

Doorkeeper Koehler: "Attention, Members of the House of Representatives, the House will convene in fifteen minutes. All persons not entitled to the House floor, please retire to the gallery."

Speaker Redmond: "The House will come to order. Members please be in their seats. We'll be led in prayer by the Reverend Krueger, the House Chaplain."

Reverend Krueger: "In the name of the Father, the Son and the Holy Ghost. Amen. O Lord, bless this House to Thy service this day. Amen.

Thomas Jefferson wrote: Of the various executive abilities, no one excited more anxious concern than that of placing the interests of our fellow citizens in the hands of honest men, with understanding sufficient for their stations. Let us pray. Almighty God, we make our earnest supplication unto Thee that Thou wilt keep these Thy servants, who have been elected to serve as Members of the House of Representatives for this State of Illinois, in Thy holy protection; that Thou wilt incline their hearts and minds to search for Thy ways for all mankind; and that they may ever be found to be of indisputable probity. Through Jesus Christ our Lord. Amen."

Speaker Redmond: "Roll Call for attendance. Senate Bills, First Reading."

Clerk O'Brien: "Senate Bill 1517, Campbell, a Bill for an Act to provide for the ordinary and contingent expense of the Legislative Advisory Committee on Public Aid. First Reading of the Bill."

Speaker Redmond: "Agreed Resolutions."

Clerk O'Brien: "House Resolution 873, Satterthwaite; 874, Pechous; 875, Pechous; 876, Kelly; 877, Waddell; 878, Simms-Giorgi; 879, Yourell."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, Satterthwaite, Resolution 837 talks about the FFA State Farmer Degree. Pechous's Resolution 874, honors the Order of Elks in Cicero-Berwyn Lodge. Pechous's Resolution 875, announces that the first Federal Savings and Loan Association of Berwyn will open up a branch in Stickney. Kelly's Resolution 876 honors the Woman of the Year by the Illinois Press Association. Waddell's 877 Resolution marks the Golden Wedding Anniversary of Mr. and Mrs. Walter Dunker. Simms's Resolution talks about Eagle Scout Awards; and Yourell's Resolution notes the Metropolitan Hall of Fame recipient. I move for the adoption of the Agreed Resolutions."



Speaker Redmond: "The question is on the motion for the adoption of the Agreed Resolutions.. Those in favor say 'aye', 'aye'; opposed 'no', the 'ayes' have it, the motion carries, the Resolutions are adopted. Further Resolutions?"

Clerk O'Brien: "Senate Joint Resolution 84, Huskey."

Speaker Redmond: "Committee on Assignments. The Order of the Speaker's Table. On the Speaker's Table appears House Resolution 14. Representative Nardulli on the floor? Out of the record. House Resolution 86, Representative Martin. Out of the record. House Resolution 97, Representative Younge. 97, do you want that called? Takes 89 votes. Out of the record. House Resolution 150, Kucharski. Takes 89. Out of the record. House Resolution 154, Representative Taylor. Out of the record. House Resolution 268, Representative Dyer. Out of the record. House Resolution 457, Representative Steczo. Out of the record. House Resolution 478, Representative Giglio. Out of the record. House Resolution 539, Representative Younge. 539, out of the record. 760, Representative Chapman. Out of the record. House Joint Resolution 11, Representative Yourell. Good morning. Do you want to go with House Resolution 11? Out of the record, request of the Sponsor. House Joint Resolution 26, Representative Stearney. Out of the record. House Joint Resolution 42, Representative Porter. Out of the record. House Joint Resolution 48, Representative Deavers. Out of the record. House Joint Resolution 82, Representative Brady. Out of the record. Senate Joint Resolution 19, Representative Schoeberlein. Out of the record. House Resolution 14, Representative Nardulli."

Nardulli: "Mr. Speaker, Ladies and Gentlemen of the House, House Resolution 14 is a Resolution requesting - if I could find it here - ."

Speaker Redmond: "Page 14."

Nardulli: "I have it now. ....Resolution calling upon the Ministry of the State Security of the Union of Soviet Socialist Republics to bring immediate action to bring about the release of those men ..for the basic human rights and freedoms of the Ukrainian people. I urge your adoption."

Speaker Redmond: "Is there any discussion? Representative James Houlihan."



Houlihan, J.: "All right. Representative, on the third 'Whereas' clause on that..."

Nardulli: "I didn't hear you."

Houlihan, J.: "On the third 'Whereas' clause on that..."

Nardulli: "On the third, what?"

Houlihan, J. "'Whereas' clause.....on your Resolution....."

Nardulli: "No!....(unintelligible) Well, if you would I'd appreciate it."

Houlihan, J.: "...Will give my full support."

Nardulli: "I'd appreciate it."

Speaker Redmond: "The question's on the Gentleman's motion for the adoption of House Resolution 14. Those in favor say 'aye', 'aye', opposed 'no', the 'ayes' have it, the motion carries and the Resolution is adopted. 760....Simple majority. Representative Chapman."

Chapman: "Mr. Speaker and Members of the House, House Resolution 760 has been recommended 'do adopt' by the House Executive Committee. It asks that the Director of the Department of Children and Family Services review and implement the appropriate recommendations of the Study Committee on the Illinois Soldiers' and Sailors' Children's School in Normal. The Director appointed a Committee to look into ways of improving the programs and cutting the costs per capita of the clients served at the school. The recommendations, I believe, are excellent recommendations; and, I think, that this House wants to stand behind them by encouraging the Director to give attention to them. I move that the Amendment be adopted."

Speaker Redmond: "Is there any discussion? The question's on the Lady's motion that the House adopt House Resolution 760. Those in favor say 'aye', 'aye'; opposed 'no', the 'ayes' have it, the motion carries, the Resolution's adopted. Representative Walsh."

Walsh: "Mr. Speaker, that Resolution takes 89 votes, I believe, since it requires the expenditure of funds."

Speaker Redmond: "We'll look at the Resolution. Representative Chapman."

Chapman: "I see no way in which this ...this requires the ...expenditure of funds. Actually, the implementation, if anything, will cut the dollars expended, Mr. Walsh. I wonder if you can indicate to me in any way this would increase costs?"



Walsh: "I am using the Digest and do not have the Resolution. The Digest says that it requests the Director of the Department of Children and Family Services to review and implement recommendations of the Study Committee on Illinois Soldiers' and Sailors' Children's Home in Normal. Now...if that Department, indeed, reviews and implements recommendations then that Department will be expending money, certainly, for that purpose."

Chapman: "Uh-huh. Well..."

Walsh: "...For that reason the Resolution requires 89 votes."

Chapman: "My view would be quite the opposite. To implement this will require the expenditure of fewer dollars."

Walsh: "Ultimately, perhaps, it will save money. To review and implement will cost money. That's why it will take 89 votes to pass, in my opinion."

Speaker Redmond: "Well, you are a little dilatory on that, Representative Walsh. We'd already declared it adopted when you came out of your studies. So...we have adopted...Maybe they do it and maybe they don't. All we're doing is urging. We've urged you to do a lot of things, Representative Walsh. Sometimes you do and sometimes you don't. 268. Representative Dyer."

Dyer: "Mr. Speaker, House Resolution 268 is very, very permissive... Resolution. It simply urges the Office of Education to develop or make available to the local school districts, upon request, material for responsible parenthood; and responsible family living. Has nothing whatsoever to do with abortion. It is simply an attempt to prevent child abuse by teaching young people to be good parents. Many school districts already do this, therefore, it is just to be made available for those school districts who do not have the talent to do it themselves and who would like the material. Supported by the Office of Education, the PTA, AAUW, the Home Economists, and every organized group that I know of. I'd appreciate a favorable vote."

Speaker Redmond: "Any discussion? The question's on the Lady's motion that the House ...Representative Boucek."

Boucek: "Question of the Sponsor, please."



Speaker Redmond: "Proceed."

Boucek: "In what way would this prevent child abuse?"

Dyer: "If you noticed the report of the conference that was held, the Governor's conference. Their thought was, 'The only way you can prevent, hopefully, abuse of children in the next generation, is to teach this generation of young people what it means to get married and assume the responsibilities of parenthood.' And teach them human development and so on. As I said, the Office of Education, it would like to do this. They already have the staff to do it. It does not require any expenditure of money. It's just one hopeful way of preventing child abuse before it ever starts."

Boucek: "Is this in the elementary schools?"

Dyer: "It would be at whatever <sup>level</sup> the local school board felt was appropriate and whatever kind of material they requested, it would be made available to them."

Boucek: "Will they start having it where eight, nine and ten and eleven year old children...."

Dyer: "Not unless they're requested by the local school board."

Speaker Redmond: "Representative Walsh."

Walsh: "Well, I make the same point that I made on the last Resolution, Mr. Speaker, this would require the expenditure of money by the Illinois Office of Education and, therefore, requires 89 votes. And at this time I'm timely."

Speaker Redmond: "I think the language of the Resolution urges, doesn't require, the expenditure of any money. Representative Dyer."

Dyer: "Yes. The ...The...Doctor Cronin and his Staff have assured me they already have the staff to do this and in many cases the material already exists but the local school districts just do not know about it. So that we really would not require additional appropriation for the Office of Education."

Speaker Redmond: Representative Walsh."

Walsh: "Well, what's the point of this and what was the point of the last one up if we're going to go around urging people to do this..... things, we can do that without Resolutions. We can simply write them a letter. Now either we are doing something here or we are not doing



something. If we are doing something, then it requires the expenditure of money. If we're not doing something, then there's no point to what we're doing."

Speaker Redmond: "It would seem to me that that last point is directed to the merit of the Resolution rather than the requirement of 89 votes. So I would suggest that you..."

Walsh: "No, it is directed to the requirement of 89 votes and I request that the Lady respond."

Dyer: "Mr. Walsh, I think that I would agree with you that this should be an Agreed Resolution, however, it...the decision was not to make it an Agreed Resolution, however, the Executive Committee overwhelmingly voted 'do pass'. So there are quite a few people who feel that a Resolution from this Body does exert moral pressure on other agencies."

Walsh: "All right. In that case, if there is moral pressure exerted, then there is a requirement for 89 votes since there is a requirement for the expenditure of money for the Office of Education to do something."

Dyer: "I'm responding....Representative Walsh, the Office of Education assures me that they already have the staff in place to do this and that it would not require an expenditure of money....on their part."

Walsh: "Well, if they do then they have more staff than is necessary now, Mrs. Dyer."

Dyer: "This is simply a reallocation of the duties that their staff would be doing."

Speaker Redmond: "Representative Ewing."

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

Speaker Redmond: "She will."

Ewing: "Does this mandate any type of activity on the part of the local schools, Representative Dyer?"

Dyer: "No. I repeat, Representative Ewing, this mandates nothing, which was a part of Representative Walsh's criticism. All it does is urge the Office of Education to develop or make available, to local school districts upon request, material... for teaching children about responsible family living and the responsibility of parenthood."

Ewing: "But there isn't going to be any urging by the Office of Education that local school implement this ...type of teaching unless they want



to?"

Dyer: "Precisely."

Ewing: "Thank you."

Speaker Redmond: "Representative Dunn."

Dunn: "Will the Sponsor yield? ...Will the Sponsor yield?"

Speaker Redmond: "Yes, she will."

Dunn, J.: "I...perhaps, haven't been paying as close attention as I should, but I wonder what, 'Responsible family living and parenthood education' means, as ....defined in this Resolution? I would like to know what 'Responsible family living and parenthood education', means, as defined in this Resolution."

Dyer: "I passed material of the type I had in mind, around, at the Executive Committee. It is simply starting at an early age to teach children to make responsible choices. In other words, to realize that when they choose the commitment of marriage and having children, that there's going to be an economic responsibility, they're going to have to learn to balance the budget, which can be worked into their math courses. You know, that they are going to be commitments of a lifetime. You know, taking the consequences of choices that you make."

Dunn, J.: "Is there instruction regarding birth control methods....included in this?"

Dyer: "No. That's ...That's, you know, already in parts, of our school code, that's already covered in other areas, this doesn't touch that."

Dunn, J.: "All right. Thank you."

Dyer: "This touches what happens ...how you raise the child after the child is here."

Dunn, J.: "Thank you."

Speaker Redmond: "Representative Hudson."

Hudson: "Would the Sponsor yield?"

Dyer: "Certainly."

Speaker Redmond: "She will."

