Gentleman, Representative Miller, moves that the House refuse to recede from Amendment #3 and that a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendment #3 and a Conference Committee is appointed. Senate Bill 1125. Read the Bill."

Clerk O'Brien: "Senate Bill 1125, a Bill for an Act to amend the

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Illinois Pension Code together with House Amendments #1 and 3."

Speaker Daniels: "Representative Terzich."

Terzich: "Mr. Speaker, House Amendment #1, it provided for an adjustment in the widow benefit but the Bill failed to provide a multiplier to be included in the benefits so that the taxes could be properly adjudicated and I would move not to recede so a Conference Committee could be assessed."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves that the House refuse to recede from Amendments #1 and 3 and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendments #1 and 3 and the Conference Committee is appointed. Senate Bill 1126. Read the Bill."

Clerk O'Brien: "Senate Bill 1126, a Bill for an Act to amend the Illinois Pension Code together with House Amendment #1."

Speaker Daniels: "Representative Terzich."

Terzich: "House Amendment #1 provided that the member of the police department would have to work at least 48 consecutive months immediately prior to retirement. Senate Sponsor feels that the 48 months is too long and would like to adjust that and so therefore, I move not to recede and a Conference Committee be reported."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves that the House refuse to recede from Amendment #1 and a Conference Committee is appointed. All those in favor signify by saying 'aye'. Representative Nelson. Opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendment #1 and a Conference Committee is appointed. Senate Bill 1127, Representative Terzich. Read the Bill."

Clerk O'Brien: "Senate Bill 1127, a Bill for an Act to amend the

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Illinois Pension Code together with House Amendments #2 and 3."

Speaker Daniels: "Representative Terzich."

Terzich: "Mr. Speaker, on 1127, it provides for a post retirement benefit with an additional 1% adjustment in the contribution by the firefighters. I really don't know what the problem is with the Senate Sponsor but I fail to recede and would like to have a Conference Committee."

Speaker Daniels: "Discussion? Being none, the Gentleman moves the House refuse to recede from Amendments #2 and 3 and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendments #2 and 3 and a Conference Committee is appointed. Senate Bill 1128. Read the Bill."

Clerk O'Brien: "Senate Bill 1128, a Bill for an Act to amend the Illinois Pension Code together with House Amendment #1."

Speaker Daniels: "Representative Terzich."

Terzich: "House Amendment #1 failed to have the state disclaimer on the State Mandates Act and it's the request of the Sponsor that this be included and, therefore; I request a Conference Committee."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves that the House refuse to recede from Amendment #1 to Senate Bill 1128. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendment #1 to 1128 and a Conference Committee is appointed. Senate Bill 1149, Representative Ropp. Read the Bill."

Clerk O'Brien: "Senate Amendment 1149, a Bill for an Act to amend the Illinois Income Tax Act together with House Amendment #1."

Speaker Peters: "Representative Ropp."

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Ropp: "Thank you, Mr. Speaker and Members of the House. The House Amendment #1 dealt with the placing of a line on our state income tax forms in which we would then place the school district in which we resided. We made that so it would also pertain to individuals as well as to businesses. The problem is that there are some large businesses. Let's say for example like Sears and Roebuck that are national in scope and we've found out since that they just somewhat prorate the amount of their income tax around the world to certain states in which they have corporations or stores operating. We need to refuse to recede to this Amendment so we can send it to a Conference Committee and I ask for the refusal to recede so that a Conference Committee can be called."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves the House refuse to recede from House Amendment #1 and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendment #1 and a Conference Committee is appointed. Senate Bill 1168, Representative Terzich. Read the Bill."

Clerk O'Brien: "Senate Bill 1168, a Bill for an Act relating to the State Fire Marshall together with House Amendments #1, 2, and 3."

Speaker Daniels: "Representative Terzich."

Terzich: "Yes, the Senate Sponsor apparently has problems with the Amendments whereby the type of highrise buildings providing... which is four. They feel that this is, you know, too restrictive and therefore would like to have a Conference Committee in trying to adjust the number of stories of the building. I would move not to recede and a Conference Committee be reported."

Speaker Daniels: "Is that on all three Amendments, Sir? All

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three?"

Terzich: "Yes."

Speaker Daniels: "Gentleman moves that the House refuse to recede in Amendments #1, 2, and 3 and a Conference Committee be appointed. All those in favor will signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede in House Amendments #1, 2, and 3 and a Conference Committee is appointed. Senate Bill 1173, Representative Braun. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1173, a Bill for an Act to amend the Illinois Insurance Code together with House Amendment #1 and 2."

Speaker Daniels: "Representative Braun."

Braun: "Thank you, Mr. Speaker. I move that we nonconcur in Senate Bill... refuse to recede on Senate Bill 1173 and request a Conference."

Speaker Daniels: "Two Amendments. Would you briefly explain them please?"

Braun: "One of the Amendments sets forth standards for the fare plan. The other, as I recollect, I don't have the file in front of me, was a technical Amendment. I'm frankly not altogether certain why the Senate Sponsor did not concur except as I understand it. Again, this is third hand. There was another provision that the insurance companies wanted to go on the Bill and the Senate Sponsor was of the impression that a Conference Committee would allow that."

Speaker Daniels: "Any discussion? Being none, the Lady moves that the House refuse to recede from Amendments #1 and 2 and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendments #1 and 2 and a Conference Committee is appointed. Senate Bill 1198, Representative Bullock. Read the Bill."

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Clerk O'Brien: "Senate Bill 1198, a Bill for an Act to amend the Illinois Public Aid Code together with House Amendment #1."

Speaker Daniels: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In response to Senate Bill 1198, I move that we refuse to recede from House Amendment #1. This Bill amends the Public Aid Code of the State of Illinois. House Amendment #1 attempted in small measure to provide benefits for those residents of the Chicago Housing Authority who may have their public aid warrants assigned to the Authority and we amended it to allow protection for them to opt in and also for persons to opt out. I'd like to refuse to recede from House Amendment #1 and have a Conference Committee established."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves that the House refuse to recede from Amendment #1 and the Conference Committee is appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendment #1 and a Conference Committee is appointed. Representative Reilly, out of the record. Committee Report."

Clerk O'Brien: "Representative Ryan, Chairman of the Committee on Reapportionment to which the following Bills were referred, action taken June 19, 1981 and reported the same back with the following recommendations: 'do not pass' Senate Bill 297."

Speaker Daniels: "Page four of your Calendar on the Order of Nonconcurrency, Senate Bill 308. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 308, a Bill for an Act to provide for the ordinary and contingent expenses of the Department of Agriculture together with House Amendments #2, 3, 4, 5, 6, 7, 8, and 9."

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

Wolf: "Thank you, Mr. Speaker, Members of the House. Yes, the House Amendments were some add ons for the Department of Agriculture and the Senate has refused to concur. I would move that we refuse to recede from Amendments... House Amendments 2, 3, 4, 5, 6, 7, 8, and 9 and that a Conference Committee be set."

Speaker Daniels: "Heard the Gentleman's Motion. All those in favor signify by saying 'aye'....excuse me. Representative Henry. Representative Henry doesn't want to talk now. Heard the ... All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendments #2, 3, 4, 5, 6, 7, 8 and 9 and a Conference Committee is appointed. Senate Bill 309. Read the Bill."

Clerk O'Brien: "Senate Bill 309, a Bill for an Act making appropriations to the ordinary and contingent expenses of the Health Finance Authority together with House Amendments #2, 3, 4, and 5."

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

Wolf: "Thank you, Mr. Speaker. This is the Health Finance Authority that we had reduced to four and a half months funding. The Senate did not concur. I would move that we refuse to recede from House Amendments, 2, 3, 4, and 5 and that a Conference Committee be appointed."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves that the House refuse to recede from Amendments #2, 3, 4, and 5 and a Conference Committee is appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendments #2, 3, 4, and 5 and the Conference Committee is appointed. Senate Bill 319, Representative J. J. Wolf. Read the Bill."

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Clerk O'Brien: "Senate Bill 319, a Bill for an Act making an appropriation to the ordinary and contingent expenses of the Department of Nuclear Safety together with House Amendments #1 and 3.

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

Wolf: "Yes, Mr. Speaker, this is the Department of Nuclear Safety and I would move that we refuse to recede from House Amendments 1 and 3 and that a Conference Committee be appointed?"

Speaker Daniels: "Any discussion? Being none, the Gentleman moves the House refuse to recede from Amendments #1 and 3. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendments #1 and 3 and the Conference Committee is appointed. Senate Bill 332, Representative J. J. Wolf. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 332, a Bill for an Act to make an appropriation to the ordinary and contingent expenses of the Department of Personnel together with House Amendments #1, 2, 4, 5, 6, 7 and 8."

Speaker Daniels: "J. J. Wolf."

Wolf: "Yes, this is a similar situation, Mr. Speaker, for the Department of Personnel. I would move that the House refuse to recede from House Amendments 1, 2, 3, 4, 5, 6, 7, and 8 and that a Conference Committee be appointed."

Speaker Daniels: "You've heard the Gentleman's Motion on Amendments # 1, 2, 4, 5, 6, 7, and 8. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede in Amendments #1, 2, 4, 5, 6, 7, and 8 and a Conference Committee is appointed. Order of Concurrence, Senate Bill 857. Read the Bill."

Clerk O'Brien: "Senate Bill 857, a Bill for an Act to amend the Election Code together with Senate Amendment #1."

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Speaker Daniels: "Representative Laurino, I understand you're going to handle that for Speaker Redmond. Representative Laurino. Representative Laurino. Senate Bill 857. I'm sorry. House Bill 857."

Laurino: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I concur with Amendment #1 to House Bill 857."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves that the House concur in Senate Amendment #1. Those in favor will vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Going once, going twice, take the record. On this question there are 151 'aye', no 'nay', none voting 'present', the House concurring with Senate Amendment #1. House Bill 857 is hereby declared passed. House Bill 835, Representative Mautino. Read the Bill."

Clerk O'Brien: "House Bill 835, a Bill for an Act to amend the Illinois Horseracing Act together with Senate Amendment #1."

Speaker Daniels: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 to House Bill 835. What Senate Amendment #1 did was make a technical change. It changed the word 'this Section' to 'Section 27'. The Bill itself addressed the on track betting for international and national races and I move to concur with Senate Amendment #1."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves for concurrence in Senate Amendment #1. Those in favor will vote 'aye', those opposed vote 'no'. This is final action. The voting is open. Have all voted who wish? Have all voted who wish? One more time. Have all voted who wish? Take the record. Sandquist 'aye'. On this question there are 143 'aye', 8 'no', one voting

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'present', the House concurring with Senate Amendment #1. House Bill 835 is hereby declared passed. Representative Vinson. House Bill 1080. 1029. House Bill 1029. Read the Bill."

Clerk O'Brien: "House Bill 1029, a Bill for an Act to amend the Civil Practice Act together with Senate Amendment #1."

Speaker Daniels: "House Bill 1029, Representative Vinson."

Vinson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1029, as it passed the House, reinstated the traditional doctrine of *res ipsa loquitur*. That traditional doctrine included three elements: exclusive control of the instrumentalities that the result occurring ordinarily wouldn't occur absent negligence and that the plaintiff was free from contributory negligence. A Supreme Court decision substantially muddied that doctrine. When the Bill got to the Senate it was amended by Senator DiArco to make clear precisely what kind of proof would be involved in sending the Bill to the jury. Proof of an unusual, unexpected or untoward medical result which ordinarily does not occur in the absence of negligence will suffice in the application of the doctrine. I would move that the House concur in Senate Amendment #1 to House Bill 1029."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves for concurrence in Senate Amendment #1. Those in favor vote 'aye', opposed vote 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 142 'aye', 1 'no', 3 voting 'present', the House concurring in Senate Amendment #1. House Bill 1029 is hereby declared passed. Representative Vinson on House Bill 1080."

Clerk O'Brien: "House Bill 1080, a Bill for an Act to amend the

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County Home Act together with Senate Amendment #1."

Speaker Daniels: "Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1080, as it left the House, was a Bill which authorized counties to impose a tax, downstate counties to impose a tax for ... a property tax for nursing homes. It had a front door referendum on it. It still has all of those provisions. The referendum is a front door referendum. Added to the Bill in the Senate is a provision, a totally permissive provision, which allows transfer of the tuberculosis property and tax from a special tuberculosis district to the county Department of Public Health. The provision is permissive. The tax and expenditures cannot increase from the previous level and I would move that the House concur in Senate Amendment #1 to House Bill 1080."

Speaker Daniels: "Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Daniels: "Indicates he will."

Brummer: "You indicated that the tax could not increase. Does that mean that if the county had authority to levy a TB tax and had not exercised that authority they could not now do so?"

Vinson: "If the county chose to exercise the option of transferring this function to the Public Health Department, the county retains the option to do that, number one, and, as a matter of fact, very few counties in the state currently exercise either the tax or the tuberculosis function."

Brummer: "Right. I understand very few counties do, but the counties are authorized to do so under existing statute."

Vinson: "Yes."

Brummer: "What I am asking you is if you have a county that

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hasn't done that for ten years they then decide to transfer the authority to the public health, whatever it's called, the public health authorization. Can they then increase the amount that they could levy for public health by doubling up, taking the TB authorization that they previously had and never used and adding that to the public health authorization that they currently have and, in effect, levy the amount that would be currently authorized under the two separate Sections?"

Vinson: "No."

Brummer: "Are you saying that if they have not done so within the last ten years, for example, or the last five years the transfer would be meaningless?"

Vinson: "Five years is the period and, if they make the transfer and they have not levied the tax in the past five years, then they have no ability to raise the tax or the expenditures. That is correct."

Brummer: "Thank you."

Speaker Daniels: "Further discussion? Being none, the Gentleman, Representative Vinson, moves for concurrence in Senate Amendment #1. Those in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 148 'aye', 2 'no', 7 'present', the House concurring with Senate Amendment #1. House Bill 1080 is hereby declared passed."

Speaker Daniels: "The House will stand at ease for a few minutes. Representative Koehler."

Koehler: "Mr. Speaker and Ladies and Gentlemen of the House, I rise to mention a special occasion today. Today, June 30th, is the 13th Wedding Anniversary of Jill and Mort Zwick. I hope you will join with me in extending your congratulations to Mr. and Mrs. Zwick and enjoying these

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flowers sent to Jill by her family."

Clerk O'Brien: "Could I have your attention please? The House will remain in recess until 2:00. The House will remain in recess until 2:00."

