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

81st Legislative Day October 28, 1981

Speaker Ryan: "The House will be in order and the Members will be in their seats. The Chaplain for today is Reverend Jim Chase from the Fame Evangelical Church located in Moweaqua, Illinois. Reverend Chase."

Reverend Chase: "Let us pray. Heavenly Father, thank You that You are right here with us in this room and I thank You for sending Your Son, the Lord Jesus Christ, to die for us and to pay the penalty for our sin. And I pray for each of the leaders who are in this room today that they would see the necessity of inviting the Lord, Jesus Christ, into their hearts and into their lives as personal Lord and Saviour. Lord, I would also pray that You would give them wisdom in the decisions that they make. I pray that in the name and through the blood of the Lord Jesus Christ that You would build a wall of protection around each of these leaders and their families, their marriages, their children in order that Satan cannot destroy them. I pray that You would also give them wisdom to cast down every law and policy or personal example which would weaken marriages, families or Your moral standards. Lord Jesus I also pray that You would give each one of these people in this room today a real desire to set aside time to read the Bible and to pray every day for You have said in Your word that a leader of people..a ruler of people must have his own copy of God's laws and read from it every day and study it thoroughly. And I pray that You would help each of these men to do just that. Thank You for being here with us. We ask that You would lead us and guide us now as we make decisions, realizing that we are accountable to You, Lord Jesus, not accountable to the voters, but accountable to You, Heavenly Father and that we will give an account to You on Judgment Day. In Jesus' name we pray with Thanksgiving. Amen."

Speaker Ryan: "Thank you, Reverend. We'll be lead with the Pledge today by Representative Domico."

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

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

Zito: "Yes, Mr. Speaker. Thank you. Ladies and Gentlemen of the House, today I have the proud privilege of introducing approximately 15...I'm sorry, 50 high school students from my Alma Matter, Proviso West High School in Hillside, Illinois. They're here today as honor students. They're in a course studies program with Mr. Hank Saunders. I'd like to take this opportunity to extend to them a good time in Springfield. I hope they have a good time, learn something. They're in the Speaker's gallery. If you could stand please? Thank you."

Speaker Ryan: "Welcome Proviso. Messages..Take the Roll Call. There are one hundred and sixty-two Members present..answering the Roll Call. There's a Quorum of the House present. Messages from the Senate."

Clerk Leone: "Messages from the Senate: A message from the Senate by Mr. Wright, Secretary: Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has passed Bills of the following titles and the passage of which I'm instructed to ask concurrence of the House of Representatives to wit; Senate Bills 1255, 1256, 1257, passed by the Senate October 16th, 1981 by three-fifths vote. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary: Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has passed Bills of the following titles and the passage of which I'm instructed to ask concurrence of the

House of Representatives to wit; Senate Bills 1247 and 1248, passed by the Senate October 16th, 1981. Kenneth Wright, Secretary."

Speaker Ryan: "We've been honored with the presence of two Members of the Illinois Senate. Senator Prescott Bloom is here with us today. Senator Bloom is down here in front and they tell me that Colonel Keats is among us. Colonel Keats. And Representative Totten..er Senator Totten, I understand is here, too. You fellows came back to learn something I'm sure. Senate Bills, First Reading."

Clerk Leone: "Senate Bill 1255, Ryan-Madigan, a Bill for an Act to amend Sections of an Act to divide the State Legislative Districts into three groups established in terms of Senators elected from the Districts in each group. First Reading of the Bill. Senate Bill 1256, McAuliffe, a Bill for an Act to add Sections to amend an Act to provide for assistance to certain veterans in acquiring special applied housing. First Reading of the Bill. Senate Bill 1257, Ted Meyer-Schraeder, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 1247, Dwight Friedrich, a Bill for an Act to revise various Acts to resolve multiple Amendments or additions. First Reading of the Bill. Senate Bill 1248, Dwight Friedrich, a Bill for an Act to revise various Acts to resolve multiple Amendments or additions and to correct technical errors and other patent errors and omissions. First Reading of the Bill. A message from the Senate by Mr. Wright, Secretary: Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution and the adoption of which I'm instructed to ask concurrence of the House of Representatives to wit; Senate Joint Resolution 61, adopted by the Senate October 16th, 1981. Kenneth Wright,

Secretary."

Speaker Ryan: "Representative Telcser, do you have any excused absences? Representative Getty? None? House Bills, First Reading."

Clerk Leone: "House Bill 1984, Henry, a Bill for an Act to amend Sections of the Motor Vehicle Retail Installment Sales Act. First Reading of the Bill. House Bill 1985, Koehler, a Bill for an Act relating to the operation of motor vehicles while intoxicated. First Reading of the Bill. House Bill 1986, Dwight Friedrich, et al, a Bill for an Act to amend Sections of an Act relating to fire protection districts. First Reading of the Bill."

Speaker Ryan: "Mr. Clerk, clear the floor, would you please? Doorkeeper? Page four of the Calendar under the Order of Amendatory Vetoes appears Senate Bill 22. The Clerk will read the Motion."

Clerk Leone: "Motion, 'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 22 and adoption of the following Amendment'. Representative Smith."

Speaker Ryan: "On that Motion, the Gentleman from Sangamon, Representative Smith."

Smith: "Thank you, Mr. Speaker..."

Speaker Ryan: "Just a minute, Mr. Smith. Could we have your attention please? Will the Members please be in their seats? Proceed, Representative Smith."

Smith: "The Bill provides that any state employee shall be granted leave for any training periods with the U.S. Armed Forces or the Illinois State Militia without loss of seniority or salary benefits. It goes on, but the Governor's amendatory veto was added to that recommended change. The recommended change restricts the provisions of the Bill to include only full-time state employees rather

than all employees. The Illinois Military and Navy Departments estimate the total original cost would be $130,000 per year. The Governor's amendatory veto may reduce this amount, but the extent of the reduction is not known at this time. I ask that the Body sustain the Governor's amendatory veto of Senate Bill 22."

Speaker Ryan: "Is there any debate? The question is, 'Shall the House accept the Governor's...' Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Ryan: "Indicates he will."

Brummer: "If I understood you correctly, you indicated that you did not know the amount of the Governor's amendatory veto?"

Smith: "That's...that's correct because at this point the total..the total original cost would be 130,000 but it's...it isn't known how many part-time employees and how many full-time employees would be in there, Representative. But there would be some considerable saving and basically, the idea is to take care of only those full-time state employees."

Brummer: "Thank you."

Speaker Ryan: "Any further discussion? Representative Smith, do you care to close?"

Smith: "Only...thank you, Mr. Speaker. Yes, I'd ask for a 'yes' vote on this."

Speaker Ryan: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 22 by adoption of the Amendment?'. All in favor will signify by voting 'aye', all opposed by voting 'nay'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 157 voting 'aye', 1 voting 'no', and this Motion, having received the Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for

change regarding House (sic, Senate) Bill 22 by adoption of the Amendment. Senate Bill 27. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to the Senate Bill 27 and adoption of the following Amendment', Representative Getty."

Speaker Ryan: "The Gentleman from Cook, Representative Getty."

Getty: "Mr. Speaker, Members of the House, the Bill, as it went to the Governor, provided for certain treatment in permitting the charge of aggravated battery to be leveled when a taxi driver was the subject of a battery. The Governor has stricken all of that language. It is now not before us and I would concur in that action. The Governor made another substantive change, however, in language permitting the revocation or a hearing on the revocation of bail where a person has been arrested and charged with a subsequent felony while he is already out on bail on a prior felony. Mr. Speaker, I think that this is a very important matter before the House and I'd ask for order."

Speaker Ryan: "The Gentleman asks for order. Would the Members please be in their seats and give the Gentleman their attention? Proceed, Representative Getty."

Getty: "Thank you, Mr. Speaker. As I say, this is a very important matter before the House. The Bill, as it would become law if we accept the amendatory veto, would provide that where a person is charged with a second felony while he is already out on bail on a prior felony charge, the court holding the preliminary hearing on the second felony charge would have jurisdiction and I emphasize the fact, jurisdiction, to hold a hearing to revoke the bail granted on the first felony charge. The net effect of this, Ladies and Gentlemen, would be to keep a person off the street or

to help to keep a person off the street who has been released on bail and goes out to commit yet another crime. That's the purpose of it. It provides for a due process hearing by the second judge before whom the second preliminary hearing is to be held. That judge may determine whether or not bail is to be revoked without the necessity of the defendant being brought before the original committing judge. I would ask for your support in acceptance of the amendatory veto."

Speaker Ryan: "The Gentleman from Cook, Representative Cullerton, on Senate Bill 27."

Cullerton: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Ryan: "He indicates he will."

Cullerton: "Mr. Getty, just so I understand the intent of this Bill, the...when someone is charged with a second offense they would go in front of a judge for a preliminary hearing. Is...is it your purpose in this accepting the Governor's veto to allow that preliminary hearing court judge to modify the bail that was set by the first judge on the first offense?"

Getty: "Yes, it is. As I said in my explanation, it is a jurisdictional matter and it is the intention, if this were to become law, that that second preliminary hearing court judge could alter or revoke the bail granted by a prior magistrate."

Cullerton: "Does that mean that he could lower the bail that was set by a prior magistrate?"

Getty: "He could lower it. He could alter it. He could revoke it. He could do...he could exercise complete jurisdiction over the granting of...or the prior grant of that bail. This would come into effect only, however, where there was a charge of a subsequent felony and it came before a subsequent preliminary hearing judge on that felony."

Cullerton: "What would the state's burden of proof be in attempting to have bail revoked? Would that burden of proof be changed at all?"

Getty: "It would not be changed from the present law."

Cullerton: "Which is what? What is the burden of proof that the state has to have the prior bond revoked?"

Getty: "The state's burden ...The state's burden is to convince the court that the defendant probably committed an offense."

Cullerton: "Well, just so I have this clear. It's my understanding that under present law that the state has to show, with clear and convincing evidence, that a person committed a second offense in order for the first bond to be revoked. Is that changed at all?"

Getty: "That's not changed."

Cullerton: "Okay, so that the preliminary hearing court judge would first have to determine whether or not there was evidence of clear and convincing nature that a crime was committed in order to revoke the first bond, and then he would have to hear the same evidence to determine whether or not it was more likely than not or it was probable that the defendant committed the offense in order to hold him over to the Grand Jury."

Getty: "I think there's no question but that there is a dual standard involved here. There is no intention, as I read the language of the original Bill or the amendatory language of the Governor, to change that standard. The standard goes to a jurisdictional question only of permitting the second preliminary hearing court judge to determine whether that prior bail should be revoked or modified."

Cullerton: "Is it your intention in accepting this veto that the preliminary hearing and the Motion to revoke bond of a

prior felony can be heard at the same time, simultaneously? Or does the state have to present the witnesses to..on two separate hearings?"

Getty: "I think that there's no necessity of a two separate hearing process. I think that that same judge can make a finding on the record after having heard the evidence as to the one issue that there is probable cause and hold the matter over, and as to the other issue that there is clear and convincing evidence and that the bail ought to be revoked or modified."

Cullerton: "Thank you. No further questions."

Speaker Ryan: "Is there any further discussion? Have you completed, Representative Cullerton? Representative Getty to close."

Getty: "Well, Mr. Speaker, as you see, this is a highly technical matter. This would go towards streamlining the criminal justice system in that it would obviate the necessity of two completely separate hearings before two separate judges where there is a second felony charge on a person already out on bail on a prior felony. I would ask for your support in accepting this amendatory veto."

Speaker Ryan: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 27 by adoption of the Amendment?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 159 voting 'aye', none voting 'no'. This Motion, having received a Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 27 by adoption of the Amendment. On the Calendar under Amendatory Vetoes appears Senate Bill 62. Read the Motion, Mr. Clerk. Representative Stewart, are you ready to have

your Motion called? Read the Motion, Mr. Clerk."

Clerk Leone: "'I move the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 62 by adoption of the following Amendment'. Representative Stewart."

Speaker Ryan: "The Lady from Cook, Representative Stewart."

Stewart: "Yes, Mr. Speaker, I move to sustain the Governor's veto. I was not completely satisfied with the ...with the Governor's veto. However, the Senate Sponsor felt satisfied. What the Bill...What the Bill does is to require the Board of Ed...the State Board of Education to require the school system to come up with programs for pregnant school students and to provide the infant care lab, the care for their students while they...to care for the infants while they are in classes. I think that the Governor was afraid that this was ..contained mandatory language and perhaps would have provided a drain on the Treasury. And so therefore, I would sustain...I would move that we all sustain, vote to sustain the Governor's veto because much of the Bill is still intact. As I said, I'm not satisfied, but at least our intent is there."

Speaker Ryan: "Is there any debate? The Lady from DuPage, Representative Karpiel? Well, your light's on, Representative. Okay. The question is...The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 62 by adoption of the Amendment?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 157 voting 'aye', none voting 'no'. This Motion, having received the Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding

Senate Bill 62 by adoption of the Amendment. On the Calendar under Amendatory Vetoes appears Senate Bill 172. Representative Oblinger. (sic, Representative Meyer) Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 172 by adoption of the following Amendment'. Representative Meyer."

Speaker Ryan: "Representative Meyer on the Motion."

Ted Meyer: "Thank you, Mr. Speaker. I move that the House accept the amendatory veto of the Governor. House Bill 172 (sic, Senate Bill 172) relates to landfill sitings. The Governor's amendatory veto made five changes in it. It clarified in ...what was a regional pollution control facility. It identified what the definition of 'new' was. It changed the criteria slightly. Additionally, it vetoed the language that was contained in House Bill 847 and clarified on appeal that no new evidence could be taken in front of the ...in front of the Pollution Control Board. I move its adoption."

Speaker Ryan: "Is there any debate? The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I find it very difficult and I would hope that the Representative could respond to the rationale for exempting from the legislation by amendatory veto the language that gave the municipalities and county boards the authority for siting. It seems to me that the amendatory veto if accepted would take the guts out of this Bill, even though it does define what 'new' facility is. It would give virtually no authority to the county boards or the local municipality where one of these sites are now located. It does not address the question as well as an

expanded site for the regional. So I would like to have the Gentleman respond to me in that regard on those two questions."

Speaker Ryan: "Will the Gentleman respond?"

Ted Meyer: "Yes, Sir. First of all, if you're referring to the Journal-Register record article, that article was in error. This applies to any new site or old site that is expanded beyond its original bounds. If they apply for a permit to take in one extra acre, this Bill would apply. It in no way...The amendatory veto in no way limits any of the authority of the county boards or municipalities."

Mautino: "Well, then, Sir, would you please tell me why the veto message addresses line 32 through line 35 on page 14?"

Ted Meyer: "I have on page 14, '...deletes lines 33 and 34 and inserts new language, zoning or other land use requirements shall not be...'."

Mautino: "That's right. Now what that means, Representative, is you're taking away this sentence; 'Local zoning, other local land use requirements or local ordinances adopted pursuant to Section 7.2 of this Act shall not be applicable to such siting decisions'. That means that you are exempting sites from local control. I would like to address..."

Ted Meyer: "That's what the original Bill did. That's what the original language does. It says that local zoning shall not be applicable to this particular Section. It's just saying the same thing in different language."

Mautino: "Well, then, I would like to address the legislation and the Amendment, Mr. Speaker."

Speaker Ryan: "Proceed."

Mautino: "I don't happen to be an attorney, but what I do see is no reason for that specific change. The Sponsor of the legislation has not addressed the question. But it seems

to me that the number one issue here is that we are exempting from this Statute local control for siting of new or existing hazardous landfill sites. It would seem to me, since no one has presented evidence otherwise, that this is not a step in the right direction. This is a step that will affect the Z,Y,X Corporation in Lee County. It will affect Pioneer Processing in LaSalle County and most certainly, the U.S. ecological site selection in Bureau County. In that regard, I am opposed to accepting the Governor's amendatory veto on that question because we are not giving the protection under this language to the communities in which those sites could be located or are now located. It seems to me that we should make it very clear that local governments have the control for siting selections of hazardous and low level nuclear waste. And I will not support this amendatory veto."

Speaker Ryan: "The Gentleman from Peoria, Representative Tuerk."

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

Speaker Ryan: "Indicates he will."

Ted Meyer: "Yes."

Tuerk: "Let's become more specific. We had a case up in Peoria County not too long ago where some developers wanted to establish a hazardous waste landfill. The County Board had no input at all into the site selection or any of the controls. It was all in the hands of the EPA and the PCB. Now, as I recall, House Bill 847 addressed itself to that specific problem or similar problem. I tend to agree with the previous speaker that the amendatory veto on Senate Bill 172 rather guts the intent of that proposal. Now, would you respond very simply whether or not, with Senate Bill 172 as amended, will give the county boards any input at all in the selection of sites for hazardous wastes?"

Ted Meyer: "Representative Tuerk, I will read you Section 39.1 of

the new Bill, 172. It says, quote, 'The county board of the county or the governing body of the municipality as determined by Section C (sic, paragraph C) of Section 39 of this action..of this Act shall approve the site location, shall approve the site location, suitability for such new regional pollution control facility only in accordance with the following criteria; A,B,C,D'."

Tuerk: "What you're saying is the language does give the county boards that authority."

Ted Meyer: "Yes, Sir, unequivocally."

Tuerk: "Thank you."

Speaker Ryan: "Have you completed, Representative Tuerk? The Gentleman from Macon, Representative Dunn. John Dunn. No? The Gentleman from Cook, Representative Collins."

Collins: "Mr. Speaker, would the Gentleman yield for a question?"

Speaker Ryan: "Indicates he will."

Collins: "Representative Meyer, would you tell me, has Waste Management Corporation expressed a position one way or the other on this Amendment?"

Ted Meyer: "Pardon me?"

Collins: "Waste Management Corporation, what would their position be on your Motion?"

Ted Meyer: "I don't know. I haven't spoken to their representative concerning this Motion."

Collins: "You have not spoken to your..to their representative?"

Ted Meyer: "That's true."

Collins: "What would be your idea as to how they would feel on this Motion?"

Ted Meyer: "I wouldn't know, Sir. You may be in better contact with them than I am."

Collins: "No, I have...I have no use for those people. I understand that you have much more contact with them than I do. I would suggest that if they are in favor of your

Motion, then this Motion would be to the detriment of the State of Illinois and its people. These are the people that have befouled my district and other districts. They're the ones who have proliferated landfills throughout this state and I wish we could get an answer to my ...to my question. Because if they're for it, well then, it is a very bad and indeed an insidious and evil Motion and I would suggest that it be rejected."

Speaker Ryan: "The Gentleman from Peoria, Representative Schraeder, on the evil Motion."

Schraeder: "Thank you, Mr. Speaker and Members of the House. This is a very serious Amendment by the Governor, the veto, and I would like to point out that this piece of legislation that was sent to the Governor was one that was reached after long and tiring hours by all peoples involved in the State of Illinois, including Members of the House and the Senate, even to a Conference Committee. It involved the people that would be attempting to establish sites. It was established through the assistance and help of the Municipal League and it certainly was the direct drafting of eight or ten Legislators who have similar types of legislation and problems within their Legislative District. It would seem to me that the proper thing to do would be to reject this Motion to accept the veto and send it back to the Senate for them to have another look at it. I would ask for a rejection of this Motion."

Speaker Ryan: "Is there any further discussion? The Gentleman from Whiteside, Representative Olson."

Olson: "I pass, Mr. Speaker."

Speaker Ryan: "Is there any further discussion? The Gentleman from Cook, Representative Meyer, to close."

Ted Meyer: "Well, Mr. Speaker, we're faced with a dilemma. If we don't accept the Governor's amendatory veto, the nonhome

rule municipalities in this state are going to have nothing to say about the location of landfills. This gives them an opportunity to ...to participate and in fact approve the site selection. We're faced with the alternative of ...of the nonhome rule municipalities having nothing to say. I might again point out to you Section 39.1 and if again I could read it to you and say, 'The County Board of the county, or the governing body of any municipality, as determined according to paragraph C of this Act, shall approve the site location suitability for such....da, da, da, da, da.'. I urge the adoption of this amendatory veto."

Speaker Ryan: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 172 by adoption of the Amendment?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Representative Van Duyne to explain his vote."

Van Duyne: "Yes. As you can see, Mr. Speaker, thank you. I...There's rather a humorous line or part of a paragraph in the Governor's message here where he alludes to some allegation that the county boards wouldn't be fair. He says in the thing that the criteria should be given to local officials, all the necessary authorities, to reject a proposal which would threaten the health and the welfare of the citizens of the area. But then he goes on to say, but the criteria should also be fair to industry and not make it impossible to locate much needed disposal sites. I'm just...It's kind of humorous, as I said, because here we're talking about elected officials on a county board level that are just trying to get a 50-50 shake in this decision-making and he at least alleges that the bureaucratic agency, the Pollution Control Board, is much more idealistic and I think that's kind of funny."

Speaker Ryan: "Representative Yourell, did you care to explain your vote?"

Yourell: "Yes, briefly, Mr. Speaker. Ladies and Gentlemen of the House, for those of you who are voting 'aye' on this amendatory veto you must recognize the fact that it will do nothing for units of local government as far as local control of landfills are concerned. This guts the Bill and takes the teeth right out of the original legislation passed out of this House. So, just as long as you know what you're doing, why, a 'yes' vote is no local control over landfills."

Speaker Ryan: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 122 voting 'aye', 40 voting 'no' and 60 voting 'present'. This Motion, having received a Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 172 by the adoption of the Amendment. On the Calendar under Amendatory Vetoes appears Senate Bill 257. Read the Motion, Mr. Clerk. Representative Oblinger."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 257 by adoption of the following Amendment'. Representative Oblinger."

Speaker Ryan: "The Lady from Sangamon, Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the House, I move to accept the message of the Governor. The only change is, we put on an Amendment during the time that it was in the House – the Amendment was sponsored by Representative Rea – which had to do with rolling stock. In the Conference Committee this was changed. We realized it was not good. I know the Sponsor of the Amendment accepts this recommendation of the Governor and I would be willing to answer any questions

about it. But I would urge you to accept this message."

Speaker Ryan: "Is there any debate? Representative Bowman?"

Bowman: "Thank you, Mr. Speaker. Inasmuch as this is final action on the legislation, and inasmuch as this is a tax exemption which will create some additional revenue problems for us, I wonder if the Lady, the Sponsor, would yield for a question..."

Speaker Ryan: "She indicates she will."

Bowman: "Representative Oblinger, would you refresh our memories as to how much this particular legislation will cost the state?"

Speaker Ryan: "Representative Oblinger."

Oblinger: "Representative Bowman, remember when we exempted certain equipment in manufacturing? Inadvertently, printing equipment was left out of that. This will not go into effect until all of that manufacturing which we delayed this year goes into effect. So they have made no estimate of it. This was inadvertently left out, that part."

Bowman: "But, wait a minute. Did I understand you correctly? You said, that because the ....I understand this was an inadvertent omission. However, we're putting something into the law that doesn't exist there now and I want to make sure I understand you correctly. Did you say that because this would not go into effect right away they made no estimate of how much it's going to cost?"

Oblinger: "When we had the Bill, there was no estimate attached to it because we'd already voted on delaying it. And I have no estimate in the analysis nor on the Bill."

Bowman: "Well, Mr. Speaker, speaking to the legislation, I would like to point out first of all that it strikes me that we're committing the same sin twice without even having been forgiven for the first one. We are voting on a tax

exemption and not knowing what it's going to cost. I would point out further that with respect to the specific language that the Governor is recommending we accept, in reference to rolling stock, he's deleting the words primarily used in interstate commerce and he's deleting the word, 'primarily'. Now, the thing that's getting us into all the trouble over the manufacturer sales tax exemption is because we broadened it. The word, 'primarily', is already a very broad concept and if we take that out we make it..this whole thing broader still and it seems to me that there are entirely too many unanswered questions in this time of fiscal crisis that we are facing. And I would urge a 'no' vote."

Oblinger: "Representative Bowman, there are two parts..really three parts to this. The rolling stock, when they came in in the Conference Committee and this was not in the original Amendment that Mr. Rea had, in the Conference Committee they said that they would have to...if they had to use it, 51% in interstate commerce in order to get this. None of the truckers do and so they said there was no need for this and that's why we want it deleted. They...The trucking industry, the Sponsors, all of them realized that none of them have 51% and therefore, it was...it was duplicative or...ambiguous in putting that in. The other part, we passed with a very big vote on..including printing, in the other equipment. I've been informed that it will be no more than two million dollars which is a very low part of the tax exempted on other business and manufacturing equipment. There are two parts to this. One part was put on in the Conference Committee. That's the part that's being deleted and the part we do not want even though we sponsored the Amendment originally."

Bowman: "Okay. Representative Oblinger, I understand what you're

saying. My point is that this is final action on the legislation. If we do not accept the amendatory veto, the Senate already having accepted it, the legislation is dead, I believe. So, what I'm really urging is that because the bottom line on this is that we don't know what the bottom line is, we are flying...flying it blind and we are facing obvious fiscal problems in this state. The Governor reminds us of that daily. Then it seems to me that it's a very poor time to go tinkering with the law to provide additional exemptions even though these exemptions are reputedly to add things that were supposed to have been in the legislation in the first place. The point is that we're going to lose more money than we're already now losing. I think that this thing will probably pass. I think you probably have the votes, but I'm recommending to the House that if you would like to cast your vote on the side of fiscal responsibility, that you ..and you cast a 'no' vote."

Speaker Ryan: "Have you completed, Representative Bowman? Any further discussion? The Gentleman from Franklin, Representative Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. I rise in support of this Motion. In fact, the Amendment on rolling stock was my Amendment and it was changed completely in Conference Committee whenever they changed the word to 'primarily' which would mean more than 50%. This would create more problems and as a result...in fact I was one of the people that asked the Governor to make an amendatory veto on this particular legislation. I would ask that you support the Motion to accept."

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

Oblinger: "I urge you to accept the amendatory veto of the

Governor so that we are not discriminatory against the printing industry and that we are being fair to the trucking industry. Thank you."

Speaker Ryan: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 257 by adoption of the Amendment?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 132 voting 'aye', 20 voting 'no'. And this Motion, having received the Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 257 by adoption of the Amendment. On the Calendar under the Order of Amendatory Vetoes appears Senate Bill 270. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 270 by adoption of the following Amendment'. Representative Ebbesen."

Speaker Ryan: "Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 270 in its original form addressed itself to the Finance Act and what it does is allow expenditures of $5,000 or less from a contractual services line item for improvements to real property when a permanent improvement line item appropriation exists. And the reason for the ..the amendatory veto was that some of the agencies that really have a rather large number of relatively small permanent improvement projects could encounter some difficulties in predicting whether to place the cost of a particular project in the contractual services line item or permanent improvements line and the specific recommendations of the Governor really make several

technical changes regarding statutory references and then they, for all practical purposes, eliminate the Section that prohibits permanent improvement expenditures from being included within the contractual services line item definition. This passed...This Motion was accepted by the Senate 57 to nothing. I know of no controversy relative to it and I would appreciate a favorable reaction to the Motion."