Hudson: "One of the things that bothers me just a little bit, Giddy, about this is...maybe you can answer...question. One of the complaints that is being levied nowadays and will be coming against the schools, is that



our young people are graduating from elementary schools and even high schools illprepared in some of the basic skills to assume college responsibilities. Some of them are having difficulty in reading, some of them in writing, some of them having difficulty in simple mathematical problems. So there has been a movement back in the direction of what I would refer to as basic education. Feeling that those are the basic priorities that should be taken care of first. Now I note ... in the ... the flyer that you handed out here says that the conference urged that school boards in the state be petitioned to include human development and parenting courses in their curriculums to increase public awareness of the child abuse problem. So I come to the conclusion that the schools will be pressured in one way or another, to include this parenting, none of us are against proper parenting I'm sure of that, but the schools will be urged to include this in the curriculum. And I'm wondering if there isn't a valid point that might suggest that before we introduce extra programs of this kind that we make sure that the basic programs that the children need to get along in this ..this competitive world...are met? Now that's the question I would put to you... 'Would that be a legitimate concern in your opinion?'"

Dyer: "Mr. Speaker...."

Speaker Redmond: "Proceed."

Dyer: "...I'm very glad this question, of the back to basics, was brought up because it's a very valid point. The answer to that is, if you're teaching a young person to read, you've got to give them something to read. If you're teaching them to write, you've got to give them something to write. If you're teaching them math, you've got to give them something to figure. There is a corollary motion on ....toward competency testing, toward giving young people specific tasks to perform before they can graduate from eighth grade or from high school...And giving them things like, Application for a Driver's License, or filling out forms for applying for a job, or filling out Social Security ....things.. Tangible things that they need to know. A high school in Arlington Heights has developed an excellent program along the lines that I have in mind ...where young people are



presented with the actual basic problems that they will have when they grow-up and get married and start a family. They are given math problems in budgeting and paying their rent, in making installment payments, in learning to figure interest rate payments on a car and so on. This is an excellent program. Other school districts in the state may not even know about this. And this is why the Resolution is worded... 'The Office of Education is urged to develop or make available to local school districts, a curriculum.' Because if there's a good program going all they have to do is use a 13 cent stamp and sent it to some other school that may want to adopt this program. It's permissive. It's... All it does is urge the Office of Education to do something that they are ready, willing and able to do. They assure me that it will not require extra expenditures, they can use the staff and personnel they have. And they strongly support it and I urge your support."

Speaker Redmond: "Representative Deuster."

Deuster: "I... Mr. Speaker, I just went to the Clerk's desk to read this Resolution because I guess most Members on the House don't have it, as is sometimes the case, we might be endeavoring to Legislate without knowing what we are doing. I think there's a word in the Resolution that should be changed. I would urge the Sponsor, maybe, to take it out of the record and to look at that. There's an Amendment #1, apparently adopted in Committee, it was offered by Representative Kent, and it says something about ...parenthood educational...with an 'al'. I think the Sponsor intends this to deal with parenthood education. And because of the fact that I don't think anybody on the House floor even has this Resolution, and certainly if it's an important vital subject, we ought to see what we are supporting. I certainly share Representative ... Representative Dyer's interest that our school children be taught responsible family life and responsible parenthood. But I think the Resolution is defective and the Sponsor ought to take a look at it and if I'm correct that ...at least take it out of the record to get that straightened and corrected. I would make that suggestion... unless the Resolution that the Clerk has is improper, the one I read doesn't read correctly, as I understand it,



Representative Dyer."

Speaker Redmond: "The Resolutions are in the Journal, Representative Deuster. Representative Macdonald."

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

I only wish that I were Chief Cosponsor of this Resolution because I think it's one of the most important forward looking Resolutions that we've considered so far. As long ago as in the thirties, California started this program called 'Family Living', under Dr. Paul Popeneaux - out there - and it's resolved itself into being one of the basic parts of education in California. Certainly with the divorce rate and all of our concern, not only about child abuse but also in terms of general living, I think it is imperative for us to have a vehicle such as this to go out of this General Assembly to help with the problems that there are with young people today and with their future. I urge you to support this Resolution. I hope that I may be ...at least put on as a Cosponsor. In Hersey High School, in the 3rd District, they are in the midst of an ongoing program such as Representative Dyer has explained. I only wish that every school and every school district in this state could have the opportunity to reap the benefits of this program. I urge you to vote 'yes'."

Speaker Redmond: "Representative Chapman."

Chapman: "Mr. Speaker and Members of the House, I join with Representative Macdonald in urging you to support Representative Dyer's Resolution which will give our children some of the tools that they need. There is never a day that goes by that one does not read the paper and hear about children who have been injured, children who have been murdered by their own parents or their guardians. This not only appalls us and shocks us, it has the same affect on our constituents. Whenever there is a particularly serious incident of this kind I always receive phone calls and letters from people who say, 'What are you in the Legislature doing to help parents be better parents?' This is a simple little Resolution that Representative Dyer is offering, that is not mandatory on any of our local school districts that the Office of Education supports that can provide some assistance to local



school districts in helping our children be better parents. I urge you all to put on your green lights."

Speaker Redmond: "Anything further? Representative Dyer, to close."

Dyer: "Mr. Speaker, if there is a question about wording certainly it can be amended on its face. The Amendment that was offered by Representative Kent - in Executive Committee - was to change the word from 'and' to 'or', and that makes it even more permissive. The original wording was that the Office of Education is urged to develop and make available to local school districts appropriate material. By changing the word to 'or', if there's already good material around, they may simply just let local school boards know about them through their bulletins and newsletters, which they already produce. There is no mandate, there is no expenditure of funds. For those of you who speak on this House floor in favor of strengthening the American family, and making young people become better parents so we'll have better children in the next generation, this is the time to show that you mean what you say. The voters of Illinois will be watching because the PTA supports this, the Home Economists support this, the Office of Education supports this, American Association of University Women support this and I've had letters from many school boards in my district, in support of this. I think you'll hear from your school boards on this one. I urge a 'yes' vote."

Speaker Redmond: "The question is on the Lady's motion that the House adopt House Resolution 268. Those in favor say 'aye', 'aye'; those in favor vote 'aye', opposed vote 'no'. What am I doing here? Have all voted...Representative Yourell."

Yourell: "I certainly want to vote for this fine program. My only concern, of course, is that I don't want to mandate another program by the State of Illinois and then have the local school districts have to pick up the cost of such a program. I didn't get an opportunity to ask the Sponsor if this is going to cost any money. I know that the Office of Education is being urged to make available courses and materials to school districts and teachers relative to the subject matter of this Resolution. My only concern is, as I have



indicated, is...whether we're again mandating a program to school districts and then asking them -at a later time - to pay for them.

I see the Sponsor is going to tell me that it's permissive and it's not mandated and I'm delighted to vote 'aye'."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 111 'aye', and 12 'no', and the motion carries and the House does adopt House Resolution 268. House Bills, Third Reading. House Bill ....I'm looking for the.... Representative Epton. What's the number of your 'soft' Bill? 2808."

Clerk O'Brien: "House Bill 2808, a Bill for an Act to amend the Illinois Insurance Code, Third Reading of the Bill."

Speaker Redmond: "Representative Epton."

Epton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an attempt to clarify a Bill that we passed in the last...last year, which is an excellent Bill. Unfortunately, there was some aspects concerning delinquent property taxes and demolition expense which was ambiguous. It was somewhat vague with respect to when the insurance company was obligated to pay the delinquent property taxes and demolition expense. Yesterday, Representative McClain asked if Representative McPike really and truly had made a pertinent question. At that time I responded, he had indeed, and in reviewing my file I see that he made two pertinent questions and I checked his birth certificate....it was definitely Representative McPike. One of the points he raised was the fact that municipalities should be given sufficient time to perfect their demolition liens so that the proceeds of any fire loss could be first paid to them. Representative Madigan also pointed out the fact that there was some question as to which has priority, past due taxes or demolition expense. This Bill clearly indicates that demolition expense will have priority. If any money is left thereafter, it applies to taxes. At this time I should also state that it's one of these rare occasions where the Majority Staff and the Minority Staff worked very hard to produce this Bill. It was a pleasure to see their cooperation. Some of the individuals worked not only during the week but on the weekends.



Finally, before I ask that you vote in favor, I must indicate that my....one of my partners was asked by some insurance companies to suggest revisions to the Department of Insurance. They were compensated for those suggestions. This Bill, however, was drafted by the Illinois Insurance Study Commission with the approval and the acquiescence of the Department of Insurance. I'm not being paid for sponsorship. It's sponsored jointly by me, Representative Madigan, Representative Ryan and Members of the Insurance Commission. And I solicit its passage."

Speaker Redmond: "Is there any discussion? The question is, shall this Bill pass? All those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 144 'aye', and no 'nay', and the Bill having received the Constitutional Majority is hereby declared passed. 2772."

Clerk Hall: "House Bill 2772, a Bill for an Act to amend Sections of the Illinois Marriage and Dissolution of Marriage Act, Third Reading of the Bill."

Speaker Redmond: "Representative Hart."

Hart: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill clarifies the Marriage and Marriage Dissolution Act. It provides that marital property, the definition of marital property, shall create no inchoate right in the non-titleholding spouse. Also, clarifies that the property can only be sold once for....arrears... maintenance installments in the arrears It came out of Judiciary Committee virtually unanimous and I would urge the support of the House."

Speaker Redmond: "Representative Johnson."

Johnson: "Question for the Sponsor. How does...How does this Bill differ in substance from House Bill 2604, which was passed, as amended, by Representative Leinenweber, out of here yesterday?"

Hart: "I'm not sure. You'll have to ask Representative Leinenweber. I didn't....I wasn't on the floor when the Amendment was proposed and I haven't had a chance to study it."

Speaker Redmond: "Representative Ewing."



Ewing: "Yes. I wonder if the Sponsor would yield for a question?"

Speaker Redmond: "He will."

Ewing: "Representative Hart, I couldn't quite understand your explanation of the Bill. Did this...Is this aimed at clearing up any possible cloud on title created by the marital rights and property owned in a single individual's name?"

Hart: "Yes, it is. It's a problem that the title insurance companies have had where - and lenders - where even though ...one spouse didn't have any title requiring - because of the marital property designation and the possible inchoate rights ~~that they're~~ requiring the signature of the non-titleholding spouse on deeds and mortgages. So this would provide that there are no inchoate rights in the non-titleholding spouse. It also provides that the property...property cannot be sold more than once for maintenance payments which would make it completely alienable."

Ewing: "At any time does this marital right attach? Say, after a petition for dissolutionment is filed?"

Hart: "Yes. And then I think the property would be subject to the pending suit, if it...if there's a suit on file."

Ewing: "All right. The last part that you explained about - it could only be sold once for maintenance. I'm afraid I don't understand."

Hart: "Well, under the present law property could be sold more than once for maintenance payments. In other words, if you got behind - sold it to pay up the back payments through a lein on the property, based under the interpretation of the law, that property could be sold more than once. So...who would buy it if there's a possibility that the former spouse could come in and put a lein on the property again if maintenance payments got behind again?"

Ewing: "Thank you."

Speaker Redmond: "Representative Leinenweber, for what purpose do you arise?"

Leinenweber: "Just to address the Bill."

Speaker Redmond: "Proceed."

Leinenweber: "Mr. Speaker, the question came up, how does this differ from House Bill 2604. The aim of the Bill is essentially the same



as House Bill 2604, and that is to eliminate the requirement that nonrecord titleholding spouse be required to sign a deed or other instrument of transfer of title prior to the decree of dissolution of marriage. House Bill 2604 goes one step farther and attempts to avoid capital gains consequences which would be the result of House Bill 2772. Both Bills do essentially the same thing."

Speaker Redmond: "Anything further? Representative Hart to close."

Hart: "Appreciate your support...of the House. This Bill is needed and should be passed."

Speaker Redmond: "The question is, shall this Bill pass? Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 127 'aye' and 2 'no', and the Bill having received the Constitutional Majority is hereby declared passed. 2608...2604, pardon me."

Clerk O'Brien: "House Bill 2604, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act, Third Reading of the Bill."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. House Bill 2604, as I just mentioned a moment ago, does precisely the same thing as Representative Hart's Bill does; only it is an attempt to avoid capital gains consequences. In a decision of the United States Supreme Court, United States versus Davis, where a transfer of property occurs as an incident of a dissolution of marriage the Supreme Court had determined that this was a taxable event which would require capital gains treatment of the transfer of property from titleholding spouse to the non-titleholding spouse, as an incident...or in the decree of dissolution of marriage. There are some other decisions which indicate that if the interest vests prior to the decree of divorce, then it would be in the nature ...the interest would be acquired in the nature of a partnership of marriage and would not result in a taxable event. So, as I said, House Bill 2604, as amended, is a product of some of the finest minds - not including my own, by the way - in both the Staff and the Chicago Title and Trust Company and some attorneys who are involved in marital law and also income tax



law; and is an attempt to eliminate...to provide the same thing Representative Hart's Bill did, that is not to require a signature of a non-titleholding spouse prior to the decree of divorce, but to get around the taxable event consequences that Representative Hart's Bill will bring. I might add, the prior ... divorce law ... prior to October 1, also brought. It's an attempt - whether it will be successful or not - will probably ultimately be decided by the Supreme Court. It has, however, been reviewed by title companies and it will, at least, eliminate the requirement of a dual signature and it may lead to nontaxable consequences. So I would urge the adoption of House Bill 2604."