Speaker Daniels: "The House will stand at ease until 3:00."

Doorkeeper: "Attention the House of Representatives, Ladies and Gentlemen. This House will convene in 15 minutes. All are not entitled to this House floor. Will you return to the balcony? Thank you. All are not entitled to this House floor. Will you please retire to the gallery? Thank you."

Speaker Daniels: "Ladies and Gentleman, the House will stand in recess until 4:00. House will please come to order. Members will be in their seats. The House will please come to order. Members be in their seats. All those not entitled to the floor, please retire to the gallery. Supplemental Calendar #1, the Order of Nonconcurrence, Senate Bill 908, Representative Hoxsey. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 908, a Bill for an Act in relation to state finance together with House Amendment #1."

Speaker Daniels: "Representative Hoxsey. Out of the record. Senate Bill 910, representative Bower. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 910, a Bill for an Act to amend the Mental Health and Developmental Disabilities Confidentiality Act together with House Amendment #1."

Speaker Daniels: "Representative Bower."

Bower: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would refuse to recede and ask for a Conference Committee."

Speaker Daniels: "Gentleman moves that the House refuse to recede from House Amendment #1 and that a Conference Committee be appointed. On that question, the Gentleman from Rock

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Island, Representative Darrow."

Darrow: "Would the Sponsor of the Bill indicate why we should go along with his plan? We don't know exactly his reason for doing this."

Speaker Daniels: "Would you explain the Amendment and your reasons for refusing to recede, Sir? Representative Bower."

Bower: "Certainly. There has been an agreement reached between all the interested parties as to ... on the confidentiality of mental health patients and the ability of administrators of mental health facilities to report violations of the law to police authorities. The Department of Law Enforcement, the Senate and House Sponsors and all have agreed to ... for an Amendment."

Speaker Daniels: "Further discussion? Representative Bowman."

Bowman: "Gentleman yield for a question?"

Speaker Daniels: "Indicates he will."

Bowman: "You indicated that everyone has agreed. Have you involved the Guardianship and Advocacy Commission in your discussions too?"

Bower: "Would you repeat your question, please? I had another conversation here."

Bowman: "Okay. I'm sorry. When you were indicating who has agreed to this proposal that would be pending on a Conference Committee report, did you consult with the Guardianship and Advocacy Commission for example?"

Bower: "I don't know all of the parties that were involved. I know that the Senate Sponsor that the Department of Law Enforcement that the Department of Mental Health, the Governor's Office, State Medical Society were all in agreement and those are the people that were responsible originally for the drafting and forming of the legislation. I'm certain if you have a list of 500 people you would like

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for us to consult with, we'll do our best."

Bowman: "Representative Bower, I think... I hardly think the Guardianship and Advocacy Commission is just another outfit that, you know, you shouldn't consider it as just one of a potential 500 interested parties. After all, we did set it up pursuant to the new Mental Health Code and one of the reasons that it exists is to make sure that the rights of patients are upheld, and I'd like to have some assurance that the people representing patients were involved. That's the main reason I'm asking the ..."

Bower: "I don't know if they were consulted this time, but I'll see that they are happy with..."

Bowman: "I would appreciate it if, before we get a Conference Committee report, you would run it by them."

Bower: "I will."

Speaker Daniels: "Representative Huff."

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

Speaker Daniels: "Indicates he will."

Huff: "Representative Bower, just precisely, if you will, I didn't hear your explanation. Just precisely what is it that the Senate wants you... what portion of the Amendment does the Senate want you to recede from?"

Bower: "We refuse to recede."

Huff: "Okay, but... and what is that predicated on?"

Bower: "That we are going to be able to draft language that will be acceptable to the various parties involved in this in a Conference Committee."

Huff: "No, I mean, you said something about the confidentiality of the patient and the violations..."

Bower: "Under current law, if there is an alleged violation of state law in a mental health facility because of the Confidentiality Act for mental health patients, it is not possible, legally, for a director of a mental health

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facility to report that to the police and it has caused great problems and it is something that the directors of the facility want and it's something that the Department of Law Enforcement very definitely want."

Huff: "Does that deal directly with the admission of a patient?"

Bower: "With the admission of a patient?"

Huff: "Yes."

Bower: "I suppose it might, but what we're basically talking about is incidents that occur within the facility and that would be after, of course, they're already there."

Huff: "How would confidentiality be breeched within the facility?"

Bower: "As I say, under current law, it can... the director cannot report..."

Huff: "... a violation."

Bower: "...a violation or an alleged violation to the police, and if he does it is a violation of the Confidentiality Act."

Huff: "Alleged violation on whose part? The patient?"

Bower: "On the patient's part."

Speaker Daniels: "Further discussion? Being none, the Gentleman moves that the House refuse to recede from House Amendment #1 and that a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendment #1 and a Conference Committee is appointed. Back to Senate Bill 908, Representative Hoxsey. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 908, a Bill for an Act in relation to state finance together with House Amendment #1."

Speaker Daniels: "Representative Hoxsey."

Hoxsey: "Mr. Speaker, I would move to recede from House Amendment 1 to Senate Bill 908."

Speaker Daniels: "Could you please explain the Amendment or the reasons, Ma'am?"

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Hoxsey: "I would refer to Jack Davis. Representative Davis, would you explain Amendment 1."

Speaker Daniels: "Representative Davis."

Davis: "I beg your pardon, Mr. Speaker and Members of the House. Amendment #1 dealt with hydro-electric feasibility studies for hydro-electric dams. We find now that the availability for this procedure is in another Bill that we were unaware of at the time and I would support the move to recede from Amendment #1."

Speaker Daniels: "Any discussion? Being none, the question is and the Lady moves that the House recede from House Amendment #1. All those in favor will signify by voting 'aye', opposed by voting 'no'. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 144 'aye', 1 'no', none voting 'present'. The House recedes from Amendment #1 and Senate Bill 908 is hereby declared passed. Senate Bill 929, Representative Epton. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 929, a Bill for an Act to amend the Illinois Insurance Code together with House Amendment #1."

Speaker Daniels: "Representative Epton."

Epton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Reluctantly, I would ask you to nonconcur in this Amendment. Actually, this Bill and the Amendment is perfectly alright, but, unfortunately, through a fault and mistake of mine, on House Bill 393, which went out of this House we failed to put in it an effective date and this is the only vehicle we have left to put an effective date on. I discussed this with Senator Berning who is amenable and will... when it goes to a Conference Committee. Therefore, I would appreciate your nonconcurring."

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

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moves that the House refuse... I'm sorry. Representative Matijeich."

Matijeich: "I've got one, just one simple question, Representative Epton. According to my Digest Amendment #1 was merely a technical Amendment and the Senate didn't concur and now you're refusing to recede. I just can't figure out why the Senate would not concur to something if it's merely technical."

Epton: "Your question's correct. As I indicated, there's nothing wrong, however; this was the only vehicle left to correct an error in House Bill 393. House Bill 393 did not have an effective date and would have created a conflict."

Matijeich: "I see. In other words, they're using your Bill for a vehicle for something else."

Epton: "So all we will do when it comes back is put on an effective date on House Bill 393."

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

Satterthwaite: "Just a point of inquiry. How is it possible for us to write an effective date for one Bill into another Bill? Can the Parliamentarian tell me if that is possible?"

Epton: "It does... It effects the Insurance Code in both instances. One has to do with the exchange. I am somewhat dimuted myself, however; the Reference Bureau is drawing it up and we have been advised it is correct and we'll simply rely on their judgment."

Speaker Daniels: "It's possible. Further questions?"

Satterthwaite: "So, we're saying that any Bill that deals with a particular portion of the Code can be used then as a vehicle to write an effective date for any other measure that deals with that same Section of the Code?"

Epton: "I'm not saying that. I'm saying in this case that is

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what is being done. I can't indicate whether other codes, other departments, other Bills would allow it, but in this instance, that's what is being attempted."

Satterthwaite: "I guess we've done very strange things this Session. Maybe this is no more strange than some of the others, but it really seems to be that we are going rather far field by writing an effective date for one Bill into another piece of legislation, and I'm not at all sure that that really can be done. I have... I don't know the substance of the Bill that needs an effective date different from what it would normally have, but..."

Epton: "I can clarify that for you if you would like to know. That effective date has to do with the Illinois Insurance Exchange. The Insurance Department is treating the syndicates that are being formed as corporations, however; that Bill is not effective until January 1 of 1982. The Exchange is going to operation October 1. The Secretary of State cannot accept any corporations which the syndicates will be classified as unless there is an effective date prior to January of '82. And, therefore; they are asking, they as well as the Department of Insurance, they're asking for this vehicle so that the Illinois Insurance Exchange can go into operation October 1."

Satterthwaite: "Well, I guess I really have no objection except that the procedural matter seems to be very strange and I hope that if some Democratic Member comes up with the needs for a similar method of addressing a problem of this sort that the same kind of consideration will be given to that Member."

Epton: "I certainly will be happy to do so."

Speaker Daniels: "Further discussion? Being none, the Gentleman moves that the House refuse to recede from House Amendment #1 and a Conference Committee be appointed. All those in

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favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendment #1 and a Conference Committee shall be appointed. Senate Bill 1006, Representative Currie. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1006, a Bill for an Act to amend the Public Aid Code together with House Amendment #1."

Speaker Daniels: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I move that the House not recede from Amendment #1, I believe it is, to Senate Bill 1006. There are technical problems with the Amendment as it left this House and I think a Conference Committee would be appropriate to resolve that difficulty."

Speaker Daniels: "Any discussion? Hearing none, the Lady moves that the House refuse to recede from House Amendment #1, Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendment #1 and a Conference Committee shall be appointed. ... Calendar, page four, House Bill 821, Representative Reilly. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill..."

Speaker Daniels: "821."

Clerk Leone: "House Bill 821, a Bill for an Act to amend the Illinois Administrative Procedure Act together with Senate Amendment #1."

Speaker Daniels: "Representative Reilly."

Reilly: "Thank you, Mr. Speaker. This is a Bill that makes some technical changes in the Joint Committee on Administrative Rules Statute. I move not to concur in Senate Amendment #1 simply because there's one more change... excuse me, two more changes that we would like to add to the Bill in a

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Conference Committee. I would move to not concur in Senate Amendment #1 to Senate (sic, House) Bill 821."

Speaker Daniels: "Gentleman moves to nonconcur in Senate Amendment #1. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House nonconcur in Senate Amendment #1. Supplemental #2, Senate Bill 172, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 172, a Bill for an Act relating to location of sanitary land fills and hazardous waste disposal sites together with House Amendments #1, 2, 3, and 5."

Speaker Daniels: "Representative Breslin."

Breslin: "I move not to recede from Senate Amendments or House Amendments #1, and 2 and to recede from House Amendments 3 and 5, and I request a Conference Committee. This deals with the siting of waste land fills."

Speaker Daniels: "Could you explain the Amendments so the Members will understand what they're voting on?"

Breslin: "Okay. As I recall, #1 dealt with a distinction between home rule and non-home rule units. I do not believe that that is in debate. Number 2 dealt with procedural problems on how a county board is to conduct its hearings in determining where the siting shall be. Number 3 dealt with the exclusion of the City of Chicago and the Metropolitan Sanitary District and #5 dealt with a technical exclusion of the Metropolitan Sanitary District and also an exclusion of those items which are presently stored by public utilities and those items are PCB's and they are presently governed under the Federal law."

Speaker Daniels: "Any discussion? Being none, the Lady moves that the House refuse to recede from Senate Amendments #1 and 2 and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes'

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have it and the House refuses to recede from Senate Amendments #1 and 2. Also on Senate Bill 172, the Lady moves that the House recede from House Amendments #3 and 5. Is that correct? All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On Amendments #3 and 5 there are 123 'ayes', 9 'no' and 1 'present' and on this question the House recedes from House Amendments #3 and 5 to Senate Bill 172. There will be a Conference Committee appointed. Senate Bill 543, Representative Sam Wolf. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 543, a Bill for an Act to amend the Illinois Vehicle Code together with House Amendment #1."

Speaker Daniels: "Representative Sam Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the House. I would now move that the House not recede from House Amendment #1 to Senate Bill 543 and that a Conference Committee be appointed."

Speaker Daniels: "Gentleman moves that the House refuse to recede. Would you please explain the Amendment, Sir, that you're... Representative Wolf, explain the Amendment, Sir."

Wolf: "Senate Bill 543 is a Bill that provides several technical changes in the Motor Vehicle Code providing for a reduced fees for newly acquired vehicles. House Amendment #1 to this same Bill is the Bill... House Amendment #1 is the Amendment that provides for load extensions up to three foot on the front, four feet in the rear for all auto transit carriers provided that they acquire a limited continuous permit under the present statutes and I would request that a Conference Committee be appointed."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves that the House refuse to recede from House Amendment

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#1 and that a Conference Committee be appointed. Those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendment and a Conference Committee shall be appointed. Senate Bill 888, Representative Watson. Watson. Out of the record. Senate Bill 889, Representative Irv Smith. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill ... House... Senate Bill 889, a Bill for an Act to amend the State Employees Group Insurance Act together with House Amendment #1."

Speaker Daniels: "Representative Irv Smith."

Smith: "Mr. Chairman (sic, Speaker) and Ladies and Gentlemen of the House, I move not to recede Senate Bill 889."

Speaker Daniels: "Would you explain the Amendment, Sir?"

Smith: "Yes, the Amendment was the employees hospitalization benefits, the same benefits that affected us and my reason for moving not to recede was that the Senate defeated that Bill, I think it was 52 to 4. So at this point it looks like it's moot issue."

Speaker Daniels: "Any discussion? Being none, the Gentleman that the House refuse to recede from House Amendment #1 to Senate Bill 889. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The House refuses to recede from House Amendment #1 and a Conference Committee... Did you want a Conference Committee, Sir? Gentleman having moved and the House concurred that the House refuse to recede from House Amendment #1. A Conference Committee shall be appointed. Is that correct? That's what you wish, Sir? Alright. Senate Bill 955, Representative Hoffman. Read the Bill."

Clerk Leone: "Senate Bill 955, a Bill for an Act to amend the School Code together with House Amendments #1, 2, and 9."

Speaker Daniels: "Representative Hoffman." Hoffman: "Mr.

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Speaker, I refuse to recede from those Amendments and ask for an Conference Committee."

Speaker Daniels: "Want to explain the Amendments, Sir?"