Speaker Ryan: "Is there any discussion? The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 270 by adoption of the Amendment?'. All in favor will vote 'aye', all opposed will vote 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 161 voting 'aye', 2 voting 'no'. And this Motion, having received the Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 270 by adoption of the Amendment. On the Calendar under Amendatory Vetoes appears Senate Bill 300. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 300 by adoption of the following Amendment'. Representative Watson."

Speaker Ryan: "Representative Watson."

Watson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 300 increases the state exemptions for an individual going through bankruptcy proceedings in Illinois. The Bill originally provided that a debtor has an exemption equal to the debtor's interest, not to exceed $1200 in value in any one motor vehicle which is not subject to a lien or liens. The Governor struck the statement, 'which is not subject to a lien or liens'. So

the Bill will now read, 'the debtors interest not to exceed $1200 in value in any one motor vehicle'. He also changed an area under pension plans. Presently the Bill exempts the debtors right to receive a payment under one pension plan or contract. The Governor struck the provision of just one and said that any pension plan or contract. I would move for acceptance of the Governor's amendatory veto and would appreciate a 'yes' vote."

Speaker Ryan: "Is there any discussion? The Gentleman from Champaign, Representative Johnson."

Johnson: "Representative Watson, what is the ...maybe I'll ask you to restate or at least explain the significance of the proposed change of the Governor with respect to motor vehicle exemptions. Does it broaden the exemption or narrow it?"

Watson: "He struck the provision which states that a motor vehicle which is not subject to a lien or liens. In other words, he is broadening it to some extent."

Johnson: "Well, wasn't the purpose of the language as the Bill passed out of here and the historical purpose of the whole area of creditors' rights that the establishment of a lien, whether it's in real estate or secured property, is able to be taken back by the creditor because that's different than just a naked debt? Isn't that right? I mean, hasn't our bankruptcy law and our coordinating state law always recognized that the establishment and existence of a lien puts a debt in a different category than those without a lien? It seems to me that this is unnecessarily broadening the scope of exemptions and at the same time, it's making substantial changes in the whole history of our ..of our statutory and common law, federal and state law pertaining to exemptions."

Watson: "Well, the Governor stated in his veto message that he

felt that if anyone had a lien or liens against the vehicle that they would not be able to claim it as an exemption and he felt they should have that right to claim it as an exemption, $1200 on a motor vehicle."

Johnson: "Regardless of whether there's a lien against it or not?"

Watson: "That's correct."

Johnson: "Do you agree with that, Representative Watson?"

Watson: "Yes, I concur with this..with the amendatory veto."

Johnson: "I mean, do you agree with that philosophy?"

Watson: "I concur with the Governor's amendatory veto and would push for adoption of Senate Bill 300.."

Johnson: "Well, if this were a court, I would ask the judge to instruct you to answer, but.."

Watson: "This is not a court."

Johnson: "You've always taken the position before, I assume, that the exemption schedule ought to be a narrow one and this seems to me to be...I know it's going to pass because you get all the bleeding hearts who are going to vote for more liberal exemption schedules anyway and the people who want to support the Governor. I'll probably be the only 'no' vote, but I think it's a bad idea and a bad precedent."

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

Watson: "Well, thank you, Mr. Speaker. As most of you know, during the last Session we passed legislation which took Illinois out of the federal exemption clause of the Bankruptcy Act and we went back to allowing the states to make decisions for themselves as to what they felt was best for the citizens of their state. We feel that this is an increase in exemptions for the betterment of the people of Illinois and I would appreciate a 'yes' vote. I move for the adoption of this Amendment."

Speaker Ryan: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 300 by adoption of the Amendment?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 159 voting 'aye', 4 voting 'no' and this Motion, having received the Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 300 by adoption of the Amendment. Representative Polk? On the Calendar under Amendatory Vetoes appears Senate Bill 376. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 376 by adoption of the following Amendment'. Representative Nelson."

Speaker Ryan: "Representative Nelson."

Nelson: "Thank you, Mr. Speaker, Members of the House. I move that the House accept the Governor's amendatory veto of Senate Bill 376. The Governor has deleted two provisions in the original Bill. The first is a duplication of House Bill 1503 which we passed and which he has signed into law. The second provision which he deleted may be costly for the state to pay for local improvements benefiting state property. What we are left with is the portion of the Bill that is left expands provisions of the Industrial Building Revenue Bond Act to allow issuance of revenue bonds for commercial projects as well as for industrial buildings. If there are any questions on this Bill I would like to yield my time to Representative Deuster. What is left of the Bill is really his Amendment. He was the Chief Sponsor of it. I move to accept the Governor's specific

recommendations for change."

Speaker Ryan: "Any discussion? Did you yield time to Representative Deuster?"

Nelson: "If there are questions."

Speaker Ryan: "He's on the phone. Maybe you'd better tell him. Ready? Representative Deuster? Proceed."

Deuster: "Mr. Speaker, the Governor amended everything off this Bill except an Amendment that I had put on which is very simple. It just expands the Industrial Bond provisions to include commercial projects as well as industrial buildings. I think it makes it a little more flexible and usable and that's all the Amendment does and I would also support Representative Nelson in asking that we conform and agree with the Governor's amendatory change."

Speaker Ryan: "The Gentleman from Cook, Representative Yourell."

Yourell: "Yes, would the Gentleman yield?"

Speaker Ryan: "Indicates he will."

Yourell: "Does this Bill as it is constituted presently change the interest rate?"

Deuster: "What it does, Representative Yourell, the interest rate is conformed with the other provisions of the Statute so that the interest rate provisions are really ..not really the major substance of the Amendment. It's just that the same time that we are expanding the definition to include commercial projects, we're also changing the interest rate so that it conforms with the other Statutes that this House and General Assembly have already adopted."

Yourell: "So, what it does in reality is take the lid off, the ceiling off the interest rates, right?"

Deuster: "No, it does not do that. It specifies that the bonds shall bear interest at a rate not to exceed the greater of 9% per annum or 70% of the prime commercial rate in effect at the time the Resolution authorizing their issue was

adopted. So it is tied in.."

Yourell: "What would be...What would be 70% of the prime rate presently?"

Deuster: "I don't know what the prime rate is right now. Maybe someone else does. Whatever it is, it would be 70% of it."

Yourell: "Nineteen and a half, did I hear someone say? Eighteen and a half. Seventy percent of that is about 13%."

Deuster: "Well, yes, the purpose is to be practical so they can market the bonds."

Yourell: "I just wanted to bring that point out. Thank you."

Deuster: "Yes, thank you. I'm sorry that I didn't mention it."

Speaker Ryan: "Any discussion? The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Mr. Speaker, Members of the House, I don't stand in opposition to accepting the amendatory veto. However, I did want to make one statement clear that part of the Bill which I amended in the House would provide that the state would pay its fair share of all special assessments on local improvement projects. I think the concept is right. As for the fifth time that that concept has been vetoed, this Governor as well as his predecessors have vetoed the concept. I shall return as they say and you'll be hearing more about that concept in the future. But, in the meantime, I accept the amendatory veto and I will support it."

Speaker Ryan: "The Gentleman from Cook, Representative O'Connell."

O'Connell: "Question of the Sponsor?"

Speaker Ryan: "Indicates she'll yield."

O'Connell: "Representative, does this amend the Industrial Revenue Code, the Industrial Revenue Building Act?"

Speaker Ryan: "Representative Nelson?"

O'Connell: "Representative, I'm specifically inquiring as to

whether the percentage changes with the industrial revenue bonds as it does for the Local Improvements Article of the Municipal Code. Presently it's..I believe it's 7% for industrial revenue bonds."

Nelson: "That's correct."

O'Connell: "Does it remain 7%?"

Nelson: "No. House Bill 1503 changed the rate from 7% for municipal bonds for special assessment districts from 7% to 9% or 70% of the prime commercial rate.

O'Connell: "I'm not referring to special assessments. I'm referring to the industrial revenue bonds."

Nelson: "And...This is a Bill that in my understanding affects that Section of the Statutes."

O'Connell: "Well, that's...I believe that's Chapter 74. That particular...The industrial revenue bonds are now at 9% and 70% of prime commercial rate."

Nelson: "If we accept the Governor's amendatory veto."

O'Connell: "When will that go into effect?"

Nelson: "It would go into...I'm not sure, John. It seems to me that it may have gone into effect September 25th when the Secretary of State filed it."

O'Connell: "I...It's important in the sense that December 31st, 1981 may be the last date at which industrial revenue bonds can be effectively sold. And, that there is presently a rush to get a number of IRB's, industrial revenue bonds, sold. And if...if we're changing our state Statutes now, I think we should know for sure as to whether the interest rates are going to increase as well."

Nelson: "I'm...There is no immediate effective date on this Bill."

O'Connell: "Okay."

Speaker Ryan: "Have you completed, Representative O'Connell?"

O'Connell: "Yes, Sir. Yes."

Speaker Ryan: "Is there any further discussion? The Lady from Cook, Representative Nelson, to close."

Nelson: "I move to accept the Governor's specific recommendations for change."

Speaker Ryan: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 376 by adoption of the Amendment?'. All in favor will signify by voting 'aye', all opposed by voting 'nay'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 158 voting 'aye', 2 voting none (sic, 'nay'), 1 voting 'present'. And this Motion, having received the Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 376 by adoption of the Amendment. The House will be in order. We have a special guest here this afternoon who will be introduced by Representative Polk."

Polk: "....We all had the opportunity to watch the Miss America Pageant and having been at the Miss Illinois Pageant this year and helped to participate, we were extremely please to see that from Illinois we had talent that gave us high hopes that we were going to do great as Illinois has done in the past. From the 1st Legislative District, being represented by Representative Birkinbine, Hallstrom and Katz, Miss Sandra Truitt was chosen as Miss Illinois for this year and then went on to Atlantic City and of course had us all on the edges of our chairs the evening when the final decision was reached and, with the highest honors that we've had in this state of course in a long time, was having Miss Truitt recognized as the First Runner Up. But she's still the #1 Miss Illinois in our state and let me introduce to you please Miss Sandra Truitt, Miss Illinois Northwestern. Sandra?"

Sandra Truitt: "Thank you. It's hot. That's what I understand. In the midst of all this business it's a pleasure for me to greet you as Miss Illinois. You know, we have similar jobs. I represent the state. I may not go on campaigns or kiss a lot of babies, but I do sign autographs and I do represent your state. So I ask you to support the pageant system. I don't know any other system where a young woman can in one week attain $21,000 in scholarships and that's important to me. I'm in my doctorate at Northwestern. Education career for women today, it's very important. And so, find the local pageant in your area and please support it. It is important. It is substantial and it does help young women today. Thank you for having me. It's a pleasure and if I can ever be of service to you, I am at your call. Thank you."

Polk: "Thank you, Sandra. On behalf of Senator Lemke, Senator (sic, Representative) Katz, Doug Kane and the Speaker, we thank you very much for allowing us the time."

Speaker Ryan: "The House will come back to order. On the Calendar under Amendatory Vetoes appears Senate Bill 37..appears Senate Bill 443. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 443 by adoption of the following Amendment'. Representative Topinka."

Speaker Ryan: "Representative Topinka on Motion #1 to Senate Bill 443."

Topinka: "Yes, Mr. Speaker? If I may I'd like to withdraw Motion #1 because I have been assured that the amendatory veto does not in fact bother the Bill as we have seen fit to write it. So I would ask that it be withdrawn and that the amendatory veto be accepted."

Speaker Ryan: "Is there any debate? Motion #1 is withdrawn. Are

there further Motions, Mr. Clerk?"

Clerk Leone: "Motion #2; 'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 443 by the adoption of the following Amendment'. Representative J.J. Wolf."

Speaker Ryan: "Representative Wolf, on a Motion...on Motion #2 to Senate Bill 443."

Wolf: "Thank you, Mr. Speaker, Members of the House. The Governor had vetoed the Section permitting the licensing of those who were licensed prior to the enactment of the Act. What is left intact, of course, we're still adding ethnic youth athletics and senior citizen organizations to the list of those eligible for bingo licenses and I would move that we accept, Mr. Speaker, Members of the House, the Governor's amendatory veto of Senate Bill 443."

Speaker Ryan: "Is there any discussion? The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 443 by adoption of the Amendment?'. All in favor will signify by saying 'aye'...by voting 'aye' and those opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 153 voting 'aye', 7 voting 'no' and 3 voting 'present'. And this Motion, having received a Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 443 by adoption of the Amendment. On the Calendar under Amendatory Vetoes appears Senate Bill 446. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the passage of Senate Bill 446, the Governor's specific recommendations for change notwithstanding'. Representative Dwight Friedrich."

Speaker Ryan: "The Gentleman from Marion, Representative Friedrich, on the Motion."

Friedrich: "Mr. Speaker and Members of the House, I think the Governor might have had some poor information given to him with regard to his action on this particular Bill. This Bill is a product of the work of the Legislative Audit Commission and has the whole order support of the Auditor General. Actually, it does not do the harmful things that the Governor suggested. It does not require additional certification. It simply replaces the present certification to more specific language. The other thing it does not do, it does not prevent inter-agency cooperation. In fact, it encourages it. It merely says that when one agency, a personnel or products, go over to another agency that the second agency take the responsibility for an appropriation process. This will make it possible if we override this veto for the appropriation process to be more accurate and to trace...and also on the audit trail. You will all remember a few years ago when Governor Walker had some people on the DOT payroll who actually were working in his office downtown. This will prevent that, because if they worked in his office, they would have to be on his payroll and charged to that appropriation. This veto was overridden in the Senate by a vote of 53 to 2 and I would certainly appreciate your favorable vote on this Motion."

Speaker Ryan: "Is there any discussion? The question is, 'Shall House Bill...Shall Senate Bill 443 pass, notwithstanding the Governor's specific recommendations for change?'. Alright, we'll do that again. I read the wrong Bill number. The question is, 'Shall House Bill...Senate Bill 446 pass, notwithstanding the Governor's specific recommendations for change?'. All in favor will signify by

voting 'aye', all opposed by voting 'nay'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 158 voting 'aye', 2 voting 'no', 1 voting 'present'. The Motion, having received a three-fifths Constitutional Majority, prevails and House Bill..er..Senate Bill 446 is declared passed, notwithstanding the Governor's specific recommendations for change. On the Calendar under Amendatory Vetoes appears Senate Bill 508. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 508 by adoption of the following Amendment'. Representative Bower."

Speaker Ryan: "Representative Bower."

Bower: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The intent of this Bill was to allow agencies to adopt by reference any federal or Trade Association rules unless the rule was not adopted by the Federal Administrative Procedures Act. The Governor's amendatory veto removes that restriction and would basically mean that any rule or regulation published in the Federal Register, that a state agency could adopt that by reference. I would move to accept the Governor's specific recommendation for change."

Speaker Ryan: "Is there any discussion? The Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Ryan: "Indicates he will."

Brummer: "Does that mean that the items adopted by reference from the Federal Register would not be printed in the Illinois Register?"

Bower: "I didn't hear your question."

Brummer: "Does that mean that the items adopted by reference from

the Federal Register would not be reprinted in the Illinois Register?"

Bower: "A reference..They would not necessarily be reprinted in their entirety, but a reference to them would be. The idea behind it is to cut down on the very costly printing because most of these are already a matter of public record anyway."

Brummer: "Well, I notice in the Governor's amendatory veto, he says that the Federal Register is widely publicized and I assume he, by inference, means widely distributed. You know, I don't know offhand where in Effingham I could find a Federal Register. Do you?"

Bower: "No, but I don't know where in Effingham you would necessarily find a copy of the Illinois Register."

Brummer: "Well, you can find it in my office or the Effingham library, two places."

Bower: "There are certainly places where the Federal Register is available."

Brummer: "Where?"

Bower: "Well, they are available in many public libraries..."

Brummer: "No, I'm referring specifically in the Effingham area."

Bower: "I am aware of more than one firm that currently subscribes to the Federal Register."

Brummer: "And who's that?"

Bower: "Good Life Chemical, for one."

Brummer: "Thank you."

Speaker Ryan: "Any further discussion? The Gentleman from Cook, Representative Levin."

Levin: "Would the Gentleman yield?"

Speaker Ryan: "Certainly, indicates he will."

Levin: "Okay. Now, my understanding of the effect of the Governor's amendatory veto is to incorporate standards of Trade Associations. How would that work? What is...You

know, you've got a standard that's adopted...that's in effect today. The Trade Association changes that standard next January. You know, what's the effect of the changes in the Trade Association standards with this amendatory veto?"

Bower: "The purpose of the Bill is very simple. Currently, many agencies such as a prime example, the Department of Financial Institutions, or the Illinois Environmental Protection Agency, may reprint thousands of pages verbatim of what is already a federal regulation, merely reprinting exactly what has been published. What this would allow is to refer back to that federal regulation without...so that it could be traced but without reprinting all of it in its entirety."

Levin: "I understand. I understand that. But, what does it do as far as Trade Association regulations that are incorporated by reference? Would those have to be printed verbatim or not?"

Bower: "By reference, as the Act says."

Levin: "But by reference in the Federal Register....exclusively what is printed in the Federal Register?"

Bower: "It would be to a specific document already in existence is what the reference that..would be."

Levin: "Alright. But, okay..."

Bower: "Mr. Speaker? I can't hear."

Speaker Ryan: "Could we have a little order in the chamber? The Gentleman can't hear the questions. Mr. Doorkeeper, clear the aisles, would you please? Clear the chamber out. The Members will be in their seats."

Levin: "Alright. Okay, let me give you a hypothetical. The Federal Register incorporates by reference the specific text of a Trade Association regulation. Okay. You then make reference to that. Okay. Subsequently, that Trade

Association standard is changed. As far as the State of Illinois, for the...what version of that Trade Association regulation is applicable? The one as printed in the Federal Register or the newer subsequent one?"

Bower: "It would be the one as printed until the later one would be adopted, if it was."

Levin: "You mean, by this Federal Register?..."

Bower: "...We..Yes..Yes."

Levin: "Okay.."

Bower: "It wouldn't change what's applicable. All it does is to cut down on printing."

Levin: "Okay. Thank you."

Speaker Ryan: "Is there any further discussion? The Gentleman from Morgan, Representative Reilly."

Reilly: "Well, just briefly, Mr. Speaker, to support the Motion of Representative Bower. What he said is absolutely correct. The problem that we have often is that in running the Joint Committee and the administrative process, a lot of times agencies end up having to file this voluminous big volume, many times multi-volumes of stuff that's already printed and that's already available, as available as it would be sitting on the shelf over in the Secretary of State's Office. All we're saying is that if it's available to the general public through these procedures, all they ought to have to do is refer to it. That makes it as open a book as it would be anyway to anyone who wants to know about the rules. It's simply a matter of saving time for the agencies. It still accomplishes the same public notice provisions that we want anyway and I would support the Motion and urge acceptance of the amendatory veto."

Speaker Ryan: "Is there further discussion? The Gentleman from Macon, Representative Dunn."

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

House. Just a couple of comments about this legislation. The purpose of the legislation is laudatory and meritorious. We do, from time to time, in this state adopt things which are proposed and regulated by the Federal Government. One example is our Statute which is on the books regarding transportation of hazardous materials. We have adopted the federal regulations and for us to copy those regulations and publish them in Illinois is a great expense, a large expensive item which we shouldn't have to be put to. However, the Governor has done damage to this legislation by proposing that even proposed regulations be adopted by reference. And this just opens Pandora's Box. There are hundreds, maybe thousands, of ..millions maybe, I don't know, proposed regulations that no one pays attention to unless they become soundly debated, unless they become discussed seriously and adopted. If we are able to adopt everything that is just put in the Federal Register, then the easy way for anyone who wants to slip something through to get an obscure but important thing past the Illinois General Assembly is simply to publish it in the Federal Register; tell everyone in Washington that this is not anything we're just...we're concerned about. We may debate it in a year or two, then come back home and adopt it by reference and have it become the regulation by which we have to be governed here in Illinois. It's very unfortunate, but we should refuse to accept the Governor's veto on this Bill and come back next spring and rework this back in the form it originally went to the Governor and lay it on his desk and make it become law."

Speaker Ryan: "The Gentleman from Cook, Representative Yourell."

Yourell: "Thank you, Mr. Speaker. Briefly, I agree with the previous speaker because what we're doing now is going back to the pre-Joint Committee days when we're talking about

proposed rules instead of adopted rules. I think that it doesn't do the service...doesn't do the public any service by letting us adopt by reference any proposed rule simply because they've been published in the Federal Register. That defeats the purpose by which the Joint Committee was really created. I can understand the original Bill that had the language adopted federal rules. That we know about. That ...the adoptive rules and 'regs' received a great deal of debate before they became a bonafide adopted rule. But here we go back now to the nebulous situation where we're going to have to accept by reference those rules which are proposed. That is pre-Joint Committee days and we want ...do not want to do damage to what we're already done with the Joint Committee. I think we should be voting in opposition to this Motion to accept the Governor's veto because of the deletion in the language of the original intent of the Bill which was to adopt, to accept adopted rules by reference rather than proposed rules."

Speaker Ryan: "Representative Bower to close."

Bower: "Thank you, Mr. Speaker. I beg to differ with the two immediate preceding speakers. Rules, whether they be published in the Illinois Register or whether they be published by reference to another document such as the Federal Register, would still have to go though the very same hearing procedure as any rule..any other rule does. This is merely a printing legislation. It does not go to the adoption of regulations. They would still have to go through the very same administrative hearing procedure in Illinois that the Joint Committee on Administrative Rules conducts. It merely would cut down on the printing and nothing else. I would urge the adoption of the Governor's specific recommendations for change."

Speaker Ryan: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 508 by adoption of the Amendment?'. All in favor will signify by voting 'aye', all opposed by voting 'nay'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 96 voting 'aye', 57 voting 'no' and 3 voting 'present'. This Motion, having received the Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 508 by adoption of the Amendment. On the Calendar under Amendatory Veto Motions appears Senate Bill 556. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 556 by adoption of the following Amendment'. Representative McMaster."

Speaker Ryan: "Representative McMaster."

McMaster: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move that the House concur with the Senate's acceptance of the Governor's amendatory veto of Senate Bill 556. This Bill would provide the county clerks and clerks of the County License Commission with an award of $3500 a year for the added duties that were put upon them by the Election Laws Consolidation. The Governor agrees with the intent of the Bill feeling that county clerks are deserving of such an award. However, he feels that the award should be paid for by the state and not a mandated cost upon counties. To accomplish this he adds clarifying language that the award be subject to state appropriation. This provision was not in the Bill when it originally passed. And due to the current fiscal condition of the state the Governor vetoed the $556,000 for this year that would have

provided that $3500 stipend. Therefore, the Bill does...He also changed the language that made the Bill effective July 1st, 1982. And nothing can be done as far as paying this stipend to the county clerks unless we, as the General Assembly, appropriate the $556,000 to pay the Bill. I move that we accept this Amendment."

Speaker Ryan: "Is there any discussion? The Gentleman from McLean, Representative Bradley."

Bradley: "Yes, Mr. Speaker. I'm wondering if the Gentleman might yield to a question?"

McMaster: "Yes."

Bradley: "What does the ...What's the effect of this with the Election Commission? The Chief Clerk of an Election Commission?"

McMaster: "Well, Jerry, if you're talking about a City License Commission, it has no effect. In a county where we have, for instance, I believe it's DuPage County that does have a countywide Election Commission and in the case of DuPage County, then the county clerk would not receive the stipend. I believe the clerk of that countywide Election Commission would."

Bradley: "In a county that has an Election Commission within the county and the county clerk takes care of the registration and conduction...and conducting of elections outside of the Election Commission, in that case are there two stipends?"

McMaster: "No, there is no provision for the clerks of the..."

Bradley: "Chief Clerk of Election..."

McMaster: "...Clerk of the Election Commission you're speaking of, Jerry. For instance, we have on the Election Commission in city of Galesburg, within Knox County. That Election Commission receives nothing under this legislation."

Bradley: "Okay, then if I understood what you also said that the

appropriation...the money has been struck. The effective date is not till July 1st of 1982, so really what are we doing with the Bill? I mean, we..."

McMaster: "Well, we are leaving the possibility open and again it will be our responsibility next year to provide the money to pay for that stipend. If we don't do it, then of course it's not in effect."

Bradley: "Does this come under the State's Mandates Act?"

McMaster: "In my opinion, yes."

Bradley: "So if it becomes law then we have to provide...we have to provide the funds to the local government, correct?"

McMaster: "Yes, we would, as a mandate."

Bradley: "As of effective date of July '82."

McMaster: "Right."

Bradley: "Alright. Thank you."

Speaker Ryan: "Any further discussion? The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Would the Sponsor yield for one question?"

McMaster: "Yes. One only, Fred."

Tuerk: "Assuming that the amendatory veto is accepted and it becomes law and the state fails to provide the appropriation, then does the county get stuck for the bill?"

McMaster: "No. That's part of the Governor's Amendment."

Tuerk: "Then the law's a nullity then I take it if the state doesn't provide for the appropriation."

McMaster: "That's right."

Tuerk: "Thank you."

Speaker Ryan: "Is there any further discussion? The Gentleman from DuPage, Representative Schneider."

Schneider: "Thank you. Tom, am I to read the word, 'award', to mean a salary? Or do I read that to mean that they dispense the money for the purposes of that function within

that office? Is that salary?"

McMaster: "It would not be regarded as salary. It would be..."

Schneider: "How is it...How is it dispensed? Does it go to the clerk and he puts it in his fund for office contingency kind of expense?"

McMaster: "I would assume it would go to him, personally, Glen."

Schneider: "Further on that, how does he declare it? Does he declare it then as income?"

McMaster: "I would assume he would."

Schneider: "Alright. So, you don't call it salary, but he declares it as income."

McMaster: "Yes."

Schneider: "Thank you."

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

McMaster: "I think that the questions have been sufficient. I don't believe any further explanation is necessary. I urge the acceptance of this amendatory veto with a 'yes' vote."

Speaker Ryan: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 556 by adoption of the Amendment?'. All in favor will signify by voting 'aye', all opposed by voting 'no'. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 156 voting 'yes', 10 voting 'no', and this Motion, having received the Constitutional Majority, prevails and the House accepts the Governor's specific recommendation for change regarding Senate Bill 556 by adoption of the Amendment. On the Calendar under Amendatory Veto Motions..Amendatory Veto Motions appears Senate Bill 606. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations

for change to Senate Bill 606 by adoption of the following Amendment'. Representative Davis."