Speaker Redmond: "Any discussion? Representative Geo-Karis."

Geo-Karis: "Will the Sponsor yield for a question? ...Harry, this whole divorce law that we passed is so complex; could you give us two examples? One example: How the present law is,...and then show us what your Bill will do on the capital gains....."

Leinenweber: "Well..."

Geo-Karis: "I mean, it's not clear in my mind, frankly."

Leinenweber: "Under the present law the marital property provision has been interpreted...and this I might add - this is a practical consequence of the Act - whether or not ... there hasn't been any court decision otherwise and there probably wouldn't be, because the title companies have been requiring signatures of non-titleholding spouses at the time of a conveyance of any article ...any piece of property that was acquired by the titleholding spouse during coverture..."

Geo-Karis: "I'm not clear..."

Leinenweber: "...So, as a ...as a result many real estate transactions have been held up and delayed because of the fact that, for example, letters of directions to a title company to convey out a piece of property by a land developer was not signed by the land developer's wife. Now another thing that has occurred, on occasion where spouses are separated or where one spouse refuses, it can delay and hold up and make impossible the transfer of land. This was not the intention of the Sponsor...or the author of the Bill, he claims that the Act doesn't provide that, but as a practical matter, the title



company has been requiring the signature of non-titleholding spouse. So, Representative Hart's Bill and my Bill have, as its primary objective, to provide that during marriage, prior to a decree of divorce, the proper...property will be alienable by the titleholding spouse without requiring the signature of a non-titleholding spouse. It has nothing, however...It has nothing to do with eliminating the marital property provision."

Geo-Karis: "Now...but I don't understand, when you mention about the capital gains, what you're saying, in effect, if I understand you correctly, is that Representative Hart's Bill and your Bill say that if I owned property in my name and I'm married and I wish to convey it out I can do it on my signature alone. Am I correct? Under your Bill..."

Leinenweber: "That's correct."

Geo-Karis: "And under Representative Hart's Bill? But then you also mentioned something about capital gains as reference to trusts."

Leinenweber: "Yes."

Geo-Karis: "Supposing that I have a piece of property in a trust...in land trust and I'm married now and I direct my ...my trustee to convey it out. Are you saying that there's a possibility of capital gain?"

Leinenweber: "No. That's not what we're talking about at all. What we're talking about is; say you own a parcel of property in your name alone.."

Geo-Karis: "Right."

Leinenweber: "...and you become divorced and in the decree the judge finds that a portion of that property...that property is marital property.... and as part of the decree of divorce your spouse is awarded a portion of that property. Now, under the United States versus Davis decision, the United States Supreme Court said; where that is an incident of the divorce procedure that that is a taxable event and you would be required to pay a capital gains tax on the difference between your tax basis and the value of the property at the time the decree is entered."

Geo-Karis: "Not me....You mean the one who would receive the portion of my property, don't you?"



Leinenweber: "No. The one who is divested because he is convey...you are conveying out a valuable piece of property as part of your...as the result of the decree of divorce, but you would be taxed."

Geo-Karis: "I would be taxed on the capital gains because..."

Leinenweber: "That was the way...By the way, that was the way the previous law operated.....if you could show special equities."

Geo-Karis: "If we showed special equities, under the previous law....."

Leinenweber: "...That was a taxable event."

Geo-Karis: "All right. Now, if I conveyed that...it's...it's because the court agreed part of my marital...decreed part of my marital property to the husband, are you saying that because of that I would have to pay a taxable gain?"

Leinenweber: "That's right."

Geo-Karis: "On what basis?"

Leinenweber: "On the basis that this is a taxable event at the time that you are conveying out a portion of your assets Under the decree, and that is ...under United States versus Davis, .....that is a taxable event and you would be required to pay a capital gains tax. And the difference between your tax basis and the value of the property at the time of the decree. You are...in other words...you are fulfilling an obligation that you have, that's been foisted upon you by a court."

Geo-Karis: "All right. Then under your Bill there will be no taxable gain?"

Leinenweber: "Not at that time. That's correct."

Geo-Karis: "Okay. Thank you."

Leinenweber: "We hope."

Speaker Redmond: "Further discussion? The question is, shall this Bill pass? Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this question there's 148 'aye' and 1 'no', and the Bill having received the Constitutional Majority is hereby declared passed. 2663. Representative Waddell."

Waddell: "Mr. Speaker and Ladies and Gentlemen of the House, I rise for the purpose of an introduction. In our gallery, in the left...in the rear, are members of the Lemont High School. They are in the gallery



there and they're represented by Representatives Huskey, Barnes and Yourell. Would you welcome them, please?"

Clerk O'Brien: "House Bill 2663, a Bill for an Act..."

Speaker Redmond: "Representative Polk, for what purpose do you rise?"

Polk: "Well, Mr. Speaker, I understood, yesterday, we made a determination in regards to introducing people in the gallery. Am I wrong? Or, did we make a decision on that?"

Speaker Redmond: "Representative Bradley."

Bradley: "Yes, Mr. Speaker, while I was at the podium, Representative Tipsword made a motion as to...for the rest of this week, we would refrain from introductions because of the nature of Friday coming along and deadlines."

Speaker Redmond: "The motion carried, I take it?"

Bradley: "Yes, Sir."

Speaker Redmond: "Representative Mann."

Mann: "Mr. Speaker, point of personal privilege."

Speaker Redmond: "State your point."

Mann: "Mr. Speaker, yesterday I erroneously made a statement that in my 16 years in the House that I had never voted for a Bill that strikes the enacting clause. I made that in criticism of my esteemed colleague, Representative William B. Walsh and it develops that I did do it on one occasion and that was the last remap. I want to apologize to Bill Walsh for my misstatement."

Speaker Redmond: "Representative Walsh magnanimously accepts it."

Clerk O'Brien: "House Bill 2663, a Bill for an Act creating the Bloomington Civic Center Authority, Third Reading of the Bill."

Speaker Redmond: "Representative Bradley."

Bradley: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 2663 does just exactly what the Clerk said and we are...a new Act creating the Bloomington Civic Center Authority. It gives that Authority the same rights as other authorities have throughout the State of Illinois;...that is to construct, maintain...an auditorium, ...exposition buildings, permits them to build an office, hotel restaurant facilities to be constructed and permits the authority to act as a lessor. We are unique, I think, in this Act in the



....we are not asking the ...any local tax dollars to be provided. The local match for the...for the project, if it is successful, will ...the local dollars will be on a bid basis through the authority; that will provide the local dollars. There are no tax dollars locally and that's why I say it's rather unique....way to bring about a.... this particular authority. The City of Bloomington has requested and have received a feasibility study that indicates that it's a very practical venture on the part of the City of Bloomington. And I submit, from that feasibility study, that it would be successful. We are located on the two interstates, 74 and 55. We have the traffic I think, and I think that it would be a good venture on the part of Bloomington and the McLean County area. I would be happy to answer any questions and I would simply ask for the support of the House."

Speaker Redmond: "Any discussion? Representative Brady."

Brady: "Yes, I do have a question of the Sponsor, Mr. Speaker. Would this allow Bloomington, under this authority, to build a sports arena?"

Speaker Redmond: "Representative Bradley."

Bradley: "I imagine, the way the Bill is written, that it would."

Brady: "Thank you. I don't find that so offensive, I just find it unusual that the only ones that can under their authority is the Metropolitan Fair Exposition Authority in Chicago, But I intend to support it. I don't think a sports arena is such a bad thing."

Bradley: "In reply....also, Mr. Speaker, we would be very happy if we could get the Chicago Bears to move to Bloomington to build that field for them."

Speaker Redmond: "Representative Tuerk."

Tuerk: "Would the Sponsor yield for a question? Representative Bradley, how does your authority Bill differ from the one that I passed through the House a couple of years ago?"

Bradley: "Well, we're....the local match is the difference, Mr. Tuerk, the local match, which in this they are thinking of something like an 8 million dollar project....that'd be necessary for 2 million to be raised locally and the local match would ...would come from successful bidders that would operate the authority. And the Civic Center Authority has the right, under the Bill, to negotiate and put out for



bids ...the people to operate the authority. They would put up their own money private capital, with no local tax dollars, private capital would be invested. So you know if somebody has to put up 2 million dollars they are going to be pretty sure they're going to make some money, and the feasibility study must be correct."

Tuerk: "Well, now....you still would get the state money, the 75 percent, with the 25 percent coming from local contributions?"

Bradley: "That's absolutely correct. The same as the rest of them."

Tuerk: "Now, one final question. The condition of that 75 million dollar fund, I haven't checked that out in recent weeks as to know where we are on that fund. Are there monies available for the Bloomington Authority?"

Bradley: "I understand that there is and I have a Bill that addresses that problem in 2662."

Tuerk: "That would be in a separate Bill?"

Bradley: "Yes, Sir."

Tuerk: "Well, if I could address the Bill, Mr. Speaker? I think we should give Bloomington the opportunity to build what they want to build along in accordance with the other authorities within the state. Peoria is in the process of putting a package together. It's true we're using local tax money along with state funds, but if they feel that they are going to get their contributions through private funds I think that's an innovative approach. I would support the Bill."

Speaker Redmond: "Representative Mahar. Representative Mahar."

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

Will the Sponsor yield for a question?"

Speaker Redmond: "He will."

Mahar: "Will the passage of this Bill help you become a core city.... on the new off-track betting? Can you now become a core city?"

Bradley: "A what?"

Mahar: "Under the off-track betting Bill."

Bradley: "What's he asking? ...I don't think this Bill addresses itself to that."

Mahar: "That was just a joke."

Bradley: "...We'll let Peoria handle that for us."



Speaker Redmond: "Representative Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Bill. What it attempts to do is to put the City of Bloomington in the same position as several other downstate city which recently or currently have or are constructing civic centers. Certainly a city of the size of Bloomington and a city of its importance to central Illinois as far as the economy and the culture of central Illinois ought to have a civic center. There is clear evidence available that the city fathers of Bloomington are willing to provide a local share for the construction. I think this is a good Bill and a Bill that ought to be passed."

Speaker Redmond: "Representative Ewing."

Ewing: "Yes, Mr. Speaker, I wonder if the Sponsor would yield for a question? What type....maybe you've covered this, I didn't hear it, about feasibility of making this a financial going thing in the City of Bloomington?"

Bradley: "We had a feasibility stu...study done. The Mayor and the City Council requested it, paid a firm, I believe, from a state...from a southern firm to come in to make the feasibility study. I have in my offices - it's rather a comprehensive study - indicates that it would be profitable to put a civic center in the Bloomington-Normal area."

Ewing: "What kind of use would this get, Representative? I mean, do you expect this to attract conventions and those types of meetings that you're not having?"

Bradley: "Yeah. The normal convention site. We expect to attract all types of conventions from all over the State of Illinois. As I said, we're very fortunate to have Interstate 55, North-South; and 74, East-West, crossing right in the Bloomington-Normal area. We have the accesses there. This was one of the determining factors by the people that ...that had the feasibility study making a determination as to the successful....who...whether or not it would be successful."

Ewing: "Did they take into consideration the number of other pending civic centers being built around the state, as far as competition do you think, in coming up with the ...an answer or a projection



that's profitable?"

Bradley: "That was...those things were taken into consideration. And it was still in the opinion of the people who had the study that it still would be successful. And so I....You have to remember, Representative Ewing, in the Bill...in the matching fund, the 2 million match is ...private funds. We're not able to build this unless that 2 million comes forward from somebody or some group. I think that's what's unique about the Bill and I can't, for the life of me, envision somebody investing 2 million dollars without a pretty good idea they are going to get a return on those dollars."

Ewing: "And how much return would you get - state money - then, after the 2 million? 75....7 million 5 hundred..."

Bradley: "How much what? ...Do you receive? .....The.....  
The state share right now would be 6 million and there'd be 2 million local. 75/25 ...the same as the match on the other civic centers throughout the state."

Ewing: "All right. Just one final question. Is there any...do you feel there is any duplication of this facility and some of the facilities we have for meetings at Illinois State University?"

Bradley: "No. They...The University does not have the type of facilities that this is going to be. They're just simply not available, if they were we certainly wouldn't be going with this Bill. But we have lost, on occasion, groups that wanted to come to Bloomington for a convention or what have you and the facilities simply were not available at ...anyplace in the City of Bloomington-Normal. And we lost that business and they went elsewhere."