Hoffman: "The reason I'm asking for an Conference Committee, the three Amendments on it were adopted in the House, sent back to the House. We have another item relative to certificates for teacher certificates that we need to put in it and we're asking for a Conference Committee."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves that the House refuse to recede from House Amendments #1, 2, and 9 and that a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendments #1, 2, and 9 and a Conference Committee is appointed. Representative Watson on the floor? Representative Smith, Irv Smith? Senate Bill 271, Representative Wolf. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 271, a Bill for an Act making appropriations to the Judicial Advisory Council..."

Speaker Daniels: "Out of the record. Senate Bill 315. Read the Bill."

Clerk Leone: "Senate Bill 315, a Bill for an Act to provide for the ordinary and contingent expenses of the Commission on Delinquency Prevention together with House Amendments #3 and 5."

Speaker Daniels: "Representative Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the House. House Amendment 3 added an appropriation for the Junior Organization of... and House Amendment #5 took money out for legal services. I would move that the House not recede from House Amendments 3 and 5 on Senate Bill 315 and that a Conference Committee be appointed."

Speaker Daniels: "Any discussion? Gentleman moves that the House

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refuse to recede from House Amendment #3 and 5 and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendments #3 and 5 and a Conference Committee shall be appointed. Senate Bill 339, Representative Wolf. Read the Bill."

Clerk Leone: "Senate Bill 339, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Illinois Law Enforcement Commission and various state agencies which participate in the law enforcement assistant administrative statewide program together with House Amendments #1, 2, 3, 4, and 5."

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

Wolf: "Thank you, Mr. Speaker. The House Amendments 1, 2, 3, 4, and 5 reduced their funding to a four month... the Commission to a four month level, transferred them into the Department of Law Enforcement and eliminated eight positions. I would move that the House do not recede from House Amendments 1, 2, 3, 4, 5 and that a Conference Committee be appointed."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves that the House refuse to recede from Amendments #1, 2, 3, 4, and 5 and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendments #1, 2, 3, 4, and 5 and a Conference Committee shall be appointed. Senate Bill 344, Representative Wolf. Read the Bill."

Clerk Leone: "Senate Bill 344, a Bill for an Act making certain appropriations to the Capital Development Board, Secretary of State, Southern Illinois University for permanent improvements, grants and related purposes together with House Amendments #1, 4, and 8."

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Speaker Daniels: "Representative Wolf."

Wolf: "Yes, Mr. Speaker, Members of the Assembly, House Amendments 1, 4, and 8 is the DOT's reappropriation which are included in other Bills. I would, therefore; move that the House recede from House Amendments 1, 4, and 8 to Senate Bill 344. This would, in fact, then be final action on the Bill."

Speaker Daniels: "Representative Matijevich."

Matijevich: "Mr. Speaker, and I would ask the Chair that we have a Roll Call vote on this and I'm going to ask this side of the aisle that we vote against this Motion. He's mentioned that there is another Bill on which the DOT appropriations... reappropriations are included. I, at this time, feel we don't know where that other Bill's at and we feel that this Bill should go to a Conference Committee. There is some matters on some reappropriations that we think are in the Bill right now and we're not sure that they should not be taken out and put into a new appropriation Bill in 345. For those reasons, Mr. Speaker and Members of the House, I would ask that we withhold or vote 'no' against this Motion. And I would ask the Members on this side of the aisle that... I'd ask some of the Members in the back on this side of the aisle to follow their party on this issue. I've been working my head off for the party. Take out your paper clips too. I've been working my head off for this party on Appropriations Committee and I have yet in six terms on the Appropriations Committee either as a Chairman or a Minority Spokesman asked for one job from anybody in the administration."

Speaker Daniels: "To the Bill, Sir."

Matijevich: "I'm speaking to the Bill."

Speaker Daniels: "To the Bill."

Matijevich: "I happen to know last night that some Member got

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three positions to vote for the Department of Corrections to get it out of here in violation of our rules. When I asked for a Roll Call vote and I'll be damned if I'm going to stand here and work my head off for the Democratic Party as a Minority Spokesman and then some Member is going to sell his soul and the Party for three positions. If they want to do that, then they can look for another Minority Spokesman. I think... I don't know... I think there's some other Members that feel, on your side of the aisle, that feel that's it's honorable that some Member can work as long as I have for 15 years and yet under Democratic administrations and Republican administrations not make a deal on anything. If you're here in 15 years and can say that, God bless you too. So I would urge that the Members on this side of the aisle vote 'no'."

Speaker Daniels: "Representative Vinson."

Vinson: "Mr. Chairman(sic, Speaker), I would just suggest that if the Gentleman knows of some impropriety which has occurred, whether it's in violation of the laws or the rules, he ought to submit the name, name names and allege the impropriety. And beyond that, I understand that he's worked hard, but he's been paid more than the average Member in this Chamber to work hard. We passed a Bill to give him an extra 5,000 so I would urge an 'aye' vote."

Speaker Daniels: "On the question, Representative Bullock."

Bullock: "Thank you, Mr. Speaker. I want to join Representative Matijevich and I want to specifically request a Roll Call vote on the Motion to recede..."

Speaker Daniels: "Representative Bullock, this requires a Roll Call vote. You do not need to request it. It's final action, as you know, Sir."

Bullock: "I want to embellish upon it so that we get it."

Speaker Daniels: "Representative J. J. Wolf, to close."

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Wolf: "Mr. Speaker and Members of the House, let me first clear up a point alleged by the Gentleman from DeWitt. This General Assembly has never provided additional compensation for the Chairman or the Minority Spokesman of the Appropriations Committee. He may have voted for it, but we have never gotten it out of Committee as far as I know this year despite promises to the Minority Spokesman in past Sessions it's never happened. So, let me clarify that. Neither Mr. Matijevich nor I receive an extra penny for working on the Appropriations Committee. But to the Bill, Mr. Speaker and Members of the House, certainly we'll have a Roll Call vote because this is final passage on the Bill. And as I mentioned, the reappropriations are contained in House Bill 439 which is presently in Conference Committee. There were some technical problems. I'm sorry that the distinguished Minority Spokesman has some problems which maybe relate to another matter other than this. I would hope that the Members of this General Assembly would exercise their good sense and not hold another Bill hostage because of some improprieties which allegedly occurred on another piece of legislation. I would just ask for 89 affirmative votes that we recede from House Amendments 1, 4, and 8. This would then be final passage of the Bill, Mr. Speaker and I would so move."

Speaker Daniels: "Gentleman moves that the House recede from House Amendments #1, 4, and 8. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Representative Getty."

Getty: "Mr. Speaker, should this get the required number of votes, I would request a verification."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Representative Cullerton. Representative Giorgi."

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Have all voted who wish? Representative J. J. Wolf, to explain his vote."

Wolf: "Let's poll the absentees. You haven't taken the record yet?"

Speaker Daniels: "No, you want to explain your vote, Sir?"

Wolf: "You run a little slow, Mr. Speaker."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Take the record. On this question there are 86 'aye' and 72 'no' and 4 voting 'present'. The Gentleman, Representative J. J. Wolf, requests a poll of the absentees. Representative Zwick."

Zwick: "Could I change to 'aye', please?"

Speaker Daniels: "Representative Zwick from 'no' to 'aye'."

Clerk Leone: "Poll of the absentees. Bradley. Capparelli. Farley. Fliann. Garmisa. Greiman. Huskey. Kane. Keane. Krska. Margulas. Martire. Redmond. Ronan and Terzich."

Speaker Daniels: "Representative Huskey."

Huskey: "Mr. Speaker."

Speaker Daniels: "'Aye'? How are you recorded? How is the Gentleman recorded? Huskey."

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

Huskey: "Vote me 'aye'."

Speaker Daniels: "Record the Gentleman as 'aye'. Representative J. J. Wolf."

Wolf: "Is Mrs. Catania's light working?"

Speaker Daniels: "Clerk, what's the count?"

Clerk Leone: "88 'aye', 71 'no'."

Speaker Daniels: "There are 88 'aye', 72 'no', 4 voting 'present'. This Motion lost. Representative Wolf."

Wolf: "I now move you, Mr. Speaker, this House stand adjourned. I'm serious, Mr. Speaker. We're going to play games around here. This is the last day supposedly of Session and for no reason whatsoever we're going to get on this

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gamesmanship. We might as well adjourn and go home and screw it all."

Speaker Daniels: "Senate Bill 345. Read the Bill, Mr. Clerk. 345."

Clerk Leone: "Senate Bill 345 together with Amendments #1... House Amendments #1, 3, 4, 9, 10, 11, 12, 13, 14, 16, 17, 19, 20, 21, and 23."

Speaker Daniels: "Out of the record. Senate Bill 517. Read the Bill. Out of the record. House will stand at ease until further call of the Chair. House will come back to order. Senate Bill 345. Read the Bill."

Clerk Leone: "Senate Bill 345 together with House Amendments #1, 3, 4, 9, 10, 11, 12, 13, 14, 16, 17, 19, 20, 21, and 23."

Speaker Daniels: "Representative Peters."

Peters: "Mr. Speaker, I move that the House refuse to recede from the aforementioned Amendments and request a Conference Committee."

Speaker Daniels: "Gentleman moves the House refuse to recede from Amendments #1, 3, 4, 9, 10, 11, 12, 13, 14, 16, 17, 19, 20, 21, and 23 and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from the said Amendments and a Conference Committee shall be appointed. Senate Bill 517, Representative McAuliffe. Read the Bill."

Clerk Leone: "Senate Bill 517, a Bill for an Act making appropriation to the Court of Claims for certain awards against the State of Illinois in conformity with awards by the Court of Claims together with House Amendments #4, 5, 6, and 7."

Speaker Daniels: "Representative McAuliffe."

McAuliffe: "I wish... I do not want to recede from House Amendments 6 or 7. Ask for a Conference Committee."

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Speaker Daniels: "4 and 5?"

McAuliffe: "No."

Speaker Daniels: "6 and 7?"

McAuliffe: "6 and 7. I want a Conference Committee anyhow."

Speaker Daniels: "Gentleman refuses... moves that the House refuse to recede from Amendments #4, 5, 6, and 7. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The House refuses to recede from Amendments #4, 5, 6, and 7 and a Conference Committee shall be appointed. Senate Bill 671. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 671, a Bill for an Act to provide for the ordinary and contingent expenses of the General Assembly together with House Amendments #1, 3, and 4."

Speaker Daniels: "Representative Peters."

Peters: "Mr. Speaker, I move that the House refuse to recede from the aforementioned Amendments and request that a Conference Committee be appointed."

Speaker Daniels: "Gentleman moves that the House refuse to recede from Amendments #1, 3, and 4 and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House refuses to recede from Amendments #3... 1, 3 and 4 and a Conference Committee shall be appointed. Representative Peters."

Peters: "Mr. Speaker, I now move that the House stand at recess until the hour of 7:00 and that the Clerk remain for the purposes of Perfunctary, receiving of any messages that may be necessary."

Speaker Daniels: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'no'. Motion carries and the House will stand in recess until the hour of 7:00 with the Clerk in Perfunct. All of those not entitled to the floor please retire to the gallery. Will the Doorkeepers please ask all of those not entitled to the

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floor to retire to the gallery. Will the Members please be in their seats? Will all those, please, not entitled to the floor retire to the gallery and will the Members please be in their seats. The House please come to order. Senate Bills, Second Reading, page two of your Calendar. Senate Bill 636. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 636, a Bill for an Act regarding exemptions from certain occupation and use taxes for certain machinery and equipment has been read a second time previously. No Committee Amendments."

Speaker Daniels: "Any Amendments from the floor?"

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

Speaker Daniels: "Representative Mautino, on Amendment #1."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. A point of privilege on Senate Bill 636 which set on this Calendar in the House of Representatives for about two days when I originally signed to pick that piece of legislation up. I picked it up with the intention that I would be able to address and amend that legislation to include the exclusion of the accelerated sales tax on the retailers of the State of Illinois that do over 10,000 dollars worth of tax liability a month. I was not originally notified other than by the Majority Leader of this House that my name was removed from Sponsorship of Senate Bill 636 by Senator Weaver. I would like to point out for the record that Senate Bill 636 was a Weaver-Shapiro Bill of which Senator Shapiro happens to be the Senator from the 37th Legislative District. I make an official protest for our record in that regard. I think the Senator should have had the courtesy to notify me that he did not want me to handle that Bill. But knowing full well that the posture of this General Assembly is not in the current mood to allow additional tax exemption to the

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people of the State of Illinois by virtue of the fact that we couldn't pass this Bill in its original form which is now Amendment #1, I respectfully make my complaint to the Senator who originally sponsored this legislation did not consult me and I will table or withdraw Amendment #1 at this time."

Speaker Daniels: "Amendment #1 withdrawn. Further Amendments?"

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

Speaker Daniels: "Representative Terzich, Amendment #2. Gentleman on the floor? Representative Terzich. Representative Watson."

Watson: "I'd like to move to withdraw Amendment #2."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "Amendment #3, McPike, amends Senate Bill 636..."

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

McPike: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 636 changes the effective date of the sales tax roll back on machinery and, in effect, freezes the tax at 31.25% until January 1, 1983. Amendment #3 would change that freeze and make the freeze effective for one year until July 1, 1982. I would move for the adoption of Amendment #3."

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

Telcser: "Mr. Speaker, Members of the House, I rise to oppose Amendment #3 to Senate Bill 636 for a number of reasons. In the first place, it upsets a very well planned schedule which was set out and set forth to protect the state's General Revenue Fund which, if we are not very, very cautious about, will find itself in a dangerously precarious position before we know it. Additionally, as we come down to the closing moments of the Session, we would

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find ourselves in a position of having to send this Bill back to the Senate on a concurrence Motion which would undoubtedly take us past the deadline. So, Mr. Speaker and Members of the House, for these reasons the principle one being that the intent and the purpose of Senate Bill 636 be preserved, I rise to oppose Amendment #3 to Senate Bill 636."

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

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

Speaker Daniels: "Question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The main question is put. Representative McPike."

McPike: "Thank you, Mr. Speaker. I think the Amendment is understood perfectly well by everyone and would ask for a favorable vote."

Speaker Daniels: "All those in favor signify by saying 'aye', opposed 'no'. 'Nos' have it and the Amendment's lost. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Kane, amends Senate Bill 636 by deleting lines 1 through 6 on page 6 and so forth."

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

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I had been... I was going to withdraw this Amendment, however; in the light of the Speaker's action in denying a Roll Call, I would like to continue with this Amendment and ask for a Roll Call. It's the same kind of Amendment as Representative McPike had just offered except that it puts in the roll back for a six month period rather than for 18 months. I think that given the kind of economic program that the President has put in and the uncertainty of the Federal budget and so forth that, and since we will be back

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in the Fall, that we should put this in for six months and I would ask for a favorable Roll Call."