Speaker Ryan: "Representative Davis."

Davis: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to accept the amendatory language of the Governor which is clarification language of the Statute that was passed in 60..er..that was in embodied in 606 that would clarify some Constitutional language that still resolves itself in Statutory language to avoid future litigation that does business with township and county collectors. It does not wound either of those particular offices in light of what's been going on in the state. But it does clarify language from the Constitution of 1970 that says that those offices cannot be fee or Commissioned offices. So I would move to accept it and would answer any questions."

Speaker Ryan: "Is there any discussion? The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 606 by adoption of the Amendment?'. All in favor will vote 'aye', all opposed will vote 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 166 voting 'aye' and none voting 'no'. And this Motion, having received the Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 606 by adoption of the Amendment. On the Calendar under the Order of Amendatory Veto Motions appears Senate Bill 612. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 612 by adoption of the following Amendment'. Representative McGrew."

Speaker Ryan: "Representative McGrew. Representative McGrew on the floor? Out of the record. On the Calendar under Amendatory Veto Motions appears Senate Bill 618. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 618 by adoption of the following Amendment'. Representative Leverenz."

Speaker Ryan: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move that we concur with the Senate in the acceptance of the Governor's amendatory veto. It clarifies language and to correct a technical difficulty or defect, rather, created in the Bill. Through the change aggravated indecent liberties with a child will be treated in the same manner as indecent liberties with a child with respect to the death penalty. They will both be dealt with in the same manner and it does create correct language and correct the technical defect in the Bill. I would move and solicit your 'aye' vote."

Speaker Ryan: "Is there any discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Gentleman yield?"

Speaker Ryan: "Indicates he will."

Cullerton: "What did the initial penalty do? What offense...How would you define the new offense of aggravated indecent liberties with a child?"

Leverenz: "It's class X."

Cullerton: "What is the offense though? What are the elements of the offense?"

Leverenz: "Class X and you can be sentenced to death."

Cullerton: "That's the penalty. What are the elements of the offense? What do you have to do to commit this new offense

of aggravated indecent liberties with a child?"

Leverenz: "The individual performs any of the following acts with a child under the age of 12: any act of sexual intercourse, any act of deviate sexual conduct, any act involving the penetration or intrusion however slight of any part of the person's body or other object into the genital or annal openings of a child's body."

Cullerton: "What's the difference between aggravated indecent liberties with a child and regular indecent liberties with a child?"

Leverenz: "Just the difference in...We put age limits in here. We reduced it to the age of 12."

Cullerton: "Alright. Now, the Governor by his amendatory veto then is extending the death penalty to apply to a new offense."

Leverenz: "No, we passed that. There was a technical defect however in the language as we passed it."

Cullerton: "Well, as we passed it, the death penalty would not have applied to this particular offense. Is that correct?"

Leverenz: "If the child was killed during the Commission of those acts, this would apply as we passed it."

Cullerton: "Well, why then is there a need for the amendatory veto if the death penalty did apply to the Bill as we passed it?"

Leverenz: "Because we screwed up the writing on the lines of the Bill and this merely clarifies the language as it should be passed."

Cullerton: "What was the nature of the defect?"

Leverenz: "I don't know."

Cullerton: "Okay. No further questions. Thank you."

Speaker Ryan: "Any further discussion? The Gentleman from Cook, Representative Preston."

Preston: "Would the Gentleman yield for a question?"

Speaker Ryan: "Indicates he will."

Preston: "Representative, I...There's a lot of noise on the floor and I just want to make sure I understand what this is doing. At the time the Bill passed and went to the Governor's desk, is it my understanding that this crime was a Class X felony that did not at that time carry with it the possibility of a death penalty?"

Leverenz: "I understood that it did when the child was killed, when murder was committed."

Preston: "No. But I'm talking about when murder was not committed. At the time that it went to the Governor's desk the death penalty was not included, is that correct?"

Leverenz: "I believe it was. You believe differently?"

Preston: "At the present time, if the ..is this act does not result in the death of the child, if the act is committed, yet not resulting in the death of the child, if we accept the Governor's amendatory veto, will the death penalty nonetheless apply?"

Leverenz: "We accept the recommendation of the Governor in his amendatory veto, it will, under aggravated indecent liberties with respect to a child, it will be treated the same way as indecent liberties with a child in connection with the death penalty."

Preston: "Well, okay, I'm still...I don't understand the answer. What I'm asking is..."

Leverenz: "Mr. Speaker?"

Preston: "...Where there is not a death resulting from this act nonetheless if we accept this amendatory veto can the death penalty apply to the convicted defendant?"

Leverenz: "Mr. Speaker, take it out of the record until we answer the trial lawyers questions."

Speaker Ryan: "Would you take, Mr. Clerk, Senate Bill 618 out of the record please? Representative Celeste Stiehl in the

Chair."

Speaker Stiehl: "On the Calendar on the Order of Amendatory Vetoes appears Senate Bill 633. Representative Ewing. Mr. Clerk, read the Bill (sic, Motion)."

Clerk Leone: "'I move that the House concur with the Senate in the passage of Senate Bill 633, the Governor's specific recommendations for change notwithstanding'. Representative Ewing."

Speaker Stiehl: "Mr. Ewing on the Motion."

Ewing: "Madame Speaker and Ladies and Gentlemen...Madame Speaker and Ladies and Gentlemen of the House, I've been informed that the Governor's Office has withdrawn its objection to this Bill and withdrawn their support of the amendatory veto and do not oppose the override of this piece of legislation. The part of this Bill that was amendatorily vetoed was a change which would have deleted the requirement for the submission of sales tax exemption certificates for the manufacturing machinery and equipment sales tax exemption to the Department of Revenue. I think we all know that this has been somewhat of a bureaucratic nightmare for our industry in getting the sales tax relief and now the objection to deleting it has been withdrawn and I would ask for a positive vote."

Speaker Stiehl: "Is there any discussion? There being none, the question is, 'Shall House Bill...Shall Senate Bill 633 pass, notwithstanding the Governor's specific recommendations for change?'. All in favor signify by voting 'aye', all opposed by voting 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? This Motion, having...Mr. Clerk, take the Roll. On this question there are 159 voting 'aye', 4 voting 'nay'. This Motion...and 1 voting 'present'. This Motion, having received the three-fifths Constitutional Majority, prevails

and House Bill 633..Senate Bill 633 is declared passed, notwithstanding the Governor's specific recommendations for change. On the Calendar under the Order of Amendatory Veto Motions appears Senate Bill 666. Mr. Clerk, read the Bill (sic, Motion)."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 666 by adoption of the following Amendment'. Representative Huskey."

Speaker Stiehl: "Representative Huskey on the Motion."

Huskey: "Madame Speaker and Ladies and Gentlemen of the House, I move to accept and concur to the Governor's specific change to the Senate Bill 666."

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

Schneider: "Thank you, Mr. Speaker (sic, Madame Speaker), Members...Does this take out the funding that we put in for drivers ed?"

Huskey: "The Governor...The Governor..yes, it does. But the Governor states that the provision is identical to the new formula included in Senate Bill 783 which was signed by the Governor on September 24th, 1981. It is now PA-82-0586."

Schneider: "So that means that the funding that we put in for driver ed is in another provision and is therefore just deleted from this one."

Huskey: "Just deleted from this Bill..."

Schneider: "Thanks a lot."

Huskey: "...Because it duplicated the Bill."

Schneider: "Alright. Thank you."

Huskey: "And that's the only change there was in the Bill. Otherwise the Bill stays in its entirety."

Speaker Stiehl: "Is there any further discussion? Representative Greiman."

Greiman: "Thank you, Mr. Speaker...Madame Speaker. I wonder if the Gentleman would yield for a question?"

Speaker Stiehl: "He indicates he will."

Greiman: "Well, there's a notion here..notation that the ICC is authorized to arrest violators? Do they have police?..."

Huskey: "Well, they have that now."

Greiman: "Does the ICC have police people, I mean, who can arrest?.."

Huskey: "Yes, this doesn't change that any. They have the police now. They have a force I think of 27 police."

Greiman: "I'm sorry. Could you speak up into the mic Mr. Huskey?"

Huskey: "I..on the mic, Sir. You aren't listening. They have a force. They've had a force of police as long as I can remember, Representative."

Greiman: "I see and now they're not able to arrest, but under this Bill they would be able to arrest?"

Huskey: "They are able to arrest. They have almost the same..."

Greiman: "Well, it says here that this Bill authorizes them to arrest for violators of motor carrier property law."

Huskey: "They have...They've had that authority for years, Sir..."

Greiman: "...Well, then..."

Huskey: "This doesn't change that provision."

Grieman: "The analysis is incorrect of the Bill, is that correct?"

Huskey: "The Bill is strictly a corrective measure that's agreed to by the ICC, the..."

Greiman: "..Well, I don't care if they agree to it. I'm asking if it authorizes the ICC to arrest violators of Chapter 18 Motor Carrier Property Law, as well as the State Police and the Secretary of State. Which one does it add and who does it add? Or does it add neither of them?"

Huskey: "Only...Only gives the Secretary of State a little more power. That's all."

Greiman: "Oh, it gives the Secretary of State more power."

Huskey: "Clarifies it, clarifies the Secretary of State's authority...."

Greiman: "Are they able now to make arrests? Is the Secretary of State able to make arrests? The Bill obviously extends the power to arrest to somebody. Now, you're telling me, yes, it extends it to somebody and no it doesn't? Now, what..who does it give the power of arrest?"

Huskey: "I've answered your question."

Greiman: "That's not to be taken lightly.."

Huskey: "Do you want to listen or do you want to talk? Which is it you want to do? I'll answer your question, but give me a chance.."

Greiman: "Well, Herb, I want to do both. Go ahead."

Huskey: "Okay. The Secretary of State has that authority. It expands the Secretary of State's authority a small amount. The ICC has had its police authority for years. The State Police has the authority. So, really it's not really a police Bill. It's clarifying... The main purpose of the Bill is to clarify the ICC hearings to get the gypsies off the highway mainly."

Greiman: "Well, I don't...On the Bill, I guess..."

Huskey: "But I think that..."

Greiman: "Giving somebody the right to arrest a little bit is like being a little bit pregnant. Either you've got the right or you ain't got the right. And there are training things and other things that just raise some concern for me. That's all."

Huskey: "They have that right now, Representative. And it's not giving anybody else any right that they don't have now. It's only a clarification of technical change in that

particular..specific problem that you raised the question. But that really isn't the purpose of the Bill. I move for its favorable adoption, Madame Speaker."

Speaker Stiehl: "Is there any further discussion? There being...The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 666 by adoption of the Amendment?'. All in favor signify by voting 'aye' and all opposed signify by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 157 voting 'yes', 1 voting 'no', 12 voting 'present'. This Motion, having received a Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 666 by the adoption of the Amendment. On the Order of Amendatory Veto Motions appears Senate Bill 853. Read the Bill, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 853 by adoption of the following Amendment'. Representative Woodyard."

Speaker Stiehl: "Representative Woodyard."

Woodyard: "Thank you, Madame Speaker, Members of the House. Before proceeding on the Motion, I would like to announce that my former colleague and the Representative from the 53rd District in Danville, Illinois is on the floor of the House over here, Chuck Campbell on the Democratic side. Chuck, say hi. Proceeding with the Motion, I would move to accept the Governor's specific recommendations in regard to Senate Bill 853. It does two very simple things. It very definitely clarifies that the Department of Agriculture will be the ones conducting the tests and inspections on gasohol and it also changes the definition of what the

alcohol content of gasohol is from 197 and one-half proof to no more than 1.25% water. And just makes the testing procedures much easier. I move for its acceptance."

Speaker Stiehl: "Is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 853 by adoption of the Amendment?'. All in favor signify by voting 'aye', all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 172 voting 'yes', zero voting 'no' and zero voting 'present'. This Motion, having received a Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 853 by adoption of the Amendment. On the Order of Amendatory Veto Motions appears Senate Bill 884. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 884 by adoption of the following Amendment'. Representative Virginia Frederick."

Speaker Stiehl: "Representative Frederick on the Motion."

Frederick: "Madame Speaker, Ladies and Gentlemen of the House, I move the House accept the Governor's amendatory veto on Senate Bill 884. The Bill would permit an interest rate of 9% per annum or 70% of the prime commercial rate whichever is the greater for the issuance of GO and revenue bonds for several port districts, namely the Tri-Cities, the Waukegan and the Jackson Union. The amended Bill did provide that the interest rate increase would extend to all port districts in Illinois. However, the Governor believes that the three exempt districts remain in the law and that the General Assembly at a future date examine legislation which

would exempt all districts."

Speaker Stiehl: "Is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 884 by adoption of the Amendment?'. All in favor vote 'aye' and all opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 170 voting 'yes', zero voting 'no' and zero voting 'present'. And this Motion, having received a Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 884 by adoption of the Amendment. On the Calendar on the Order of Veto Motions appears Senate Bill 891. Read the...Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 891 by adoption of the following Amendment'. Representatives Dunn and Beatty."

Speaker Stiehl: "Representative Beatty."

Beatty: "Well, Mr. Speaker (sic, Madame Speaker) and Members of the House, this Bill passed the House on the Consent Calendar so you haven't been exposed to it and the language of the Governor's veto intends to strengthen the basic intent of the Bill. And the basic intent of the Bill is to limit the...this applies to the downstate teacher's retirement system. It applies to the group insurance coverage that a retired teacher has. Apparently there are some teachers that could qualify in one of two different health insurance programs. One is the state employees and the other is one that's set up under the teachers retirement system of the State of Illinois. Well, these teachers have a right to elect. The basic intent of this

Bill and also the Amendment is to see that they elect one or the other, that they not be covered by both. And I would ask that we accept the Governor's amendatory veto."

Speaker Stiehl: "Is there any discussion? There being ...Oh, Representative Schneider. Excuse me."

Schneider: "Thank you, Mr. Speaker (sic, Madame Speaker). Does this include all teachers or only downstate?"

Beatty: "Downstate."

Schneider: "Thank you."

Speaker Stiehl: "Is there any further discussion? There...Do you care to close, Representative?"

Beatty: "I ask for a favorable vote to accept the Governor's veto."

Speaker Stiehl: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 891 by adoption of the Amendment?'. All in favor vote 'aye' and opposed 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 172 voting 'yes', 0 voting 'no', 0 voting 'present'. This Motion, having received a Constitutional Majority, prevails and the House accepts the Governor's specific recommendation for change regarding Senate Bill 891 by adoption of the Amendment. On the Calendar on the Order of Amendatory Veto Motions appears Senate Bill 902. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 902 by adoption of the following Amendment', Representative Robbins."

Speaker Stiehl: "Representative Robbins. Is Representative Robbins on the floor? Out of the record, Mr. Clerk. On the Calendar on Amendatory Veto Motions appears Senate Bill

904. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 904 by adoption of the following Amendment', Representative Miller."

Speaker Stiehl: "Representative Miller, on the Motion."

Miller: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. Senate Bill 904 was originally passed to relax somewhat the movement of cattle from brucellosis-free states into Illinois, the definition which was used was a Class A brucellosis-free state. At that time the definition meant there were no cases of brucellosis in such a state. Unfortunately, it's a United States Department of Agriculture definition though and that was changed to mean a low incidence of brucellosis rather than no incidence, and the Governor has eliminated this language so that we will be certain that there will be only those states shipping into Illinois who have no brucellosis cases as opposed to just a low incidence."

Speaker Stiehl: "Is there any discussion? Representative Cullerton."

Cullerton: "Will the Gentleman yield?"

Speaker Stiehl: "He indicates he will."

Cullerton: "The Calendar indicates that this amends an Act in relation to bovine brucellosis and bull leasing. Is that correct?"

Miller: "That's correct."

Cullerton: "Does the Governor's amendatory veto, in any way, change the law with respect to bull leasing?"

Miller: "I know this is a matter of concern in your district, Representative, and it does not."

Cullerton: "And my party, too, I might add."

Speaker Stiehl: "Is there any further discussion? Representative

Miller, to close."

Miller: "The change is a rather technical one, and I would simply move to accept the Governor's specific recommendations for change."

Speaker Stiehl: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 904 by adoption of the Amendment?'. All in favor vote 'aye', opposed 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Motion there are 170 voting 'yes', 0 voting 'no' and 0 voting 'present'. This Motion having received a Constitutional Majority...Oh, Laurino 'aye'. This Motion having received a Constitutional Majority prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 904. On the Calendar under Amendatory Veto Motions appears Senate Bill 992. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 992 by adoption of the following Amendment', Representative Miller."

Speaker Stiehl: "Representative Miller, on the Motion."

Miller: "Thank you, Madame Speaker, Members of the House. Senate Bill 992 is in conjunction with the other gasohol Bill which Representative Woodyard and I had, Senate Bill 853, which basically is meant to ensure that gasohol really does contain 10% alcohol. It also meant to make certain that the quality of alcohol was what it should be and created the definition based upon a certain amount of proof. The Governor has determined and the Department and the Sponsors of this legislation now agree that while the test for the gasohol, as defined in the Act, is proper, the test for alcohol is not proper. And, as Representative Woodyard

alluded on Senate Bill 853, we need to change this to a percent of water by weight rather than by proof, and that is the change that is made by the Governor. I'd be happy to have any questions."

Speaker Stiehl: "Is there any discussion? Representative Miller, would you care to close?"

Miller: "I move to accept the Governor's specific recommendations for change."

Speaker Stiehl: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 992 by adoption of the Amendment?'. All in favor vote 'aye', opposed 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Motion there are 169 voting 'yes', 0 voting 'no' and 0 voting 'present'. This Motion, having received a Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 992 by adoption of the Amendment. On the Calendar on the Order of Amendatory Veto Motions appears Senate Bill 902. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 902 by adoption of the following Amendment', Representative Robbins."

Speaker Stiehl: "Representative Robbins, on the Motion."

Robbins: "Due to the state's financial condition, the increase in funds was vetoed. So, therefore, the substantive legislation has been amended to fit this and I move that we accept the Governor's amendatory veto."

Speaker Stiehl: "Is there any discussion? Representative Mautino."

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

Speaker Stiehl: "He indicates he will."

Mautino: "Representative Robbins, my analysis tells me that the Governor vetoed the expenditures for the Land of Lincoln Poultry Gathering Show and the expenses incurred with the National Red Angus Show. Is that the essence of the message?"

Robbins: "I think this will leave it to where they can be funded later, but I believe that the amendatory veto on the Angus thing has been done and the others I don't believe have."

Mautino: "What is the purpose? I have two short questions, Mrs. Speaker. What is the purpose of the Agricultural Premium Fund? Is not the purpose for use by agricultural entities for the perpetuation of the industry in the State of Illinois?"

Robbins: "I agree with you wholeheartedly. This is the purpose of it."

Mautino: "And you were agreeable when we authorized the very small expenditures for these two important agricultural industries in the State of Illinois, were you not?"

Robbins: "Absolutely."

Mautino: "Then I would like to address the legislation, Madame Speaker."

Speaker Stiehl: "Proceed."

Mautino: "I find it very difficult to understand the Governor's amendatory veto on Senate Bill 902 mainly because the statutory requirement for the Agricultural Premium Fund happens to be for the continuation of research and development of the agricultural industry. I don't believe there's anyone on this floor that could deny that the Land of Lincoln Gathering Poultry Show and the Red Angus National Show is not a continuation of that particular provision within our statute. I also believe that it is very difficult to evaluate the Governor's position when he

authorizes the expenditures of a million dollars for a home here in Springfield and yet finds that he is amendatorily vetoing a provision in here that doesn't even cost 10,000 dollars. For that reason that I have just explained, I will be in opposition to accepting 902. I think the money should be embodied within the Bill and the substantive language should be maintained."

Speaker Stiehl: "Representative Hoxsey."

Hoxsey: "Yes, Madame Speaker, Ladies and Gentlemen of the House, I couldn't heartily agree more with the former speaker. I do not think we should accept this veto of the Governor's. I would recommend that we do not."

Speaker Stiehl: "Is there any further discussion? Representative Robbins, to close."

Robbins: "I'd just ask for a favorable Roll Call on this Bill."

Speaker Stiehl: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 902 by adoption of the Amendment?'. All in favor vote 'aye', all opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative Robbins."

Robbins: "I'd ask for a poll of the absentees."

Speaker Stiehl: "Representative Ebbesen. Ebbesen 'aye'. Mr. Clerk, poll the absentees."

Clerk Leone: "Alstat. Barkhausen. Catania. Darrow. DiPrima. Donovan. Farley. Getty. Giglio. Griffin..."

Speaker Stiehl: "Griffin 'aye'."

Clerk Leone: "Jackson. Keane. Leon..."

Speaker Stiehl: "Leon 'no'."

Clerk Leone: "Madigan. Ronan. No further."

Speaker Stiehl: "Representative Taylor (sic, Koehler). Koehler 'aye'. Koehler 'aye'. Representative Alexander 'no'.

Catania 'aye'. Rea 'no'. Representative Stuffle 'no'. Representative Garmisa 'no'. Representative Smith 'no'. Representative Neff 'aye'. Mr. Clerk, change Representative Hannig to 'no'. Representative Levin. Change Representative Levin to 'aye'. Representative Barkhausen 'aye'. Take the record, Mr. Clerk. Oh...On this Motion there are 89 voting 'aye', 77 voting 'no' and 1 voting 'present'. This Motion, having received a ...Representative Getty, for what purpose do you rise?"

Getty: "Mr.... Madame Speaker, and I failed to move to suspend the appropriate rule so that we may address you as 'Madame Speaker' and I would ask leave to do that now. On a matter of substance, however, I note that there's an immediate effective date as regards Senate Bill 902. As the Chair is apparently about to declare it passed with a Constitutional Majority, I would ask, since it did not receive a three-fifths Constitutional Majority and received apparently only 89 votes, when the effective date of this legislation would be."

Speaker Stiehl: "It is the opinion of the Chair that this Bill having received 89 votes will become effective July 1, 1982. This Motion having received a Constitutional Majority prevails and the House accepts...what?... Representative Getty, for what purpose do you rise?"

Getty: "Thank you, Madame Speaker, for the opinion."

Speaker Stiehl: "You're entirely welcome, Sir. The House accepts the Governor's specific recommendations for change regarding Senate Bill 902 by adoption of the Amendment. On the Calendar, on the Order of Amendatory Veto Motions, appears Senate Bill 1007. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 1007 by adoption of the following

Amendment', Representative Piel."

Speaker Stiehl: "Representative Piel, on the Motion."

Piel: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. The... I would move that we accept the Governor's recommendation on Senate Bill 1007. The two changes that the Governor made in his veto; the first one was a technical change necessitated by the passage of other legislation and the second change changed the immediate effective date from October 1st, '81 to January 1st, of '82. Those were the only two changes he put in and I would ask that we accept the Governor's amendatory veto."

Speaker Stiehl: "Is there any discussion? There being none, would you care to close, Representative?"

Piel: "Just ask for a favorable Roll Call."

Speaker Stiehl: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1007 by adoption of the Amendment?'. All in favor vote 'aye', opposed 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Motion there are 155 voting 'yes', 4 voting 'no' and none voting 'present'. This Motion, having received a Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 1007 by adoption of the Amendment. On the Calendar, on the Order of Amendatory Veto Motions, appears... appears Senate Bill 1038. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in acceptance of the Governor's specific recommendations for change to Senate Bill 1038 by adoption of the following Amendment', Representative John T. Dunn."

Speaker Stiehl: "Representative Dunn, on the Motion. Representative Dunn on the floor? Representative Terzich."

Terzich: "Yes, Mr. (sic, Madame) Speaker, Ladies and Gentlemen of the House, on ...Senate Bill 1038 amends the State Comptrollers Act to exempt from compliance the requirements calling for the filing of all state contracts with the Comptroller deferred compensation agreements entered between the state and its employees. At the present time, there is approximately 3600 employees participating in the deferred compensation. What the Bill does, it excludes them from filing with the Comptrollers Office since they do make application with the Department head and they have the records. This was approved by the House. What the Governor's statement did, it clarified that contracts paid for personal services equaling or exceeding 500 are exempt from filing requirements and these changes were made to conform with identical provisions in House Bill 1036, and I would move that we concur with the amendatory veto."

Speaker Stiehl: "Is there any discussion? Would you care to close, Representative Terzich?"

Terzich: "I'd just move that we concur."

Speaker Stiehl: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1038 by adoption of the Amendment?'. All in favor signify by voting 'aye', opposed 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Motion there are 164 voting 'yes', none voting 'no' and none voting 'present'. This Motion, having received a Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 1038 by adoption of the Amendment. On the Calendar, on the Order of Amendatory Veto Motions, appears Senate Bill 1042. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in

the acceptance of the Governor's specific recommendations for change to Senate Bill 1042 by adoption of the following Amendment', Representative Ewing."

Speaker Stiehl: "Representative Ewing, on the Motion. Representative Daniels in the Chair."

Speaker Daniels: "Representative Ewing? Senate Bill 1042? Representative Ewing."

Ewing: "Thank you. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Motion to accept the amendatory veto of the Governor in regard to Senate Bill 1042. Originally, when this legislation was passed, it created a new line of duty and award system for correctional officers. We thought there was a problem in the payment of some death benefits to some correctional officers. It turned out that it is a duplicative system. It's not needed, and we're in agreement with its deletion from the legislation, and I would ask for a positive vote."

Speaker Daniels: "Any discussion? Being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1042 by adoption of the Amendment?'. All in favor will vote 'aye', opposed will vote 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 167 'aye', none voting 'nay' and none voting 'present'. This Motion, having received a Constitutional Majority, prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 1042 by adoption of the Amendment. Senate Bill 1175. Read the Bill, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 1175 by adoption of the following

Amendment', Representative Leinenweber."

Speaker Daniels: "Representative Leinenweber, on the Motion."

Leinenweber: "Thank you, Mr. Speaker. Last, but not least, I make a Motion to accept the Governor's changes. Senate Bill 1175 is one of the better Bills of the Act of the last Session. It allows cities to withdraw from agreements to obtain or construct joint water works with other municipalities. The Bill had one limitation and that was if there were revenue bonds issued, they could not withdraw. The Governor wisely pointed out that, in some of these agreements, cities do enter into developmental cost agreements, and if there is a developmental cost agreement or... and/or revenue bonds issued, then the municipality ought not to be able to withdraw. So, the Governor is absolutely right. It's a good Amendment, and I urge its..us...our ratification."