Ewing: "In the other civic centers we've built did they have to come up with the same type of match that this Bill provides?"

Bradley: "The match is the same all over the state, 75/25; 25 local and 75 state."

Speaker Redmond: "Representative Skinner."

Skinner: "Yes, I wonder if the Sponsor of the Bill could tell us if the pending passage of this Bill is merely coincidental with the recent selection by the Governor, of the wife of the Mayor of your town as his downstate campaign chairman?"



Bradley: "Has absolutely nothing to do with it as far as I'm concerned."

Skinner: "Well, good. I'll consider the Bill on its merit, of which it has very few. We're going to look back on the civic centers about ten years from now as the 'pork barrel' of the 1970's. We may not have enough schools, we may not have enough roads but, by George, we're going to have enough civic centers. Now when the 1980's ... the end of the 1980's turns around, I would suggest, perhaps, the City of Bloomington and the others - marginal convention cities around the state - who apparently don't perceive there are limited number of conventions in the State of Illinois and that they can't all be winners. That perhaps since this is 'pork barrel', they consider it for hog feeding operations. That has traditionally been profitable in the State of Illinois and I'm sure that some modification could be made so that the 2 million dollars of local money in Bloomington wouldn't be completely lost. The people of Bloomington, if...when this passes, because this obviously is going to pass, the deal has been cut; are going to think Santa Claus has come and put a gift in their stocking. I would suggest that upon reflection, maybe ten to twenty years from now, they'll discover that was a lump of coal that is incapable of burning. I would reiterate, what the Representative from Pontiac suggested, and that is that this is a University city and we have pumped all sorts of public money into it and the one thing we don't need to do is pump more money into it for a white elephant. I would suggest that we ought to also consider, very seriously, the additional bonding authority that will absolutely be necessary in order to build this civic center. There...all the bonding authorities that exist so far has already been allocated to other cities' white elephants. So we're going to have to increase the bonding authority. Now the Wall Street bond market people tell us that we can sell between 4 to 5 hundred...million dollars worth of bonds a year. Now, it is this vote and the vote on House Bill 2662 and similar bills which will indicate whether you think civic centers have priority over schools and roads and other needed capital improvements such as ...well, such as a new Department of Illinois Revenue Department building, or ..even a sports stadium in Chicago. There



just isn't enough money for all of the capital improvements in the State of Illinois. For that reason and for the reason that this is a completely marginal product...or...marginal project, that it ...well, it certainly shouldn't pass although it obviously will."

Speaker Redmond: "Representative Mudd."

Unknown: "You can turn the mike off now."

Speaker Redmond: "Representative Mudd. Representative Mudd. Turn Representative Stuffle's mike on. Try Levin's."

Mudd: "Mr. Speaker and Members of the House, I think one point that isn't coming across to the Members of the House is the fact that we're not building civic centers throughout the State of Illinois because they are all going to be great money producers in a sense that the people are going to use them and they're going to create revenues. We're doing them to save the tax bases in a lot of these cities because our life style is changing. We're building shopping centers, we're moving activity and retailers out of our main core downtown districts out into the neighborhood areas or out into shopping areas. This is an investment by the state to produce some activity back in those downtown districts to protect the real estate base and in a sense this is protecting the revenues for schools and for cities...so that they can <sup>grow</sup> and still progress. Just the very fact that you build these civic centers creates activity in these areas and brings in motels, hotels, restaurants, and establishes the downtown districts that have lost the retailers in an office type of a community, and protects that very important tax base that's so important to even our tax base here in Springfield. It brings in sales tax and I think it's an important Bill. I think the fact that they're not going to make as much money as a lot of people feel they are, they're still going to produce a lot of incentive for construction, jobs and protect a very important thing in these communities and that's their local tax base ...will take care of the schools, the streets and everything else in those cities. I urge an 'aye' vote. I think Representative Bradley's Bill is a good one. I think it is an investment the State of Illinois could make in another large community in this state that will be worthwhile."



Speaker Redmond: "Representative Darrow."

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

Speaker Redmond: "The question....The Gentleman's moved the previous question. The question is, shall the main question be put? Those in favor say 'aye', 'aye'; opposed 'no', the 'ayes' have it. Representative Bradley to close."

Bradley: "Mr. Speaker, it's been a...I think everything has been said that can be said about the Bill. I'd just like to make a few observations. One, we ...it was indicated we pump a lot of money into Illinois State University and the Gentleman, I think, was suggesting that we don't need this because of facilities at ISU. As I said, the facilities at Illinois State University or Illinois Wesleyan University, anyplace else in Bloomington-Normal do not lend themselves to having conventions. The point though I would like to make, with that auditorium at Illinois State University, unfortunately, those are not state dollars. Those dollars are...in that building was built and being paid off - the bonds were being paid off - by student fees; which I have objected to for a long time, Mr. Skinner, but it's not public tax dollars, it's student fees. But, getting back to this Bill, Mr. Speaker, I simply ask for the support of the House. It's exactly the same type, almost the same type, of legislation as requested by other cities throughout the state. I think it's fair that we give Bloomington-Normal and McLean County area the same ability to create the Bloomington Civic Center Authority. I ask for a favorable vote ....vote."

Speaker Redmond: "The question is, shall this Bill pass? Those in favor vote 'aye', opposed vote 'no'. Representative Walsh to explain his vote. The timer is on."

Walsh: "Turn the timer off first, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, this is utter nonsense. Bloomington is surrounded by cities that have civic centers; some of which or at least one of which regrets very much that they have it now. Mr. Speaker, we have committed 75 million dollars of state money to build civic centers. We are asking for an additional 30 or 35 million dollars in this Session. We're not paying for these civic centers now we're asking our children and our grandchildren to pay for them. And we are cutting into state



prospective state revenues. Now, Mr. Speaker, we're building these civic centers over and over and over again and at the same time people are telling us that they're not going to come to our state. We have heard from the American Association of Nuns, we have heard from the Gay American Indians that they won't come here anymore. So maybe we ought to put a stop to this."

Speaker Redmond: "Have all voted who wish? Representative Ewing, do you... did you speak in debate?"

Ewing: "Mr. Speaker..."

Speaker Redmond: "Did you speak in debate?"

Ewing: "I only asked a question."

Speaker Redmond: "Proceed. The timer is on."

Ewing: "Mr. Speaker and Ladies and Gentlemen of the House, I don't usually arise to explain my vote; but this particular Bill is ...affects an area very close to my district. I am very...my colleague, Representative Bradley has done an excellent job of promoting this Bill and answering all of my questions concerning it. Yet, I am fearful that the remarks of Representative Walsh are all too true and that we are, in face, overbuilding these civic centers. And I really believe that the Bloomington Civic Center ought to wait until we see how the other civic centers around this state are going to react and whether they're going to be able to make it. And I, unfortunately, feel that I must vote 'no' and my conscience, on this Bill."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 108 'aye' and 37 'no', and the Bill having received the Constitutional Majority ...hereby declared passed. Representative Von Boeckman, desires to be recorded as 'aye'. 2626, Representative Ebbesen."

Clerk O'Brien: "House Bill 2626, a Bill for an Act to regulate the advertising of ophthalmic material, Third Reading of the Bill."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, House Bill 2626, I'd like to give a little history on it first. You know that virtually every state in the United States has had laws on the books that prohibit price advertising for ophthalmic materials and professional services. We're talking about ophthalmic materials. Let's clarify



that. We're talking about glasses and lenses, frames, contact lenses and professional services...all included. These laws, in most every state, have been extremely effective in protecting the public against what was once a very blatant violation of the 'bait and switch' tactics prevalent years ago. And about a year and a half ago the Supreme Court of the United States ruled that all such laws were null and void ...was their opinion. So now we still find ourselves with a definite ...decision to attempt to continue the protection of the public through having some minimal information that should be disseminated to the public through the advertising media...since all professions now will be able to advertise. House Bill 2626 addresses itself to this particular subject. Maybe to highlight a little bit, it merely states that in advertising, the minimal information required would be that if you're talking about lenses, are they single vision or bifocal or trifocal lenses? Are the lenses plastic or are they glass. Are they tinted or are they clear? The manufacturer of the lenses. Is it a Bausch & Lomb lens or American Optical or what have you? As it relates to ophthalmic materials for frames, Mr. Speaker...Mr. Speaker..."

Speaker Redmond: "Please give the Gentleman order." .

Ebbesen: "Yes, Mr. Speaker. All I'd like to say is that it's an important piece of legislation. I'd like their attention. And that I'd be happy to respond to any questions. I would just say that the...It is the Illinois Optometric Association's legislation. It has the ...been supported by the ...been supported by the Department of Public Health and - as you know - the other day we did amend ...Amendment #4 put on the Bill which relieved some of the people in the ...labor groups that felt as though they would have to oppose it without that particular Amendment. And I would be glad to respond to any questions but I would appreciate a favorable vote on this proposal."

Speaker Redmond: "Representative Hanahan."

Hanahan: "Mr. Speaker and Members of the House, I stand in support of House Bill 2626. I'd like to explain to the Members that are confused and some people have said that some unions are for this Bill ...some unions are against this Bill. I'd like to explain very openly...that the intent of this legislation is to protect union members and to



protect the public at large. This is a consumer's Bill. I want to tell you that this Bill is not new, it's not a new idea. Ten years ago this House of Representatives adopted legislation prohibiting the false and misleading advertising by a few of these schlock operators that have extorted money from working people by saying that they could give eye-care for nine, ninety-five; those of you who've been around long enough remember all of the ads we used to have in the newspapers that say, 'come on to our place for an eye exam for nine, ninety-five and we'll give you a set of glasses, or for twenty-nine, ninety-five we'll give you a set of ...of lenses for your eyes and contact lenses. And you and I know that that was strictly leader advertising, strictly a guise to get working people to come in and buy prescription glasses, not at that nine, ninety-five rate, not at that twenty-nine, ninety-five rate, but at a much higher rate so that they could once get you in the door they could charge you any rate they want. This is good legislation, because the old legislation that we passed, I agree with Joe Ebbesen, is unconstitutional today. We got to straighten out the existing law and we can't afford to allow the citizens of Illinois to be once again taken in and fleeced by these schlock operators. And I don't care if their name is....Sears Roebuck or what their names are, but all they're doing is trying to fleece the public with misleading advertising that somehow they could give you a nine, ninety-five pair of glasses. We, in the trade union movement belong to union eye care and many other discount programs but we don't advertise at nine, ninety-five and the other kind of false advertising that is going on in Illinois. This legislation will help protect the consumers of Illinois from being taken. And you and I know that there's enough gimmickry out in this society without allowing any more of it. It's a good piece of legislation and I support it."

Speaker Redmond: "Representative Tuerk."

Tuerk: "Would the Sponsor yield for a question or two?"

Speaker Redmond: "He will."

Tuerk: "This Bill, in its intent, appears to protect the consumer and I think that's a worthy objective. Why is it that there's been extremely



number....large number of people lobbying against this Bill. With the...With the idea that...in order for an eyeglass company or an optometrist or an ophthalmologist or whatever...advertise, he would have to take a full page ad in order to provide all of the information necessary to give the consumer all the information that you're trying to get to that consumer."

Ebbesen: "Oh! No. The answer, Representative Tuerk, to that is that there's legislation very similar to this in many other states already. And I'm here to tell you that all advertising now - a good share of it is in compliance with..within the confines of this legislative proposal. In other words they are adhering to it as it is now. It's those that are not that we're concerned....That's what the basic thrust of the legislation is. So when you say they have to take a full page ad, usually when they are addressing themselves to the public, they're taking a full page ad anyway. I think that there are just minimal things that should be said so that the individual who wants to go fill a perscription can make a rational, intelligent decision based on the information in front of him. I guess what I'm saying in more understandable terms is; if you advertise and show a picture of a Cadillac and then you go in and you walk out with a Ford or a Chevy,... which - nothing against the automobile but it costs less - and still pay for the Cadillac. That's what we're addressing ourselves to."

Tuerk: "All right. One further question. If...If I am an operator of a ...and I take a two column by four inch ad, in the newspaper...we'll say, do I have to include the price of my product?"

Ebbesen: "Well, no, you don't have to insert the price. You can just say whatever you'd like. But with price advertising, that's what price advertising is. There's nothing that's mandated that you have to say - except minimal requirements."

Tuerk: "In other words, if I quote a price, then I have to give all the particulars of what I am going to offer that customer with that price?"

Ebbesen: "Yes. What are you going to get for the quoted price?"

Tuerk: "Thank you."

Speaker Redmond: "Representative Ryan, for what purpose do you arise?"