Speaker Daniels: "Any discussion? On the question, the Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, as with Amendment #3, I rise to oppose Amendment #4. For the same reasons as with Amendment #3 but more specifically, I would like to inform the Members that should Amendment #4 be adopted it would have a cost to the General Revenue Fund for fiscal '82, an amount in the sum of some 50 million dollars. And, of course, additional cost would be incurred in the out years. Mr. Speaker and Members of the House, I rise to oppose Amendment #4 for these reasons to preserve the integrity of Senate Bill 636."

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

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

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

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, joined by five other Members, I would ask for a Roll Call on this Amendment. This, I think, is an important Amendment and should be given to a Roll Call. And, in closing, I would say that given the economic uncertainty of both the President's program and the economic condition of the state and since we will be back here in the Fall, I think that we can put the roll back in for a six month period. We can look at the effects of the economy at that period of time. And if we see that the Governor's budget and the state's budget is going to be unbalanced, we can always extend the roll back over another period of time. But I think that we can afford to do that and we can afford to wait and see if we can give this additional time later. I would ask for a

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Roll Call and a favorable Roll Call on this Amendment."

Speaker Daniels: "Gentleman, Representative Kane, has moved for the adoption of Amendment #4. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Representative Schraeder, to explain his vote. The timer's on, Sir."

Schraeder: "Mr. Speaker, I want to point out to the Members of the General Assembly that this is an anti-business administration tax. We're putting it back on and the Republican Party have vowed to help the business community in Illinois and I want them to know that the business climate in Illinois is disasterous and now you're going back on your word. I'd like the Governor to know very well that he is going to suffer the consequences of hindering the advancement of business in the State of Illinois by his actions with this vote."

Speaker Daniels: "Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? Take the record. On this question there are 34 'aye', 114 'no', 4 voting 'present' and Amendment #4 fails. Further Amendments."

Clerk Leone: "Floor Amendment #5, Capparelli, amends Senate Bill
636..."

Speaker Daniels: "Representative Capparelli, Amendment #5. Gentleman withdraws. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Third Reading. Senate Bill 1064. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1064, a Bill for an Act in relationship to the partial exclusion of sale on farm machinery and equipment from the use tax, service use tax, service occupation tax and retailers occupation tax Act. Second Reading of the Bill. Been read a second previously. No

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Committee Amendments."

Speaker Daniels: "Any Amendments from the floor?"

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

Speaker Daniels: "Representative Richmond, Amendment #1."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a very simple Amendment. Assuming that this Bill might be passed, it would seem logical that this Amendment be placed on it first and that is that we would eliminate the 1000 dollar threshold that's presently in the Bill. We... In passing this legislation last year recognized the fact that the farming community and implement dealers and all of the people involved in the farming situation needed some sort of relief and the Governor acknowledged that when he signed the Bill. So, if we renege on that now, I think it's a travesty, but at least we can add this Amendment which would indicate at the end of this hesitation on the phase out period that when it does take over again that we would eliminate the 1000 dollar threshold which, incidentally, I am told that the Department of Revenue has indicated at least unofficially that the to implement this 1000 dollar threshold has cost more than it actually is worth. I would ask a favorable Roll Call and I would like a Roll Call on this Amendment."

Speaker Daniels: "Gentleman's moved for the adoption of Amendment #1. Is there any discussion? Gentleman from Cook, Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, needless to say, I oppose Amendment #1 to Senate Bill 1064 not only for the cost involved to the program but perhaps just as important the administrative nightmare which Amendment #1 to Senate Bill 1064 would create. Would this to become law then any hammer that's purchased, any pair of pliers, any small item

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below the cost of 1000 dollars would fall within the provisions of Senate Bill 1064. Clearly, that kind of administrative situation would be unworkable, excessively costly and would also decrease to a great extent the yield which we're anticipating through the enactment of Senate Bill 1064. This type of Amendment simply defeats the purpose for which 1064 has been introduced, Mr. Speaker and Members, and for those reasons, I rise and urge the Members to vote 'no' in connection with Amendment #1 of Senate Bill 1064."

Speaker Daniels: "Further discussion? Gentleman from Bond, Representative Slape."

Slape: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Amendment. As economical hard times approach the farming community of the State of Illinois it becomes completely obvious to all of us who represent that constituent that the people are going to be turned more... are going to have to turn more and more to use equipment. If we're going to give these people any economic support and we're going to give them any tax break at all, it seems obvious to me that we're going to have to lower this threshold. The 1000 dollar threshold was completely... it was obviously wrong from the start. It's wrong now and the economical hard turns we have. The reason that the Gentleman... the Majority Leader had to rise and oppose this Amendment, of course, is the Governor in his witch craft economic policy that he's brought before this General Assembly has to oppose this Amendment and any other Amendment that would take funds away from his voodoo type budget that he's presented to the General Assembly this time. We've seen he's come in. He's tried to make his deficits up in bonding issues. Now he's trying to take back all the roll backs. He's trying to go back on all the

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promises that he's made to the farmers and all the people of the State of Illinois, and I would urge support for this Amendment."

Speaker Daniels: "Further discussion? Gentleman from Livingston, Representative Ewing."

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

Speaker Daniels: "Alright. I would ask that all those that are not entitled to the floor please retire to the rear of the gallery, the rear of the House. All those not entitled to the floor please retire to the rear. The Gentleman has moved the previous question. The question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Gentleman from Jackson, Representative Richmond, to close."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I find it a little odd that the Gentleman across the aisle claims that the implementation of this Amendment would be a travesty when the Department of Revenue claims that it would actually simplify their operation. The only reason in the original Bill that did phase out the tax on farm equipment, the only reason that we had this 1000 dollar threshold was that it was the compromise in order to get enough support to pass the Bill and we almost had to have the farm implement dealers run over the Governor out at the State Fair Grounds to finally get him to sign it, but at that time he said that he didn't want to do anything to harm the farmers and he was for them. Now, it's indicated that he would like to eliminate it. The bottom line, the cost of this would be much less than what has been indicated by some of our analysis and I would ask that we give this a 'yes' vote because I think that it's a poor time to add another albatross around the neck of the farmers. Let's... and I would like a Roll Call please."

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Speaker Daniels: "Gentleman has moved for the adoption of Amendment #1. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Gentleman, Representative Ropp, to explain his vote. Timer's on, Sir."

Ropp: "Thank you, very much, Mr. Speaker. This is a very interesting Amendment. It really has no effect on the intent of House(sic, Senate) Bill 1064. It is a compromise Amendment and it does provide for the phase-in the following year to taking off the threshold as was the original intent a year ago. Farm machinery, the deliverance of machinery from International Harvester just this year is down 35% compared to last year the same time. I can assure you that if this Bill passes without this Amendment that there will not be the savings as predicted by the Department of Revenue. If they figure more like six million dollars rather than the 20 and with some 85 million dollars in loss as projected right now due to serious weather, this is an important Amendment."

Speaker Daniels: "Have all voted who wish? Take the record. On this Amendment there are 65 'aye', 96 'no' and none voting 'present' and Amendment #1 fails. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Kane, amends Senate Bill 1064..."

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

Kane: "I withdraw Amendment #2."

Speaker Daniels: "Withdrawn. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Third Reading. Senate Bills, Third Reading, Senate Bill 636, Representative Telcser. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill..."

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Speaker Daniels: "636."

Clerk Leone: "Senate Bill 636, a Bill for an Act regarding exemptions from certain occupation and use tax for certain machinery and equipment. Third Reading of the Bill."

Speaker Daniels: "Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, Senate Bill 636 is a sales tax roll back Bill which would roll back the sales tax exemption on manufacturing equipment and begin a new phase-in schedule for that particular program. We would roll back from the current two and a quarter cents to one and a quarter cents which would enrich the state's General Revenue Fund some 190,000,000 dollars in fiscal 1982. We would then begin a new proposed phase-in schedule over a period of time which would still give the same tax relief as was originally intended when we enacted this law. Senate Bill 636 would help us protect the integrity of the state's General Revenue Fund given the declining yields of current taxes and what we anticipate will be the impact on the state General Revenue Fund given Federal action in the incurrent Congress. Mr. Speaker and Members of the House, I would sincerely appreciate your support on Senate Bill 636."

Speaker Daniels: "Any discussion? Gentleman from Peoria, Representative Schraeder."

Schraeder: "Mr. Speaker, it's quite obvious that the skids are greased and the train's rolling and the whistle's blowing and we're all going to get drowned to death if we don't get out from under the wheels, but there are still a few of us who believe that the business community needs protection and if the business community needs protection that means the guys that work in the shops on cars, on the farms, and all these Bills so supposedly sponsored and controlled by the Governor of the State of Illinois through the

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Republican Party have again demonstrated they have no concern for the business climate in Illinois. And all I would say on the next two Bills 636 and the following one, the Democrats and all responsible Republican's ought to turn the Governor out for a travesty, for a lie on the business community by voting 'no'." ."

Speaker Daniels: "Representative Slape. Excuse me, Sir. Excuse me. I would request that all those that are engaged in conferences, please retire to the rear of the House and all Members please be in their seat. Doorkeeper, would you please ask those people not entitled to the floor, please retire to the gallery. The Gentleman from Bond, Representative Slape."

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

Speaker Daniels: "He indicates he will."

Slape: "Yes, Mr. Majority Leader, during your explanation of why it was very imperative for the House to vote 'aye' on this Bill, you indicated that perhaps we're not going to receive as much from the Federal government as we have before, is that right?"

Speaker Daniels: "Representative Telcser."

Telcser: "Representative, that is very conceivable, at this point, no one knows yet just what will happen in terms of Federal aid to local governments, state and local governments. And it would be prudent for us to be prepared for something which we really cannot anticipate at this moment."

Slape: "So, in other words, as the Majority Leader of the Republican Party, you're asking the State of Illinois to expect doom from the present administration, is that what you're doing to us?"

Speaker Daniels: "To the Bill, Sir."

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Slape: "I've asked a question, Mr. Speaker, I would like to have an answer from the Majority Leader of the Republican Party."

Telcser: "Well, Representative, your question was, do I expect doom from the Republican Party?"

Slape: "Well, apparently we're going to roll back on all games that had supposedly been made in the interest of..."

Telcser: "Representative, as I understand, Representative, the Federal administration is looking for tax cuts, is looking for ways to cut inflation and I might add and I say this...certainly not in any partisan sense, your Party controls the House in the National Congress...."

Slape: "Well, Sir, this is the House of Illinois that's where we're dealing with this issue."

Telcser: "Well, but you brought up the Federal government."

Slape: "Well, I just want a clear answer, do we have to pass this because we are expecting the Federal administration and the Governor who happens to be with the same Party, to be in alliance, right now it is my understanding that in the State of Illinois citizens only receive about seventy-nine cents back on the Federal dollar that is expended in Washington. And we're going to expect less than that back, is that my understanding now?"

Telcser: "Representative, it is imperative in my judgment that we pass Senate Bill 636..." Slape: "Why, Sir?"

Telcser: "Along with the subsequent Bill, so that we can protect the fiscal integrity of the States General Revenue Fund which has a very, very far reaching impact upon the lives of everyone of Illinois citizens."

Slape: "So, in other words, what you're telling us. Right now we're receiving seventy-nine cents back on our tax dollar and apparently they...the Governor of the State of Illinois has made about six trips out to Washington, since the

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inauguration of the present administration, apparently there has been some kind of a deal cut and we're going to get less than seventy-nine cents back. Is that correct or what's the situation here, Mr. Telcser?"

Telcser: "I think you will find, Representative, that the Governor with the....and the administration will be increasing the yield of tax dollars, Illinois returns, to our state in relation to the tax money we pay into the Federal government."

Slape: "Well, where would that money go?"

Telcser: "That question is simply.....that...that statistics is simply unrelated, in my view to Senate Bill 636 and Senate Bill 1064."

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

Speaker Daniels: "To the Bill, Sir."

Slape: "I think that this Bill was passed by this General Assembly in good faith. We've given the break to the industrial section of this state because....not because we had surplus in revenue and not because we had favorable Federal consideration on our tax dollar return, but because the State of Illinois had a bad business economy. And we were trying to help the business in the State of Illinois and I think right now, if we would decide to turn our back on the business industry in the State of Illinois and decide to take away from them this exemption that we gave them in the first place, it would be folly on our part. All I've heard, in my three years in the Illinois General Assembly is how sad the business economy in the State of Illinois is, now all of a sudden we have a Republican Governor, Republican President, all of a sudden we don't have the money to aid business and I would urge a 'no' vote on this Bill."

Speaker Daniels: "The Gentleman from Winnebago, Representative

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Kelley."

Kelley, J: "Mr. Speaker, I move the previous question."

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

Telcser: "Well, Mr. Speaker and members of the House. In closing let me first remind the Members of this House that we are not eliminating the exemption. We are simply restructuring the schedule for the roll back. The business people which whom we are very concerned, will receive these roll back exemptions but simply on a different schedule with a final delay, I believe, about one year. I think we ought to make that very very clear. And, Mr. Speaker and members of the House, if I may, I would like to address myself to a couple of remarks made by the Gentleman who opposed Senate Bill 636. When this Assembly and the state governments originally enacted this legislation, we did so in good faith. We did so because we felt that Illinois could afford this tax relief. When we're sworn into office, our first obligation and first and primary fidelity belongs to those citizens whom we represent. From time to time, it takes a Roll Call vote that might require some rethinking, some courage. Some admission that what we thought would have happened, didn't happen. The facts are simple, circumstances are beyond our control. Events took place which no one could predict, no one from either Party could predict when these laws were enacted. It takes courage, candor and honesty to do something like this. But I believe that Illinois citizens, the working men and women of Illinois and the business people of Illinois understand that. I think every Illinoisian recognizes that if our General Revenue Fund is depleted, we would have financial

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chaos. And then I ask you, what would the business climate be then. For those of you who have risen and expressed concern about the business climate, I simply ask you, what would it be like if our General Revenue Fund was down to zero. It takes foresight and planning to do what we're doing tonight. And I think that every Member of this Assembly who supports these two Bills, should be commended, both Democrats and Republicans alike. Because we're doing the right thing, we're doing the responsible thing. And, Mr. Speaker and Members of the House, for these reasons I sincerely ask your support for Senate Bill 636."