Speaker Daniels: "Any discussion? Being none, the question is, 'Shall the House accept the Governor's specific recommendation for change with respect to Senate Bill 1175 by adoption of the Amendment? All in favor will vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 175 'aye', none voting 'nay' and none voting 'present'. This Motion having received the Constitutional Majority prevails and the House accepts the Governor's specific recommendation for change regarding Senate Bill 1175 by adoption of the Amendment. I'm going to go back on page five on the Calendar and pick up Senate Bill 612 and then 618. Senate Bill 612. Read the Bill, Mr. Clerk. Representative McGrew? Is Representative McGrew on the floor? Representative McGrew? Out of the record. Senate Bill 618. Read the Bill."

Clerk Leone: "'I move that the House concur with the Senate in

the acceptance of the Governor's specific recommendations for change to Senate Bill 618 by adoption of the following Amendment', Representative Leverenz."

Speaker Daniels: "Representative Leverenz on the floor? Representative Leverenz? Out of the record. Page three of the Calendar, Total Vetoes, first Motion, Senate Bill 12. Read the Bill, Mr. Clerk. Read the Motion."

Clerk Leone: "'I move that the House concur with the Senate in the passage of Senate Bill #12, the veto of the Governor notwithstanding', Representative Bower."

Speaker Daniels: "Representative Bower."

Bower: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 12 would grant a veterans preference to members of the Illinois National Guard. The National Guard considers this a very important recruiting bonus that they could have. As many of you know, the National Guard in Illinois has suffered greatly over the last several years in terms of its number of members. General Phips, the Adjutant General, is very much in favor of this. The Bill passed the House 135 to 12 in the spring. The Senate overrode the Governor's veto 49 to 3. The Bill costs the State of Illinois absolutely nothing and would be a great incentive to recruitment in the National Guard. I would move to override the Governor's veto."

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

DiPrima: "Yes, Mr. Speaker, I don't know how this Bill ever got by me. I can never forgive myself, but I've supported all the veterans legislation and also Bills helpful to the National Guard in order to help stimulate the membership. And I discussed this with Senator Keates and Representative Bower and just about half an hour ago I got a call from a very important man from the National Guard telling me to

sustain the Governor's veto. I'm asking you all to sustain the Governor's veto on this. Afterall, you go into service, you've got to be... you got to enlist or be drafted during the period of wartime in order to get veterans preference. Now, I know, the National Guard does a very important job, but they are all peacetime veterans. They're only working here in the States. They don't go overseas. Their life is never in jeopardy as it is for the man that goes and enlists or is drafted during wartime period. So, I would ask you all to vote 'no' on this Motion to override."

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

Collins: "Thank you, Mr. Speaker and Ladies and Gentlemen. I heartily agree with Representative DiPrima. The whole theory of veterans preference is not only intended as an award or reward for people who have served their country, but it's in some way to compensate for the time the people spent away from their professions or occupations while serving in the Armed Forces. And to extend veterans preference to people who merely join the National Guard and have not lost any time away from their jobs or business and have not served overseas or in this country in the Armed Forces I think makes a mockery of the whole system of veterans preference. I think that we should support the Governor is this veto and reject this Motion to override."

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

Bower: "Mr. Speaker, Ladies and Gentlemen of the House, as I indicated, this passed the House originally with Representative DiPrima's affirmative vote, 135 to 12. The Senate overrode the veto of the Governor 49 to 3. This would be a great incentive to recruitment for the National

Guard. I would urge the Governor's veto be overridden."

Speaker Daniels: "Question is, 'Shall Senate Bill 12 pass, the veto of the Governor notwithstanding?'. All in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 29 'aye', 124 'no' and 1 voting 'present' and the Motion fails. Senate Bill 147. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the passage of Senate Bill 147, the veto of the Governor notwithstanding', Representative Barkhausen."

Speaker Daniels: "Excuse me. Why are you yelling, Mr. Van Duyne?"

Van Duyne: "Because I wanted to get your attention, Mr. Speaker."

Speaker Daniels: "We're in the middle of a Motion. For what purpose do you rise?"

Van Duyne: "I thought you were going to say that this Bill had the required amount of votes and hereby was passed and all that and I wanted to change my vote."

Speaker Daniels: "Well, Sir, the Bill has already failed.... Motion failed. Representative Barkhausen, on the Motion."

Barkhausen: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this is a Motion to override the Governor's total veto of Senate Bill 147 which passed in this Body by a vote of 41 to 2 last spring and by a similarly overwhelming vote in the Senate, both last spring and on the override last week. Senate Bill 147 is similar to House Bill 514 that also passed here in the House last spring, sponsored by Representative Greiman. What it does, it attempts to get around the taxation as capital gain of property transferred from one spouse to another in connection with a divorce. As it stands now, the most common example that I could give

you is a situation where a couple owns a home. They end up getting a divorce. The house is transferred, deeded over from one spouse to another as part of the divorce settlement, and when that is done the appreciation on that house is treated by the person transferring the house as a capital gain and that person, the transferror, then has to pay capital gains income tax which we don't feel should be taxed. I conceive that this particular Bill would not necessarily have a binding effect on a tax court or a court ruling on this taxation question, which would be a federal court. However, there is precedent in Colorado for language such as this which was then interpreted by a federal court in such a way that it was considered that the couple had a common ownership in marital property once the divorce proceedings had begun and, therefore,...(cut off)."

Speaker Daniels: "Any discussion?..."

Barkhausen: "...and, therefore, this was not treated as capital gain. I urge this Body to take the same action that it did last spring, both on this Bill and the Greiman Bill. And Representative Greiman has also agreed to speak to the merits of the Bill."

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

Greiman; "Thank you, Mr. Speaker. I would join Representative Barkhausen in supporting this Bill. If we fail to pass this kind of Bill, we will find Illinois citizens paying more income tax, federal income tax than the citizens of other states who will be enacting similar legislation. At the time of a divorce, there are difficult moments for families and difficult settlements to be made, and what we do is, without this Bill, is we ring in Uncle Sam as a third party to the divorce settlement, a third party and a rather unnecessary party to that divorce settlement. I

think we will... if we can help people in Illinois with their federal tax burden, I think we should try and do it and this Bill goes a long way to trying to do that. I'm going to support it and ask you to join Represent... Gentleman from Lake in overriding the veto."

Speaker Daniels: "Further discussion? The Gentleman from Lake, Representative Barkhausen, to close."

Barkhausen: "Thank you, Mr. Speaker. I would simply ask for a vote to override this Bill. As Representative Greiman said, it is an attempt to get around unjust taxation on couples that are going through difficult times as it is during a divorce. There is no reason for this property to be treated as a capital gain and I would urge that we, in Illinois, take steps to avoid this unjust consequence. I urge your vote to override."

Speaker Daniels: "The Question is, 'Shall Senate Bill 147 pass, the veto of the Governor notwithstanding?'. 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, Mr. Clerk. On this question there are 131 'aye', 22 'nay', 4 voting 'present'. The Motion prevails and Senate Bill 147 is declared passed, the veto of the Governor notwithstanding. Senate Bill 181. Read the Motion."

Clerk Leone: "'I move that the House concur with the Senate in the passage of Senate Bill 181, the veto of the Governor notwithstanding', Representative McMaster."

Speaker Daniels: "Representative McMaster."

McMaster: "Thank you, Mr. Speaker. I do want to announce at this time that the various nursing home people, both proprietary nursing homes and public nursing homes, have been meeting every since last week with the Governor's Office in a negotiating session to reach an agreeable solution to the

problem as far as nursing home fees paid by the Department of Public Aid. As of Monday of this week, that agreement has been reached, and, in effect, what it does is lower the percentile from the 70th percentile for reimbursement to the 60th. This is by agreement of both groups of nursing homes and they also have the promise that the money that they are gaining by this agreement will not be taken away from them and some other payment by the State to the nursing homes. For that reason, the Motion to override is now unnecessary and I would like to withdraw it, Mr. Speaker."

Speaker Daniels: "Alright. The Gentleman has leave to withdraw the Motion. The Motion is withdrawn. Senate Bill 209. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the passage of Senate Bill 209, the veto of the Governor notwithstanding', Representative Piel."

Speaker Daniels: "Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 209 was inadvertently vetoed by the Governor. For those of you that have the total veto message, it's on top of page 2 and it says the Governor supports the override. The Governor was under the impression that House Bill 101 and Senate Bill 209 did not need to be signed because they felt that everything that was in that Bill was covered by House Bill 145 which he signed. He found out the two did not, you know, contain Articles in there that were in 101, House Bill 101, and he supports the measure. And the message here says the Governor supports the override. It was vetoed by mistake and this is very similar to House Bill 101 that passed over to the Senate two weeks ago which passed out of here I think 158 to 4, and I would ask for a favorable Roll Call on the override of Senate Bill 209."

Speaker Daniels: "Any discussion? Being none, the question is, 'Shall Senate Bill 209 pass, the veto of the Governor notwithstanding?'. 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 question there are 141 'aye', 15 'no' and 6 voting 'present'. This Motion prevails and Senate Bill 209 is hereby declared passed, the veto of the Governor notwithstanding. Senate Bill 355. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the passage of Senate Bill 355, the veto of the Governor notwithstanding', Representative Topinka."

Speaker Daniels: "Representative Topinka."

Topinka: "Mr. Speaker, I would like to propose that we do override the Governor's total veto of House Bill 355. When it first made its appearance here in the House, it was overwhelmingly carried. It was overwhelmingly carried in the Senate mainly because it is what affectionally has been known as the Equal Access to Justice Bill. This particular Bill allows for the small businessman, the individual, to challenge frivolous regulations by State Government and be compensated for fees that are incurred. When the small businessman is ripped out of his or her business and taken to court, it becomes much easier to settle out of court. It becomes much easier just to buckle under. This would allow them now to compete on a parity with the state and would allow us to kind of weed out some of these regulations which currently smother Illinois business and I would ask for a favorable Roll Call in overriding this veto."

Speaker Daniels: "Any discussion? Being none, the question is, 'Shall Senate Bill 355 pass, the veto of the Governor

notwithstanding?'. Representative Katz, the late light."

Katz: "Yes, Mr. Speaker, no one else rising on the Bill, I would like to rise in support of the Governor's veto and set forth some of the concerns that the Governor expressed. Now, the Governor pointed out that in many matters of litigation involving a state agency there may be many matters involved in it. In other words, the state agency, it might be the Fair Employment Practices Agency or what used to be known as the Human Rights Agency, it might be the Pollution Control Board, it might be any number of state agencies, and they may have 15 matters that involve a particular defendant, an employer or someone like that, as this Bill is drawn, if the state agency is sustained in 14 of the 15 allegations that they make yet lose one of the 15, the defendant is entitled to have his lawyers fees paid. Now, that's obviously a very inequitable and unfair situation because it is a rare lawsuit, and I know the lawyers on the floor will appreciate that, it is a rare lawsuit that doesn't have a complaint that is issued against a defendant in which the hearing officer or the administrative law judge does not strike out some part or fail to find some part of the complaint as being without merit. That doesn't mean that he doesn't substantially find against the defendant. It just means the defendant may win one of 20 points and yet the basic charges are proven. In addition to that, the Governor pointed out that it would have a very perverse effect on defendants. Now, you are before a state agency and you want to win, presumably, before the state agency. You want a fair crack at every point, but, in view of this particular piece of legislation, the hearing board of that agency, be it the Human Rights Board or the Pollution Control Board, will not want to give the defendant a break because, if the agency

board gives the defendant a break on a particular point, then the agency will end up having to pay lawyers fees for that party. And so rather than this being something that's going to give a small businessman a fair shake, it may, in fact, nail the coffin in him because it will make it so that the agency that's hearing it will not want to let him win on one or more of the points because if he wins on one or more points even though he loses on the other, the agency ends up having to pay lots of lawyers fees. And so, even though I am in favor of lawyers and I am in favor of lawyers being paid fees, I am also in favor of protecting the budget of the State of Illinois. I am also in favor of fair is fair and I don't believe that a defendant who wins on one of 20 points and loses on 19 points ought to be able to recover from the state all of his attorneys fees. That doesn't seem fair to me and so, even though the Governor is of the party of my colleague on the other side, I would say that the Governor is very correct in this veto. The concept is okay, but it needs redrafting and I believe that this would be a very fine Bill for the Sponsor to come back with next time with the points cleaned up that the Governor alluded to so well in the veto message. And I would urge that the Governor's veto be supported."

Speaker Daniels: "The Gentleman from Will, Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. In response to the last Gentleman whose opinion I usually find impeccable, I think he is either using a dated draft of Senate Bill 355 or he did not read it correctly. What occurred in the House when we changed Senate Bill... When it was originally introduced or when it came over from the Senate, Senate Bill 355 did, I believe, precisely what the Gentleman said it did and that is that anytime a person won a case before an

administrative agency, the administrative agency would have to pay attorneys fees. Now, however desirable this might appear on the surface, it was felt by many of us that this was far too costly an experiment to undertake. So a Subcommittee of the House Judiciary Committee was created and the Bill was redrafted. So what we did was provide that in those situations where a litigant does not go into Circuit Court and therefore does not come under the Civil Practice Act, and therefore would not be entitled to seek expenses in attorneys fees under Section 41 of the Civil Practice Act to provide like protection before the administrative agency. Now, if he's brought into court on 15 counts, he loses on 14 and wins on the 15th, this does not provide that the agency has to pay all of his attorneys fees and costs. What it does provide is that if the agency has made untrue allegations without reasonable cause that the expenses and costs in defending against those untrue allegations, not made under reasonable... with reasonable cause, he would be entitled to his fees and costs for that limited purpose. Now, if he's there for 15 different counts and a 16th count is unreasonable and untrue and he has to defend, expend money and he can show how much he spent on that sixteenth cause, then he would be entitled to that small portion of his attorneys fees, but he's not entitled to all of his fees based upon the very clear language of Senate Bill 355. This Bill, I think, does meet the demands of your constituents who, in many instances, have found themselves harassed by unreasonable and illegal rules and regulations. They've had to go to great expense to defend themselves against these regulations and then eventually way down the line a court will find the regulation was void. They spent all that money and all that time trying to defend themselves and they get nothing

back except a nice citation which says that you're not guilty. Now, I think in those very, very limited circumstances where you actually have administrative arrogance and deviation from their lawful authorities and where they make incorrect, unreasonable allegations in which your constituents have to spend big money defending themselves and in those limited situations they would to be entitled...they ought to be entitled to their expenses. So, I join with the Lady in moving to override the veto of 355."

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

Epton: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I know this will come as a great shock to you, but once again I must, for the record, indicate that I have a conflict of interest, not only in this Bill, but on each and every Bill that I vote on and have voted on for the past 14 years. Thank you."

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

Levin: "Would the Sponsor yield?"

Speaker Daniels: "Indicates she will."

Levin: "The way I read this and I just want to clarify for the record. This... I just want to clarify it for the record what my interpretation of this Bill...and tell me if I'm right or wrong. This does not apply to those situations where a public utility, for example, comes in for a rate increase or say a health care service corporation, Blue Cross, comes in for a rate increase. It would not apply to those types of situations. Is that correct?"

Speaker Daniels: "Representative Topinka."

Topinka: "No, I don't think that that's a contested case at that point. That would not apply."

Levin: "So, you're saying it would not apply to those cases."

Topinka: "That's correct."

Levin: "So, even if the agency, say the Illinois Commerce Commission, denied a rate increase to a utility, and they don't do that very much, but even if they did and subsequently the court reversed them, this would not provide that the Commerce Commission or the Department of Insurance or whoever it was would have to pay the utilities attorneys fees."

Topinka: "That is not a contested case in the way that it is being used in this particular capacity."

Levin: "Okay. Thank you."

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

Topinka: "I think we've all addressed ourselves to this issue and it's a very common abuse of practice here. I think we do have to give the small businessman something to go on and not just leave them with this not guilty verdict at the end of the line which much money expended, his business hurt and our business climate hurt in general. So, if you would vote for an override, I think small business in the State of Illinois would be most appreciative."

Speaker Daniels: "The question is, 'Shall Senate Bill 355 pass, the veto of the Governor notwithstanding?'. 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? Have all voted who wish? Take the record. There are 143 'aye', 21 'no' and 4 voting 'present'. The Motion prevails and Senate Bill 355 is declared passed, the veto of the Governor notwithstanding. Senate Bill 384. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the passage of Senate Bill 384, the veto of the Governor notwithstanding', Representative Bianco."

Speaker Daniels: "Representative Bianco."

Bianco: "Mr. Speaker, Ladies and Gentlemen of the House, I move to override the Governor's veto of Senate Bill 384. This Bill originally passed the Senate by a vote of 51 to 1, passed the House by a vote of 131 to nothing and more recently was overridden out of the Senate by a vote of 55 to nothing. That's a total of 237 votes to 1 in favor of this Bill. I think that speaks for itself, especially when you consider that the Department of Registration and Education supported this Bill by way of a letter from the Director. I ask for an 'aye' vote on this Bill."

Speaker Daniels: "Any discussion? The Gentleman from Bond, Representative Watson."

Watson: "Thank you, Mr. Speaker. Could I ask the Sponsor some questions?"

Speaker Daniels: "Representative Bianco indicates he'll yield."

Watson: "Can you tell me what's the purpose of this legislation?"

Bianco: "Senate Bill 384 authorizes the Director of the Department of Registration and Education to issue a temporary certificate of registration to podiatry students. That is, those that are aspiring to be doctors of podiatric medicine. Those are doctors that work on the area of the foot for the purposes of hospital residency training. It's patterned after the provisions of the Medical Practice Act and encourages hospital residencies for doctors of podiatric medicine."

Watson: "You mentioned in your remarks that the Department of Registration and Education was in support of this legislation. Do you have a letter there? What's the date of that letter?"

Bianco: "April 13th."

Watson: "Okay."

Bianco: "...'81."

Watson: "I have a letter dated July 15, 1981 from the Director of Department of Registration and Education. It's to Robert 'Shulandert', Director of Legislative Affairs, Governor's Office and in the letter he recommends a veto. He recommends the Governor to veto the legislation. Do you know why that this letter was sent, Representative?"

Bianco: "Not necessarily."

Watson: "The Department's position on this..."

Bianco: "I have an idea."

Watson: "The Department's position on this is in opposition. They support the Governor's veto because the Department now goes with the national standard examination that is given. Prior to this time, the state had their own examination. Now there is a national exam that is given and the Department then, of course, grades the exams and sends out the results to the recipients. There really...Who would need this certificate, this temporary certificate?"

Bianco: "Is that a question?"

Watson: "Who would need a temporary certificate?"

Bianco: "Students, podiatry students."

Watson: "This certificate is for students?"

Bianco: "Graduates, actually."

Watson: "Graduates, right. Okay. Actually, no one needs the temporary certificate and the reason is because they are going with this national exam and the national examination is administered in parts throughout the training programs so that the testing is completed actually before graduation."

Bianco: "Well then why did we go through all this trouble in the House and in the Senate all year long..."

Watson: "That's a good question..."

Bianco: "...and why did 237 people support this legislation? Obviously..."

Watson: "Originally..."

Bianco: "...something more than meets the eye here."

Watson: "... the Department originally..."

Bianco: "... and I think we should pass it."

Watson: "..supported the measure, as you mentioned, but they have changed their rules and policy and now go with the national exam. The last state examination was given in May. From now on it will be the national exam that they will be given and they will use those results in determining who will a recipient of the license. Do you have any idea what this temporary certificate will cost?"

Bianco: "No."

Watson: "Of course this is a problem when we're at a level now of economic conditions as they are in the state. There is no way to reiterate the Department for the costs involved and the legislation does not carry that mechanism. I would suggest that we support the Governor in his veto and vote 'no' on the measure."

Bianco: "Well, you know, we could always add a fee to it, if that's the problem. I'm sure that these graduates would be willing to pay some type of a fee so I don't think that that's an argument. The Illinois Podiatric Society, I have a letter in front of me here from them and they're supporting the override. So I guess who would know better about the profession than those themselves and they want this legislation and no doubt I have to agree that they deserve it."

Watson: "Well, the one point that I would finally like to make is that the Department supports the Governor in his veto and I would appreciate a 'no' vote."

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

Bianco: "Well, Ladies and Gentlemen of the House, I think there

is more than may meet the eye on this piece of legislation. I find it hard to believe that we would go all year long voting for a piece of legislation. As I said, 237 votes in support of it and 1 vote against it and now all of a sudden, out of the clear, blue sky came to dawn and its majestic splendor and we're going to kill it. I ask the... my fellow Representatives to take this into consideration and I would appreciate your support for the override of this Senate Bill 384. Thank you."

Speaker Daniels: "The question is, 'Shall Senate Bill 384 pass, the veto of the Governor notwithstanding?'. All those in favor signify by voting 'aye', opposed by voting 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 80 'aye' , 70 'no' and 5 voting 'present'. The Motion to override fails. Senate Bill 524. Read the Motion, Mr. Clerk. Representative Kelley. Jim Kelley. Out of the record. Senate Bill 819. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the passage of Senate Bill 819, the veto of the Governor notwithstanding', Representative Peters."

Speaker Daniels: "Representative Peters. Representative Peters on the floor? Out of the record. Senate Bill 1148. Read the Motion, Mr. Clerk. Hold it. Representative Peters, do you want to go with 819? Alright, Senate Bill 819. Read the Motion, Mr. Clerk."

Clerk Leone: "Senate Bill 819, 'I move that the House concur with the Senate in the passage of Senate Bill 819, the veto of the Governor notwithstanding', Representative Peters."

Speaker Daniels: "Representative Peters, on the Motion."

Peters: "Mr. Speaker and Ladies and Gentlemen of the House, I rise to offer the Motion to override the Governor's veto of

Senate Bill 819, a Bill which passed this House last June after very extensive and detailed deliberation of its contents and passed the Senate by a sizeable vote, was overridden by a sizeable vote and passed this House by 111 votes, as I said, after much discussion and thorough discussion of what we are attempting to accomplish by the enterprise zone concept and that is to stimulate the creation of jobs in Illinois, of bringing business opportunity to depressed areas in the State of Illinois through a partnership of local and State Government, but overall through the incentives given to private businesses and the incentives given to private individuals through the measures and tax rebate and abatement measures which we have in this Act. I know that many of you have received much information and this Bill has been given much media attention during the course of the summer. I am confident that you are well aware of the provisions of this particular Bill and I suggest, in all due respect to the Executive of the state who, based on the information he had, took the action he did, that in our estimation the Bill is workable. The Bill is manageable. The Bill does provide sufficient safeguards to local government, sufficient safeguards to State Government and sufficient safeguards by the Amendments which were insisted on by the Members of this House in regard to pollution control, health, safety, of workers and standards of that nature. I respectfully request the Members of the House to add their 'aye' votes in the Motion that I have presented before you. Thank you, Mr. Speaker."

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I stand in opposition to the Gentleman's Motion in

requesting a 'no' vote on the Gentleman's Motion to override the veto. I stood in opposition to the Bill originally and I'm not going to cite the deficiencies in length but I think those deficiencies still exist. Number one, the Bill does not have provisions which would protect entitlement funds coming to local economic development corporations within an enterprise zone. I think that's a tragic mistake. Many of us have grown to admire local initiative by economic development agencies and groups. Secondly, I stand in opposition to the Bill, as I indicated in the initial debate. The Sponsor continues to say the Bill is a stimulant. I beg to differ with the Gentleman. It's not a stimulant. As a matter of fact, the Bill is a depressant. It is a depressant because it does not enhance expansion. It does not enhance expansion to anywhere comparable to the direct loan programs that we presently have funtioned under in our state. I want to cite for the record, Mr. Speaker and Ladies and Gentlemen of the House, a U.S. Treasury Department study that was just released on what's called the Kemp-Garsia Enterprise Zone Bill. Remember that this is a U.S. Department Treasury study. It said a single urban enterprise zone could cost the U.S. Treasury 95 million dollars in lost tax revenue annually, and I think that we should keep in mind at a time when we've seen enormous budget cuts at the federal level, a shifting of emphasis to the state level with 25% reduction in revenue to the state that we should not stand in this Body at this time and provide a depressant, a further depressant to our economy, that we should not stand in this Body and support a measure that will cause our U.S. Treasurer a further loss in tax revenue. There are numerous agencies that depend upon the tax dollars that we would be giving away on this quick-fix depressant.

Unfortunately, the Sponsors of this measure have not seen fit to accept constructive Amendments and because of that I believe that the veto of Senate Bill 819 in its entirety was appropriate and I urge you to cast a 'no' vote in sustaining that veto in hopes that in future Sessions we can expand the concept of enterprise zone, develop, and make it workable. Thank you."

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

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I believe this issue has been debated for some time, but the purpose of the enterprise zone legislation..."

Speaker Daniels: "Excuse me. Excuse me, Sir. Can the Gentleman please have your attention? All those not entitled to the floor, please retire to the gallery. It's a very important piece of legislation. Can the Gentleman please have your attention? Proceed, Sir."

Lechowicz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Yes, this is a very important piece of legislation. We've talked about encouraging businesses coming into the State of Illinois. If any piece of legislation will accomplish that fact, this is one area that should be seriously considered. I've developed a very close association with a group of businesses located in my area called the Greater North Polaski Development Corporation. This group was formed in 1977 for the sheer purpose of providing and maintaining an equitable business base within the City of Chicago. I think, if legislation should be considered, it should be considered from the facet of: one, how can we help business maintain what we have?, two, how can we encourage business development to come into this state?, three, how can we encourage

businesses to compete on an international level? If any piece of legislation will do that, that is contained in Senate Bill 819. The purpose of the enterprise zone legislation is specifically to help economically depressed areas which are net users of public funds. Enterprise zones primary vehicles is a small business. Since small businesses is our largest provider of new jobs, enterprise zone contains incentives to induce small businesses to take the risk of doing business in a depressed area. There are certain provisions that are an absolute must. In the Governor's veto message, he said that this does not comply with President Reagan's request for an enterprise zone. That is an absolute falsehood. This is the model Bill that is being used nationally for enterprise zones. If any Bill deserves your serious consideration in an override, it is this one. I strongly encourage an 'aye' vote."

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

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, in response to the last talker and in response to the mover of this Motion, I want to say that I heartily disagree. I'm going to make a little confession here. I voted for this Bill when it was here before because I was taken in by a lot of us with this thing... enterprise zone being something like motherhood, you know, and apple pie and it's the way to move. But I'll tell you, you might say this is a model Bill, but I happen to be appointed to the Committee on Urban Development by Speaker Ryan and by President Rock of the National Conference of State Legislators and I went to Atlanta and I attended the meetings and one of the things we studied was this enterprise zone Bill. And this is a very dangerous situation unless it's really protected, and this Bill does

not have the protections. It does not have the protections for labor. It does not have the protections on minimum wage. It does not have the protections on zoning laws and all of this is is that great thing up there, that pie in the sky enterprise zones....let's pass this and this is going to settle all the problems. Well I think the Governor is right. If you read his message, the descriptions of the zones is vague. There are no guidelines in here and all we're trying to do is to make some kind of a publicity thing that we're going to solve problems. This is not going to help business. This is not going to help anyone, and I think we should sustain the Governor and vote against this Motion."