Ryan: "To break the rules, Mr. Speaker. In the balcony, in the Speaker's



gallery, we have 32 French speaking, sixth grade students in Springfield, for three weeks, that are studying at Illinois' schools. They are here today. They are accompanied by Mr. Harvey. Right up there in the balcony."

Speaker Redmond: "Representative Tipsword."

Tipsword: "Mr. Speaker, we passed a rule yesterday which...upon which we consulted with the Minority Leader before it was passed."

Speaker Redmond: "Well, when somebody seeks attention I have no idea for what purpose they rise."

Tipsword: "How can we possibly follow our rules if our leadership doesn't follow them."

Speaker Redmond: "I think every Member should take a rule of celibacy. And I think that includes...not asking people to come on the floor that are not entitled to the floor by our rules and many other rules that are broken repeatedly by the Members. Now I'm kinda powerless to do anything as long as the Members violate the rule. Representative Kosinski. Representative Kosinski."

Kosinski: "May I ask the Sponsor a question? Mr. Ebbesen, on two emotional points I'm with you on the Bill, in that my brother's an optometrist, and I'm for consumer protection. However, let's look at the other side of the coin for a moment. Don't we have a Deceptive Practices Act and Deceptive Advertising Act, which doesn't have any teeth in it also? And item two; why are you limiting this to glasses; what about dentures, podiatrists and what have you? "

Speaker Redmond: "Representative Ebbesen."

Ebbesen: "Yes. Representative Kosinski, I think you'll find and probably when you receive your evening edition of newspapers and start listening to the radio and watching TV, you will see that today the Federal Trade Commission, by people in Washington, have now come out in this... after two and a half years in having public hearings all over the country...are ruling in this particular area. What will come next' will be the dental field, funeral directors and you name it. They are going to get into these areas in the months and years ahead and it's going to necessitate legislation of this type. This is the first ...this happened to be first in line. I don't know whether I answered



your question or not, but to me, I think, if we're going to be protecting and continue the protection we've had under laws that prohibited price advertising before it gets running blatant again, let's do something for the...now that it has to be law, that we can't prohibit it, let's have the laws minimal dissemination of information so they can make that decision."

Kosinski: "Well, that may be a point in favor of the Bill, at the same time limiting it to one particular professional field when there are so many other fields that need assistance, may be wrong. Actually, you know, the AMA, through it's organization, controls the physicians and surgeons very well. However, this must be a loose situation for my brother, the optometrist, and the podiatrists and so forth, in terms of organization, otherwise they would have their own teeth without coming to the Legislature."

Ebbesen: "Well, I think, in response .....is that I'm sure that there's going to be legislation in all of these professions relating not only to materialistic things such as dentures or eye glasses, but professional service fees. Whether it's dentistry, podiatry, optometry, ophthalmology or whatever it is. This is just Bill number one, I guess. Mr. Speaker, if there are no questions, I'd appreciate a favorable Roll Call."

Speaker Redmond: "Representative Leverenz."

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

Speaker Redmond: "The Gentleman has moved the previous question. The question is, shall the main question be put? Those in favor say 'aye', 'aye'; opposed 'no', the 'ayes' have it, the motion carries. Representative Ebbesen to close."

Ebbesen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think it's been adequately discussed and I would just appreciate your favorable consideration of House Bill 2626."

Speaker Redmond: "The question is, shall this Bill pass? Those in favor vote 'aye', opposed vote 'no'. Representative Katz to explain his vote."

Katz: "Mr. Speaker, this is special interest legislation. It's not designed to protect the consumer at all. It's not even designed to



protect all optometrists. It's one group of optometrists against another group of optometrists. Those who have stores and those who practice privately. It is not appropriate for the General Assembly to eliminate competition. You should vote for your constituent's interests, you should vote for the interests of unions and other groups that want to be able to have groups to be able to enjoy less expensive modes of optometry and vote 'no' on this Bill."

Speaker Redmond: "Representative Marovitz, to explain his vote. The timer is on."

Marovitz: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Unfortunately, I think, this is one of the worst Bills to come before the House this Session. If you take a look at the Bill you'll find out that somebody doesn't put in a proper lens number or the proper information in an ad, then the op...optometrist or the physician could be fined up to 5 thousand dollars for failing to put the proper information in an ad such as the lens number, and he could have his license revoked. Furthermore, because of certain problems this Bill was taken back to Second Reading and an Amendment was put on having to do with group practices. Who knows what group practices is defined as? Also this certainly does prohibit certain advertisement which benefits consumers throughout the State of Illinois and could save people an awful lot of money. This is a terrible Bill. I think a lot of doctors will lose their licenses, will be fined heavily because of this. Consumers would find their costs of glasses would be increased and they wouldn't find out what their reasonable prices of glasses for sales are. I think you ought to take a look at this Bill. I think it's a terrible Bill. That's why there's so much opposition to this Bill. Not for no particular reason and I would certainly ask for a 'no' vote."

Speaker Redmond: "Have all voted who wish? Representative Ebbesen."

Ebbesen: "All right. Mr. Speaker, I'd like to respond to some of that.

When you talk about special interests... If legislation....If I could be accused of special interest in trying to protect the public interest, I can't think of a better way to have the finger pointed at me, because that's all that this legislation does. I'm here to



tell you and you read your papers later today, the Federal Trade Commission, in fact, what I think the Federal Government is going to... ..We can elect a president and he can appoint five members of the Federal Trade Commission and those members are going to tell every state Legislature in this country what they can and cannot do. And it's not just optometry or ophthalmology or ophthalmic industry, Representative Kosinski has brought it out already. Every profession, the legal profession, dental profession, podiatry, optometry, you name it. They're going to dictate to us what we can do and tell us what we can and cannot do as far as legislation within our own state. And I'm here to tell you people that this is good legislation. It is not special interest legislation. And if any of you have any difficulty with this Bill I'd be glad to work with you. We can get it out of the House and over into the Senate. Enter these minor objections you might have."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, what this Bill is trying to do is eliminate some of the fraudulent practices in advertising. This is akin to selling a Chevrolet motor in an Oldsmobile automobile and that's been done. So if this Bill makes it more definitive for the optometrist to describe the lens and to tell whether it's bifocal, trifocal, clear, tinted or so forth,..... single vision; I think we have a duty to the public to alert them so they don't go to all of these outfits that have spurious advertising and take the poor peoples money without just cause."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. Representative Ebbesen."

Ebbesen: "May I have a poll of the absentees, please?"

Speaker Redmond: "The Gentleman has requested a poll of the absentees. Representative Marovitz, for what purpose do you arise?"

Marovitz: "If this should get enough votes, Mr. Speaker, I'd like a verification of the Roll Call."

Speaker Redmond: "The Gentleman has requested a poll of the absentees."

Clerk O'Brien: "Jane Barnes, Beatty, Bowman, Brady, Brandt, Caldwell, Campbell, Corneal Davis, Doyle, Epton, Friedrich, Giglio, Johnson,



Emil Jones, Kane, Laurino, Madison, McAuliffe, Schisler, Schlickman, Stearney, Tipsword, Totten, Vitek, Von Boeckman, and Winchester."

Speaker Redmond: "What is the count? Representative Ewing. Ewing."

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

Speaker Redmond: "How is ... Representative Ewing, how is he recorded?"

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

Ewing: "Please change me to 'yes'."

Speaker Redmond: "Change the Gentleman to 'yes'. Representative Tipsword.

Tipsword. Representative Tipsword."

Tipsword: "Please record me as 'yes'."

Speaker Redmond: "Record the Gentleman as 'yes'. Representative Winchester?"

Winchester: "Mr. Speaker."

Speaker Redmond: "Yes."

Winchester: "Record me as voting 'aye', please."

Speaker Redmond: "Record the Gentleman as 'aye', please. Representative

Hoxsey? Record the Lady as 'aye'. Representative McCourt. 'Aye'.

Representative Campbell?"

Clerk O'Brien: "Mccourt?"

Speaker Redmond: "'Aye'. Representative Brandt. 'Aye'."

Clerk O'Brien: "Wait a minute. Wait a minute."

Speaker Redmond: "Representative Christensen."

Clerk O'Brien: "Mccourt?"

Speaker Redmond: "Representative Christensen?"

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

Speaker Redmond: "Record Representative Christensen as 'aye'. Representa-

tive Kane. 'Aye'. Representative Bowman, 'No'. Representative

Abramson?"

Clerk O'Brien: "Who's after Campbell, Joyce?"

Speaker Redmond: "Representative Abramson? Abramson?"

Abramson: "Please change me to 'aye'."

Speaker Redmond: "Please change the Gentleman from 'no' to 'aye'. Rep-

resentative Doyle. 'Aye'. Please be in order. Representative

Huskey? 'Aye'. Anyone further? Representative Byers, 'aye'.

Representative Van Duyne, 'aye'. What's the count, Mr. Clerk?"

Clerk O'Brien: "Van Duyne is 'aye'."



Speaker Redmond: "Representative Flinn? 'Aye'. Representative Johnson, 'aye'. Representative E. M. Barnes requested to be recorded as... changed from 'present' to...something...from 'aye' to 'present'. What is the score now?

On this question ....100 'aye', 45 'noes', ...Representative Marovitz."

Marovitz: "In order to save the time of the House because of the deadlines I'll withdraw my request for verification. Despite the fact that this is a terrible Bill."

Speaker Redmond: "This Bill having received the Constitutional Majority is hereby declared passed. One more of the soft ones on which there's going to be no problem and then we'll go to the order of priority. 3225."

Clerk O'Brien: "House Bill 3225, a Bill for an Act to amend Sections of the Environmental Protection Act, Third Reading of the Bill."

Speaker Redmond: "Representative Macdonald. Representative Macdonald."

Macdonald: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3225 contains the necessary statutory language to enable the Illinois Environmental Protection Agency to be the enforcement authority for two federal clean-air programs. Until this step is taken industries in Illinois will be required to deal with both federal and state environmental agencies when applying for necessary permits for the construction of new major sources of air pollution. The present dual system is aggravating, to say the least, and frustrating beyond belief. Like it or not we must comply with federal standards. As to House Bill 3225, Illinois will be able to receive important federal grants and eliminate unnecessary and costly hearings. You'll remember a week or so ago, to insure the Pollution Control Board that they would not have to have its authority eroded, we amended the Bill on Second Reading to require that federal rules, which are being made effective as state rules, must be adopted by the Pollution Control Board in an expedited manner; then filed with the Secretary of State, published in the Illinois Register and subject to the review of the Joint Committee on Administrative Rules, which is in accordance with the Administrative Procedure Act. This Bill passed out of Committee



unanimously and has the strong support of the Illinois Chamber of Commerce, the Illinois Manufacturer's Association and the Illinois Environmental Protection Agency. It's unique that we have all of these entities in agreement at last and I ask for your favorable support of this much needed legislation."

Speaker Redmond: "Representative Hanahan."

Hanahan: "Mr. Speaker and Members of the House, I'm almost astonished to see the sponsorship of this Bill saying that all of a sudden anything that happens in Washington should automatically be the rolls in Illinois. This is almost astonishing to hear conservative Republicans, the Leadership of the Republican Party, stand before this House and admonish this House that we should automatically adopt all the wisdom in Washington as almost a sanctimonious decree that the citizens of Illinois should live under. I always thought that the Republicans were against big government and against the intrusion and infusion of Washingtonian diseases involving every aspect of our life. I find it very unique that of all the agencies to be benefited by this kind of unique legislation that automatically anything done in Washington we should adopt by statute..by rule making power here....I find it real unique that in all of the organizations is the EPA. Now, to some people, the EPA stands for Environmental Protection Agency, but I'd like to point out that in my area we consider it the Environmental Pollution Agency because what they do in McHenry County is they move the pollution from Lake County and put it over in McHenry County. They don't believe in protecting anyone, all they're doing is shifting and all they are is transferring pollution.. They don't really care about protecting anyone it's almost a play on words for anyone to stand in this House and say that there's an Environmental Protection Agency. It all depends on which side of the river you live on. It all depends on which side of the State of Illinois you live on, because you'll find it under this rule making power that's being asked for in this legislation. They're going to continue shifting pollution, not protecting you, but shifting pollution around this state. I predict, Ladies and Gentlemen of the House you'll regret giving authority such as asked for in this Bill to a phony organization called the



Environmental Pollution Agency of this state."