Speaker Daniels: "The Gentleman, Representative Telcser has moved for the passage of Senate Bill 636. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. The Gentleman from Macon, Representative John Dunn."

Dunn, John: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just to put this in a little bit of perspective, for those who may not realize exactly what we're doing here. We're adding a hundred and thirty-three million dollars of tax to business in Illinois. Sometimes that's difficult to put into perspective. Just let me point out to you, that just about the price of one state office building that we're constructing in the City of Chicago at the present time, which started out as a eighty million dollar project, now a hundred million dollar project and before it's completed it will probably be a hundred and thirty-three million dollar project, just like the price tag of this legislation. This is the cost for putting on business tonight with this Bill. Ask yourself if that's what we want to do for the business climate in the State of Illinois or if we should be looking around to cut this much money out of the budget where we can, were the fat is,

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where the fat hasn't been touched in any of the cuts this spring. We've cut the poor, we've cut the mentally ill, we've cut education but have we cut where we can cut in the payroll. How much has been cut in the payroll in the State of Illinois? I suggest to you, that's what we ought to be doing for the taxpayers, that was the mandate from Washington, that's what we should be doing...."

Speaker Daniels: "The Gentleman from Sangamon, Representative Kane to explain his vote. The timer is on, Sir."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House. It should be clear to all of us what we are doing. We're getting tax cuts at the Federal level and we're getting an awful lot of publicity about how taxes are being cut. And...President Reagan is going to get a lot of credit for that, but what is happening at the state and the local level is that all of those taxes are being reimposed, bit by bit, piece by piece. It's not going to get much publicity but it's going to be felt in your pocketbook when your sales tax goes up and your property taxes goes up, if you're going to get a little bit off of your income tax perhaps, but by this Bill we're adding a hundred and fifty million, a hundred and eighty million dollars worth of taxes on to business, we're going to do it in the next Bill, on to farm machinery and you watch all of your local governments are going to be adding those taxes back on in property taxes bit by bit, little piece by little piece, without publicity you're...."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? The Gentleman from St. Clair, Representative Flinn to explain his vote. The timer is on, Sir."

Flinn: "Well, Mr. Speaker, I agree with the Sponsor of the Bill. There probably was a lot of planning when in, as I look at my watch, probably eleven and a half hours planning when in today what to do about this Bill and the other one to

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follow. I rise as Sponsor of the original legislation which granted relief to business in this state on tax...sales tax on farm equipment...I mean equipment and machinery. Now we're going back on our promise, we're going back on our word. We set up a schedule of six years to offer this tax relief and now we're going back on our word. If this Bill passes, exactly what we're doing and no body will every believe us again if we offer them a such schedule on tax relief."

Speaker Daniels: "Representative Bradley to explain his vote.
The timer is on, Sir."

Bradley: "Thank you, Mr. Speaker. The Majority Leader indicated that we did this in good faith when we reduced this tax and he's absolutely correct. And I suggest to him, there's an old saying, 'let's keep the faith'. And, I think we ought to keep the faith with the people. This is undoubtedly is a tax increase, there is no question about it. Unfortunately, this Governor and this administration doesn't know whether their pro business or whether they are pro labor. He's gone back on this word both ways. I think it is about time he kept his word. Unfortunately, 'Reagan economic'...'Reagan economic' from Washington has forced this administration to not keep the faith with the people of the State of Illinois, did not keep its faith with the business community in this State of Illinois and forced him to come out and try to pass this package. It's....on my opinion, a black black day for the Governor of this state and I urge a 'no' vote."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this Bill, Senate Bill 636, 109 'aye', 46 'no', 8 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1064.

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Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1064, a Bill for an Act in relationship to the partial exclusion of sales of farm machinery and equipment from the use tax, service use tax, service occupation tax and retailers' occupation tax. Third Reading of the Bill."

Speaker Daniels: "Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, Senate Bill 1064 simply defers until, September 1, 1982, the second step of the exemption in the amount of 50%. For the same reasons as I urged your support for Senate Bill 636, I urge it for Senate Bill 1064."

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

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this Bill. The Bill which was originally introduced in the Senate under the direction of our Governor, calls for an exemption of the final 50% phase out of sales tax on farm machinery which is scheduled for September 1st. I would like to remind you it was, Governor Thompson, who during the Agriculture Day of 1980, State Fair, signed into law House Bill 2921, which I was the Sponsor, which provided for this phase out over a two year period. At the signing of the Bill, Thompson said, I'm approving this legislation for the farmers. It's obvious that...."

Speaker Daniels: "Excuse me, Representative Richmond. Will all those not entitled to the floor, please retire to the gallery. Doorkeepers, please remove those not entitled to the floor. Will the Members please be in their seats. May the Gentleman have your order. Representative Richmond."

Richmond: "Thank you, very much, Sir. It's obvious that the passage of this Bill certainly isn't intended to help the

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farmer. And they've had enough back sets in the last few months, in the last few years really, they don't need our help to set them back any further. It can only serve to worsen an already depressed ag...Illinois Agriculture economy and prolong the recovery from those...from these present conditions. I would ask that we give serious consideration to...to voting against this Bill, not only for the farmers but also the claims that have been made that this Bill...the impact....the fiscal impact, I think has been grossly exaggerated, their based on what might have happened a couple of years ago in the farming community and certainly in the last couple of years the farmer is not even able to buy a new shovel much less a new tractor. So, I think instead of driving these dollars across the statelines to Missouri and Wisconsin, Iowa, I think we ought to keep them at home. I urge a 'no' vote on this Bill."

Speaker Daniels: "The Gentleman, Representative Piel."

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

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

Telcser: "Mr. Speaker and Members, I sincerely appreciate a favorable Roll Call."

Speaker Daniels: "The Gentleman has moved for the passage of Senate Bill 1064. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Representative Rea to explain his vote. The timer is on, Sir."

Rea: "Mr. Speaker, Ladies and Gentlemen of the House. When we passed the Bill earlier on the tax exemption for farm machinery, this was a very valuable piece of legislation.

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In the area, I come from, I'm surrounded by three states. All these other states have already....have reexempt the tax on farm machinery. This has created a real economic hardship on the farmer and also in terms of farm implement dealer. We will not save that much money from supporting this Bill in terms of a roll back. And with the time of uncertainty in terms of prices for the farmers and with the climatic conditions and so many uncertainties now, this would be a very, very bad time to make this roll back. I would ask that there be more red votes up there in opposition to this here Bill."

Speaker Daniels: "The Lady from LaSalle, Representative Breslin to explain her vote. The timer is on, Ma'am."

Breslin: "Not to explain my vote, Mr. Speaker, but to make a parliamentary inquiry. How are we on this order of business when we had a deadline on Senate Bills on, Saturday, midnight?"

Speaker Daniels: "The Bill was ruled exempt by the Rules Committee, Ma'am. Further discussion?"

Breslin: "Mr. Speaker, I'm a Member of the Rules Committee..."

Speaker Daniels: "The Gentleman from Bond, Representative Slape to explain his vote. The timer is on."

Slape: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The basis issue that is before this Illinois General Assembly right now is whether or not the single....or the family unit farm is going to stay exist in the State of Illinois. We made that decision a year ago when we passed this Bill originally. And now all of a sudden, because of once more I repeat, the voodoo economic of the Johnson....or the Thompson administration and the Reagan administration running in...in synchronization, have decided that this Bill is not only...is not proper. I don't think that this Bill should have been heard, I think

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that when you cut, Representative Breslin, off awhile a go, you was in error. She says, she's a Member of the Rules Committee, I don't think this Bill should be heard, I think it's wrong now for the Governor to cut some kind of a deal with the Minority Leader of this House. I don't know what the deal is, don't..."

Speaker Daniels: "The Gentleman, Representative Yourell to explain his vote. The timer is on, Sir. Yourell."

Yourell: "Thank you, Mr. Speaker. You didn't recognize me the last time on 636."

Speaker Daniels: "Your light wasn't on, Sir."

Yourell: "Well, that's a bunch of bull shit...you're eye sight..."

Speaker Daniels: "Turn him off. Turn him off. Further discussion? The Gentleman from Cook, Representative Ewell to explain his vote. The timer is on, Sir."

Ewell: "Mr. Speaker, I know that we're riding rough over the parliamentary procedure. In explaining my vote, I just wonder if you're going to verify this at the conclusion of the Roll Call, which I would ask for. Thank you."

Speaker Daniels: "Further discussion? The Gentleman from....Representative Richmond, you talked in debate, Sir. Further discussion? Representative Schraeder, the Gentleman from Peoria. The timer is on."

Schraeder: "Well, Mr. Speaker, I want to point out, the Governor is at that locomotive switch, he's pulling the chain, he's running rough shot over the farmers in the community and I want to tell the farmers that, the Republicans are killing the farming industry and particularly the small farmers. The Republicans under the leadership of Speaker Ryan and Speaker...and the Governor of this State of Illinois and I want every farmer in my district to know it, and I want anybody that runs in my district that puts a green vote up

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there, to know that I'm going to tell my constituency how they voted. And that goes for the current Republican incumbent."

Speaker Daniels: "Further discussion? The Gentleman from McLean, Representative Ropp to explain his vote. The timer is on."

Ropp: "Thank you, very much, Mr. Speaker. I rise in opposition of this Bill, primarily because, this is the one tax relief program that will generate off setting revenue that will equal or exceed this in the State of Illinois as a result of increase sales of machinery. International Harvester tractors, this year already, verified that they have delivered to the State of Illinois, 45% fewer tractors than they had last year. I say that this Bill will not provide the tax relief that the Governor is interested in. And I also say, that in this proposal, we have gone back on the word that we have stated last year. But to the previous Speaker, I think it's important to know that there are particular areas in his own district, that he is not working in support of farmers. Let's be accurate in our statement."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 90 'ayes', 61 'no', 12 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 70, Representative Jaffe. Read the Bill, Mr. Clerk. Alright, Ladies and Gentlemen, please retire to your seat. All those not entitled to the floor, please retire to the gallery. Doorkeepers, please remove those people not entitled to the floor now."

Clerk Leone: "House Bill 70, a Bill for an Act to amend the Illinois Municipal Code together with Senate Amendment #1."

Speaker Daniels: "Representative Jaffe."

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Jaffe: "Yes, Mr. Speaker and Members. House Bill 70 is on concurrence. This is Senate Amendment #1 to House Bill 70 and basically what... and basically what Senate Amendment #1 does is that it affects only the City of Chicago and authorizes municipalities with more than 500,000 population to increase status tax utility from a minimum of 5% to a maximum of 8% of gross receipts where the ... tax shall be paid monthly. I might tell you that it pertains only to People's Gas, Light and Coal Company in the City of Chicago. I have a letter from their president which says this is to advise the People's Gas, Light and Coal Company which is the only Illinois utility which will be affected by Amendment #1 in the Senate to your House Bill 70 that's not objected to the passage of House Bill 70 that is amended. Very truly yours, E.A. 'Tracy'. I would, therefore, move to concur Senate Amendment #1 to House Bill 70."

Speaker Daniels: "The Gentleman asks move for concurrence in Senate Amendment #1. Those in favor vote 'aye', opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Cullerton, to explain his vote. The timer's on."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, all I would like you to do is please recognize Representative Breslin. She's been yelling in my ear for the last five minutes. Find out what she wants. Tell her to be quiet, please."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 96 'aye', 57 'no' and 10 'present'. This Bill, having received a Constitutional Majority and the House concurring

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with Senate Amendment #1, House Bill 70 is hereby declared passed. Representative Telcser."

Telcser: "Mr. Speaker, I now move that we suspend the provisions of Rule 68 (e), for a period of ten hours, so that we may extend the deadline for Conference Committee Reports."

Speaker Daniels: "You heard the Gentleman's Motion, is there any discussion? Representative Schneider."

Schneider: "Would the maker of the Motion explain what he means by ten hours, are you talking from midnight to until 10:00 A.M., tomorrow morning?"

Telcser: "Yes, I am...yes, I am, Representative."

Schneider: "Are you bring in the...paramedics also? Are you insane? You know, this is nuts."

Telcser: "Aren't we all."

Schneider: "I mean this...well, why are we here."

Telcser: "That Representative, is the first qualification to serve here. You have to be certifiable."

Schneider: "We've had one near...."

Telcser: "Everyone here is certifiable from the director of mental health."

Schneider: "This is nonsense. You're going to ask the members to perform in those little crowded room, why can't you extend it for twenty-four hours so people can sleep. If we can do it for ten hours, we certainly can do it for twenty-four. This is ridiculous. I mean, we've had one Member of the Senate intimidating Members over here, we had two of our good people at this late hour willing to go out in the hall and perform on a welter weight card. What the hecks the matter with you? That's stupid."

Speaker Daniels: "Representative Madigan."

Madigan: "Mr. Speaker, the practice in the past has been to suspend this particular rule for every Bill, whether it be on the Concurrence Calendar or in the form of a Conference

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Committee Report. Now, I fail to understand the reason why we have to provide for a blanket exemption for ten hours. I just don't understand, I think that there was nothing wrong with the practice in the past where this Motion was made for each individual Bill."

Telcser: "Representative....the reason for my Motion in this fashion, Representative, is to save the time from doing it for every single matter that comes before us. I think we can save an awful lot of time by doing them in this fashion."

Madigan: "Let me make a counter suggestion. That that Motion can be made...this is a suggestion. A Motion could be made for each Supplemental Calendar that is placed on the members desks, as an example, there's a Supplemental Calendar in front of me, #4 and at the appropriate time you might wish to make a Motion to suspend that...that requirement for this Calendar and then you do it for the next Supplemental Calendar."

Telcser: "Representative, I...maybe we ought to talk about this but I really believe my Motion protects all the members. If there's something on a Supplemental Calendar that perhaps one side or the other doesn't have an interest in, and the votes aren't there to suspend the rule, then the individual Members may be heard. But, I think with my Motion, every Member of the House is then treated equally and fairly by having the rules suspended on every matter."

Madigan: "As I understand this rule, it was designed to provide that a Conference Committee Report must lay on the desk for a certain period of time so that all the Members would have an opportunity to read the Conference Committee Reports. If there's no need for the rule on an individual basis or on a individual Calendar basis...Supplemental Calendar basis, then a Motion will carry without any problem. If

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there's one item on a Supplemental Calendar that causes a problem, then we can proceed on individual Motions. Ninety-nine times out of a hundred, there is no problem in carrying the Motion that you offer on each individual Bill."