Speaker Daniels: "The Gentleman from Cook, Representative O'Connell."

O'Connell: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the Motion to override the Governor's veto of Senate Bill 819. I would simply like to restrict my remarks to a comparison with this Bill and an earlier Bill which, in fact, the Governor signed dealing with investment tax credit. At the time the investment tax credit was up for debate in the House, I spoke against the Bill despite my agreement with the principle involved and incentives to bring business into this state. My argument at that time was the investment tax credit was granting an incentive to those businesses that were not necessarily in need of an incentive, that it was misdirected while legitimate in purpose. I would suggest that Senate Bill 819 does precisely what should be done in an investment oriented piece of legislation. It is directed at those businesses that are in need most. It is directed at those areas that are in need of economic rehabilitation the most. Despite certain differences which I and perhaps other

Members of this House may have with certain issues in the Bill, the need for attracting business to this state, the need for keeping business in this state is so significant that I think we should support this Motion to override the Governor's veto."

Speaker Daniels: "The Gentleman from Madison, Representative Everett Steele."

Steele: "Thank you, Mr. Speaker. I rise in support of this Motion because House Bill 819 would stimulate the rehabilitation of depressed areas in our cities. As most of us realize here in the House, our cities do need help and many of the downtown areas in our cities particularly need help. The very core centers and the heart of many of our cities are dying and decaying and this Bill would pump new life into these decaying and depressed areas. I think it is vitally needed. I think it's a good Bill. I think that we should vote in support of this measure to override the Governor's veto, to give the depressed areas, the areas of our city needing rehabilitation, some help. Our cities need help, our downtown areas need help and I think here is the way we can do it, voting 'yes' on this Motion."

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

McBroom: "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 and Representative Peters, to close."

Peters: "Mr. Speaker and Ladies and Gentlemen of the House, my thanks for all those who rose to comment in a very positive manner on this Bill, and let me just close by saying that the concept of the enterprise zone represents our effort, our effort here in this House, in this Legislature, in this

state to stimulate private sector investment in the revitalization of depressed areas of our state. This Act is not designed to provide the ultimate response to economic blight, but it is designed to provide the tools for local government and the residence of an area designed as a zone to revitalize that area, as very ably pointed out in the remarks made by Representative Lechowicz. When you consider that 60% of the new jobs created in our state will be created by small businesses and that in order for the small business to succeed, there must exist a supportive community, it would logically follow that the local government can revitalize a depressed area, the development of business enterprises and the creation of jobs will follow. Those individuals who look to the Enterprise Zone Act as the panacea for creating jobs, they will be disappointed for it provides, nor have we ever said that it provides, any short-term miracles. It demands a partnership upon by local government, by state and by those citizens who recognize that the only long-term solution for our system, for new jobs is to provide an environment in which the problem can be solved. This Act, in my humble estimation, provides that kind of environment. It brings together people in communities who need help, small entreprenuers who are looking for assistance and it allows, again, that partnership between local governments and the state to take off of the backs of small businesses who are willing to relocate and revitalize and provide new jobs, those rules and regulations, which, in many cases, have grown on our systems like barnacles, one time there to protect but in fact now hindering the expansion of business. I earnestly solicit your support of the Motion I have put to the House and I thank the Ladies and Gentlemen of this House on both sides of the aisle for their

consideration of this Motion and for their vote. Thank you, Mr. Speaker."

Speaker Daniels: "The question is, 'Shall Senate Bill 819 pass, the veto of the Governor notwithstanding?'. All in favor will signify by voting 'aye', all opposed by voting 'no' and the voting's open. TV light is off during explanation of vote. For his explanation of vote, the Gentleman from Cook, Representative Kosinski."

Kosinski: "Mr. Speaker, Ladies and Gentlemen of the House, obviously you know my roots in small business and my concern therein. It's on that basis and those who have similar regard for small business that I vote 'aye' and ask my fellow Members to similarly participate. Thank you."

Speaker Daniels: "Further discussion? The Gentleman from Sangamon, Representative Kane, to explain his vote. Timer's on."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, if a business is going to move into an area, the thing that it looks at or the things that that business looks at is the quality of education in that area, the quality of police protection, fire protection, whether or not the area has parks or a good sanitary system and a good mass transportation system and those kinds of things. If those things aren't available, that business isn't going to move in regardless of what kind of tax breaks that business is offered. And I say that what this Bill does is remove the tax base that funds the activities that attract business in there to begin with, and I think that you're not going to get anything done with this kind of an approach and I would urge a 'no' vote."

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

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

the House. I would like to suggest to you that if this were a Bill that had burst upon Illinois without precedence, I might have some question about its validity and what it could do for Illinois, but six other states in the United States have passed this Bill at a time of high inflation and recession and they have benefited greatly in small business areas by this legislation. It is imperative for Illinois to gain back some of the lost business and I can think of no better Bill or no more ingenious idea than this particular concept of reattracting business, small business particularly, into Illinois. So, I urge your support and your 'yes' vote.'

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

Bowman: "Ladies and Gentlemen, I've been down here long enough to recognize snake oil when I see it and that's exactly what this legislation is. It's economic snake oil. Don't buy it."

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

Ropp: "Yes, thank you very much, Mr. Speaker and Members of the House. I think, for those of us who are concerned about trying to improve the business climate of Illinois and continue to say, 'Well we have to wait till the Bill is perfect before we'll accept it', I think that might be a little bit short sighted. I think this is an attempt, it's a beginning, it's that opportunity that will provide for some businesses, small businesses in particularly, to get started in some areas where they need employment. And I say this is a start and this is a Bill that ought to be supported, and I urge a green vote."

Speaker Daniels: "The Lady from Cook, Representative Stewart, to

explain her vote. Timer's on."

Stewart: "Thank you, Mr. Speaker. I'm gratified to see... I rise in opposition to this Motion. I am gratified to see that it appears that most Members of the House have the good judgement to do so also. I think that those of us who acted and spoken as proponents of this Bill have done so claiming that they have only the interest of the inner-city at heart, but the inner-city is also composed of more than broken buildings. It's also composed of broken people and I think we have to take a wholistic approach to the problems in our inner-cities and certainly this kind of a sham program that proclaims to build up small business but actually does not substantiate that in the Bill itself, I think deserves to be roundly defeated. Thank you."

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

Robbins: "One of the state's ranking Democrat Congressman, Mel Price, in The Globe Democrat this last week made the statement that Illinois didn't care about business, that we weren't receiving the amount of money that we should get from defense contracts because of our poor laws and our taxing situation upon them. And it looks to me like that if a man of this stature would realize this and publish this then it's time that we realize it and try to do something to help provide for industry in Illinois and to help provide jobs for many of the poor. And when I look at some of the people that are not voting in favor of this Bill, they say they are interested in jobs for their people. They want to work for them. I think they should consider either getting on this Bill or changing their vote."

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

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think it would be interesting to see an entire Ward in Chicago designated as an enterprise zone. Before long businesses on the fringes of that Ward would either move in or have two Wards designated as an enterprise zone and then we would have three Wards and four Wards and finally we would have the City of Chicago and then the County of Cook designated entirely as an enterprise zone. The same would happen in Peoria and it would drift over into Tazwell County. It would happen in East St. Louis and drift up to Madison County so that eventually the entire State of Illinois could be an enterprise zone. We could do away with taxes. We could do away with all state revenues and then we could give business what they indeed want and deserve. It's a terrible Bill, a terrible concept and I hope that you will vote 'no' to sustain the Governor."

Speaker Daniels: "Further discussion? The Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker, I'm not going to bother the House at length on this. I would just say that Representative McPike has offered the best defense of this Bill. Perhaps we can eventually get the whole state declared an enterprise zone and finally get some jobs in this state. I would urge an 'aye' vote."

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

Dunn: "Mr. Speaker, Ladies and Gentlemen of the House, I think history will show that we do not create something better by reducing standards for such basic things as building codes, zoning ordinances and things of that nature. And I think we would create an even greater blight than we have now in depressed areas. I don't think we'd be helping anyone. I'd urge a red vote up there."

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

Peters: "Mr. Speaker, I think whatever had to has been said on this piece of legislation...has been said. I would like, however, Mr. Speaker, for every Member to have the opportunity to be registered on this. So whenever the Chair is ready to take the vote, I'd ask that there be a Poll of the Absentees, should it not receive 107 votes."

Speaker Daniels: "Have all voted who wish? Representative Polk, is your light on, Sir? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 92 'aye', 74 'no' and 1 voting 'present'. The Gentleman from Cook, Representative Peters, requests a Poll of the Absentees. Will all Members please be in their seats?"

Clerk O'Brien: "Poll of the Absentees: Ackerman. Bartulis. Breslin. John Dunn."

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

Dunn: "Vote me 'no', Mr. Speaker."

Speaker Daniels: "Record the Gentleman from Macon, Representative John Dunn, as 'no'. Change Representative Telcser from 'no' to 'aye'. Representative Conti from 'no' to 'aye'. Representative Olson from 'no' to 'aye'."

Olson: "Mr. Speaker, 'aye'."

Speaker Daniels: "Further changes? Proceed, Mr. Clerk."

Clerk O'Brien: "Continuing with the Poll of the Absentees: Jackson. Kornowicz. McCormick. McGrew. Redmond. Topinka. No further."

Speaker Daniels: "That completes the Poll of the Absentees. Any further changes? Okay. The count is 95 'aye', 72 'no', 1

voting 'present'. The Motion to override fails. Senate Bill 1148. Read the Motion, Mr. Clerk."

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

Speaker Daniels: "Excuse me, one second. Representative Polk, for what purpose do you rise, Sir?"

Polk: "For the purpose of an introduction. Thank you, Mr. Speaker. On behalf of Speaker Ryan who just met with a group of students who are involved with the Operation Snowball from Sangamon County and Menard County and a group of residents from Gateway House of Springfield. They're accompanied by Paul Carlson who is the Director of the Operation Snowball from Sangamon and Menard and Paula 'Gamavopy', one of the Directors of the Gateway House. They're sitting up on the left and would you give them a welcome from the House, please? Thank you."

Speaker Daniels: "Representative Conti."

Conti: "It might interest them to know that there's an Agreed Resolution in their behalf here that will be read later on. It would be placed in the permanent records and they will get a suitable copy of it after they leave."

Speaker Daniels: "Thank you, Sir. Senate Bill 1148. Mr. Clerk, read the Motion."

Clerk O'Brien: "Motion: 'I move that the House concur with the Senate in the passage of Senate Bill 1148, the veto of the Governor notwithstanding', Representative Hallstrom."

Speaker Daniels: "Representative Hallstrom, Senate Bill 1148."

Hallstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'm back again for the third time for the licensing for the orthotists and the prosthetists. For those of you who may have forgotten what these people do. It's a very important service to handicapped people. The orthotists make the braces that handicapped people wear and they prosthetists make the artificial limbs. I hope that

you have read the Governor's veto message and I hope that you will help me to override it because he along with the Sunset Commission says that he is sympathetic to what is in the Bill. I hope also that you will realize that, if there are some technical difficulties in this Bill, and I understand that there may be, but there will never will be a perfect Bill that satisfies everyone and this issue of licensing orthotists and prosthetists and I am very ready and able and have talked to R and E. I have talked to everybody who has any concern about the technical problems and will be most happy to work with them. Many of you are specialists in this General Assembly. Many of you are lawyers. Many of you are pharmacists. Many of you are other professional people. I am none of those kinds of professional people, but one thing I am; I am handicapped and if there's one person in this General Assembly who understands the real need for this piece of legislation, I respectfully suggest to you that I do. I please ask for your support again. It was overridden in the Senate by 42 to 11. It passed overwhelmingly here in the House and, again, I would ask for your support to override the Governor's veto on Senate Bill 1148. Thank you."

Speaker Daniels: "Any discussion? Gentleman from Cook, Assistant Majority Leader, Representative Conti."

Conti: "Will she yield for a question?"

Speaker Daniels: "Excuse me, Sir. She indicates she will, Representative Conti."

Conti: "Representative, has anybody reached you from the Department that they would rewrite the proposal and the format similar to the other Act that the Department administers?"

Hallstrom: "Thank you for asking, Representative Conti. Yes, they have. I have been working with the Legislative Liason

person from R and E and I understand what some of their concerns are and I should add to this I have no interest in the Association for Orthotists or Prosthetists. And I realize that there may be some things in this Bill that need to be changed and your answer is yes. Thank you."

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

Katz: "Mr. Speaker and Ladies and Gentlemen of the House, there is no greater woman in the State of Illinois than my distinguished colleague from the 1st District, the Sponsor of this Bill. And certainly, I do understand her concern as she indicates as one who has some physical handicap with regard to the problem. I can assure the distinguished woman that if I felt and I'm sure if the Governor felt that by signing this Bill it would be helpful to the people who are handicapped that in fact he would have signed the Bill. Now, I want to point out to you that a former Member of this House, Representative William Barr, is a good deal more handicapped than the distinguished woman is from the 1st District. And I remember when Representative Barr was here lobbying for, not against, but lobbying for the passage of legislation that would license orthotists and yet I note that now he has changed the position. I note from a letter that he has distributed that whereas he formerly supported this Bill that upon reconsideration he agrees with the Governor. He believes that this Bill would be a positive detriment to solving the problem of people like himself who has the loss of an ankle that he has. Now, there are a lot of things wrong with the Bill. The Governor has pointed them out. Mr. Conti asked the distinguished woman from the 1st District whether the Department had agreed to... had offered any changes. She said, 'Yes' and she was willing to listen to them, but if you override the Governor's veto there's nothing more to

listen to. The Bill becomes law at that point. The ball game is over. It doesn't make any sense at all. In the first place, let me point out a few things that the Governor pointed out in his veto message. In the entire United States, there are lots of people who are crippled. In no other state in the United States do they license orthotists. This is the first and only state that does it even though the problem exists in every state. Second of all, this particular licensing Bill as the woman seemed to acknowledge in her colloquy with Mr. Conti, this licensing Bill would give to the orthotists powers that no other license group in Illinois now has. It would give them powers that the physicians don't have, that the architects don't have, that all the other licensed groups in Chicago don't have. Now, it doesn't make any sense at all. I noticed, incidentally, that the Illinois Pharmacists Association that has been quoted as being in favor of the Bill has come out against the Bill. They support the Governor's veto. Like Representative Barr, the Illinois Pharmacists Association opposes this Bill. Representative Barr made the point that to say that a fellow is licensed doesn't mean that he's qualified. The fact of the matter is that this Bill does not set forth any qualifications that an orthotist would have to comply with. All he would have to do would be a person ... to be a person of good moral character, that's everybody, and then he would have to meet the qualifications that are set forth by a board that's established. Not set forth by this Legislature, but set forth by a board that's established so that we will have done nothing about setting up the qualifications that are to protect handicapped people. Well, it seems to me, Ladies and Gentlemen of the House, that when the Governor, the Sunset Commission, the Illinois Pharmacists

Association, Representative Barr who lost part of a leg, when all of those people come to us and say, 'This Bill should not become law, it is a mistake, it ought to be worked on more, the veto should not be overridden', we ought to listen to the Governor, listen to the Illinois Pharmacists Association, listen to Representative Barr and listen to the Select Committee on regulatory reform and we ought to sustain the Governor's veto."

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

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to ask Members to sustain the veto of the Governor. The Governor would choose the Members of this board from a list supplied by the Association of the Regulated Profession. It's like putting the fox in with the chickens. The Bill provides that the Department of Registration and Education reimburse the board for reasonable expenses incurred in administering the Act. This Act would create another bureaucracy. The State Department of Registration and Education is the proper agency to regulate this profession. The board is given all the administrative powers normally given to the Director of Registration and Education under this Act, which would include establishing fees, making the rules, purchasing, maintaining and renting equipment and facilities and written... and writing and administering the examination necessary to be licensed. We'd just be creating another bureaucracy and I think that the State Department of Registration and Education is fully capable of regulating this profession and we don't need another bureaucracy to help them along. I urge you to sustain the Governor's veto."

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

Conti: "The purpose of my name was mentioned several times in debate and I just want to express with the indulgence of the House of the good faith the Department did show. They didn't wait till the last minute to offer any Amendments in the Spring Session. Unfortunately, Representative Hallstrom lost a... through experience of losing another Bill of importance to her because of deadline dates and I don't blame Representative Hallstrom in not getting caught in the switches again and that's the reason why she didn't work. But just in defense of the Department. They didn't wait for the last minute. They tried to amend the Bill towards the end of the Session, but Representative Hallstrom did lose a Bill on a deadline date and I don't blame her one bit for not holding it back or calling it back. But that's my only purpose for getting up and explaining in defense of the Department, that they had tried to work with her while the Bill was on Second Reading."

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

Garmisa: "Thank you, Mr. Speaker. An old and highly respected colleague of ours, William G. Barr, that Harold Katz made reference to in his talk, wrote me on October 23rd of this year in regards to Senate Bill 1148. And, Mr. Speaker, here is some of the exerts from his letter. 'Senate Bill 1148 is an Act concerning the regulation for orthotic and prosthetic practice and orthotics is a profession concerned with the making of braces and prosthetics is a profession concerned with the making of artificial limbs. Senate Bill 1148 was vetoed by Governor Thompson on August 19 of this year. In the Governor's message, he pointed out that there was no similar regulation in any other state and that the Select Joint Committee on Regulatory Agency Reform has reviewed this Bill and a nearly identical proposal during

the 81st General Assembly and, in both instances, a negative recommendation was reported. Included in the veto was the Governor's statement that he was sympathetic to the objective of the Bill but it is ultimately the physician who is responsible for the care of a person who would use this service. The physicians are already licensed by and responsible to the state.' In addition, he pointed out that the Bill is flawed with extensive technical problems which would require a total rewrite to correct and believes that this process is best pursued through the Committee system of the General Assembly. Lastly, the Governor pointed out in his veto message that the provisions of Senate Bill 1148 regarding the powers and the duties of the board are unprecedented in view of currently licensure Acts regulating various other professions and occupations. He stated that no other such board has the autonomous authority to establish rules... fees by rule, prepare and conduct exams, purchase and rent equipment and facilities and issue licenses. Among other responsibilities independent of the agency Director. As an amputee who requires prosthetic services and let me say as an aside here, Ladies and Gentlemen, that I've gone all over the country with Bill looking for a proper prosthetists and it's almost impossible to find one under the present circumstances. As a former Member of the Illinois General Assembly I urge you to persuade the House of Representatives to sustain the veto of the Governor in view of his objections as well as other objections listed below. I am confident that if Senate Bill 1148 were enacted, the board would automatically issue licenses to those individuals who have become certified orthotists and prosthetists. The existing education requirements, both practical and academic, are woefully inadequate. Mr.

Gunther Gail, who is the Director of Prosthetic Education at the Northwestern University Medical School made the following public statement. 'There is no other paramedical profession where one can sit for certification with only nine weeks of special schooling' and Mr. Gail further commented on the practical experience component that the certification requirement by saying, 'It's sounds good on paper to have one, two or four years of experience, but what does it really mean? There are no uniform rules on what the candidate has to accomplish within that time period. What we create is a clinician who can tell you what is wrong but does not know how to correct the fitting problem. The end result is the generally poor level of patient care throughout the prosthetic profession. I urge each and everyone of you to sustain the Governor in his veto of Senate Bill 1148."

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

Sandquist: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I think it should be put in the record and I will do so on behalf of the Sunset Commission that we did have substantial hearings on this Bill both last year and this year and we clearly found that it was not in the public interest to regulate and license this profession and therefore I would join with Representative Katz, McAuliffe and Garmisa in urging a 'no' vote."

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

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

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

Hallstrom: "Thank you, Mr. Speaker. I'm not sure that I have

everything in my head as far as all the questions that have been put by Members on both sides of the aisle but I do know immediately that the Gentleman who just spoke, my representative colleague on this of the aisle, said the Sunset Commission did not feel that this profession should be licensed and yet I will read to you where it says, 'Although the unregulated practice of orthotics and prosthetics appears to result in some degree of harm to certain Illinois residents and although a program to regulate orthotists and prosthetists may well be needed the proposed program'.. and then he goes on to say the specifics I mentioned in the beginning. May I please say what I started out to say? I guess I didn't put it across very well. I know that there are some deficiencies in this particular Bill. I already said that I have talked with R and E. That these things can be amended after the Bill is passed. My concern is, there has only been two licensing Bills. We've brought this Bill before the House, now this is the third time and it's been passed out of this House twice. My concern is that there will be no chance for a licensing Bill next Session and it is so important that this profession be licensed that I'm telling you that I will sit down immediately and make sure that any concerns that R and E has, any concerns that Representative Garmisa has or Representative Katz. Believe me, I have spoken with Representative Barr and I'm not in any contest just to see who's the most handicapped by any sense. All I'm trying to explain to everyone is that this profession needs to be licensed. It was Representative Garmisa who brought the Bill to me originally and that was the Session before last because he felt that this profession should be licensed. There has been some things that have been some things that have been caught up in this piece of legislation that

is..that really are not fair to handicapped children. All I'm asking you is to make sure that this profession is licensed and I've already told the Department of R and E. I've told the orthotist and prosthetists, I am not with group. I only want what is good for the handicapped people. And I please ask you for support in the override of this Motion. Thank you."

Speaker Daniels: "Question is, 'Shall Senate Bill 1148 pass the veto of the Governor notwithstanding?' All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. Daniels 'aye'. Have all voted who wish? Representative Hoxsey, will you record Daniels as 'aye'? Have all voted who wish? Please. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 62 'aye', 100 'no', none voting 'present' and the Motion to override fails. Senate Bill 311. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the passage of the following item of Senate Bill 311, the veto of the Governor notwithstanding', page 4, line 30 through 33, Representative Matijevich."

Speaker Daniels: "Representative Matijevich."

Matijevich: "Mr. Speaker, and Ladies and Gentlemen of the House, in starting out on my Motion on Senate Bill 311, I'd like to first thank the Republican Leadership from the Speaker on down. I understand that they have been working with the proponents for those who are trying to restore the item on Senate Bill 311 to work out some compromise and in spite of that we have yet failed. So I am going to continue with the Motion on Senate Bill 311. The issue, as far as I'm concerned on Senate Bill 311, is shall we support a drug abuse treatment program that has been successful and which the Senate did vote overwhelmingly by 41 votes to support

that drug abuse treatment program or shall we in place of that opt for incarceration. Incarcerating one offender costs the state approximately 12,000 to $15,000 annually. 100 residential treatment beds which can serve about 250 persons annually will cost $675,000. That's the amount that has been stricken by this item veto in Senate Bill 311. If 250 drug abusing offenders are incarcerated, it will cost the State between three million and three hundred and seventy-five , $3,750,000 annually. The State and the taxpayer will save between 2.4 and 3.1 million dollars by using drug abusement...drug abuse treatment rather than incarceration. I think this is another case, Mr. Speaker and Members of the House, that we have a cost effective program. If we do not support this override I think all of us would have to admit that it will cost the taxpayers much, much more in incarceration. This is a program where the judges choose to send the clients for treatment and I think all of us would admit that it is better to treat the drug abuser than to find that drug abuser in the incarcerated and then later also back out in the streets. So, Mr. Speaker and Ladies and Gentlemen of the House, I urge your support. This is totally supported by the Dangerous Drugs Commission. I move that the item on page 4, line 30 through 33 of Senate Bill 311 pass notwithstanding the item...the veto of the Governor and strongly urge your support."

Speaker Daniels: "Further discussion? Question is, 'Shall the item on page..' Question is, 'Shall the item on page 4 of Senate Bill 311 pass notwithstanding the veto of the Governor?' All those in favor signify by saying 'aye', opposed...voting 'aye', opposed by voting 'no'. The Gentleman, Representative Getty."

Getty: "Mr. Speaker, Members of the House, I rise to explain my

'aye' vote. This is one of the most important programs that we have going on. If we can save young offenders, drug addicts and place them into facilities where they can be rehabilitated, we will have the best of both worlds. We will have saved people from further criminal acts. We will have saved the taxpayer from the exorbitant costs of housing these people and the alternative which is the penitentiary and we will have saved society from having that person later re-enter society as a criminal, a graduate of an institution called the penitentiary rather than a place where he can be truly rehabilitated. I ask for your support."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Representative Ewing. Have all voted who wish? The Clerk will take the record. 104 'aye', 50 'no' and 2 voting 'present'. The Gentleman, Representative Matijevich, requests a Poll of the Absentees. Representative Darrow, 'aye'. Darrow, 'aye'."

Clerk Leone: "Poll of the Absentees. Bartulis. Bell. Breslin. Brummer. Deuster. Ralph Dunn. Dwight Friedrich. Griffen. Huskey. Kosinski. McAuliffe. McCormick. Ted Meyer. Piel. Redmond. Robbins. Stearney."

Speaker Daniels: "Piel 'no'. Griffin 'no'. Stearney 'no'. Huskey 'no'. Further changes? Count, Mr. Clerk. Susan Deuchler. Change Deuchler from 'aye' to 'no'. Ted Meyer 'no'. Representative Mulcahey, Mulcahey."

Mulcahey: "Mr. Speaker, how am I recorded?"

Speaker Daniels: "How's the Gentleman recorded, Mr. Clerk?"

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

Mulcahey: "Thank you."

Clerk Leone: "The remainder of the absentees are C.M. Stiehl. Wikoff and Woodyard."

Speaker Daniels: "104 'aye', 56 'no'. Motion fails. Further

Motions?"

Clerk Leone: "No further Motions."

Speaker Daniels: "Representative Peters in the Chair."

Speaker Peters: "Supplemental Calendar #1. Total Veto Motions. Senate Bill 497, read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the passage of Senate Bill 497, the veto of the Governor notwithstanding', Representative Matijevich."

Speaker Peters: "Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 497 is a Bill similar to one which we have passed in a couple of prior Sessions, I believe this is the third consecutive Session, which prohibits the expenditure of federal funds by state agencies except as appropriated by law and it exempts certain corporate bodies from that exemption. However, the Governor as prior governors has vetoed this, saying that because we are not in continuous sessions that this would be a burden. We feel that the Legislature ought to have some control in the process of appropriating funds. Mr. Speaker and Ladies and Gentlemen of the House, I think it is..it is more appropriate now than ever before that the Legislature have some ability to be able to have a control over the appropriations process. The Senate overruled the Governor's veto by 48 to 6, an overwhelming override. The Senate has said, as I think that the House has said, that the Legislature has some part in the appropriations process. Now, all of us know that we have a lesser amount of federal funds. All of us know that we are getting into the matter of the block-grant process. Now, some of you may want to say, 'Well, it's my Governor and...I want to support my Governor.' I think all...you ought to also say that we are the Legislature. It very well may be that there may be a Democratic Governor next

year and I would be standing here in support of this concept no matter what it is, a Governor be he Democrat or Republican because I think it is important that the Legislature be a part of that process. After this Session adjourns we are going to be...the Appropriations Committee is going to be hearing the matter of block grants. This is going to be a thing in the future. For us now on the floor to say that the Governor, no matter who he might be, ought to be the sole person, the sole agency, to have a handle on federal funds, I think would be wrong and I think that we ought to stand up for the process as a Legislature now above all. So, therefore, Mr. Speaker and Members of the House, I urge that you vote on an override of the Governor's veto on Senate Bill 497."