Speaker Redmond: "Anything further? Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill was heard before the Energy, Environment and Natural Resources Committee where it got a 16 to zero vote for passage. I'd like to remind the Gentlemen on the other side that the advantages of this Bill are as follows: It will prevent dual permit requirements, it will entitle Illinois to continue to receive federal funds for air pollution programs, and it will enable uniform and equitable administration of pollution standards. It will save the Illinois EPA, the Pollution Control Board, and the Institute for Environmental Qualities from holding hundreds of hearings thus saving time, money and manpower. And if we want to save the taxpayers money, and if we want to protect the taxpayers with clean air then ....and...if we want to get the federal money that we should be entitled to if we pass this Bill then let's vote for this Bill. I don't know which side of the river the Gentleman lives but I get the pollution as much as you do but, I think, at least the EPA is trying even though I don't always agree with them either. So let's go out and show 'em."

Speaker Redmond: "Anything further? The question is, ....Representative Flinn."

Flinn: "Well, Mr. Speaker, I rise in support of this Bill. I think one of the previous speakers just doesn't know what he is talking about. I would like for him to tell me why we passed the 55 mile an hour speed limit. We did so because the Federal Government was threatening to withhold the road money. Why did we have the removal of the signs, same reason. I'd like to find out how you can avoid following the federal law. There's no way you can avoid it. What this Bill does, basically, is stop the two permit system. One federal permit and one state permit for the very same thing. It accomplishes not a thing at all and we still must comply with the federal law. I think this is a good Bill and it should be passed. It came through my Committee .... was well studied. I think, some people are up talking about something that ...don't know what they're talking about."

Speaker Redmond: "The question is, shall this Bill pass? Those in favor



vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 146 'ayes', and 6 'no', and the Bill having received the Constitutional Majority is hereby declared passed. Representative James Houlihan."

Houlihan, J.: "Mr. Speaker, I inadvertently pushed 'no'. Could I go on green."

Speaker Redmond: "The Gentleman asked leave to be recorded as 'aye'...3225. Does he have leave? Hearing no objection, he'll be so recorded. The order is priority of call. We will take up where we left off the last time we were on that order. That's under April 27, and the Bill is 3113."

Clerk O'Brien: "House Bill 3113, a Bill for an Act requiring reimbursement to units of local government, Third Reading of the Bill."

Speaker Redmond: "Representative Yourell."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 3113 is very similar in its subject matter, to House Bill 3112 that we passed out of the House last week. It's a new Act. It provides that the state reimburse units of local government and school districts for their increased...for their increased costs caused by state laws enacted after January 1, 1979. And also for creating new programs or expanding existing programs requires that such legislation describe in its accompanying appropriation Bill the costs which may be paid from the appropriation. Also relieves the units of local government or school districts of the obligation to continue to participate in the programs if the General Assembly fails to make necessary appropriations. Now, if you recall the testimony that was heard, when House Bill 3112 was under discussion it was described as being the will of local government and school districts in the State of Illinois that the General Assembly desist (sic) and desist from mandating programs that they are not willing to pay for. Local governments and school districts do not have the funds to ...to...to fund those programs that we sometimes mandate. What we're attempting to do with this Bill is make state government more responsible in its approach and its direction to



units of local government and school districts. I think it's fine legislation. Similar legislation passed out of this House earlier and I would appreciate a favorable response to House Bill 3113 and will answer any questions."

Speaker Redmond: "Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, I once again rise to oppose House Bill 3113 for the reasons which I stated just a few days ago. In the first instance, let me point out that should this become law all of us as legislators will be giving up a legislative prerogative to either fund a mandated program or not to fund one. This legislation would lock us in to a system whereby we must fund, we'd be obligated to fund, any program which we feel should be carried out by local government. That's a legislative prerogative which I sincerely believe we ought to retain and not give away by voting for House Bill 3113. Let me also make a point that there are times when federal mandates occur which could cost this state an enormous amount of money through no fault of their own. And perhaps the best example of that is the unemployment insurance question which all of us traced just a few short months ago. I'm under the impression that should this Bill...had this Bill been the law at the time we dealt with the unemployment insurance question, then the state would be obligated to fund the local government's share of the unemployment insurance program which was used for their own local employees. And so, Mr. Speaker and Members of the House, for those reasons and despite the fact that this Bill does indeed have great political appeal to us, I ask the Members of this House to do what's the responsible thing, to oppose House Bill 3113, as difficult as it may be politically, but let me assure you the responsible and courageous vote is to vote 'no' on House Bill 3113."

Speaker Redmond: "Representative Bluthardt."

Bluthardt: "Thank you, Mr. Speaker, Members of the House. I wonder if the Sponsor would yield for a question?"

Speaker Redmond: "He will."

Bluthardt: "Bud, if the consolidation implementation Bill passes and it results in large increases in the cost of local government running



elections and especially the school districts, and we do recognize that the school districts are going to have a tremendous increase in cost of running elections if that implementation Bill becomes law, would the state then be mandated if this Bill becomes law to reimburse those units of local government?"

Speaker Redmond: "Representative Yourell."

Yourell: "I don't believe that amending the Election Laws in the State of Illinois can be considered as a new program or expanding existing programs. Contained in the legislation that you described, is a provision for a levy by units of local government and school districts for the costs. I don't think that the new consolidation of election law will be included in the definition of a new program; and would therefore not be included within the purview of House Bill 3113."

Bluthardt: "Well, Mr. Speaker, I still would like to speak briefly against the Bill. You know that I am...been active in local government for many..many years, been a member of the Illinois Municipal League, Board of Directors, I know they endorsed this Bill. I oppose it because of several reasons. I oppose the philosophy of those units of government that the General Assembly create...being able to reverse that whole philosophy of operation and have the state government be responsible for the programs that we dictate to them. I also oppose it because I can foresee a tremendous increase in the cost of state government. Where is the money going to come from to pay local government those things that we are required to mandate from time to time to local government? Are we going to increase the income tax to pay for it? Where will the money come from? I would urge you to vote against this Bill."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "I have some questions for the Sponsor."

Speaker Redmond: "Proceed."

Leinenweber: "Representative Yourell, what would prevent me - assume this Bill passes, the Governor signs it...Public Act 80-500 - what would prevent me in the next Session of the Legislature putting in a Bill to mandate local government buy Ford automobiles and just put.... 'Section 3, the provisions of Public Act 80-500 shall not apply.'"



Yourell: "What was the last part of your question?"

Leinenweber: "What would prevent me from just adding a paragraph to a Bill that I put in mandating a program for local government that would say the provisions of Public Act...whatever this would be...do not apply to this Bill?"

Yourell: "Well, I don't know what the status of that legislation would be and I suppose you're asking me to comment on a hypothetical question that you posed? I would suggest that that would be considered a mandated program or an extension of a mandated program after January 1, 1979, the state would be obligated and responsible for the payment of that program."

Leinenweber: "Except that I'd assume that my Bill passed with that provision in it. Wouldn't that be just as much the law...a part of the law as your Bill, assuming it was signed and a part of the law. In other words, it would seem to me that all we would be required to do if we felt that we were mandating a program...just put in a provision saying this will be an exception to the law which requires the state to fund mandated programs?"

Yourell: "Well, again, any claims under this Bill, if as you say, it does become law, the Comptroller will have to certify the claims under the Act and the claims may also be adjusted to correct for under or over payment....and the Comptroller may audit any of the local unit's records to determine an actual claim. Again, I would suggest to you that there is no connection between - and I suppose you're trying to connect the election law..."

Leinenweber: "No. No. I was just saying it would seem to me...good practice.....Say, in the election consolidation...just in case - because the Bill, as I understand it provides for new or expanded programs - ..."

Yourell: "Right."

Leinenweber: "It should be interpreted that consolidation of elections is an expanded program providing for elections on the...on lower units of government. It would seem to me that it would probably be wise and that Bill; assuming your Bill became law, to put a provision saying that despite this Bill that subsequent legislation will be



an exception to that Bill and then the state will not be obligated to pay. It seems..."

Yourell: "Well, I would suggest to you that if we're going to refer to the Election Consolidation Law...legislation that that is not an expansion of an existing program, but rather restriction..."

Leinenweber: "I'm just giving you that as an example."

Yourell: "Yeah. I would suggest that that were to be a restriction of a program rather than being an expansion of a program because it does deal with consolidating elections."

Leinenweber: "The other question I have. ....What happens if we don't appropriate funds? We pass a program mandating ...We pass a law mandating something for a unit of local government and we either appropriate no money or not enough money. How is that handled?"

Yourell: "Then...the unit of local government or school district is not obligated to adhere to that program or the expansion of that program. That provision is in House Bill 3112."

Leinenweber: "Thank you."

Speaker Redmond: "Representative Walsh."

Walsh: "Mr. Speaker, Ladies and Gentlemen of the House, it is interesting that this Bill came up following a Bill which required us to follow a federal mandate and ...actually there was no vote you could make other than 'aye'. Apparently what we're doing is we're turning government over to the Federal Government and then to the local government and missing state government altogether. The only effect that this Bill can have, it seems to me, is for the state to appropriate the income tax fund and the municipal sales tax, because everybody in the world thinks that's a state tax, to appropriate that for specific purposes and to no great end. It can't do any good at all and can cause this Legislature and state government a great deal of grief. I would urge that you defeat this Bill."

Speaker Redmond: "Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, on this Bill and its companion, we have heard questions asked of whether a particular program would fit under this. The answer has always been 'no'. I'm afraid that this Bill might be an election year appeal to local



government. It's a very nice idea. But it seems as if there are more exceptions than rules. We may very well be faced with a hoax in this Bill. I think that it is irresponsible to hold out a promise then next year these municipal officials and school officials are going to find...didn't mean a thing because there are so many exceptions and 'gee' it doesn't apply there and 'no' it doesn't apply there and I think perhaps we better take a second look at this issue and try to find another way to do it. I urge you to vote 'no'."

Speaker Redmond: "Representative Daniels."

Daniels: "Will the Sponsor yield?...Representative Yourell, using the example of the federal mandated unemployment insurance provisions that we had to act upon last fall, are you aware of the costs to the local units of government that we had to pass on to those local units as a result of that implementation?"

Yourell: "Yes. You're referring to Senate Bill 6 that we had to pass by January 1. Right?"

Daniels: "Right. What is the approximate costs to local units of government throughout the State of Illinois?"

Yourell: "That...that law was not mandated by the state, as you know, that law was mandated..."

Daniels: "...It was mandated by the federal."

Yourell: "...was mandated by the Federal Government and would not be covered under this legislation, ...in my judgment."

Daniels: "In your judgment? Now does the Bill specifically exclude federal mandated programs?"

Yourell: "Well, I don't think we can possibly do that in legislation, as you know Representative Daniels, all that we can do is pass legislation relative to our relationship with the state and units of local government within the state. That's what this Bill attempts to do."

Daniels: "The Bill though, addresses itself to programs of the state that mandate the costs to local units of government and that's what the Bill, in fact, does.....does it not?"

Yourell: "That's correct."

Daniels: "And in the case where we pass a law in the State of Illinois that passes on a cost to local units of government and increases their



operation costs, then under your legislation we would have to provide an appropriate appropriation for that, is that correct?"

Yourell: "I don't believe that's correct. This was a law that was mandated by the Federal Government and not by the state."

Daniels: "Well, let me ask you this question. I obviously would disagree with you on that point since, I think, that the Illinois law is the one that actually affected that. But let me ask you one point now, if you have a mandated program and you then passed it on to local units of governments and the DLGA would determine the approximate cost or the appropriation process would determine the costs, then that money then would be passed down to the local unit of government. Is that correct?"

Yourell: "Correct."

Daniels: "Now, must the local unit of government use the money it receives from the State of Illinois for purposes of the mandated program?"

Yourell: "That, Sir, is contained in Amendment #2, presented to this Bill by Representative Lynn Martin. It says simply that any mandated program that is funded by the state, must to the unit of local government or school district, must be used for that specific purpose and no other purpose."

Daniels: "I assume that ...also in asking a question regarding the approximate cost of this Bill ...it would be determined ...about the various mandated programs. Is that correct?"

Yourell: "Well, that, as you know, I cannot determine. I cannot see into the future in spite of what some Members of the House might think. I really can't tell you until the programs, with the exception of existing programs, become a matter of fact."

Daniels: "May I address the Bill, Mr. Speaker? Ladies and Gentlemen of the House, I think that Representative Yourell has come up with a good program here. I think that it is certainly noble and merits our consideration in view of the fact that we are and have in the past...passed on mandated programs to local units of government without providing adequate funding. However, I think there are some concerns that we have in relation...number one, to the Federal UI program that we mandated last fall, over to the local units of



government; and, also regarding the various aspects of this legislation. I think that we ought to study it more carefully. Before . . . . We, in essence, are saying that no longer are the local units of government creat. . . . creatures of the Legislative Branch as they are under our Constitution, but now, under this legislation, it would almost have a reverse affect. That if we're going to tell 'em to do something we must provide all of the funding for that even in cases, in my opinion, when the Federal Government has forced us to act in those varoius provisions. I think it needs more study. And consequently, at the present time I would oppose this Bill."