Speaker Daniels: "Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House. I would point out to the Majority Leader that last week we always was asked for some kind of advance notice of what we were going to do. And I think that...it would only be for the protection of the Membership that this suspension of the rule be done either by individual Bill or by...."

Speaker Daniels: "Excuse me, Representative Kane. Representative Telcser."

Telcser: "Representative....the Minority Leader. Let me suggest this, perhaps ten hours is too long, you may want to go for a shorter period of time and if you don't want to do that, I will be glad to agree with you to go Bill by Bill. If that is your wish to go Bill by Bill, fine, maybe we can go for five hours....I really think Bill by Bill will take a lot of time but if that's what you wish to do then I'll be glad to. That will put a Motion prior to every....every Bill being heard or every matter being heard."

Speaker Daniels: "Representative Madigan."

Madigan: "Mr. Speaker and Mr. Majority Leader, there is a great deal of confusion on the floor at this time. I think that the putting of this Motion now would be ill advised, if there are matters on the Calendar to which we can proceed, let's go to that first matter, let's put this Motion to that first matter and see how we move along."

Telcser: "Alright."

Speaker Daniels: "The House will stand at ease."

Peters: "Ladies and Gentlemen, may I have your attention for just

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one second. A number of our Members are not feeling too well and I think part of it has to do because of the heat that has generated here, plus all the smoke. If those of you who don't have particular business in the hall, can move out to the rotunda, so we can give the air conditioning system a kick up and help it drag some of this out. I think it would be very helpful to all concerned. Thank you."

Speaker Daniels: "Members please be in their seat. The House will come back to order, all those not entitled to the floor, please retire to the gallery. And Doorkeepers, please clear those not entitled to the floor. Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I would invite you to take out your rule book, perhaps for the first time of the evening and consider Rule 27 (b) 1, and Rule 35 (g), it is of course very nice of the Speaker to recognize me at this time, when the Motion is not timely. I was told that of course, the reason I was not recognized previously was because we had to get these Bills out of here before midnight. You all realize of course that we have sat here since 12:00 noon, doing absolutely nothing. But at 11:30 P.M., when the deal was made, all of a sudden the Chair had to do what...that which was expedient, following orders and I don't blame him. But you and I, at least should know what was done. These rules indicate that the only power that the Rules Committee has, to exempt anything, from any kind of deadlines is in a odd numbered year which 1981 is, a House Bill may be exempt from the deadline of being to the Reference Committee by, March 15, or filed by April 6. When we went to the Rules Committee, last Friday, we were asked to exempt those Bills under that provision. And that, of Rule 35 (g),

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specifically indicates that the deadline for all Senate Bills, out of this House was midnight, Saturday night. We were here, remember, midnight, Saturday night. And they made a Motion to extend the deadlines and that Motion failed. Do you remember that? All it took was 89 votes to extend the deadline. It didn't get those votes. All this Motion took, for those Bills that we just acted on was 89 votes. But the Chair had to do, that which was expedient. What is even more telling, Ladies and Gentlemen, is the fact that the member on this side of the aisle who usually raises an objection with regard to the violation of the rules, sat mute tonight. Does anybody know why? Those of you who were not voting for the Bill, should know why. All of a sudden, when the rules don't go with you, do that which is expedient and if you are on the Majority, then that's fine, if your were on the Minority, that's your problem. Mr. Speaker, Ladies and Gentlemen of the House, I will not bother to have my dissent recorded, have it Journalized, because it makes no difference to anyone, anytime in any court of law. Thank you, Mr. Speaker, you were very kind to let me speak."

Speaker Daniels: "Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just so the record will make it clear, that what the Chair did, both on the occasion when the Bills were referred to the Rules Committee and tonight. Rule 73 (c), indicates the Bills may be exempted by the Rules Committee pursuant to Rule 27 (c) 3. Rule 18 (d), referred to...Rule 18, referred to in 27 (c) 3, under (d), permits the Chair not to have the ad hear to the posting deadline in the last week of June, otherwise, guaranteed. What the Chair did, both on the night of the Rules Committee meeting and tonight was thoroughly legal under the rules. And I think

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we should get on with the other business and get out of here as quickly as possible."

Speaker Daniels: "The Gentleman's point is well taken. Now we can debate this all night if you want. Let me just tell you what we plan on doing and if you care to talk further, you will be recognized. We're going to House Bill 491, then to House Bill 492, then to House Bill 493 and then to House Bill 494, on the Order of Concurrences. Now, whoever want's to be recognized to talk. Representative Schneider."

Schneider: "On a personal privilege, Mr. Speaker."

Speaker Daniels: "Proceed, Sir."

Schneider: "I've been in this Assembly now for eleven, June 30th's. I know that our temperments are not designed to deal with this kind of pressure and sometimes we become pretty short tempered. And sometimes we explode at one and other as Members and I did that today to some people. And I'm sure others have done it. But, one thing that occurred today that I think is very disappointing to me is that one of the Senators intimidated one of the staff people. I think that kind of disgraceful...that kind of disgraceful act ought to be a source of a reprimand from the Senate President, Philip Rock, towards Senator Lemke. And I think this is a disgrace, we behave badly, I know as Members and I know a lot of you have talked about how we disgrace the General Assembly by some of our antics but that is appalling and unacceptable to me. And I would hope that my Leader, Mike Madigan, would direct my concern about our staff member to that particular Senator, Senator Lemke. I would hope that we would get some support for that from individual Members who would address our Leadership and that that kind of action will be result in an apology to that particular staff member. Senator Lemke knows who that

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person is. That disgraceful behavior we don't need. I would hope that the Chair, both Leaders in this House and both Leaders in the Senate would address that Gentleman."

Speaker Daniels: "Representative Yourell."

Yourell: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would ask to the Chair, if the Chair would like to explain what happened as far as the exchange between, Representative O'Brien and myself, occurred in the truth to that matter. If the Chair does not want to entertain the dialogue relative to that, and if Representative O'Brien, does not want to do that, then that's fine. But I think that a clarification of this matter is absolutely necessary and I would yield to the Chair's determination as to what the Chair wants to do with this situation."

Speaker Daniels: "Sir, we would like to move on, with your permission, if we might. We would like to proceed with the business."

Yourell: "I don't blame you."

Speaker Daniels: "Thank you. Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Chair has indicated that it plans on calling about four Bills. I just think that....when you really stop and think about it. We all know that we've been here since twelve o'clock, we have....we've been here since nine o'clock, we've been at ease. We've been at ease, practically speaking, since twelve o'clock....I asked the Speaker about four o'clock if it would be possible to break the tension that we're building up. If I could get up and do a little comedy routine and he said that he didn't want to make this an arena for comedy. This was at four o'clock tonight. Now, apparently the Chair plans on staying in Session, all night....until ten o'clock tomorrow

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morning. We've got one Member who's in the hospital, we have been here doing nothing since twelve. And now we need an extraordinary number of votes to pass anything. I think it would be wise if you could at least inform us, Mr. Speaker, as what the plans are for the rest of the evening, so we have an idea of what to do for the rest of the evening."

Speaker Daniels: "Representative Kosinski."

Kosinski: "Mr. Speaker, a point of information. Was there not a Motion placed by, Art Telcser, in terms an action tonight, number of hours and what...wasn't there a Motion in process at the time we went into recess?"

Speaker Daniels: "It was to suspend a rule for Conference Committee Reports, which was withdrawn."

Kosinski: "Now, we didn't have a vote on that or anything did we?"

Speaker Daniels: "No, Sir, we did not."

Kosinski: "Isn't that the normal order of business at this point?"

Speaker Daniels: "Well, the Motion was withdrawn, Sir."

Kosinski: "Was withdrawn. Thank you."

Speaker Daniels: "Yes, Sir. Alright, Representative Davis."

Davis: "Are we now on Senate Bill 491, Sir?"

Speaker Daniels: "Oh, may we proceed? Representative Kane."

Kane: "Well, just a point of information. What is the status of all of the Bills now, given the provision of Rule 68 (e)? I believe they are all tabled."

Speaker Daniels: "Representative Davis."

Davis: "I believe in this case, Representative Kane is correct. I would now move to suspend the provisions of Rule 68 (e), so that we can hear Senate Bills 491, 2, 3, and 4."

Speaker Daniels: "The Gentleman has moved that we suspend the appropriate rules so that we may hear House Bills 491, 492,

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493, and 494. It takes 107 votes. Rep...I'm sorry, it takes 89 votes to suspend the rule. Representative, it takes 107 to pass. Representative Kane."

Kane: "I think that, that the Bills are already tabled according to the rule. The Motion has to be, to take the Bills from the table. I don't think that you can suspend the rule, expose factor, or whatever other kind of word that you attorneys use. You can only suspend a rule prospectively. I think that the Motion would be, to take from the table."

Speaker Daniels: "Representative Davis."

Davis: "I believe, once again Representative Kane, is right. He has the rule book in his hand and I now move to take from the table and suspend the appropriate rules, House Bills 491, 492, 493, and 494."

Speaker Daniels: "You've heard the Gentleman's Motion, on that Motion, Representative Kane."

Kane: "Would Representative Davis tell us what the Bills do, so we can vote in the light."

Speaker Daniels: "Page 3, of your Calendar, Sir. Are 491, 92, 93, and 94."

Davis: "They all relate to Elementary and Secondary Education funding."

Kane: "Would you give us a little bit more."

Davis: "Well, we're going to do them one at a time, Representative Kane. 491 happens to be the first Bill of which I am the Chief Sponsor. Each one will be explained as it goes along."

Kane: "Well, then if you're going to just explain them one at a time, I'm going to ask that you make only one Motion at a time."

Speaker Daniels: "Representative Peters."

Peters: "Mr. Speaker, I would suggest that if the Membership is trying to get out of here and Members are trying to get

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done what has to be done, understanding that the Leaders are trying to get through a couple items that are controversial so, that removes them from other kinds of considerations, they ought to keep that in mind, otherwise, I would suggest the Chair consider going back into recess until we understand what we're doing here."

Speaker Daniels: "Representative Schneider."

Schneider: "Well, does that mean, Representative Peters wants to take those four Bills together?"

Speaker Daniels: "No. No, Representative Schneider, the pending Motion that you are addressing, Sir, is to take from the table the four Bills, only. Representative Matijevich."

Matijevich: "Mr. Speaker, in case there is any doubt, these four Bills cause no problems at all. Some others down the line, I don't think have been worked out. Well, I just got on the floor, I've been in a meeting. But these four Bills are education Bills of which we are going to concur on all Amendments."

Speaker Daniels: "Okay. Ladies and Gentlemen of the House, the Gentleman, Representative Davis has moved to take from the table and suspend whatever appropriate rules so that we may hear the following House Bills immediately. House Bill 491, 492, 493, and 494. Does the Gentleman have leave? Attendance Roll Call? Are there any objections? There being no objections, to the Attendance Roll Call? Leave is granted, the Attendance Roll Call is used and House Bills 491, 492, 493, and 494, are taken from the table and placed before the Body for immediate consideration. Representative Bowman."

Bowman: "Yeah, Mr. Speaker, you said the magic words, Attendance Roll Call. I would point out to the Chair that it is past midnight and it is customary to take an Attendance Roll Call past midnight so it can be used...not only for such

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purposes but also for the per diem. Just looking out for the benefit of the Members."

Speaker Daniels: "We can use the Attendance Roll Call from last evening, Representative Bowman. We will take another Roll Call but we can use that, we have been in continuous Session since then and that's the Roll Call that we're operating on. Now, we will take another Roll Call later on, but for our Motion we use that. The Gentleman has had leave, now on that House Bill 491, the Clerk will read the Bill."

Clerk Leone: "House Bill 491, a Bill for an Act making appropriations for the ordinary and contingent expenses of the State Board of Education, together with Senate Amendments #1, 2, 4, and 8."

Speaker Daniels: "Alright. The Gentleman, Representative Davis on House Bill 491."

Davis: "Thank you, Mr. Speaker. I'm moving to concur in Senate Amendment 1, 2, 4, and 8. They're very good Amendments as a matter of fact, in fact some people think maybe they're too good. Senate Amendment #1 reduced the State Board of Education operations budget by an additional six hundred and fifty thousand dollars. Senate Amendment 2, was a no dollar change shift in Federal funds within line items. Senate Amendment 4, restored a hundred and twenty thousand dollars to State Board of Education operations budget. That was taken out in Senate Amendment 1. And Senate Amendment #8 makes a net reduction in Federal funds within the budget of two hundred thousand dollars and shifts some positions around within the Federal funded portion of the budget. The total Bill is the appropriations for the operations of the Illinois Office of Education, there's seventeen million....seventeen million and....wait a minute, where are we here. Seventeen million, nine hundred

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and thirty-eight thousand in Federal funds and sixteen million, eighty-four thousand and some change in General Revenue Fund. And I now move to concur in Senate Amendments 1, 2, 4, and 8."

Speaker Daniels: "Any discussion? Being none, the Gentleman moves for concurrence in Senate Amendments #1, 2, 4, and 8. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. It takes 107 to pass. Have all voted who wish? Have all voted who wish? Representative Schneider to explain his vote. The timer is on, Sir."

Schneider: "Explanation of my 'no' vote is that...the education budget in general is going to get short striped. This particular Bill, 491 is operations and I bear no grief against those individuals who work for the State Board of Education. But the same energy expended on 491, to get that money added, certainly was not expended on programs like special ed, or gifted or the formula. I'm disappointed that that energy was not forth coming and I'm going to vote 'no' on this Bill and others for other reasons. But, I think a 'no' vote on this is appropriate."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 128 'aye', 27, 'no', 1 'present' and the House concurs in Senate Amendments #1, 2, 4, and 8, to House Bill 491. and this Bill having received 107...an excess of 107 votes is hereby declared passed. House Bill 492, Representative Stuffle. Read the Bill."

Clerk Leone: "House Bill 492, a Bill for an Act making appropriations to the State Board of Education, together with Senate Amendments #1 and 2."

Speaker Daniels: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, Senate Amendment #1

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increases the distributive formula expenditure for the coming fiscal year to the common schools to the level recommended by the School Problems Commission. Senate Amendment #2 provides funding for two new programs, one contained in 1160, the minimum salary Bill which passed the House here last week, under the Sponsorship of Senator....Representative McClain, which I handled, which passed with a 127 votes and adds an appropriation for the Office of Education...through the Office of Education for an employment relations board pursuant to legislation passed by the House and the Senate and pursuant to additional legislation which will be before the House to night or tomorrow. I would ask concurrence in both Amendments."

Speaker Daniels: "Representative Schneider."