Speaker Peters: "Any discussion? Representative...Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, I join with the Sponsor in urging an override of this unfortunate, ill-considered veto. This Bill has been overwhelmingly supported in the House of Representatives in the past and it would put the Legislature into the appropriations process for federal funds which is where we should be. If there are funds being spent by this State from any source they should be appropriated by the Legislature. We should not allow either the bureaucrats or their Governor to run the process of what monies are spent by this State. I urge you to vote 'aye' on this very important, needed and timely Bill. Thank you."

Speaker Peters: "Further discussion? Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the House, I urge you to support the Governor's veto. Number one, we already appropriated over 99% of the money. All the money, Representative, is not coming down in block grants. A lot

of it, under Title III of the Older American's Act, is coming in categorical grants. What you forced those agencies to do, they are already told how they have to spend it by the Federal Government. What you are saying to those agencies, keep running back to us for a supplemental because they are on a different fiscal year. I think this is ridiculous. The Federal Government has already told them how to spend it. We are just coming here to rubber stamp that and to me this is a ridiculous situation."

Speaker Peters: "Further discussion? Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to oppose this Bill because of the very special conditions which pertain this fall. Passing this...voting in favor of this override in this particular situation that we have in government this fall represents carrying a principle to its absurdity as Representative Oblinger has stated virtually all money is appropriated. But we face a situation today where we do not know what money is going to be fully available in the block grants. We do not know precisely what limitations are going to be on those block grants. We do not know whether we're going to be operating under continuing resolutions in some cases and whether we are going to be operating under full authorities and others. Particularly, I'm concerned about the situation that pertains with transportation funding. We face the very real possibility that we're going to be operating under continuing legisla...continuing resolutions from the Federal Government in the area of transportation funding. Route 51, Chicago to Kansas City, a number of high priority projects that we care about, money might not be able to be expended on those projects that we could get from the Federal Government without bringing this Assembly back into Session for a Special Session to pass on that

money. Now, I think that's foolish. I think, as a matter of fact, people of this State would much prefer that we stay home more often. I don't think they want us down here constantly all year long legislating on things, and that's what this Bill mandates, particularly in the kind of situation, the chaotic funding situation, we have in this particular fiscal year. I believe defeating this Bill is the best example of saving money in the legislative process we can have and the best hope for actually getting some highway construction done and for actually being able to spend the block grant money, the continuing resolution money and so forth, when it becomes available. I would strongly urge a 'no' vote on this Motion. We need to reject this Motion, at least in this fiscal year, and come back in another fiscal year when proper emergency situations are not present. So, I would urge a 'no' vote this time."

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

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise to support the Governor's veto of Senate Bill 497 and to bring to your attention that Senate Bill 498 which applies to the School Code in a similar fashion follows. I think the fact that the Federal Government and State Government runs on different fiscal years, a lot of things as suggested by both, Representative Oblinger and Representative Vinson, over which we have no control and we have no notion about whether they will or will not happen should certainly lead us to sustain the Governor on this particular veto as well as the veto coming up on Senate Bill 498."

Speaker Peters: "Further discussion? Representative Vinson, for what purpose do you seek recognition, Sir?"

Vinson: "Just to request a verification if it should get the sufficient number of votes."

Speaker Peters: "Yes, Sir. Representative Hallstrom."

Hallstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I just wanted to remind the Members of the House that special education grants from the Federal Government are still categorical also which would add to the argument. I believe that we should sustain the Governor's veto on this Bill."

Speaker Peters: "Further discussion? There being none, Representative Matijevich to close."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, I don't think this is a time in our history where we on the floor of the House ought to stand and abdicate what ought to be our responsibility in the whole process. I can't believe some who believe strongly in education, for example, are going to stand here and say that the Governor, I don't care, you know, it's not because it's Governor Thompson. Mark this down right now, it may be Governor Stevenson and you're going to decline because you're going to be giving Governor Stevenson a priority in funding education and I don't think that you want that. I don't want it from Governor Stevenson or Governor Thompson. I think that the Legislature ought to be a part of that process and I'll tell you, now, more than ever, because of what is happening on the federal level, we ought to be a part of the process. Look what happened to day-care, look what happened to day-care when the Governor thought he was going to say what the priorities are going to be. But we said, 'no, we think this ought to be a priority'. We said that here two weeks ago. Now with the whole matter of federal funds coming to the State of Illinois. Now, more than ever, you ought to be part of the process. So, I urge

the Membership to stand for what ought to be. The legislative process ought to be on even billing with the executive. I urge you to support an override of the Governor's veto of Senate Bill 497."

Speaker Peters: "The question is, 'Shall Senate Bill 497 pass, the veto of the Governor notwithstanding?' All in favor signify by voting 'aye', all opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 81 'ayes', 82 'nay', none voting 'present' and the Motion to override fails. Senate Bill 498. Read the Motion, Mr. Clerk. Representative Collins, for what purpose do you seek attention?"

Collins: "Thank you, Mr. Speaker. Just for the purpose of an announcement. I'm very happy to report that the United States Senate by a vote of 52 to 48 has voted to support the President of the United States in the AWACS deal."

Speaker Peters: "Senate Bill 498. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the passage of Senate Bill 498, the veto of the Governor notwithstanding', Representative Matijevich."

Speaker Peters: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I would use the same arguments on Senate Bill 498 that I did on 497 and Governor Stevenson said he'll take the same roll call. So we'll just have a roll call."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 498 pass, the veto of the Governor notwithstanding?' Those in favor will signify by voting 'aye', opposed by voting 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Hoffman 'no'. On

this question there are 70...Boucek 'no'. On this question there are 74 voting 'aye', 72 voting 'no', none voting 'present'. The Motion to override fails. Senate Bill 629. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the passage of Senate Bill 629, the veto of the Governor notwithstanding', Representative Matijevich."

Speaker Daniels: "Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 629 was an attempt to do something which would make agencies of government stay within the intent of the law with regards to transfer ability. In the message to the Governor he stated, 'I so maintain that those agencies which do include refunds as a part of their operating budget as appropriated can be unduly restricted by eliminating this category from those specifically authorized by statute for a 2% transfer ability.' However, the purpose of allowing agencies the flexibility to transfer up to 2% is to avoid minor deficiencies in operating appropriations and what has happened, for example, in FY 81 the Department of Revenue transferred $2,132,400 in General Revenue Funds. $1,112,000 or 109% more than would be allowed if the amount of refund appropriations were not available for transfer. So, Mr. Speaker and Ladies and Gentlemen of the House, the 2% transfer ability law that we have is a good one. It means that we allow a little latitude within the agencies of government because they may need more or less within their particular department and we feel that they should be given that flexibility. But this is certainly abused when it comes to allowing that because of the huge amount of refunds, for example, which the Department of Revenue has within its capability. So, I believe that the law is a

good one and the Governor is totally wrong by that veto. So, therefore, Mr. Speaker and Ladies and Gentlemen of the House, I would urge your support of an override of Senate Bill 6...of the veto of Senate Bill 629."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 629 pass, the veto of the Governor notwithstanding?' All in favor signify by voting 'aye', all opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 79 voting 'aye', 62..7 voting 'nay', 2 voting 'present' and the Motion to override fails. Senate Bill 922. Read the Motion, Mr. Clerk."

Clerk O'Brien: "'I move that the House concur with the Senate in passage of Senate Bill 922, the veto of the Governor notwithstanding', Representative Bullock."

Speaker Peters: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise on a Motion to override the veto of Senate Bill 922. Senate Bill 922 passed this House overwhelmingly. Senate Bill 922 passed the Senate overwhelmingly. The Senate overwhelmingly sent the Bill to the House and I am now asking my colleagues in the House to overwhelmingly send the Bill to its rightful place which is into the Illinois Statutes. This Bill quite frankly does nothing more than create a statewide nursing education Commission and defines the duties and the powers thereto. This Bill is a Bill that is sorely needed because we in the Legislature are still confronted with the problem of nursing shortage in our state and we have not resolved that issue. We have not reached coherent solution to the problem. This Bill would cost the State of Illinois $30,000. That money has already been signed and authorized

for this purpose and House Bill 766 which the Governor has signed. We have bi-partisan support for the Bill and I respectfully would urge an 'aye' vote in a Motion to override the Governor's veto of Senate Bill 922."

Speaker Peters: "Any discussion? Representative Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the Gentleman's Motion, in this particular case. There is a clear nursing shortage in this State. We have discovered that where we have addressed problems of dental shortages, problems of medical shortages and successfully address them until the price of health care go down. Now, I believe that is appropriate. It's clearly a supply side solution that would help drive down the cost of medical care in this State. It would help solve the problem of the nursing shortage and provide needed and medical services, nursing services at a lower cost. I would urge that the House support the Gentleman's Motion, that people vote green on this Motion."

Speaker Peters: "Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise to support the Governor's veto of this particular Bill. The problem in terms of the nurse shortage is not one that we can do a great deal about. There have already been numerous reports published, analyzing the situation and it's a..basically a problem that should be endressed by employers of nurses, not by government. As late as January of this year, our own Commission on critical health issues published a report on nursing shortages. The Illinois Board of Higher Education has approved a report, two reports as late as March of 1980. This...this Commission, in my judgement, will do nothing that hasn't already been done before and I would encourage those people who are interested to look at those

reports that I have... have mentioned."

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

Brummer: "Will the Sponsor yield?"

Speaker Peters: "He indicates he will."

Brummer: "Did I understand you to indicate that the Governor had signed a companion appropriation for this legislation?"

Speaker Peters: "Representative Bullock."

Bullock: "Representative, I indicated that an appropriation measure had been signed by the Governor and this Bill does not require any additional appropriation if it receives an affirmative vote here today."

Brummer: "Why did the Governor sign the appropriation and veto the substantive Bill?"

Bullock: "Unfortunately, Representative, I'm not into the Governor's confidence and he did not express to me a reason for that contradiction."

Brummer: "What was the amount of the appropriation?"

Bullock: "$30,000."

Brummer: "Thank you."

Speaker Peters: "Further discussion? There being none, Representative Bullock to close."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would like to add, there are two points of significance in closing on this Bill. The first of which is that this Bill automatically repeals itself in October of 1983. So it does have a sunset provision. And secondly, one of the previous speakers indicated that a Commission on Critical Health had considered the problem. He is absolutely correct. I served on that Commission. That Commission, I thought, worked diligently and made some fine recommendations to the Legislature. Unfortunately, from my vantage point, the Legislature did not accept the

recommendations of the Commission. So, I guess in effect what the Legislature was saying to us is that we should go back to the drawing board and come up with a better product. I'm willing to take that challenge and I'm sure the other members of the Commission are willing to take that challenge and I'd say to the Gentleman that we will do a better job next time in bringing to this Body proposals to address nursing shortages which he admits and I admit and we all understand exists and hopefully, those recommendations will receive better consideration than the previous recommendations did, as it relates to addressing nursing shortage. We've heard the debate on that. We know that the hospitals need this Bill and we know that the Nursing Association supports this Bill. We know that the Medical Society is interested in this Bill. There is no vocal opposition to the creation of this Commission and I certainly would urge a maximum number of votes so that we can undertake the difficult assignment of finding some solution to the problems of critical health care in the State and would urge an 'aye' vote."

Speaker Peters: "The question is, 'Shall Senate Bill 922 pass, the veto of the Governor notwithstanding?' All in favor signify by voting 'aye', all opposed by voting 'nay'. Mr. Clerk, the voting is open. Representative Conti to explain his vote."

Conti: "Well, Mr. Speaker and Ladies and Gentlemen of the House, to explain my vote. I wish this Commission would clarify one thing. Just not too long ago, if I'm not mistaken, last Session there was a lot of hullabaloo around here about Canadian nurses taking examinations and they wouldn't allow them to take the examine because there was too many nurses in the field. I'm going to be voting 'aye' on this or I'm voting to sustain the Governor's veto on it but I

wish somebody would enlighten the Membership of this House whether there really is a shortage of nurses in this State."

Speaker Peters: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 97...Representative Bullock. Absentees? On this question there are 97 voting 'aye' and 63 voting 'nay'. The Sponsor requests a Poll of the Absentees. The beginning count, Mr. Clerk. 97 'aye', 63 'nays'. Proceed."

Clerk Leone: "Poll of the Absentees. Barnes. Bartulis."

Speaker Peters: "Barnes 'no'."

Clerk Leone: "Bradley. Ewing. Flinn. Dwight Friedrich. Hudson. Kane. Karpiel. Katz. Miller. Oblinger. Redmond. Irv Smith. Stearney."

Speaker Peters: "Stearney 'no'. Excuse me. Representative Schraeder 'no'. Stearney 'no'. Alright, Mr. Clerk, let's back up. Stearney 'yes'. Bradley 'yes'. Representative Schraeder."

Schraeder: "Mr. Speaker, I meant 'yes'. I'm sorry."

Speaker Peters: "Schraeder from 'no' to 'yes'. Stanley from 'no' to 'yes'. Findley from 'yes' to 'no'. Kelley, Jim Kelley from 'no' to 'yes'. Do we have all that, Mr. Clerk? Any further changes? Changes, additions? What's the count, Mr. Clerk? On this question there are 101 'aye', 62 'no', none voting 'present' and the Motion to override fails. Senate Bill 1198. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the passage of the Senate Bill 1198, the veto of the Governor notwithstanding', Representative Bullock."

Speaker Peters: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker. I'm not going to ask Ronan to help me on this one, at least not to talk to Stanley.

Senate Bill 1198 does not deal with nursing. Basically, Senate Bill 1198 which passed this Body 156 to zero addresses a problem exclusively in Chicago, as it relates to the Chicago Housing Authority and tenants of the Chicago Housing Authority and this Bill deals with direct assignment of public assistance checks. We put a significant Amendment on this check, on this Bill, which tightened the language of the Bill in response to concerns of some civil libertarians that this Bill would not be used in anyway to coherce tenants to signing wage assignment provisions. I'm sure most of you who read the major metropolitan papers in Chicago understand that Chicago Housing Authority has undergone significant managerial changes, is attempting in a large measure to streamline its operation. This, in my estimation, will enhance the operation of the Chicago Housing Authority. It will also go an awful long way to diminishing public aid fraud by allowing tenants to make wage assignments directly to the Housing Authority. I think it's a good Bill. I discussed this Bill personally with the Governor along with a companion Bill. Unfortunately, he signed one and for some reason vetoed the other. I think that this Bill will enhance, as I said, the operation of the Chicago Housing Authority. It will cut into public aid fraud. And I would urge an 'aye' vote."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall Senate Bill 1198 pass, the veto of the Governor notwithstanding?' All in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 84 voting 'aye', 74 voting 'no', none voting 'present'. The Motion to override fails. Johnson

'aye'. 85 'aye', 74 'no'. Amendatory Veto Motions, Senate Bill 461. I'm sorry, 431. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in acceptance of the Governor's specific recommendations for change to Senate Bill 431 by adoption of the following Amendment', Representative Mulcahey."

Speaker Peters: "Representative Mulcahey."

Mulcahey: "Thank you, Mr. Speaker, Members of the House. House Bill 431 does two things, basically. It allows county boards to dismiss a supervisor of assessment for misfeasance, malfeasance or nonfeasance by a two-thirds vote and provides a hearing procedure. This was okay with the Governor. Point number two, it permits a county board to assign any of its duties of a town collector to the county collector. This is where the Governor disagreed and disapproved and I concur with his thoughts and I move that we concur with the amendatory veto."

Speaker Peters: "Any discussion? There being none, the question is 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 431 by adoption of the Amendment?' All in favor will vote 'aye', all opposed will vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 161 voting 'aye', 5 voting 'nay'. This Motion having received the Constitutional Majority prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 431 by adoption of the Amendment. Senate Bill 513. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change to Senate Bill 513 by adoption of the following

Amendment', Representative Terzich."

Speaker Peters: "Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, on Senate Bill 513 the Governor amended out my great Amendment to this Bill which provided interest payments upon termination of the General Assembly retirement system which was a great piece of legislation. And it is certainly necessary and since I do have the Bill, 1384, on the Spring Calendar, I would make a Motion to adopt the Governor's amendatory veto."

Speaker Peters: "Any discussion? There being none, the question is 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 513 by adoption of the Amendment?' All in favor will vote 'aye', all opposed will vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 145 voting 'aye', 6 voting 'nay', 3 voting 'present'. This Motion having received the Constitutional Majority prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 513 by adoption of the Amendment. Senate Bill 818. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in acceptance of the Governor's specific recommendations for change to Senate Bill 818 by adoption of the following Amendment', Representative Hallstrom."

Speaker Peters: "Representative Hallstrom."

Hallstrom: "Yes..Mr...excuse me, I'm sorry. Mr. Speaker and Ladies and Gentlemen of the House, I would move that we do concur with the Governor's amendatory veto on Senate Bill 818."

Speaker Peters: "Any discussion? There being none, the question

is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 818 by adoption of the Amendment?' All in favor will vote 'aye', all opposed will vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Findley, would you vote Representative Ebbesen 'aye', please? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 166 voting 'aye', 3 voting 'nay', 1 voting 'present' and the Motion having received the Constitutional Majority prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 818 by adoption of the Amendment. Senate Bill 1085. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in passage of Senate Bill 1085, the Governor's specific recommendation for change notwithstanding', Representative Stuffle and Woodyard."

Speaker Peters: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker, Members of the House, the Governor in his amendatory veto of this particular Bill indicated some problems with it which apparently were addressed in the Bill and at this time it's my understanding and that of Representative Woodyard, my hyphenated Cosponsor on this Motion to override, that the Governor has taken a neutral position, does not any longer oppose the Bill. The Bill is designed to allow community colleges to enter into installment loan agreements with financial institutions for building purposes. The Governor's amendatory veto suggested that there ought to be dual protections, that community college activities in this area be sustained by the approval of the Board of Higher Education and the Community College Board as well. In fact, the Bill does do that and that is now understood. That was the chief

problem with the Bill. The Governor suggested working that out by some amendatory language in the future. The problem is that we already have one organization, Triton Community College, on board that wants to avail themselves of this and the Bill does speak to those objections. I repeat, the Governor is now neutral on that. There is no opposition to the override that I or Representative Woodyard are aware of. The vote in the Senate, having made that crystal clear, was 56 to nothing. And I move at this time to override the veto of the Governor to the contrary on this Bill."

Speaker Peters: "Discussion? There being none, let me get the language here straight, hold on. The question is, 'Shall Senate Bill 1085 pass notwithstanding the Governor's specific recommendations for change?' All in favor signify by voting 'aye', all opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 167 voting 'aye', 1 voting 'nay', none voting 'present'. The Motion having received the three-fifths Constitutional Majority prevails and Senate Bill 1085 is declared passed notwithstanding the Governor's specific recommendations for change. Senate Bill 1168. Read the Hotion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate in acceptance of the Governor's specific recommendations for change to Senate Bill 1168 by adoption of the following Amendment', Representative Terzich."

Speaker Peters: "No, Representative Terzich. Representative Terzich."

Terzich: "Mr. Speaker, Ladies and Gentlemen of the House, the Governor's amendatory veto basically changed the reporting date of the Highrise Fire Commission from January 1, '82 to

June 30, 1982. It made some clean-up language on the transfer of grants to the Chicago Fire Department Training Program and it also excluded the program for the handicapped due to the fact there was a cutback in the training monies...in the fire training grants and I would move that we adopt the Governor's amendatory veto message."

Speaker Peters: "Any discussion? Representative Pullen."

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

Speaker Peters: "He indicates he will."

Pullen: "Is this Bill that allows arson inspectors to carry guns?"

Terzich: "No, it does not. It gives them peace officer status. It does provide for local units of government that designate arson investigators."

Pullen: "Doesn't giving them peace officer status mean the same thing as allowing them to carry guns?"

Terzich: "If they go through the police training program and the fire training program and they are designated by the local unit of government, they would have permission. That's correct."

Pullen: "So the answer is yes. Thank you."

Terzich: "Thank you."

Speaker Peters: "Representative Barnes, for what purpose do you seek recognition?"

Barnes: "Well, Mr. Speaker, I notice on the Supplemental Calendar #1 that the Motion is to 'accept' and you had 'override' up on the board."

Speaker Peters: "Mr. Clerk. It has been corrected. Thank you, Representative Barnes. Any further discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1168 by adoption of the Amendment?' All in favor will vote 'aye', all opposed will vote 'nay'. Voting

is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 141 voting 'aye', 24 voting 'nay', 2 voting 'present'. This Motion having received the Constitutional Majority prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 1168 by adoption of the Amendment. Page five of the Calendar, Senate Bill 612. Representative McGrew. Read the Bill..read the Motion, Mr. Clerk."

Clerk Leone: "Motion, 'I move that the House concur with the Senate in acceptance of the Governor's specific recommendations for change to Senate Bill 612 by adoption of the following Amendment', Representative McGrew."

Speaker Peters: "Representative McGrew."

McGrew: "Thank you, Mr. Chairman, I'm sorry, Mr. Speaker and Ladies and Gentlemen of the House. I move to accept the Governor's specific veto on Senate Bill 612. All we did was change the reporting system for tax on teachers from the Department of Law Enforcement to...I'm sorry, from the State Board of Education to the Department of Law Enforcement because they already have the facilities to do so, and I move to accept the change."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 612 by adoption of the Amendment?' All those in favor will signify by voting 'aye', those opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 166 voting 'aye', none voting 'nay', none voting 'present'. This Motion having received the Constitutional Majority prevails and the House accepts the specific recommendations for change

regarding Senate Bill 612 by adoption of the Amendment. Senate Bill 618. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that House concur with the Senate in acceptance of the Governor's specific recommendations for change to Senate Bill 618 by adoption of the following Amendment', Representative Leverenz."

Speaker Peters: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with the Senate's acceptance of the Governor's amendatory veto. The Bill creates the offense of aggravated indecent liberties with a child. The Governor's amendatory veto eliminates a technical defect and those that ask questions on the floor earlier, those answers have, I believe, been adequate to the concerns that they raised. It does amend another section. I talked with the Chairman of the Judicial Committee and I would now move that we concur with the Senate's acceptance of the Governor's amendatory veto."

Speaker Peters: "Any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 618 by adoption of the Amendment?' All in favor will signify by voting 'aye', all opposed by voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 153 voting 'aye', 11 voting 'nay', 1 voting present. This Motion having received the Constitutional Majority prevails and the House accepts the Governor's specific recommendations for change regarding Senate Bill 618 by adoption of the Amendment. Page four, Reduction and Item Veto Motions, Senate Bill 308. Motion #1. Read the Motion, Mr. Clerk."

Clerk Leone: "'I move that the House concur with the Senate to

restore the following reduced items of appropriation in Senate Bill 308, the reduction of the Governor notwithstanding', page 12, line 22, Representative Woodyard."

Speaker Peters: "At ease for one second, Representative. Representative Woodyard on Motion 1."

Woodyard: "Thank you, Mr. Speaker, Members of the House. I think we've been waiting on this one for quite some time. Motion #1 is a Motion to override the reduction of the Governor on the pro-rata or the reimbursement back to county fairs and local county fairs and it's based upon the formula base that these county fairs do have, and I'll try not to take too much of your time but my basic arguments are these; quite some time ago in a meeting with the County Fair Association the Governor did promise full funding, 100% funding in this particular fund. That has not happened. This money is already spent by the county fairs so they're sitting there kind of holding the bag on this thing. The money, none of this money is General Revenue Fund money. All of this comes out of paramutual betting, out of the Ag-Premium Fund. The county fairs were promised this and I think certainly entitled to it and it's a way of building and maintaining and keeping our good county fairs in downstate Illinois. And I certainly would urge a favorable vote on this override Motion."

Speaker Peters: "Any discussion? Representative...Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would only point out to the Members of the House that two weeks ago when we were here we sustained the Governor's veto of a number of educational Bills where school districts had already spent the money because those categorical programs are all reimbursable programs and many

of said at that time, that by very narrow margins, I might point out to you, that these resources were not available and that the pro-rata cuts to the school, all the way from 85% to 93% of what they had expended in the previous fiscal year should be supported. So, I think it behooves all of us as we look at these kinds of questions in terms of other local agencies who are being cut on a pro-rata basis, that what is fair for one certainly ought to be fair for the other and that the Governor's veto should be sustained."

Speaker Peters: "Further discussion? Representative Oblinger. Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the General Assembly, this money does not come out of the General Revenue Fund like the money for the education did. This comes out of the paramutual betting on the Ag Premium Fund which makes a difference on what our expenditures are."

Speaker Peters: "Representative Winchester."

Winchester: "Well, thank you, Mr. Speaker. I was basically going to point out the same thing that Representative Oblinger did but I think one of the things that bothers me mostly about what we're doing here is the fact that there is over $500,000 that was put back into this budget in the Conference Committee for the Chicago Fest when many of us Legislators were opposed to it and now they're wanting to take away money from the county fairs which is important to small counties throughout the State of Illinois. This is not General Revenue funds like Representative Hoffman may be trying to allude to. This is Agriculture Premium Funds that is collected throughout the State of Illinois through paramutual betting and specifically for projects such as this and I would urge that we go along with Representative Woodyard's Motion."

Speaker Peters: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, I rise as the hyphenated principle Sponsor of this Motion, only to echo the viewpoint of Representative Woodyard and Representative Oblinger and Representative Winchester. We did by way of that Conference Committee restore monies which weren't cut after this Bill went to the Governor for projects in the City of Chicago which I supported, which Representative Woodyard supported. I think there's a total difference here than what we looked at last week with the school budgets which I also supported. As you know, Representative Woodyard does not often arise to support spending programs. He does here today to be fair to those county fairs. It is money that comes from other than the General Revenue Fund. It does come from the paramutual wagering programs and I think it ought to be restored. This is both a Democrat and Republican Motion, a bi-partisan one that I hope you will see fit to give a green light to and restore the monies cut by the Governor for the reasons advanced from both sides of the aisle here today."

Speaker Peters: "Further discussion? Representative Wolf."