Speaker Redmond: "Representative Mulcahey."

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

Speaker Redmond: "The Gentleman has moved the previous question. The question is, shall the main question be put? Those in favor say 'aye', 'aye'; opposed 'no'. The 'ayes' have it. Representative Yourell, to close."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I have heard this Bill referred to by some Members of the House as a hoax in holding out hopes to those to those officials of local government and then not being satisfied. Well, I can tell you, as well as some other Members of this House can tell you, as members of the Governor's Commission on Mandated Programs, that we heard testimony on 12 separate occasions from members of units of local government and school districts throughout this state who have said repeatedly and repeatedly and repeatedly, time and time again, please, please do not give us your very fine programs and then not give us the money to make them work; because, in most instances, as you know, the Members of this General Assembly vote these very fine programs out and then forget to provide the money for them. We did that for special education to school districts some years ago. We've done it with the 9-1-1 Program, we've done it with judges salaries, we've done it with minimum and maximum salaries for county officials, we've done it time and time again, we're continuing to do it in this Session of the General Assembly. I think that's wrong. If you go back to the members of your units of local



governments and school districts and ask them, 'What is the most important thing they are faced with today?' They will tell you that the mandated programs by the State of Illinois are causing them no end of trouble. They have two alternatives. Either they have... they accept the mandated programs and then have to make a levy to make those programs work and to fund those programs or else have to discontinue what could have been, and in most cases is, a very fine program. This legislation has received the support of the Illinois Taxpayer's Federation, the Illinois Municipal League, the PTA, and many other organizations are concerned as well as, as well as many public officials throughout the State of Illinois. I would appreciate a favorable vote on House Bill 3113, its time has come."

Speaker Redmond: "The question is, shall this Bill pass? Those in favor vote 'aye', opposed vote 'no'. Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, I'm in total agreement with the Sponsor of this Bill. In fact this is one of the pledges that I've made, to come back down here again to stop some of these mandated programs. The concept is very good, but what concerns me...I know there are a few isolated cases in Cook County, I don't know how many throughout the state, where some school district right next to another school district, is involved in a large industrial area where they don't even have any taxes at all ...and they are not charging the local taxes the full amount that they can. The ...Oak Brook at one time, with large shopping centers, it doesn't have a corporate tax. This will have a blanket ... across the state... I think that the concept is very good; but I think that we need a little more time on this, Bus, for the simple reason that there's going to be an awful lot of these local officials not coming in with the maximum tax rate that they can come in with in their local government and expect the state to pick up the tab. Now if the state is going to increase their budget from 11 billion dollars up to 13 billion to start paying for some of these mandated programs, we're just robbing Peter to pay Paul. So I would...as much as I would like to vote for the concept of this Bill I'll have to vote 'no' on this one."



Speaker Redmond: "Representative Bowman."

Bowman: "Mr. Speaker and Ladies and Gentlemen of the House, I too feel obliged to vote 'no' on this, primarily because the Bill, as I tried to stress during Second Reading, is deficient, I think, in...on technical grounds. It doesn't specify in there whether the...the claim, which includes both the prior year and the current year, is to be paid or only a portion of that is to be paid. There's no definition in ...Section in the Bill, to allow us to straighten out the payment mechanism. So it's conceivable, under the terms of this Bill, that payment would be essentially double payment. The state would be paying two years at once every year and, I think, on these grounds that it ...it should be defeated."

Speaker Redmond: "Have all voted...Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I wanted to ask the Sponsor a question. ...But I think that, as I read the Bill...read the synopsis of it...is that the power of the Comptroller to review any claims and reduce those which appear excessive or unreasonable, have been removed from the Bill; which means that any unit of government that wants to escape any state law...or state mandate... can simply put a price tag on that program so high and say that... well the state isn't paying for it, therefore, we do not have to comply with the state requirement. I think there's a problem with that in that if Springfield says that they can do the program for 10 thousand dollars and Peoria says that they can do it for 20 thousand dollars, how is the state supposed to allocate those funds and tell Peoria that they can't have all of the 20 thousand. And for the present, I would vote 'no'."

Speaker Redmond: "Representative Martin."

Martin, L.: "This is a simple accountability Bill....And I would...Representative Kane, that was taken care of by Amendments....so I think you can vote 'yes' on the Bill. The Bill is sound in the accountability and that was one of the questions with the Bill and it was taken care of by an Amendment jointly introduced by Representative Yourell and myself. Also, House Members, you have voted a very similar Bill that's on Third Reading in the Senate. So all of you



now, with questions, the 135 who voted for the other Bill, I don't know how you can go back home and vote one way on one Bill and then on almost the same Bill, vote the other way. This is a good Bill. This is the Bill you have promised your district. This Roll Call can be used back in your district. Now Republicans and Democrats alike, I don't care where the Bill came from, it is sound, it is the kind of responsible government we all should stand for. I think you should support Representative Yourell, totally, on this Bill."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record.

On this question there's 95 'aye', 62 'no'. Representative Ryan."

Ryan: "I'd like a verification, Mr. Speaker."

Speaker Redmond: "The Gentleman's requested a verification. Representative Yourell has requested a poll of the absentees."

Clerk O'Brien: "Jane Barnes, Caldwell, Cunningham, Corneal Davis, Friedrich, Hudson, Klosak, Laurino, Madison, Meyer, Schlickman, Stearney and Wikoff."

Speaker Redmond: "Representative Ryan, are you seeking recognition? Representative Davis, 'aye'. Representative Keats."

Keats: "I have been informed of the errs of my ways and I would like to change my mistake and vote from 'aye' to 'nay'."

Speaker Redmond: "The Chair would like to ask if you've...if there was a lobbyist on the floor...at your desk? The Gentleman has requested a verification of the affirmative Roll Call. Proceed, Mr. Clerk."

Clerk O'Brien: "Adams, E. M. Barnes, Beatty, Bennett, Birchler, Bradley, Brady,....."

Speaker Redmond: "Representative ....Getty."

Getty: "Mr. Speaker, I'd like to ask leave to be verified...now."

Speaker Redmond: "Does the Gentleman have leave to be verified now?..."

Getty. Representative Kelly...Representative Kelly desires leave to be verified now. Representative Corneal Davis. I think he's recorded as 'aye'. Representative Davis? He's recorded as 'aye'. Proceed."

Clerk O'Brien: "Brady, Brandt,...Breslin, Rich Brummer, Don Brummet, Byers, Campbell, Capparelli, Christensen, Collins, Darrow, Corneal Davis, Jack Davis, Dawson, Deuster, DiPrima, Domico, Doyle, John Dunn, Edgar, Ewell, Farley, Flinn, Friedland, Garmisa, Geo-Karis, Getty,



Giglio, Giorgi, Hanahan, Harris, Hart, Dan Houlihan, Huff, Jacobs, Johnson, Emil Jones, Kelly, Kornowicz, Kosinski, Kozubowski, Kucharski, Lechowicz, Leinenweber, Leverenz, Lucco, Luft, Madigan, Marovitz, Lynn Martin, Peggy Smith Martin, Matejek, Matijevec, Mautino, McClain, McGrew, McLendon, McMaster, Molloy, Mudd, Mulcahey, Murphy, Nardulli, O'Brien, Pechous, Pierce, Pouncey, Reed, Richmond, Satterthwaite, Schisler, Sharp, Shumpert, Simms, Skinner, Stuffle, Taylor, Terzich, Tipword, Totten, Tuerk, Van Duyne, Vitek, Von Boeckman, R. V. Walsh, Williams, Younge, Yourell, Mr. Speaker. Representative Giorgi in the Chair. Recognize these changes...."

Speaker Giorgi: "Representative Simms on the... Affirmative Roll Call."

Simms: "Yes. May I have leave to be verified, Mr. Speaker?"

Speaker Giorgi: "The Gentleman asks leave to be verified. Is there any objection? Verify Representative Simms. Representative Houlihan would like to be verified, any objection?"

Clerk O'Brien: "Which Houlihan? Dan?"

Speaker Giorgi: "Representative Deuster, for what reason do you arise?"

Deuster: "Mr. Speaker, I'd like to change my vote from 'yes', to 'no', please."

Speaker Giorgi: "Representative Deuster would like to change his vote from 'yes', to 'no'. Representative Stearney would like to be recorded as 'no'. Representative Klosak would like to be recorded as 'no'. Representative Ryan, ...just a couple of minutes. Representative Lucco requests leave of the House to be verified. Representative Lucco would like to be verified. Any objections? Lucco is verified. Mr. Ryan...are there any....Representative Kucharski, for what reason do you arise?"

Kucharski: "Change from 'yes', to 'no'."

Speaker Giorgi: "Kucharski would like to be changed from 'yes', to 'no'. Now, Representative Ryan, are there any questions of the Affirmative vote?"

Ryan: "What's the score, Mr. Speaker?"

Speaker Giorgi: "Mr. Clerk, can you tell us the score?"

Clerk O'Brien: "93 'ayes', and 63 'noes'."

Speaker Giorgi: "93 'ayes', and 63 'noes'."



Ryan: "Thank you. Representative Adams?"

Speaker Giorgi: "Representative Adams. Is Representative Adams on the floor?  
How is he recorded, Mr. Clerk?"

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

Speaker Giorgi: "Take him...I'm sorry, Adams is here. Say something,  
will you Harold?"

Ryan: "Representative Johnson?"

Speaker Giorgi: "Representative Johnson? Tom Johnson?"

Ryan: "I see him. Representative Bennett?"

Speaker Giorgi: "Representative Bennett? Representative Bennett. Is  
Representative Bennett on the floor? How is he recorded, Mr. Clerk?"

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

Speaker Giorgi: "Take him off the record."

Ryan: "Representative Brummet?"

Speaker Giorgi: "Representative Brummet is in his seat."

Ryan: "Okay. Representative Byers?"

Speaker Giorgi: "Representative Byers? Representative Byers? How is he  
recorded, Mr. Clerk?"

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

Speaker Giorgi: "Take him off the record."

Ryan: "Representative Capparelli?"

Speaker Giorgi: "Representative Capparelli. Is Representative Capparelli  
on the floor? Here he is in the doorway, Mr. Ryan."

Ryan: "Thank you. Representative Darrow?"

Speaker Giorgi: "Representative Darrow is in his seat."

Ryan: "Representative Dawson?"

Speaker Giorgi: "Dawson is on your side of the aisle."

Ryan: "That's too bad. Representative Doyle?"

Speaker Giorgi: "Doyle is in his seat."

Ryan: "Representative Farley?"

Speaker Giorgi: "Representative Farley? Is Representative Farley on the  
floor? How is he recorded, Mr. Clerk?"

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

Speaker Giorgi: "Let's take him off the record."

Ryan: "Representative Hart?"



Speaker Giorgi: "He's in his seat."

Ryan: "Representative Kelly?"

Speaker Giorgi: "Representative Kelly? He was verified."

Ryan: "Oh, yeah. Okay. All right. Okay. Representative Kosinski?"

Speaker Giorgi: "He's in his seat. He's in the seat, third row up."

Ryan: "I see him. Representative Marovitz?"

Speaker Giorgi: "Representative Marovitz? Is Representative Marovitz on the floor? How is he recorded, Mr. Clerk?"

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

Speaker Giorgi: "Take him off the record."

Ryan: "Did you take Representative Marovitz off, Mr. Speaker? Marovitz? Representative Matejek?"

Speaker Giorgi: "Representative Matejek is in his seat."

Ryan: "Representative McMaster?"

Speaker Giorgi: "He's in his seat."

Ryan: "Representative Molloy?"

Speaker Giorgi: "He's in his seat."

Ryan: "Representative Nardulli?"

Speaker Giorgi: "He's in his seat."

Ryan: "Representative Pierce?"

Speaker Giorgi: "He's in his seat."

Ryan: "Representative Schisler?"

Speaker Giorgi: "Representative Schisler? Is Representative Schisler in the hall? How is he recorded, Mr. Clerk?"

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

Speaker Giorgi: "Take him off the record."

Ryan: "Representative Sharp?"

Speaker Giorgi: "He's in his seat. Just a moment, Mr. Ryan. For what reason does Mr. Pike (sic) arise?"

McPike: "Change me from 'present' to 'aye'."

Speaker Giorgi: "Record Mr. McPike as 'aye'."

Ryan: "Representative R. V. Walsh?"

Speaker Giorgi: "He's in his seat."

Ryan: "Representative Yourell?"

Speaker Giorgi: "Standing in the aisle."



Ryan: "That's all I have, Mr. Speaker."

Speaker Giorgi: "What's the tally now, Mr. Clerk?"

Clerk O'Brien: "89...."