Schneider: "Again I'm going to vote 'no' for the....some of the reasons I previously stated. Again, I think the package is not sufficient. Amendment #2 funds a labor relations board at three hundred and seventy-five thousand dollars, which is non existent, because...House Bill...or is it Senate Bill 733, is no longer viable and alive proposition. So, I'm going to encourage the members to vote 'no' again."

Speaker Daniels: "Further discussion? The Gentleman, Representative John Dunn."

Dunn, John: "Inquiry of the Chair, Mr. Speaker. Can you give us any indication about what we're going to be doing here for the next couple of hours? I think it is a reasonable thing to....let us know, if you have other Bills we're going to do, or if we're going to recess if these Bills are over for a while, or what we're going to do. A lot of us have been here a long long time."

Speaker Daniels: "The only thing I can tell you, Representative Dunn, is that we will be in continuous Session until our

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business is done. I'm not sure about that but that's all that I know. And I...assure you the Chair is as tired as you are and we would like to complete our business as soon as you would, Sir."

Dunn, John: "The Chair is in a position of superior knowledge, that's why I asked the question. Does the Chair choose to share that knowledge with the rank and file Members or not?"

Speaker Daniels: "As soon as I know, I will, Sir. Representative Huskey. Representative...alright. No further discussion? The Gentleman, Representative Stuffle to close."

Stuffle: "Yes, Mr. Speaker and Members, I would simply indicate that with reference to the remarks of Representative Schneider, we in effect have half a program with regard to the employment relations Amendment. We did pass House Bill 701 through the House and Senate, we passed one other Bill that deals with negotiations. We have a Bill pertinent to this on the Conference Committee lists which will come up here tonight or tomorrow. If the Governor sees fit, he can take this money out, if the program should fail in part it would laps the other money funds necessary programs of government, probably the most necessary, in my opinion, being the school aid distributive formula appropriation. I ask again to concur in Amendments 1, and 2, so that this most important appropriation need not go back to the Senate."

Speaker Daniels: "The Gentleman moves that the House concur in Senate Amendments #1 and 2. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all those voted who wish? Have all those voted who wish? Have all those voted who wish? The Clerk will take the record. On this Bill there are 114 'ayes', 40 'no', 3 'present', the House concurring in

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Senate Amendments #1 and 2, to House Bill 492. This Bill having received the...an excess of 107 votes, hereby declared passed. Now, Ladies and Gentlemen of the House, we are going to take a Roll Call for attendance before we go on to the next Bill. So, as soon as the machine is cleared we will take a Roll Call for attendance. Roll Call for attendance. Are all on the Roll Call for attendance? Is everybody on? Everybody on? Going once, going twice, thrice. Take the record. There are 169 answering the Roll, a quorum is present. Alright now, House Bill 493, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 493, a Bill for an Act making appropriations to the State Board of Education, together with Senate Amendments #1 and 5."

Speaker Daniels: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 493 contains the appropriation for General Revenue Fund mandates and Common School Fund Grants for the Office of Education. Senate Amendment #1 reduces the orphanage tuition by four hundred, fifty thousand dollars and with this dollar amount, the amount left in the Bill that program is still fully funded. It also raise Chicago Bilingual by six point one million dollars which is, one million dollars under the Governors allocation. Downstate Bilingual was raised by two million dollars, which is two hundred, fifty thousand dollars under the Governors allocation. Text books were reduced to...by two million dollars, to twelve million dollars which is the same level as last year. Amendment #5, allocated a hundred twenty-five dollars for School District 44, in Lombard, for reallocation....relocation rather, of the Deaf/Blind Center. This Bill, House Bill 493 is six million dollars under the State Board of Education, 1982 fiscal request.

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And I would appreciate concurrence in Senate Amendments 1 and 5, to House Bill 493."

Speaker Daniels: "Representative Kosinski."

Kosinski: "Mr. Speaker, if I could please have the attention of the General Assembly, I would like to make some remarks."

Speaker Daniels: "The Gentleman, please have your attention. Representative Kosinski."

Kosinski: "Mr. Speaker, I don't know if a deal has been cut in this situation as it has in others this evening. If it has, my words are futile. However, I would like to call to the attention of this Body, that Senate Amendment #1 again funds bilingual beyond the point, bilingual education, beyond the point where this House has normally felt it should be funded. If I can briefly tell you, what has occurred at this point and time, I'd respect your silence. When the Bill came out of the Republican dominated Subcommittee, no bilingual money was added to that Bill. When it got into the full Appropriations Committee, through the cooperation of the Democrats and the Republicans, I was able to half fund that bilingual program. The reason being, of course, I support bilingual. But I have great concern about the amount of funding for bilingual. In my constituency and probably in yours, we have two groups, one group wants to cut bilingual completely. The other group is more reasonable and merely wants our taxpayers dollars spent more reasonably, and wants to hold in the consent bureaucratic growth of bilingual education. I go with that second group. I am for bilingual education. I helped with Art Telcser, to make it a reality. At the same time, at the same time, I'm very concerned about the amount of our taxpayers money spent for bilingual education. Now, when we did come out of Appropriations Committee, it was my recommendation to the Superintendent of Education and other

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people concerned. That we attempt to make a 19% reduction in bilingual. Now, when you consider the reductions in welfare, in mental health, and everything else that has happened in this House due to the problem of revenue, I don't think my request was improper. On that basis, I was concerned that bilingual education should be funded under fifteen million dollars. I recommended a figure of forty-nine. Having half funded bilingual, I knew what the reaction of the Senate would be, that they would add to that money, and I so indicated in Committee. They added two million dollars more than many of us felt was proper in terms of bilingual. Now, I think many of us...we'd be ready to split the difference. But it's my considered opinion, if anybody's listening and if the deal hasn't been cut. It's my considered opinion, that we should put this in a Conference Committee and negotiate with the Senate, in line of what the General Assembly feeling has been for many many years. I think we should reduce that amount. I think we can cut under three years, bilingual education into the mainstream. I think we could remove the Ethic program, in bilingual. Now, I'll repeat, if the deal hasn't been cut and I turn to Members on both sides of the aisle who represents a constituency that feels much like mine. I recommend that we vote 'no' on Senate Amendment #1, put this in a Conference and see if we can't save a couple of bucks. Thank you."

Speaker Daniels: "Representative Schneider."

Schneider: "Thank you, Mr. Speaker, Members of the House. Once again I rise in opposition to the Motion to concur on this particular proposal. Number one, I think we've made an unusual...certainly and original decision by giving a direct grant funds to the Deaf/Blind Center, to a School District, Lombard District 44. That is a action that I

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can't recall ever taking place for this kind of a proposal. That's one of the concerns, I think was in the budget. Other concepts that I think we've talked about early on in the year, beginning with...how you felt about full funding the mandates that levels for the various mandates that we should provide for our districts, otherwise, they are going to picking them up with a...using the local tax basis, deal with a funding of extraordinary in personal reimbursement of about 91% and regular transportation of 92% and special ed. at 96%. For those reasons, I again would join Representative Kosinski, although admittedly for different reasons, that you oppose the proposal."

Speaker Daniels: "Further discussion? The Gentleman, Representative Stuffle."

Stuffle: "Well, I reluctantly rise on this Bill to support Representative Kosinski's position in part and to support Representative Schneider's position in part. They arrive at the same vote through different means and different logics. Representative Kosinski has worked very hard, Representative Conti, and others on this floor over the years have worked very hard on this issue of bilingual. I know in my district we have those who oppose it, who would cut it, completely eliminate it. There is a need for the program, I think, however, Representative Kosinski's remarks are well taken...for the reasons he cited. There is a need to sustain what this House thinks and not capitulate to the view point expressed by the Senate. And the same thing with regard to a 'no' vote, Representative Schneider, I think, has argued well that there ought to be and could be, with the reduction of the bilingual money added to other necessary areas and for those reasons, I reluctantly rise to support those two Democratic Representatives and colleagues of mine in asking in a 'no'

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vote to this concurrence."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House. The percentages quoted by Representative Schneider, in terms of the proration level, are correct. We recognizes early on, with the Governor's initial funding level and then we became even more critically concerned as they reduced that to the sixty-nine million dollar level. That we were going to have to pro rate some of these programs. The proration that was recommended by the Commission was a flat 20% or a 91% proration, as Representative Stuffle indicated, the funding level for general distributive fund, which many of you received copies of the print-out today at the funding level that we just passed in the last Legislation, at a billion five hundred and nineteen plus million dollars. That we were going to have to take some cuts in the recommendation with 91% straight through, and we take those non mandated programs, at least those that are non mandated in terms of total dollars, at last years level. Although I have some similar concerns as expressed by Representative Kosinski, as he knows, and as we discussed. I also indicated to him that the bilingual program for both Chicago and downstate, is at a lower level, although a modest amount lower level, than it was last year. But because it is at or below the level of the Commission and the fact that there are prorations in this program for the mandate, in terms of the total dollars that are available and the programs that are on line, I believe that this program should be supported, that we're sending a message to those people in the bilingual programs that they must review what they're doing. And although, I'm not proud of the fact that we must prorate the mandated programs, the fiscal condition of our state that mandates it. And for

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those reasons, Mr. Speaker and Ladies and Gentlemen of the House, I frankly, reluctantly request your concurrence in these Amendments."

Speaker Daniels: "Representative Conti."

Conti: "Well, Mr. Speaker, Ladies and Gentlemen of the House. In 1976, I got up on the floor of this House and I tried to point out that, in the six years that bilingual started out, it went up 700%, 700%. The following year it went up to eighteen million dollars. We're wise enough in this House to wipe out the complete appropriation for bilingual, send it back to the Senate. The Senate not only put back the eighteen million dollars but added another four million to it. We were able to...not to concur with Senate Committee at that time, we brought it back to the eighteen million dollars. This year, four years later, we've got them down to sixteen million dollars. I think we sent the message loud and clear and I think they understand that this is not going to be another run away common school fund, distribution fund and I hope that the...that they got the message loud and clear. I'm going to vote for this sixteen million dollars and I'll hope that next year they'll keep that in mind instead of asking a 700% increase in six years time."

Speaker Daniels: "Representative Ewing."

Ewing: "I move the previous question."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. This is the funding for mandated programs and these are the programs that are local school districts tell us, need to be funded. And this is our opportunity to do that. I

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should clear up...maybe a misconception, but bilingual is not getting an increase, it's getting the appropriation for the program, is one point five million less than the program received last year, so, I concur with Representative Conti's remarks. That we indeed are sending a message and I would ask the House for concurrence in Senate Amendments #1 and #5, to House Bill 493."

Speaker Daniels: "The Gentleman has moved the concurrence in Senate Amendments #1 and 5, those in favor vote 'aye', opposed vote 'no'. The voting is open. The Gentleman, Representative Matijeovich to explain his vote. The timer is on, Sir."

Matijeovich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I know there's many different people have different problems with regards to bilingual but I agree wholeheartedly with Representative Conti, that the message is clear for those of you who do oppose it, but I believe that we have to fund this program. Therefore, I am supportive of the concurrence."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Representative Reilly."

Reilly: "Well, thank you, Mr. Speaker. I arise to agree with Representative Matijeovich. We could go to Conference on this and come back, no better probably much worse than we are at the present time. Everybody would like to have more for some programs, less in others. We could have a war over this that lasted forty-eight hours and then come back and vote for this. I would certainly urge every Member on this side and on both sides of the aisle to vote 'yes' on this. It's at a reasonable level, nothing is to be gained by going to Conference, we all know these are going to be funded and I would hope that you would vote 'yes', so that we could get on with the business of cleaning up the

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Calendar and going home."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? The Gentleman, Representative Lechowicz to explain his vote. The timer is on, Sir."

Lechowicz: "Thank you, Mr. Speaker. Very briefly, I strongly recommend that we concur in the adoption of Conference Committee #1 on House Bill 493. The concurrence is very very important from the fact that we have a expanding Latino population, primarily in the City of Chicago, and now is no time to provide for a reduction in the funds that are necessary to make sure that the students are capable to comprehend the education that is provided to them at the Board of Education. For that reason, I strongly recommend a 'aye' vote that this matter can be resolved and the students, especially within the Chicago Board of Education and in the other areas in this state that may have an expanding Latino population, to provide a necessary education facilities for the education of those students. Thank you."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. There are 108 'ayes', 69 'no' and 1 'present'. The House concurring with Senate Amendments #1 and 5, to House Bill 493, having received an excess of 107 votes is hereby declared passed. House Bill 494, Representative Matijeich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 494, a Bill for an Act making appropriations for grants in aid to the State Board of Education together with Senate Amendments #1, 2, 3 and 4."

Speaker Daniels: "Representative Matijeich."

Matijeich: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill...Senate Amendment #1 to House Bill 494 restores 600,000 from the General Revenue Fund for the

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truance (sic, truancy) alternative program. Senate Amendment #2 increases the appropriation for gifted education reimbursement by \$250,000.00. Senate Amendment #3 appropriates \$1,700,000.00 to the State Board of Education for the Joliet School District #86 for repairs and rehabilitation of buildings due to the recent flooding and Senate Amendment #4 to House Bill 494 inserts a new line item for reimbursement to local education agencies and junior colleges to implement an Americanization program. I move to concur with Senate Amendments 1, 2, 3 and 4 to House Bill 494."

Speaker Daniels: "Representative Schneider."

Schneider: "Thank you, Mr. Speaker. I think John, who's the Democratic Spokesman for the House, will be able to tell you how much this exceeds the Governor 2 budget, well what we call Governor 2 budget, which was reduced from his original recommendation. But worst of all, I think what has to be really looked at as a Member is again what I had spoken to on a matter of personal privilege not too long ago that the Senator who runs around the complex intimidating Members as well as staff has finally managed to get his Americanization money into House Bill 494. I think we ought to prefer to deal with that problem in a Committee setting, in a legislative setting and not in a bully setting. So one of the reasons I'm opposing House Bill 494 in a setting that we might hope to be rational is that the Americanization program, which already exists- The House Sponsor knew it; The Senate Sponsor knew it- in the School Code currently, is now going to take by a special line item in Amendment #4 \$500,000.00 from the current adult ed program for a nebulous concept called Americanization, whatever that is. The Americanization concept on that line item will be voted for in other

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proposals later, but the ridiculousness of this proposal is not only that it is unneeded, but that the tactics of the Sponsor represent more of those in the ring of the boxer and not of those in the ring of the debate where it belongs, in a General Assembly. I'm going to harp on that because I think you ought to understand that if you respond to those kinds of tactics, you're never going to get what you think is right for your district or for you, as an individual, in terms of your political ideas. So I oppose it for that reason. I oppose it because it reduces \$500,000.00 from the adult ed 3-1 program, the only adult ed program that is a GRF program. The other two are mostly federal funds. So I recommend on 494 a 'no' vote on the concept and a 'no' vote on the person who is guilty of those kinds of actions."