J.J. Wolf: "Thank you, Mr. Speaker, Members of the House. I am reluctantly going to rise an oppose the Gentleman's Motion. The Department of Agriculture believes they have sufficient amount of money to satisfy the claims that will be made at this time. While it is true that this is Ag Premium Fund money, I would like to point out that the money is..if there is money left over and is not spent it could be transferred by the Governor into the General Revenue Fund. So, I think you should look at that particular aspect and as I say the Department does believe that they can meet...satisfy the claims made upon them for this project. And so I would think that this is only then an additional

cushion money which probably would not be necessary and I would ask for a negative vote on the Gentleman's Motion."

Speaker Peters: "Representative Giorgi."

Giorgi: "Mr. Speaker, how much... what is this total compared to as..compared to last years total? The amount of money we're talking about, we're talking about 21 million dollars in restored Agricultural Premium Fund monies? Who's the Sponsor?"

Speaker Peters: "Representative Woodyard."

Giorgi: "Is he ashamed of it or something? Is he ashamed of this laundered money? Are you ashamed of this laundered money, Woodyard?"

Woodyard: "Who washed it? Reclined or standing, Representative, that this would be the same amount of money as last year."

Giorgi: "This is the same total as last year. In another words, the money that 's skimmed at the track, that we launder into the Agricultural Premium Fund is going to do some work for downstate Legislators and especially those that refuse to vote for..for lotteries and raffles and bingo Bills?"

Woodyard: "We are the trainers in downstate Illinois at those little county fair tracks to get you horses to race up there in the northern part of the state on your tracks."

Giorgi: "90% of the Agricultural Premium Fund money, which is skim money, when the better goes to the window, the first 16¢ out of every $2.00 he plunks down is skimmed and put into some clean sounding funds like Agriculture Premium Fund, Metropolitan Exposition and Authority Fund, the McCormick Place Restoration Fund, all those are gambling dollars. And you're telling me that you're not increasing the skim over last year, is that what you're telling me?"

Woodyard: "That's what I'm telling you, Representative. And by the way, you might be interested to know that certainly McCormick Place there was not cut and also Chicago Fest was

not cut."

Giorgi: "I see and then 101 counties though have got their hands and feet in this Agriculture Premium Fund, have they not?"

Woodyard: "I really haven't counted them lately."

Speaker Peters: "Further discussion? Representative Ropp."

Ropp: "Yes, thank you, Mr. Speaker and Members of the House. I think it's inappropriate when we say that we're going to provide funds for the General Revenue Fund from money that come out of the Ag Premium Fund. If you go back in history, I think the Ag Premium Fund was set up with both upstate and downstate support primarily for helping agricultural interest which ultimately even ended into McCormick Place. I think these are funds that these particular county fairs have already spent. They have included them in their budget, they have been told down through the years that this would be coming to them. And they have in fact included it in their premium books and I think we would betray...would be betraying the State's trust if this was not supported. I urge a green vote on this."

Speaker Peters: "Further discussion? There being none, Representative Woodyard to close."

Woodyard: "Thank you, Mr. Speaker. Well, I, again, I only wish to reiterate what I think many of the speakers have already said, that this is a reimbursement to the local county fairs for money that they have already spent. It was money that certainly was promised at 100% funding and it, as one speaker mentioned earlier in debate, as far as the schools are concerned, we were talking at that time with General Revenue Fund money. We are not talking of General Revenue Fund money. We are talking of money that is a privileged tax that is collected at the tracks and I would urge an 'aye' vote on this."

Speaker Peters: "The question is, 'Shall the reduced item of appropriation on page 12, line 22 of Senate Bill 308 be restored to its original amount notwithstanding the reduction of the Governor?' All in favor will signify by voting 'aye', those opposed by voting 'nay'. Mr. Clerk, the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 127 voting 'aye', 32 voting 'nay', none voting 'present'. This Motion having received the Constitutional Majority prevails and the item on page 12, on line 32 of Senate Bill 308 is restored to its original amount notwithstanding the reduction of the Governor. Collins 'no'. On Motion 1 to Senate Bill 308. Senate Bill 308, further Motions, Mr. Clerk?"

Clerk Leone: "Motion #2, 'I move that the House concur with the Senate to restore the following reduced items of appropriation in Senate Bill 308, the reduction of the Governor notwithstanding,' page 12, line 28, Representative Woodyard."

Speaker Peters: "Representative Wolf, for what purpose do you stand..?"

J.J. Wolf: "Point of order, Mr. Speaker. I believe you said line 32, I think line 22 for the record, Sir."

Speaker Peters: "Thank you. To correct the record on the previous vote, was page 12, the item on page 12 and line 22 were restored to their original amount notwithstanding the reduction of the Governor and that Motion having received a Constitutional Majority prevails. Now, on Motion #2 to Senate Bill 308, Representative Woodyard."

Woodyard: "Thank you, Mr. Speaker, Members of the House. This is very similar Motion to the last one. It only differs in the fact that it's called the rehab-reimbursement which

means that it is a reimbursement for improvements and remodeling on the fairgrounds themselves, particularly in downstate Illinois and in the total amount of $67,000. And again, the arguments are very similar to what they were for the previous Motion which in this case happens to be that this money again was spent. It was promised to the Fair Board Associations at 100% of funding then it was vetoed to a lower amount. And again, this money is from paramutual betting and I certainly encourage an 'aye' vote."

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

J.J. Wolf: "Yes, Mr. Speaker, Members of the House, just to..again to point out to the Members of the House this is over and above the claims that have been submitted and if...with the Governor's reduction, this is still an increase of 115% since FY 78. If this Motion prevails and the Governor's reduction veto is overridden that will raise that 115% increase even higher and I would ask for a 'no' vote."

Speaker Peters: "Any further discussion? Representative Mulcahey. Further discussion? Representative Stuffle."

Stuffle: "Just to point out that before we get to arguing, 115% increase, to keep in mind what Representative Woodyard said and to indicate that this is always been an item that fluctuates due to the differing conditions year to year in the county fairs around the State. It's one that may go up or go down considerably from year to year and it's not one that you could compare four or five or ten or fifteen percent increase from year to year and for those reasons and the reasons cited by Representative Woodyard that there was the promise from the Governor of full funding that this amount of money ought to be restored."

Speaker Peters: "Further discussion? Representative Woodyard. There being none, Representative Woodyard, to close."

Woodyard: "Thank you, Mr. Speaker, Members of the House. I think we have gone through the arguments on, certainly the valid reasoning, why this money should be restored and reimbursed to our local county fairs and I would encourage an 'aye' vote."

Speaker Peters: "The question is, 'Shall the reduced item of appropriation on page 12, line 28 of Senate Bill 308 be restored to its original amount notwithstanding the reduction of the Governor?' All in favor signify by voting 'aye', those opposed by voting 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 96 voting 'aye', 57 voting 'nay' 1 voting 'present'. The Motion having received the Constitutional Majority prevails and the item on page 12, line 28 of Senate Bill 308 is restored to its original..notwithstanding the reduction of the Governor. Any further Motions on Senate Bill 308, Mr. Clerk?"

Clerk Leone: "'I move that the House concur with the Senate to restore the following reduced items of appropriation in Senate Bill 308, the reduction of the Governor notwithstanding', page 13, line 12, Representative Woodyard."

Speaker Peters: "On Motion #3, Representative Woodyard."

Woodyard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The third Motion involves the amount of money reimbursed to the Standardbred Breeders Association Fund and it is in the amount of $594,000. Now, this money is again entirely all paramutual betting money, raised from the privilege tax at the betting tracks. This particular fund started out with a projected budget request or presumption of revenue of about three and one-tenth million dollars. It was put in at 2.9. Finally, the Bill was

compromised out with this line item at about 2.7 million. The Governor reduced that to 2.17 million or $594,000 less than what the Bill went in at. I'd like to give you some ideas or some examples of why I've a very strong feeling that we should..we should pass this override Motion. This particular line item contains purse money to the county fairs and what has happened this past year we have found that actually the purse money to these county fairs has decreased under 1980. We are actually in a position of killing the goose that layed the golden egg. I think we've all stood on this House floor and talked about the Ag Premium Fund and how much it contributes in many areas of State Government. As a matter of fact, we lapsed back to the General Revenue Fund last year, over 25 million dollars. Well, you are not going to have that Ag Premium Fund money unless we have a good, strong Illinois Horse Racing Association. This is a one billion dollar industry here in this State. We happen to be in a position of being..of handling things in a different manner than one of our sister states which happens to be Ohio. In Ohio they have about a fourth the size of the industry as ours. Yet, they are spending more money on purse money for their race tracks, for the paramutual tracks, and also for their local county fairs than we are here in Illinois. And we feel that, very strongly, that if we can continue to develop an increase Racing Association and the purses thereof that we will have a much stronger economy. It's a known fact and certainly substantiated by the Department of Agriculture for every $1.00 that we invest in our racing industry returns a direct $4.00 back to the State of Illinois. Now, I think that's an awfully good trade off, myself, in this day and age of a very severe economy. And so, thus, I would like to encourage an override of the Governor's

reduction veto on this particular Motion, on Motion 3."

Clerk O'Brien: "Representative Daniels in the Chair."

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

Ropp: "Yes, thank you, Mr. Speaker and Members of the House. This is the very guts of the Ag Premium Fund. We have in this State for many years the reputation of having the best racing conditions throughout the nation and we have built that up based on funds like this, that provide for winnings to be increased for horses that are conceived and colts that are foaled in the State of Illinois. These funds for these races go to 41 county fairs, the State Fair, and all paramutual tracks here in the State of Illinois. With this particular reduction, this is saying to horsemen in the State of Illinois, 'Go to Ohio or go to some other fair out of the State of Illinois where you can get more income by winning.' When these horsemen win this, in general circumstances, is their only income. And so when we reduce their winnings, we're telling horses owners in Illinois to go somewhere else which means that those people who are going to the tracks to bet will ultimately not have the quality of horse and you're not going to see the income going into the Ag Premium Fund as a result of those betters coming in. This is an important piece of override legislation that I hope that you override so that the State can continue to provide additional income into that Ag Premium Fund. This is one measure where spending a few dollars will generate a lot of extra money which would either go into the Ag Premium Fund or, ultimately, if it's not spent there, into the General Revenue Fund, as some of you have indicated it goes."

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

J.J. Wolf: "Thank you, Mr. Speaker, Members of the House. Well, first of all to correct a statement from the last speaker, this is not Agricultural Premium Funds, it is Standard and Thoroughbred Fund which is entirely different. And this issue is quite different from the last two. First of all, this deals only with standardbreds and not with thoroughbreds and it seems to me if you're going to have equity, you ought to do it for both of them if you're going to do it at all. But the important issue before us, if...even if we overrode they couldn't spend the money because most of the program is during the first three months of the fiscal year, July, August and September. Those three months are past, so even if you overrode this they couldn't spend most of this money anyway and I think the proper vote is a 'no' vote on this issue."

Speaker Peters: "The Gentleman from Cook, Representative Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, now in this day of fiscal responsibility where officers from the President's office down are all trying to cut expenditures, I think that this is a vast wasteland for us to be spending money. Now, I hear the arguments that this generates money for every dollar spent. But I must point out to you, whose dollars are being spent? The money that you're talking about comes out of Cook County and the race tracks there. It does not come out of all of these other counties. What we have is a natural leachery into Cook County by diverse other counties for their own little benefit. I can see no reason, no logic, no sanity in us trying to promote a horse breeder's fund, that is for breeding of horses, because the people who collect the money for the breeding of horses are the people who breed them. We are enriching one section of the population at the expense of the State's dollars. These dollars could better be tunneled into various other

functions. I don't mind them going back to the roads and help you to build your roads. I don't mind it going back to help the children, the teachers, the aged, the crippled but when we are cutting health funds, education funds, and the children's funds, for us to stand here and vote increase the appropriation to a small and selective group of horse breeders who have never done anything for the people of the State of Illinois, I suggest, is indeed erroneous. We have misplaced our values and I think we would be held up to ridicule and I agree that we do at some point or another either have to support our Governor and turn back this tide of spending less we all be back here voting for increased taxes. Thank you."

Speaker Peters: "The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I only make one additional point and that is, this is 600...approximately $600,000 which the Governor has the statutory authority to transfer any outstanding balance to the General Revenue Fund. That alone ought to explain the reason for the Governor's veto and why we should sustain that veto."

Speaker Daniels: "The Lady from Sangamon, Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the General Assembly, the last two speakers have given us some fallacious facts. Number one, we're presuming that the only people that go up to Chicago and see the races are those people who live there. That's not true. This is a sport indulged in by a lot of people downstate. Number two, if you don't vote for this override, you are not going to have any races up there and you might as well give up because we're not going to have the quality of horse that will be accepted in the

races. And number three, we won't have any $600,000 left to put in the General Revenue Fund because nobody will be betting on the nags you have up there."

Speaker Daniels: "The Gentleman from Stevenson, Representative Rigney. Rigney. The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to just make a couple of statements about how that formula gets...it fits into the State budget. Number one, this Legislative Body a couple years ago passed House Bill 2111 and what that did was set up the percentages on the purses depending on the amount of money wagered on each individual race, anywhere from 4% to 12%. That money goes back into the breeding of the horses for those featured races at all tracks in the State of Illinois. Now, we do receive what is called a breakage in the pennies from that particular fund as well as the Agriculture Premium Fund increased the formula that we receive. But basically what you're doing here is this, the money that we have set up in our formula on a percentage goes back into the horses for breeding purposes and increased types of horses, fertility I guess, in the State of Illinois and with that comes better horses running at all the tracks so that the purses can increase, so that the formula increases and it gets back to the Agriculture Premium Fund. It is what you call, 'the skim'."

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

Deuster: "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 will signify by saying 'aye', opposed 'no'? The 'ayes' have it. Representative Woodyard to close."

Woodyard: "Thank you, Mr. Speaker. I think we have pretty well articulated most of the arguments on each side of this particular issue but I certainly do want to point out again, that it is a known fact that for every dollar that we invest in our racing association and in our racing industry it brings back, just in revenue to the State, $4.00 for every $1.00 we invest. I do want to point out something else involving this entire area of harness racing, I mean, what's known as a grand circuit here in Springfield and also at Du Quoin those purses weren't cut at all. They weren't cut at all. But the purses in the standardbred certainly were cut and cut very drastically. This line item also contains another area in which you downstate people might be very interested in and it's called a Race Track Improvement Fund. Down in my area each little county fair got $1,500 for racetrack improvement and that's what it must be used for, to repair the guard rails, the track and so on. If this Bill...if this Motion does not pass they will be cut 30%, 30%. So, I think you can see the vital importance of trying to override. And I ask for a favorable vote."

Speaker Daniels: "The question is, 'Shall the reduced item of appropriation on page 13, line 12 of Senate Bill 308 be restored to their original amount notwithstanding the reduction of the Governor?' All 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? Have all voted who wish? The Gentleman from Winnebago, Representative Giorgi, to explain his vote. Timer's on, Sir."

Giorgi: "I'd like to clear up a misconception by Woodyard, when you go to the track window to lay $2.00 down, you're not guaranteed $4.00 back. They take the first 16¢ for all

these things you've got on this item veto message this evening. We're fighting for the other $1.84. They take the first 16."

Speaker Daniels: "Further discussion? Gentleman from Coles, Representative Stuffle to explain his vote. Timer is on, Sir."

Stuffle: "Yes, very briefly. I think Representative Woodyard is right not Representative Giorgi on this particular thing. People talk about Illinois business here. It's certainly money for Illinois horses to keep them running here. It certainly money for keeping a business in this State, not having it go away. I think we can agree on that and, Representative Giorgi, you ought to put your Bill back in for highlights so we can vote for it one more time, as I did before and put a green light up here on this to keep an Illinois business going."

Speaker Daniels: "Further discussion? Have all voted who wish? Have all voted who wish? Take the record. There are 98 'ayes', 70 'no' and 1 voting 'present'. This Motion having received the Constitutional Majority prevails and the item on page 13, line 12 of Senate Bill 308 is restored to their original amount notwithstanding the reduction of the Governor. Further Motions?"

Clerk O'Brien: "Motion #4, 'I move that the House concur with the Senate in passage of the following item in Senate Bill 308, the veto of the Governor notwithstanding,' page 14, line 22, Representative Woodyard."

Speaker Daniels: "Item veto, Representative Woodyard."

Woodyard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an entirely different issue and we're out of the racing county fair area all together with this particular item veto. The amount of this veto is $11,000. It would finish up and complete a project which involved

the dredging of sediment from Lake Paradise in the Matoon area. About 65 or $70,000 has already been spent on this particular project, for a pilot project was done down there to dredge sediment out of this particular lake and put on soil in three different manners, by irrigation, by mixing in with soil and so on. There's a strong feeling by the University of Illinois who's conducting this particular project and experiment, that we have started something that will be of great value to cities, communities and counties all over the entire State. Seven states have looked at this particular project, how lakes can be reclaimed and that actual sediment put back into useful production. We..the data that we are looking at right now, which is very rudimentary at this particular time seems to indicate that we can increase corn yields by as much as twenty bushel per acre without having to use other kinds of fertilizer, just this kind of thing. As I mentioned, seven states have already been at this project and looked at it and pretty much liked the looks of it. And so I encourage your 'aye' vote on this particular item reduction, to be able to complete the project and finish up the data research on crop production."

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

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

Speaker Daniels: "Indicates he will."

Vinson: "Representative, is this the project that I've seen described which I think it's the only ongoing project in Illinois right now to try to reclaim lost top soil and put it back into production?"

Woodyard: "Yes, that..this is the one and it's the only one in the State that actually is...experiments are being conducted on, like this."

Vinson: "And we...we're in a situation right now, as I understand it, where the State has lost nearly half of its top soil in the last hundred years."

Woodyard: "Very definitely and it's getting worse instead of better. So, this may be our only salvation in reclaiming those lakes."

Vinson: "This just could be the thing that avoids us really becoming a desert, the great american desert. Yes, I would urge an override on this particular item."

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

Woodyard: "I ask for a favorable vote."

Speaker Daniels: "Question is, 'Shall the item on page 14, line 22 of Senate Bill 308 pass notwithstanding the veto of the Governor?' All in favor will signify by saying 'aye', opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Gentleman from Coles, Representative Stuffle, to explain his vote."

Stuffle: "Just to repeat what Representative Woodyard said, this is a very small amount of money for a landmark project that is being looked at by people all over the county with regard to reclamation of the land and an adjoining water project. It's very important to that area, the amount of money is very small and I would hope that we would continue to get the green votes that are up there."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Take the record. There are 100 'ayes', 57 'nos', none voting 'present'. The Motion fails. Further Motions?"

Clerk O'Brien: "Motion #5, 'I move that the House concur with the Senate to restore the following reduced item of appropriation of Senate Bill 308, the reduction of the

Governor notwithstanding,' page 12, line 25, Representative Hannig."

Speaker Daniels: "Representative Hannig."

Hannig: "Thank you, Mr. Speaker and fellow Members of the House. So far we have worked to restore funding for the meat and poultry and livestock people, for the horse races and the horse race enthusiasts. This Motion is an effort to restore $127,500 for 4-H clubs. Now, the money cut by the Governor in this Bill is used by the 4-H clubs throughout the State of Illinois as prize money for the 4-H shows. Each county 4-H club is reimbursed for prize monies given out during the year. The money is awarded by the University of Illinois Extension Service and it's a not-for-profit organization. Now, if the cuts are allowed to stand, the amount of money spent for this prize money will actually be less than the fiscal year 1981 appropriations. By restoring this $127,500, we're simply bringing back the 1982 fiscal year appropriation to the same level that it was in 1981. I think this is fair and fiscally conservative and I would ask for your favorable vote."

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

Brummer: "Yes, thank you. I would urge all Members to vote to restore these funds for 4-H. As I'm sure you know, 4-H is a statewide youth organization with members in each of the 102 counties. You know, we daily pick up newspapers and read about various youngsters who are in trouble with the law, who are juvenile delinquents but if you look at those names those are generally not individuals who are 4-H members and that is for a very simple reason. 4-H youth are kept busy with projects and kept out of trouble. 4-H teaches them to be constructive citizens of this state and

of this country. I think it was false economics on the part of the Governor to veto these funds for 4-H. I would therefore urge all Members to vote to restore the funds for the 4-H youth."

Speaker Daniels: "Further discussion? The Gentleman from Wayne, Representative Robbins."

Robbins: "4-H is one of the programs that helps you save more money every day of the week than any other program that there is in the United States. Cook County had a good representation down from Chicago when they were here last spring to visit with you. And I want to urge you to support this program because one thing that you can depend on when you put a dollar back of 4-H'er, not having to spend a dollar on these juvenile delinquent programs because a 4-H youth are busy enough working to make the country better and do a better job that they don't have time to get in trouble with the law. Thank you."

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

Hannig: "Yes, thank you, Mr. Speaker. This is a vote for the kids of the State of Illinois. It's only $127,500, hardly a budget busting item and I would ask for your favorable vote."

Speaker Daniels: "The question is, 'Shall the reduced item of appropriation on page 12, line 25 of Senate Bill 308 be restored to their original amount notwithstanding the reduction of the Governor?' All 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. There are 131 'aye', 33 'no' and none voting 'present'. This Motion having received the Constitutional Majority prevails and the item on page 12 line 25 is restored to its original amount

notwithstanding the reduction of the Governor. Further Motions?"

Clerk Leone: "No further Motions."

Speaker Daniels: "Messages from the Senate."

Clerk Leone: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution and adoption of which I'm instructed to ask concurrence of the House of Representatives to wit; Senate Joint Resolution 65, adopted by the Senate October 28, 1981, Kenneth Wright, Secretary."

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

Sandquist: "Yes, Mr. Speaker, I'd just like to announce that the Subcommittee of the Committee on Registration and Regulation will meet as soon as we adjourn. The witnesses are over in the room, in D1 waiting for us to get over there. So, the five members of Subcommittee please get there right away and we'll have our committee hearing."

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

Reilly: "Thank you, Mr. Speaker. The Joint Committee on Administrative Rules will conduct the next battle in the ongoing war between the hospitals and the Health Finance Authority in Room 118 immediately after adjournment."

Speaker Daniels: "Introduction, First Reading of Bills."

Clerk Leone: "House Bill 1987, Keane, a Bill for an Act relating to the actual of interest in connection with the settlement of agreements, First Reading of the Bill. Senate Bill 1988, Yourell, a Bill for an Act to amend Sections of the Illinois Controlled Substances Act, First Reading of the Bill. House Bill 1989, Ronan, a Bill for an Act to amend Sections of the Illinois Pension Code, First Reading of the

Bill. House Bill 1990, Yourell, a Bill for an Act to amend Sections of the Illinois Income Tax Act, First Reading of the Bill. House Bill 1991, Yourell, a Bill for an Act to amend Sections of the Illinois Vehicle Code, First Reading of the Bill. House Bill 1992, Yourell, a Bill for an Act to amend Sections of an Act concerning land titles, First Reading of the Bill. House Bill 1993, Yourell, a Bill for an Act to amend Sections of an Act to define the powers and duties of local governmental agencies, First Reading of the Bill. House Bill 1994, Matijevich-et al, a Bill for an Act to amend Sections of the Illinois Pension Code, First Reading of the Bill. House Bill 1995, Schraeder-Johnson-Kornowicz, a Bill for an Act to amend Sections of the Amusement Ride and Attraction Safety Insurance Act, First Reading of the Bill."

Speaker Daniels: "We still have, for this evening, approximately one hours work left, approximately one hours work left. You can plan on being in Session tomorrow to somewhere in the neighborhood of three to four. So you can make your plans accordingly. We should be in Session tomorrow until about three or four. We have about one hours work, one hours work left tonight. The Speaker informs me that those are the tentative plans, subject to change of the will of the House."

Clerk Leone: "House Bill 1996, Kosinski-Capparelli, a Bill for an Act to amend Sections of the Illinois Income Tax Act, First Reading of the Bill. House Bill 1997, Deuster-Friedrich, a Bill for an Act to amend the Inheritance and Transfer Tax Law, First Reading of the Bill."

Speaker Daniels: "Representative Abramson."

Abramson: "I have an announcement. Public Utilities Committee meeting scheduled for today is canceled."

Speaker Daniels: "Representative Collins, will you introduce the

distinguished guest standing in the aisle right there?"

Collins: "Yes, Mr. Speaker. I'd like to introduce former Representative John Hershfel who is now Republican Chairman of Champaign County and the pride of Notre Dame."

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

Sandquist: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, while we are in a little recess here, I'd like to ask leave of the House that the Subcommittee on Registration and Regulation be allowed to meet while the House is in Session. There's only five members, we'll be across the street. The witnesses have been waiting to hear. So, I'd ask the Speaker and the Minority Leader, we'd just be across the street. I'd like unanimous leave so we could conduct that Subcommittee hearing."

Speaker Daniels: "Does the Gentleman have leave? Hearing no objections? Leave. Representative Madigan. Representative Sandquist has requested leave that the Committee meet during Session."

Sandquist: "Yes, meet immediately then in D1 across the street."

Speaker Daniels: "Is there any objections? Hearing none, unanimous leave is granted. D1 in the Stratton Office Building. The Gentleman from Cook, Representative Madigan."

Madigan: "Mr. Speaker, I plan to offer a Motion for immediate consideration of House Joint Resolution 61. House Joint Resolution 61 concerns itself with the termination date of the special Commission created by the Legislature to study the future of Midway Airport in Chicago. That Commission was created by the Legislature. It has done extensive work regarding the revitalization and modernization of Midway Airport in Chicago. Inadvertently, the termination date of the Commission arrived and has passed without our

knowledge. So, this Resolution attempts to revive the Commission and give it a termination date of January 1, 1983. So, that I would now move that we suspend the appropriate rules to permit the immediate consideration of House Joint Resolution 61."

Speaker Daniels: "The Gentleman, Representative Madigan, moves that the House give unanimous leave for the immediate consideration of HJR 61. Does the Gentleman have unanimous leave? Leave is granted, hearing no objections. House Joint Resolution, Mr. Clerk, 61. Read the Resolution."

Clerk Leone: "Resolved by the House of Representatives of the Eighty-Second General Assembly of the State of Illinois, the Senate concurring herein, that there shall be created the Commission on the Revitalization of Midway Airport thereafter referred to as the Commission; the Commission shall consist of 32 members appointed as follows: Four House Members and four public members appointed by the Speaker; four House Members and four public members appointed by the House Minority Leader; Four Senate Members and four public members appointed by the President; Four Senate Members and four public members appointed by the Senate Minority Leader; The Commission shall select a chairperson from among its members and such other officers as it deems necessary; The Commission has the following powers and duties: To review and evaluate the numerous duties(sic) studies and to have been conducted..certain(sic) concerning Midway Airport in the City of Chicago and propose a comprehensive plan for its future use as an air transportation center; and be it further resolved, that the Commission shall submit to...its report to the General Assembly before January 1, 1983."

Speaker Daniels: "Now, the Gentleman, Representative Madigan, moves for the adoption of House Joint Resolution 61. It

takes 89 votes. All those in favor will signify by voting 'aye', opposed by voting 'no'. The voting is open. The Gentleman from Cook, Representative Conti."

Conti: "Mr. Speaker, I was off the floor and I just caught the Resolution number..is that House Joint Resolution, or Senate Joint Resolution?"

Speaker Daniels: "House Joint Resolution 61. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. There are 114 'aye', 27 'no' and 2 'present'. And House Joint Resolution 61 is hereby adopted. Record Representative Conti as 'aye'. 115 'aye'. Representative Conti, Agreed Resolutions. Mr. Clerk, read the Resolutions."

Conti: "DiPrima has got about 20 of them."

Clerk Leone: "House Resolution 547, Pechous. 548, Brummer. 549, Ronan. 550, Barr-Peters. 551, Carey. 552, Redmond. 553, Greiman. 554, Getty-Piel and Grossi. 555, DiPrima-et al. 556, DiPrima-et al. 557, Oblinger. 558, Ryan. 559, Ryan. 560, Woodyard. 561, Yourell. 562, Fawell. 563, Virginia Frederick-et al. 564, Flinn. 565, Catania. 566, Rea. 567, O'Connell. 568, Yourell. 571, Reed-Matijevich. 572, Klemm. 573, Kociolko. 574, Madigan-Ryan-et al. 577, Stanley-et al. 580, Krska. 581, Smith-Oblinger. 583, DiPrima-et al. 5...House Joint Resolution 55, DiPrima. House Joint Resolution 56, DiPrima. House Joint Resolution 57, DiPrima-et al. House Joint Resolution 58, DiPrima-et al. House Joint Resolution 59, DiPrima-et al. House Joint Resolution 60, DiPrima-et al. Senate Joint Resolution 61, Kulas. Senate Joint Resolution 65, Polk."

Conti: "If there are no objections, I'll start with the Senate Joint Resolution 61..."

Speaker Daniels: "Representative Conti, Agreed Resolutions."

Conti: "As I said, if there's no objections I'll start with

Senate Joint Resolutions 61 by Kulas. On September 26, the Chicago Sting gave the City of Chicago a championship where they won the zero shoot out victory over the New York Cosmos. DiPrima-et al. House Joint Resolution...Melvin Smith of Minerva, Illinois has been elected to the Illinois Department of Commander of the American Legion for 1981-82. Senate Joint Resolution 61, Kulas. That's a duplication of the Chicago Sting championship. Senate Joint Resolution #65, Polk, Sandra Truat, a 25 year old, second year, doctoral student at Northwestern University is chosen Illinois...Miss Illinois 1981. DiPrima-et al, House Joint Resolution 57, on May 23rd, 1981, Carmen Trombetta was elected state chamber..State Commander of the Italian American War Veterans. DiPrima-et al, House Joint Resolution 58, Sherman E. Roodzant of Santa Ana, California was elected at the age of 35 to be the National Commander of the Disabled American Veterans. House Joint Resolution 59, DiPrima-et al, Bernard Krueger of Springfield, Illinois was elected the 1981-82 Department Commandant of the Marine Corps League. House Joint Resolution 60, DiPrima-et al, it has come to our attention that Robert Zweiman of Fort Lee, New Jersey was unanimously elected National Commander of the Jewish War Veterans of America. Now we'll get on to the House Resolutions. House Resolution #47 marks the 25th wedding anniversary of Michael and Joanne Kasper Zdanski. House Resolution 548, Brummer, Nellie Horath upon reaching her 100th birthday, a milestone few others even approach. House Resolution 549, Ronan, on October 1981 a testimonial dinner honoring Hazel Egeland was held at the Gardenwalk Restaurant in Chicago, Logan Square Neighborhood Association for 40 years of dedicated service to her community. House Resolution 550, Barr and Peters, the House learns that Morris I. Leibman was honored on October

9, 1981 in the East Room of the White House when he was presented the medal of freedom by President Reagan. House Resolution 551, Carey – et al, the St. Edward Green Wave Golf Team of Elgin capped an outstanding season by winning the Class A State Championship on October 17 at Arrowhead Country Club in Chilecothe. House Resolution 552, Redmond, the John Howard Association will celebrate its 80th anniversary on November 13, 1981. The Association made outstanding contributions to the field of prison reforms. House Resolution, Greiman, #553, on November 9, 1981 marks the 80th birthday of Bill Rand of Chicago which includes the Chicago 'fights' Bill Rand Stadium and Chicago's 'go-go' restaurant, a bowling alley, a pet shop, the medicine business, stuffed pillows. I would say a real entre prenuer. House Resolution 554, Getty – Piel – Grossi, whereas John McKendry and his lovely wife Edna both born and raised on Chicago's south side celebrate their golden wedding anniversary on November 4, 1981. DiPrima – et al, House Resolution 555, Virginia Kates of Chicago was elected President of the Illinois Department of American Legion Auxiliary Group at the annual convention. DiPrima – et al, House Resolution 556, Romaine Roethel of Novi, Michigan, a Navy veteran of World War II took the oath of office as National President of American Legion Auxiliary on September 1, 1981. House Resolution 557 by Oblinger, Paul Carlson and the Sangamon – Menard Alcoholism – Drug Council whose joint efforts were crucial, started Operation Snowball, a community of caring. House Resolution 558 by George Ryan resolved that we recognize the 16 Illinoisians who have received outstanding volunteer of the year awards from 16 counties...east central Illinois area agencies on aging, and be it further resolved that we honor these individuals for their contribution for the betterment of

our society. I won't read the 16 names. They will be included in the...in the Resolution. House Resolution 559 sponsored by George Ryan, where Dave Kindelberger of Mattoon worked more than 1900 hours to help to renovate the newly acquired Mattoon Area Senior Center. House Resolution 560, Woodyard, recognizes that we take the opportunity to pay tribute to five of these World War veterans. House Resolution 561, Yourell, David Kubski of Boy Scout Troup 456 sponsored by Morris Meyers, American Legion Post 991 will receive the Eagle Scout Award. House Resolution 562, Pawell, Nancy and Frank Fiore will celebrate their 60th wedding anniversary September 11, 1981. House Resolution 563, V. F. Frederick, Baxter Travenol Laboratories of Deerfield, Illinois are celebrating its 50th year as the major producer of life saving...life sustaining health care...health care products. House Resolution 564 by Flinn requests all Members to be added as Sponsors recognizing the long and wonderful work that Don Ed did beginning...began working for the Secretary of State early in the 1950's. If there are no objections, Representative Flinn wanted to say a few remarks on this particular Resolution. Is he on the floor? Not being on the floor, we'll bypass that. House Resolution 565, Catania, whereas the Sisters of Mercy are celebrating their 150th anniversary of their founding in Dublin, Ireland in 1831. House Resolution 566, Rea, the Red Bird Golfers of West Frankfort Community High School capped an outstanding season by winning the Class A District and Class A Sectional 1981 Golf Meet. House Resolution 567, O'Connell, the Hickory Hills Youth Football Rebels are celebrating their 12th anniversary this season. House Resolution 568, Yourell, Mr. and Mrs. Joseph Zanora of Oak Lawn, Illinois will celebrate their 50th wedding

anniversary. House Resolution 571, Reed - Matijevich, Mr. Frank Beal who was appointed Director of the Institute of Natural Resources for the State of Illinois by Governor James Thompson has resigned in order to accept the position of Director of Raw Materials of the Inland Steel Company. House Resolution 572 by Klemm, Mr. and Mrs. James Curran of McHenry are celebrating their 50th wedding anniversary. House Resolution 573 by Kociolko, whereas for 23 years Mary Karasek has been active as a member in the Parent and Teacher Association, and she now holds an honorary life membership on the national and state level. House Resolution 574, Madigan and Ryan - et al, we commend the American Trade Union movement and the American Federation of Labor and Congress of Industrial Organizations on Labor's Centennial and congratulate its affiliated trade unions on 100 years of progressive achievement on behalf of the working people and communities of this state. House Resolution 577, Stanley - et al, Joe Wiegan recently completed a cross country walk across America as a Goodwill ambassador for the State of Illinois to proclaim his pride in being an American and rally fellow Americans behind a great nation and the principles for which she stands for. Resolution 580, Krska, whereas Brighton Park veterans of Foreign War Post 5...1569 was first 'mustard' April 1931. The first Commander of the Brighton Park Post was Charles 'Weedel'. Whereas Walter J. Wolf of the first Post quartermaster and goes on and on and mentions the five or six that we Members of the House of Representatives will congratulate the Brighton Park veterans of Foreign Wars Post 1569 on the occasion of their golden anniversary. House Resolution 581, Irv Smith - et al, whereas Charles Simpson will be honored at a testimonial dinner to be held on November 20, 1981 at the Knights of Columbus Hall in

Springfield, Illinois. House Resolution 583 by DiPrima - et al, whereas Donald Russell of Springfield, Illinois was unanimously elected at the age of 58 to the office of National Commander of the American Veterans of World War II, the Korean and Vietnam AMVETS at the AMVETS 37th National Convention in Louisville, Kentucky on August 9, 1981. Ladies and Gentlemen of the House, I move for the adoption of the Resolutions."

Speaker Daniels: "The Gentleman has moved for the adoption of the Agreed Resolutions. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. The Gentleman from Lake, Representative Barkhausen."

Barkhausen: "Mr. Speaker, Ladies and Gentlemen of the House, while there is a lull in business here, I would like to move, and I have previously filed a Motion to take Senate Bill 143 from the Order of the Spring Calendar and place it on the Order of Second Reading again for the purposes of an Amendment. And I would make that Motion."

Speaker Daniels: "The Gentleman asks leave to take Senate Bill 143 from the Spring Calendar and place on the Order of Second Reading for immediate consideration. Is there any discussion? Any objections? Hearing no objections, the Gentleman has leave to use the Attendance Roll Call. Senate Bill 143, Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 143, a Bill for an Act in relationship to the rate of interest and other charges in connection with the sale of credit and the lending of money, Second Reading of the Bill."

Speaker Daniels: "Are there any Amendments?"

Clerk Leone: "Amendments number...Amendment #1, Deuster, amends Senate Bill 143 on page one by deleting lines one through

four and inserting in lieu thereof the following."

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

Clerk Leone: "Amendment #2, Pechous, amends Senate Bill 143 on page one by deleting..."

Speaker Daniels: "Representative Pechous, withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Barkhausen, amends Senate Bill 143 on page one..."

Speaker Daniels: "Representative Barkhausen on Amendment #3."

Barkhausen: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #3 is substantially the same thing as the amendatory veto that we sustained to House Bill 430 here a couple of weeks ago. Basically what the problem is...this is the...an Amendment....it addresses the problem of the removal of interest rate ceilings. And the initial problem, which House Bill 430 addressed which, as I say, we acted on a couple of weeks ago, was that in...in signing House Bill 438 which was the interest rate removal Bill inadvertently, prepayment penalties were totally banned. And House Bill 430 then, as amended, makes it possible...it restores the status quo with regard to prepayment penalties for certain types of loans. I want to emphasize that both House Bill 430 and the Amendment to Senate Bill 143 do not in any way change the status quo to situations in which prepayment penalties are allowed. The reason that it is considered necessary for Senate Bill 143 to be considered at this point, or at least why the Amendment is necessary, is that the amendatory veto on 430 had to do with House Bill 438, the interest rate ceiling removal Bill, and various bond council throughout the state have approached us in the Legislature and the Governor's office saying that they think certain bond issues may be called into question

because the amendatory veto of 430 affected House Bill 438 which had not been signed at the time that 430 was amendatorily vetoed. I can't profess to you to totally understand the technical reasoning behind all of that, but I do know that our consideration of this Amendment is...is identical to the action that we took on House Bill 430 a couple of weeks ago, and I would therefore ask your indulgence in doing again what we did with respect to House Bill 430 in adopting Amendment #3 to Senate Bill 143. And I would so move."

Speaker Daniels: "The Gentleman moves for the adoption of Amendment #3. On that question, the Gentleman from Macon, Representative John Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I must rise in opposition to this Amendment for the same reasons I indicated when this issue arose earlier. I do not have the transcripts of the debate by which House Bill #438 or Senate Bill, whichever it was, was adopted. But that is a Bill which removed all the interest ceilings in the State of Illinois and allowed lenders to charge whatever interest rate they wish to charge no matter how high it is. It is my recollection that during the debate on that Bill, there were indications made that in return for the removal of the interest rate ceiling, there would be no prepayment penalty charges made on loans. And so I do not think it was an oversight that the language that is now being discussed was changed by Senate Bill or House Bill, whichever it was, 438. I believe that that was part of the negotiation for the passage of that Bill. That Bill is now law. There are no interest rate ceilings in the State of Illinois, and now that that is an accomplished fact, those who wanted that Bill passed are now coming back and asking us to do away with the provision that prohibited

prepayment penalties and to restore what was called the status quo. Well, the status quo was status quo which permitted prepayment penalties at a time when interest rates had a ceiling on them. So if the ceiling was low, there was reason for prepayment penalties because the lenders couldn't get an adequate return on their capital. But when the lender can charge whatever he wants or she wants, the sky is the limit. There is no reason for a prepayment penalty. We ought to leave this law...we ought to leave this statute in the situation in which we find them now. If we're going to push for the status quo, we ought to have the status quo as it is today, no interest rate on ceilings and no prepayment penalties. I respectfully urge the Membership to take into consideration all those in this state who borrow any money and those who are not only the people you call your constituents, the people who help in your campaigns, but they are your friends, your neighbors, your relatives, the Members of your own family, and you yourselves. If you or anyone...know anyone who borrows any money, the thing to do is vote against this Amendment and do some little thing for the consumers of the State of Illinois."

Speaker Daniels: "Further discussion? The Gentleman from Rock Island, Representative Darrow."

Darrow: "Will the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Darrow: "Could you indicate what the current rate of interest is on the contract sale of farmland, not residential farmland, just farmland, and if your Amendment or this legislation would address that problem?"

Barkhausen: "Representative, my understanding is that that would be governed by individual contract. There is no ceiling as a result."

Darrow: "There is no ceiling..."

Barkhausen: "As a result of 438."

Darrow: "There is no ceiling, then, on the sale of farmland that is not residential farmland. Is that correct?"

Barkhausen: "There is no ceiling, Representative, for farm property or any other kind of property for that matter."

Darrow: "Thank you."

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

Brummer: "Yes, will the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Brummer: "If I go into a financial institution, bank, Savings and Loan, and simply borrow money for a non-business purpose, if this legislation passes, would they be prohibited from providing a prepayment penalty?"

Barkhausen: "Yes."

Brummer: "Why would they be prohibited?"

Barkhausen: "Because of existing law which existed prior to 438 and continues to exist as a result of the actions that we're taking with regard to 430 and this Bill."

Brummer: "And this Bill provides on the...on page five line 12 there appears to be a broad prohibition against prepayment, but that language is stricken. That appears to me to be the existing law which you are striking which prohibits the prepayment penalty."

Barkhausen: "I am told that what you're looking at, Representative, is the action that was taken with regard to 438. And as I stated, it was in error. It was an inadvertent act on our part in passing 438 to totally ban prepayment penalties across the board. The Gentleman from Macon, I would have to respectfully disagree with because it was...it was not part of an agreement. Not that I was part of whatever agreement there was, but I am told that

there was no such agreement and in exchange for removing interest rate ceilings across the board, that prepayment penalties were going to be barred across the board. The existing law remains in effect with regard to prepayment penalties. And it is only...it is only in connection with commercial industrial loans and bonds and so forth that prepayment penalties would continue, in effect, to be allowed according to contract as they have been previously."

Brummer: "Well, the exception stated in here with regard to the prohibition of prepayment penalty on page four, paragraphs 2A and 2B at the bottom half of that all relate to a prohibition of prepayment penalty on residential real estate. It does not refer to different types of consumer loans or personal loans. It only refers to residential real estate. On page five, line 12, we are striking, by this Bill, existing law which prohibits prepayment penalties. It would seem to me, then, that the passage of this would result in a prohibition against prepayment penalties on residential real estate, but only on residential real estate and not on other types of consumer loans. That seems to be inconsistent with what you had previously indicated. I specifically want to know what the effect is of striking lines 12 through 14 on page 5 which is existing law which prohibits prepayment penalties."

Barkhausen: "The answer to your question, Representative, is that there are other statutes, and if you'd give me a minute if you're really interested, I could cite them for you. But there are other statutes which are uneffected by this language which remain in effect. And we're talking about the Illinois Consumer Installment Loan Act, Illinois Revised Statutes Chapter 74 Section 51 ad sec, Illinois Consumer Finance Act, the Illinois Revised Statutes Chapter

74 Section 13 ad sec, and the Illinois Credit Union Act, Illinois Revised Statute Chapter 32 Section 1301 ad sec, and the Illinois Interest Act, Chapter 74 Section 1 ad sec. So you're raising, I think, a red herring in suggesting that this Bill is changing statutes which it really doesn't deal with."

Brummer: "Okay, and which of those prohibitions would protect me as an individual walking into a bank wanting to borrow a thousand dollars for personal reasons? What would...which of those..."

Barkhausen: "The provisions of the laws which I just cited."

Brummer: "Which one? You cited about 12."

Speaker Daniels: "Alright, would the Gentleman please bring his line of questioning to a close?"

Brummer: "Well, I think I am entitled to answers to the questions about this legislation."

Barkhausen: "For a loan...for a loan of less than $1,000, the Illinois Consumer Finance Act would govern...for a loan of less than $3,000."

Brummer: "Would the bank be allowed to charge a prepayment penalty?"

Barkhausen: "No."

Brummer: "Thank you."

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

Abramson: "Pre...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 Barkhausen to close."

Barkhausen: "Mr. Speaker and Ladies and Gentlemen of the House, this is a technical issue, and I thank you for your indulgence. But I would also point out again in closing

that this is simply a reenactment of two weeks ago when we adopted or sustained the amendatory veto on House Bill 430. It is only because that amendatory veto affected a Bill which had not yet been signed that, as I said, in the opinion of bond council, it is necessary to also amend this Senate Bill 143 which deals with the same Section of the Illinois Revised Statutes as House Bills 438 and 430 do. Only for that reason do I ask...do I ask you and thank you for your time in again doing what we did two weeks ago, and would ask that...for passage or adoption of Amendment 3 to Senate Bill 143."

Speaker Daniels: "The Gentleman has moved for the adoption of Amendment #3. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Third Reading. The Gentleman from Cook, Representative Madigan, for what purpose do you arise, Sir?"

Madigan: "Mr. Speaker, I have filed two Motions with the Clerk relative to Senate Bill 529."

Speaker Daniels: "Mr. Clerk, Senate Bill 529. Read the Motion, Sir."

Clerk Leone: "Motion pursuant to Rule 63A. 'I move to take Senate Bill 529 from the table and place on the Calendar, Order of Second Reading, Second Legislative Day.' Representative Madigan."

Speaker Daniels: "The Gentleman, Representative Madigan, asks leave pursuant to Rule 63A to remove Senate Bill 529 from the table. Does he have leave? Any objections? Hearing no objections, the Attendance Roll Call will be used. Further Motions, Mr. Clerk?"

Clerk Leone: "No further Motions."

Speaker Daniels: "Representative...Okay, the Gentleman also asks for immediate consideration of Senate Bill 529. Does he have leave? Hearing no objections, leave is...Representative Mulcahey, the Gentleman from Winnebago."

Mulcahey: "I object to that Motion, Mr. Speaker."

Speaker Daniels: "Representative Madigan."

Madigan: "Mr. Speaker, in light of the objection, I would move for immediate consideration of this matter on the Order of Second Reading. I have an Amendment that I would like to offer to the Bill."

Speaker Daniels: "All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Gentleman has leave for immediate consideration of Senate Bill 529. Are there any Amendments filed? Read Senate Bill 529."

Clerk Leone: "Senate Bill 529, a Bill for an Act to amend Sections of an Act authorizing the Chicago Park District to provide for the creation, maintenance, and administration of the working cash fund, Second Reading of the Bill. No Committee Amendments."

Speaker Daniels: "Any Amendments filed?"

Clerk Leone: "Floor Amendment #1, Madigan, amends Senate Bill 529..."

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

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 would strike everything after the enacting clause so that the Bill would no longer concern itself with the provisions for a working cash fund. The Amendment would further provide that the Chicago Park District could use revenue bonds rather than general obligation bonds of the district to finance the construction of the proposed skyboxes at Soldiers' Field in Chicago to be used by the Chicago Bears. As you probably understand, this is for a

very needy cause. The Chicago Bears are very needy now days. They would like to build skyboxes at Soldiers' Field so that the Bears would be competitive with the other teams in the National Football League. Today, under the current statute, they would be required to use the general obligation bonds of the Chicago Park District. They would prefer to use revenue bonds so that the receipts from the sale of the boxes could be used to retire the bonds and therefore there would be no use of the full faith and credit of the district in the project. I move for the adoption of the Amendment."

Speaker Daniels: "The Gentleman, Representative Madigan, moves for the adoption of Amendment #1. On that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Would the Gentleman yield for a few questions?"

Speaker Daniels: "He indicates he will."

Vinson: "You indicated the purpose of the Amendment that you're offering is to make the Chicago Bears competitive with other teams in the National Football League?"

Speaker Daniels: "That is impossible."

Madigan: "Your point is well taken, Mr. Vinson."

Vinson: "I mean, we're talking about reducing the gestation period or something I think. Now, to the exact language of the Amendment. On page two of the Amendment, line 6, I see new language, I would assume, in the statute that would suggest that stadium improvements would be authorized. Is that correct?"

Madigan: "That is correct."

Vinson: "Now, that kind of language would include things other than skyboxes?"

Madigan: "I would presume that it could. But, whatever they might be, it would be by revenue bond so that before the bonds could be sold there would have to be a guaranteed

source of revenue for the improvement in order to permit the sale."

Vinson: "Is there any potential situation that could arise where if those bonds were imperiled they would be so closely identified with the city that they would threaten the cities bond rating?"

Madigan: "It is my judgment based upon my knowledge of the fiscal condition of the various governmental agencies in Cook County that there would be no adverse effect upon the bond rating of the Chicago Park District. The Park District enjoys a good fiscal condition. Its bonds are rated a triple A. The district is in far better condition than some of the other agencies in Cook County."

Vinson: "And there is no working cash fund provision in this now as amended?"

Madigan: "That is correct. That language has been stricken from the Bill because the Amendment states in its third paragraph that everything after the enacting clause has been deleted."

Vinson: "I have no further questions."

Speaker Daniels: "Further discussion? Being none...Representative Bowman."

Bowman: "Just one question of the Sponsor please."

Speaker Daniels: "Indicates he'll yield."

Bowman: "In particular, could one of the alternative projects that these revenue bonds could be used for, would that...might that be a World's Fair on the Chicago Lakefront on Chicago Park District land? Could the revenue bonds be used to build fair facilities and so forth?"

Madigan: "I think the first question would be is the land under Megs Field owned by the Chicago Park District?"

Bowman: "Well, I believe the pictures, the schematic diagrams that have appeared in the paper indicate that land as far

south as...land south of McCormick Place might also be utilized for World's Fair purposes, and I believe even some of the present soccer fields along Columbus Drive south of 'Zalbo' might conceivably be used for such purposes. That is my recollection of a schematic diagram that appeared in the Chicago Sun Times a couple months ago."

Madigan: "Was your statement responsive to my question?"

Bowman: "Well, I am saying that I believe that we don't have to look just at Megs Field. I believe that the Chicago Park District land is being contemplated for World's...the World's Fair activities. I wondered if the revenue bonds would be used for that purpose or could be used for that purpose?"

Madigan: "The language contained in this Amendment is stadium improvements, stadium."

Bowman: "Has the Amendment been distributed? I haven't seen one."

Madigan: "Yes, sure."

Bowman: "Okay. Stadium improvements."

Speaker Daniels: "Further discussion? Being none, the Gentleman, Representative Madigan, moves for the adoption of Amendment #1. All those in favor will signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Daniels: "Third Reading. Representative Conti, for what purpose do you arise?"

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, I move to take from the Speaker's table House Resolution 226 for immediate consideration. It creates a bipartisan Committee on medical assistant program."

Speaker Daniels: "The Gentleman, Representative Conti, has requested leave to remove Spea...House Resolution 226 from

the Speaker's table for immediate consideration. Are there any objections? Hearing none, leave is granted. Attendance Roll Call. Mr. Clerk, read House Resolution 226."

Clerk Leone: "House Resolution 226, whereas the Illinois Department of Public Aid..."

Speaker Daniels: "Alright, on House Resolution 226, Representative Zito."

Zito: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 226 creates a bipartisan Committee of the House of Representatives, the House Committee on medicaid assistance programs to investigate the financial management of the medical assistance program administered through the Department of Public Aid. This has come about by many long months of work with the Governor's office, Leadership on both sides, and I would move for its passage."

Speaker Daniels: "The Gentleman has moved for the passage of House Resolution 226. Is there any discussion? Being none, all those in favor will signify by voting 'aye', opposed by voting 'no'. It takes 89 votes. Have all voted who wish? Have all voted who wish? The Gentleman from Macon, Representative John Dunn, to explain your vote, Sir. The timer's on."

Dunn: "Mr. Speaker and Ladies and Gentlemen of the House, I would just like to suggest that we need medical assistance, not Commissions for medical assistance."

Speaker Daniels: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this vote there are 130 'aye', 10 'no', four voting 'present', and House Resolution 226 is hereby adopted. Representative Pullen for purposes of an announcement."

Pullen: "Mr. Speaker and Ladies and Gentlemen, on the Calendar it

shows an Executive Committee meeting tomorrow morning. That is actually a Subcommittee of the Executive Committee that has been set up to study House Bill 631. Obviously, the Subcommittee will have difficulty meeting at 10, but further announcements will be made tomorrow. But I did want to announce that it is not a meeting of the House Executive Committee. It is a Subcommittee meeting. Thank you."

Speaker Daniels: "The Gentleman, Representative Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, allowing the Clerk any necessary perfunctory time, he indicates there is none. I would move the House stand in adjournment till 10 o'clock tomorrow morning."

Speaker Daniels: "The Gentleman, Representative Vinson, has moved for adjournment till 10 o'clock tomorrow morning. We hope to finish our business tomorrow by three or four. We will not be in Session on Friday if things go pursuant to planned with leave of the House. The Gentleman, Representative Vinson, moves for adjournment till 10 o'clock tomorrow morning. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The House stands in adjournment until 10 o'clock tomorrow morning."

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