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

Wolf: "I would just say that the Majority concurs with the concurrence of this particular Bill and would ask affirmative votes from the Republican side of the aisle to join with Mr. Matijevich."

Speaker Daniels: "Representative Schraeder."

Schraeder: "Well, Mr. Speaker, any of those of you who know the value of adult education in the educational system in the State of Illinois know the value of the loss of a half a million dollars from that program. We are talking about young adults, in some cases a little older in adulthood. These people are gaining their diploma, their credibility and are going out and being gainfully employed, being taken off the tax rolls as Public Aid recipients and it's a most valuable program. And I don't really think we can afford to lose that half a million dollars and I would ask nonconcurrence on Amendment #4."

Speaker Daniels: "Representative Hallstrom."

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Hallstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would like to vote for Senate Amendment #2, which adds the \$250,000.00 to the appropriation for gifted education programs. But I do not want to vote for the other Amendments. And I would like to please move so that we could divide the question so I'd have that opportunity to vote for gifted children."

Speaker Daniels: "Further discussion? Oh, I'm...You want a division? Yes, Ma'am. You're entitled to that. We can. The Lady asks for a division of the question. Any further discussion? Being none, Representative Matijevich to close. Representative Hallstrom, do you wish each one of the four Amendments voted on separately or were there any in particular you wanted to divide?"

Hallstrom: "The one that I'm concerned about is for the gifted children."

Speaker Daniels: "What number is that, Ma'am?"

Hallstrom: "That's the second Amendment."

Speaker Daniels: "So with your permission, may we vote on 1,3 and 4 at the same time?"

Hallstrom: "Yes."

Speaker Daniels: "Representative Schneider asks for a division of all. All right. Representative Matijevich to close."

Matijevich: "Yes, Mr. Speaker. I want to remind the Membership in dividing the question, if we fail on one Amendment, it would probably go to Conference and I don't think that is necessary. I'm going to do all that I can in another Bill to restore the funds for the adult education. We think it can be done. I don't want, in any way at all, to harm that program. So, I would ask the Members to remember that. I want to make sure that everybody's clear that Representative Schneider wasn't talking about me when he was talking about the boxer. He was talking about the

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Senator. I'm the mild-mannered Sponsor. But, I would ask the Membership on each of these Amendments if they are divided, to get the necessary votes. I don't think we need a Conference Committee on this Bill. Thank you."

Speaker Daniels: "The Gentleman moves for concurrence on Senate Amendment #1. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? It takes 107 votes. Have all voted who wish? It's Amendment #1. The Clerk will take the record. On this question there are 109 'aye', 46 'no' and 3 'present'. The House concurring in Senate Amendment #1 to House Bill 494. All right. This is Amendment #2. It was explained in debate. Representative Matijevich, briefly on Amendment #2."

Matijevich: "This is the gifted education reimbursement, \$250,000.00."

Speaker Daniels: "The Gentleman moves for concurrence in Senate Amendment #2. Those in favor vote 'aye', opposed vote 'no'. The voting is open. Have all those voted who wish? Have all those voted who wish? Take the record. On this question there are 156 'aye's, 6 'no' and none voting 'present'. The House concurring with Senate Amendment #2 to House Bill 494. Senate Amendment #3. Representative Matijevich, a brief explanation."

Matijevich: "This is the monies for the Joliet School District to repair buildings from the recent flooding. I would appreciate your support."

Speaker Daniels: "Joliet: Representative Davis, Leinenweber and Van Dyne, move that the House concur in Senate Amendment #3. All those in favor will signify by voting 'aye', opposed by voting 'no'. It takes 107 votes. Have all voted who wish? Have all voted who wish? Clerk will take

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the record. On this Motion there are 110 'aye', 38 'no' and 2 voting 'present'. The House concurring with Senate Amendment #3 to House Bill 494. Senate Amendment #4. Representative Matijevich, a brief explanation on Senate Amendment #4."

Matijevich: "This is the killer Amendment. This is the \$500,000.00 from the adult ed for the Americanization program. I still would like your support because I'm going to try and make every effort. And if we sure aren't successful in these Conference Committees, we're not going to go through this year, I know, without providing that \$500,000.00 to adult ed. So I would appreciate your favorable support."

Speaker Daniels: "The Gentleman moves for concurrence in Senate Amendment #4. All those in favor will signify by voting 'aye', opposed by voting 'no'. The Gentleman, Representative Pierce, to explain his vote. The timer's on, Sir."

Pierce: "Mr. Speaker, to explain my vote, the Gentleman from Lake, my colleague, didn't want a Conference Committee here and told you that's why you should vote 'aye'. But we don't need a Conference Committee. If we vote 'no', Senator Lenke could get up on the floor of the Senate and recede from this Amendment. That's final passage. No Conference Committee is necessary. Let him get up on his feet, admit his error and admitted the way he attacked a House staff member on the floor of the House and let him recede from his Amendment and show some guts and therefore we should vote 'no'."

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

Reilly: "Thank you, Mr. Speaker. The act of the Senator against a Democratic staff member was a despicable act. I would

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join with Representative Schneider in asking the Speaker and the Minority Leader to see that he is sufficiently reprimanded. But anybody who thinks that what is going to happen is what Representative Pierce said was going to happen I think is just mistaken. Representative Matijevich is absolutely right. This is a vote to stay here a day or so more and come back with exactly the same thing we have now. I would urge a 'yes' vote."

Speaker Daniels: "Representative Terzich to explain his vote. The timer's on, Sir."

Terzich: "Well, I know my Senator is quite vocal about this and is a little upset. However, I would urge an 'aye' vote on this. You know, we had a discussion about the Americanization program. And I cannot think of a finer program that could be instituted in adult education. We do have a very serious problem when the people come to our country that they do not have an Americanization program to fit their needs. I did mention that we have it where they have the GED tests and things of this nature, but these people that come to our country should be taught how to become good useful American citizens, if there's enough interest in a community. I did mention there's approximately 200 people every week that are being inducted as citizens of the United States. There's an urgent need for this. If the community has the need.... (timer)"

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

Pechous: "Mr. Speaker, like other spear carriers here, I've listened to those who speak a lot and yet, at this point, I've got to speak in return. I find that just the previous Bill we awarded 16 million for bilingual, through the State of Illinois. We're talking about a half a million for Americanization, not for a dual cultural role, but for one

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America. And I support, I support Americanization. I support a one cultural standard through the state, and those that support it, the dual standard, they now argue against. And I ask for an 'aye' vote."

Speaker Daniels: "Have all voted who wish? Representative Davis, to explain his vote. The timer's on."

Davis: "Well, I don't support Senator Lemke in any of his actions over here on the House floor. I think he ought to stay in his own chamber and be properly reprimanded. I'm voting 'aye' because I think the Bill should go to the Governor. The Governor has options. He can line item veto this particular option, putting it into an extraordinary vote majority. And if the 90 or 89 votes that are up there want to do that, you can get a quick letter of petition up and all... and send him the Roll Call or whatever you want to do and send him your desires about what he should do with this line item appropriation. But Representative Pechous was absolutely right. This sort of reverses the trend in bilingual and I'm willing to gamble on this kind of dough and maybe the Governor can reduce, by his reduction veto, the bilingual thing, and we're going to get him to try and agree to do that. And I think that this Bill should go unamended to the...or out of a Conference... stay out of a Conference Committee to the Governor, and let him make that decision in a line item veto. But we are talking about Americanization. We're talking about stopping the dual culture instructional activities in bilingual, which I find objectionable. So I think we really should change our votes and if we've got a problem, send a strong message to the Governor or maybe send Lemke up to talk to the Governor. Who knows?"

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

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Dunn: "Mr. Speaker, of course, there's no photography permitted during explanation of votes and I would request that you turn the picture-taking light off for an hour or so here. Thank you, very much, and leave it off, please."

Speaker Daniels: "Representative Stewart, to explain her vote. Timer's on."

Stewart: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I think, if the Members who are rising in support of this Amendment would bother to take a look at the School Code, they would find that these kinds of... this kind of instruction for newcomers to this country is already thoroughly covered in the School Code, both at the community college level and in other adult education programs. I think by using the, you know, buzz word, Americanization, people are supposed to go nuts and automatically vote 'yes'. Hell, take a look at the School Code before you start on talking this ya-ya and I think we'd all be a lot better off. Thank you."

Speaker Daniels: "Representative Gene Hoffman, to explain his vote. Timer's on, Sir."

Hoffman: "I really don't know if I want to speak after that comment. I'm afraid it may be some association..."

Speaker Daniels: "That was 'ya-ya'."

Hoffman: "Okay. The Lady who just spoke is absolutely correct. Section 201 is the title for the Adult Education Act in Chapter 122. Americanization is one of the three basic parts of the current adult education program."

Speaker Daniels: "Further discussion? Gentleman, Representative Yourell, to explain his vote. Timer's on, Sir."

Yourell: "No, I don't want to explain my vote. If this receives 89 votes, I want to verify it."

Speaker Daniels: "It needs 107 votes to pass. Further discussion? Gentleman, Representative Matijevich, to

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explain his vote."

Matijevich: "Well, I've been, while everybody was here having fun earlier tonight, I was on some of the Conference Committees that were meeting and I believe that the Senate and the House have worked out virtually every difference that we've had. And, in fact, now I think this may be the only Bill that could hold us up and I realize that the Senator could recede from this Amendment. I just think that that may not happen and then that this one Bill may be the Bill. It always seems like there's one Bill that holds us here longer than we ought to be here. I want to tell those who don't agree with this program, much as Representative Davis has said, that there are some options, other options. So I think we ought to put the necessary votes on because, from where I'm sitting in the Conference Committees that we've met, I really believe that our work is about done and this is the only Bill that could hold us up."

Speaker Daniels: "Representative Katz."

Katz: "Mr. Speaker, from where I'm sitting, this doesn't make very much sense to me. The Senate, as I understand it, has adjourned until tomorrow morning. It's very clear that we're going to have to come back tomorrow in view of what's going on in the Senate. All of the remarks with regard to the fact that we have to quickly rush in order and vote for something that we don't believe in because this is what's going to be keeping us here tomorrow is utter nonsense. I believe that we ought to follow the practice of the Senate in this regard. Members have been here for an enormous number of hours. I think that somebody ought to reconsider in regard to what we're doing here and that we ought to follow the Senate's lead and adjourn until tomorrow morning at a very early hour."

Speaker Daniels: "Representative Roland Meyer, to explain his

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vote. Timer's on, Sir."

Meyer: "I'd ask you to take the vote. If it's going to go down, let it go down. Why keep us here all night?"

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 76 'ayes', 85 'no' and 2 voting 'present'. The Gentleman's Motion to concur fails. Representative Matijeovich."

Matijeovich: "I'll move to nonconcur with Senate Amendment #4 to 494 and we'll watch all the fist fight...fisticuffs from Senator Lemke. That may be worth the show, too."

Speaker Daniels: "The Gentleman moves to nonconcur in House Amendment #4.. or Senate Amendment #4 to House Bill 494. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House nonconcur in Senate Amendment #4. Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I understand that the powers that be have agreed..."

Speaker Daniels: "Could you hold that Motion?"

Vinson: "Yes, Sir."

Speaker Daniels: "Ladies and Gentlemen of the House, before we recognize Representative Telcser for an adjournment Motion. I would like to thank each and everyone of you for the extra hours and attention that you put in this evening. And to tell you, that not many people are able to tell you....it's too bad that those of you that serve in government aren't all able to sit at this point and look at all of you and work the way that you work, I can tell you, that as a Member of this House, I'm proud of each and everyone of you and I appreciate all the work that you've done. Representative Peters."

Peters: "Mr. Speaker, just for an announcement. The Members of

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our Appropriation staff, if they would check with...our director, Mr. 'Gonet', before they made any attempts to leave the building. I think we have a couple of things we've got to finish off before they leave, so hang around guys and girls till we get it straighten out. Thank you.
Mr. Speaker."

Speaker Daniels: "Representative Peters."

Peters: "We also need one Motion here in order to get a Bill positioned for Conference Committee. If the Chair would recognize Representative Wolf for that purpose."

Speaker Daniels: "Senate Bill 271?"

Peters: "I'm not sure what number it is, Sir."

Speaker Daniels: "Read the Bill, Mr. Clerk. Senate Bill 271 on the Order of non concurrence. This is the last one."

Clerk O'Brien: "Senate Bill 271...."

Speaker Daniels: "Supplemental Calendar #2."

Clerk O'Brien: "A Bill for an Act making appropriations to Judicial Advisory Council, together with House Amendments 1 and 4."

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

Wolf, J.J.: "Thank you, Mr. Speaker. I would move that we refuse to recede from the Amendments to Senate Bill...House Amendments to Senate Bill 271 and that a Conference Committee be..."

Speaker Daniels: "The Gentleman moves to refuse...the House to refuse to recede from Senate Amendments #1 and 4, and a Conference Committee be appointed. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the House refuses to recede from Senate Amendments #1 and 4, and a Conference Committee shall be appointed. Representative Telcser."

Telcser: "Mr. Speaker and Members of the House, let me first repeat what I think, Representative Peters said, that all

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staff members should remain around the Capital Building. A number of us shall be working for quiet awhile yet, so that when we come in Session tomorrow, a lot of the paper work will be ready for work to begin tomorrow morning. In addition, if there are Members who are waiting for Conference Committee Reports, if they're ready to be signed tonight, it would help us tomorrow with their signed and properly filed, so we can get to work tomorrow morning on time. Mr. Speaker, I now move the House recess until 10:00 A.M., tomorrow morning. Or this morning."

Speaker Daniels: "Does the Clerk need any time? Whatever time is necessary for the Clerk. You heard the Gentleman's Motion, all those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the House stands in adjournment until 10:00 o'clock, tomorrow morning, with whatever time...in recess until 10:00 o'clock tomorrow morning. Whatever time the Clerk needs."

Clerk O'Brien: "Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has adopted the following; Senate Joint Resolution, the adoption in which I am instructed to ask concurrence of the House of Representatives to wit; Senate Joint Resolution #11, adopted by the Senate, June 30, 1981. Kenneth Wright, Secretary. No further business, the House now stands in recess till 10:00 A.M."

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