Speaker Giorgi: "Representative Edgar, for what reason do you arise?"

Edgar: "Representative Skinner, I don't believe you can deliver a message to that guy. ...I'd like to change my vote from 'yes', to 'no'."

Speaker Giorgi: "Mr. Edgar would like to change his vote from 'aye' to 'nay'. Representative Campbell, for what reason do you arise."

Campbell: "Change me from 'aye', to 'no'."

Speaker Giorgi: "Representative Campbell wants to be changed from 'aye' to 'nay'. Representative Yourell.... What's the tally, Mr. Clerk? Was this on postponed once? At this point the tally is 87 'ayes', and 59 'nays'....The Clerk will take the record. I'm sorry, there's 87 'ayes'....Mr. Yourell, do you request that this go on Postponed Consideration? Mr. Yourell? Mr. Levin, for what reason do you arise?"

Levin: "How am I recorded?"

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

Levin: "Change me to 'aye'."

Speaker Giorgi: "Change Mr. Levin to 'aye'. Mr. Madison, for what reason do you arise?"

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

Speaker Giorgi: "How is Mr. Madison recorded?"

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

Madison: "Vote me 'aye'."

Speaker Giorgi: "Mr. Madison wants to be recorded as voting 'aye'. Representative Mann, for what reason do you arise?"

Mann: "How am I recorded, Mr. Speaker?"

Speaker Giorgi: "How is Mr. Mann recorded?"

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

Mann: "Change that to 'aye'."

Speaker Giorgi: "Change Mr. Mann from 'no', to 'aye'. There are now 90 'ayes'.....60 'noes', this Bill having received the necessary majority is hereby declared passed. House Bill 2926."

Clerk O'Brien: "House Bill 2926, a Bill for an Act to amend Sections of the



School Code, Third Reading of the Bill."

Speaker Giorgi: "Mr. Capparelli on House Bill 2926."

Capparelli: "Mr. Speaker, Ladies and Gentlemen, House Bill 2926 has two parts to it. First of all, last year we passed a Bill that would let the common school fund authorize them to use the proceeds in a building fund. The first part of the Bill would just remove the language on the effective date so that....Chicago ...district which sold property prior to the effective date could sell this property. The second part was an Amendment creating 27 school districts. Each district would be governed by 7 elected school board members, and assume powers - and of course this would be in Chicago only - would assume powers as of June 15, 1979. The present board members, at the time - right now - are appointed. We feel that they are not responsive or accountable to the parents and the children they serve. The Senator or the Representative that put this Amendment on my Bill was Representative Terzich, who will continue and tell you about the 27 school districts."

Speaker Giorgi: "Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I would urge support of House Bill 2926. ...It's been too long since the people of the City of Chicago have been away from the education of their children in the city. At the present time there's approximately 524 students in the City of Chicago and makes the largest school district in the State of Illinois. If the school districts are divided into 27 independent school districts, the average enrollment would be 16 thousand students...as compared to only 17 hundred... average for the average school district in the State of Illinois. The decentralization would provide means for more local control, therefore, generating the people orientated feedback. There's genuine advantages to the small that have been ignored too long. Neighborhood schools could enhance, in each individual, a critical spirit, the desire to question and reject the dictates of administration which often speaks to impose its will without explanation. There's many reasons for this, Ladies and Gentlemen of the House, and I would urge support so that we can bring the education back to the



people who are paying for it, back to the people who are concerned about the education of their children, back to the people who want better education for the people; for the children in the State of Illinois. I would urge support for House Bill 2926."

Speaker Giorgi: "Representative Mann, on House Bill 2926."

Mann: "Mr. Speaker, will Representative Terzich yield to a question?"

Speaker Giorgi: "He indicates he will."

Mann: "Representative Terzich, would you favor an elective Chicago School Board?"

Terzich: "Yes, I would."

Mann: "Representative Capparelli, might I ask you the same question?"

One more question, Mr. Speaker, then I'd like to be heard on the Bill. Isn't the basis, the real basis here, of your opposition, Mr. Terzich, the fact that ...there's resistance within your district? I don't dispute it...I mean you have a right, on an important matter like this, to take your position; but, I think, we have a right to know exactly where you're coming from. Isn't it really because you feel that the state is going to impose some re...'resegregation' or some busing...Isn't that the real basis of your opposition?"

Speaker Giorgi: "Mr. Terzich."

Terzich: "Is that a question or a statement? I don't believe you know my district, Representative Mann."

Mann: "It's a question."

Terzich: "Well, I told you in my explanation....why I wanted a decentralization. I haven't been getting any responses from the...responses from the Board of Education and I feel that the people should have a right to dictate what they want in their schools."

Mann: "But you said there were a lot of other reasons...I'm asking you if one of those reasons is the resistance and the right of your constituency and your right as an elected Representative, to resist any...any means of voluntary or involuntary busing or 'resegregation'?"

Speaker Giorgi: "Representative Terzich."

Terzich: "Representative Mann, can you tell me if that's not the same case in your district. I'm sure there are people for and against



a desegregation program."

Mann: "Mr. Speaker, I'd like to be heard."

Speaker Giorgi: "Representative Mann on the Bill."

Mann: "The Gentleman is absolutely correct. I don't ridicule his right to represent his district or to represent his own viewpoint. All I'm trying to say here is, that Chicago has been described as the most segregated large city in America...today. And I don't think the consequences have been good for your neighborhood or my neighborhood. And, I think, that you may...you may see some kind of a magic wand or...you may see this as some kind of a tribal war dance; that once you have a right to elect the members of the school board, state-wide, that suddenly you're going to find more responsiveness to your particular position. The very opposite may very well ensue. That you may have elected officials who will be less responsive to your needs. We...We went through this in Illinois and after a long.. long time we decided that an appointed school board and an appointed superintendent was just not sound policy. That the administration and the Governor that was in office should have the right to name his own Board of Education and his own Superintendent of Public Education. And, for these reasons, Mr. Speaker, I think we would be making a very serious retreat...running away from the constitutionally mandated 'resegregation' order of all of our courts, and finally, spurring forward the migration - outward - of whites from the inner city. For that reason I would urge a 'no' vote."

Speaker Giorgi: "Representative Hoffman on House Bill 2926."

Hoffman: "Thank you, Mr. Speaker. Would the Sponsor of the Amendment yield to a question?"

Speaker Giorgi: "He indicates he will."

Hoffman: "What provision do you have in the Bill for collecting taxes and disbursing taxes and how do you plan to handle the distribution of state aid?"

Terzich: "Well, Mr. Speaker, that doesn't sound or look like Representative Huff, but..."

Speaker Giorgi: "Representative Hoffman...."

Terzich: "Oh! Hoffman.."



Speaker Giorgi: "I haven't lost my teeth."

Terzich: "...But in any event the distribution would be the same set-up as any other ...board of ed...school district in the State of Illinois. They would apply<sup>in</sup> the same manner that your school district or any downstate school district would apply...for funds."

Hoffman: "Then are you saying that the school district which includes the loop - which has the assessed valuation and very few pupils - would get that assessed valuation and that would be excluded from the assessed valuation of all the other school districts in the city. Is that correct?"

Terzich: "I would assume that would be correct."

Hoffman: "Where is that in your Amendment? I didn't see it."

Terzich: "I said I would assume that would be correct."

Speaker Giorgi: "Mr. Hoffman, would you like to proceed on the Bill?"

Hoffman: "I think I might as well. Mr. Speaker, Ladies and Gentlemen of the House, the fact that there are no provisions, at least that I could see, with a quick perusal in a rather cursory way, of this Amendment. For providing for the distribution of local resources as well as state resources, I think that we find a serious flaw. I think we all understand and know the motivations of...for this Amendment and I can appreciate those motivations. I think, however, in the largest perspective, that these motivations may raise ... should raise, at least, I think, some serious questions in our minds. ...in terms of, not only dealing with the practicalities of the situation, but what that impact would be on all of the school children in the City of Chicago."

Speaker Giorgi: "Representative Yourell, for an announcement."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, may I have leave of the House to introduce a great Commissioner of the Metropolitan Sanitary District and a candidate for Treasurer of the State of Illinois, Jerry Cosentino."

Speaker Giorgi: "Mr. Jerry Cosentino in the back of the room. Representative Madison, on House Bill 2926. Excuse me. Mr. Tipsword, for what reason do you arise?"

Tipsword: "Mr. Speaker, if they are not going to enforce what we voted



yesterday, at the request of the leadership of this House, and I'm going to make a motion right now that we reinstitute Rule 55 (i), I so move."

Speaker Giorgi: "You heard the Gentleman's motion to reinstitute Rule... what was that rule number?"

Tipsword: "55 (i)."

Speaker Giorgi: "...55 (i). On the motion, Mr. Madison."

Madison: "Mr. Speaker, I'm not opposed to the motion, except that I think there's an issue before us and I don't know if that motion is in order at this time."

Speaker Giorgi: "Could you hold that until we pass this Bill, Mr. Tipsword?"  
Mr. Tipsword, again on the motion."

Tipsword: "Neither is an introduction. There's another rule that says no introductions can be made while an order of business is in progress."

Speaker Giorgi: "It's because of my unfamiliarity with the Chair that these things happen. Mr. Van Duyne, what's your motion?"

Van Duyne: "Yes, Mr. Speaker, thank you. But I wish to call the attention of the Body that we do have two basketball teams coming down here today. Lockport 'Porters', who won the AA Title this year and also the Joliet West, girls, who won the state championship. I had previously asked the Speaker's permission two weeks ago and so I hope that that doesn't apply."

Speaker Giorgi: "Mr. Van Duyne, for a couple of minutes, stop down and talk with Mr. Tipsword, while we continue with the Bills here...."

Tipsword: "I already have, Sire..."

Speaker Giorgi: "Mrs. Geo-Karis, for what reason do you arise?"

Geo-Karis: "Mr. Speaker, Ladies and Gentlemen of the House, I think the Gentleman's suggestion is noteworthy, but I think we ought to keep in mind that the taxpayers of Illinois pay us to be here and I think we owe them the courtesy of an introduction. I don't see anything wrong with it."

Speaker Giorgi: "Mr. Kosinski, for what reason do you arise?"

Kosinski: "Point of information. I've forgotten what this Bill is about. Could you ..."

Speaker Giorgi: "Mr. Madison, on House Bill 2926."

Madison: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"



Speaker Giorgi: "He indicates he will."

Madison: "Representative Terzich, can you tell me whether or not the Chicago Board of Education is in favor of this Bill, as amended?"

Terzich: "No, I cannot. I have not heard from them."

Madison: "Representative, as I understand your Bill, the 27 independent school districts will be based on the boundaries of the present 27 sublevel districts as they now...are now constituted, but the boundaries will be those boundaries of those existing school districts as of a given point and time?"

Terzich: "That's correct. The Bill provides that if the Bill is passed then the Board of Education would draw the exact boundaries based upon their present 27 subdistricts."

Madison: "The question I want to ask is, is the Board of Education mandated to draw those boundaries exactly as they are now, or will the Board of Education be free to redraw the boundaries of the 27 districts?"

Terzich: "It is my understanding, from talking to the Board of Education, that the current boundaries do not give specific streets or boundary lines and the Bill does provide that they set it up based upon their, you know, current subdistricts. So I assume, a block or two either way, they would be able to do that."

Madison: "Your Bill is not clear on that, Representative Terzich, and I think that's the problem. The other thing is, which you do set up, a Chicago Central School Service District. Now you responded to Representative Hoffman, that these 27 independent districts would pretty much operate like any other school district in the State of Illinois, except that with the infusion of a central school district that has responsibilities that I would assume these 27 independent districts would not have, it would not, in fact, be the same. So can you tell me what the rationale is for taking away such things as vocational education, alternative education, special education, exceptional education, et cetera, away from these 27 independent school districts and giving it to a central school district, number one? Number two, where would that funding for the central school district come from?"

Terzich: "The central school service would assess the different school



districts for this. And the reason for...the fact is that you have the largest school district in the State of Illinois in there and that this would be the best way that, in my opinion, that they could handle it, by having a central service provide or direct that type of education, in the City of Chicago."

Madison: "Mr. Speaker, may I speak to the Bill?"

Speaker Giorgi: "Proceed, Mr. Madison."

Madison: "Mr. Speaker and Ladies and Gentlemen of the House, I'm....really mixed emotions here. I have, for a number of years, been an advocate of breaking up the Chicago Board of Education, because it is my honest opinion that it has gotten so large and so big as to have rendered itself unmanageable. That's one of the problems. But I'm not sure that this Bill is the vehicle to do it. There's too many loose... too many holes in this Bill, Mr. Speaker. It...It...The biggest problem, I guess, that I have is the responsibility for the drawing of those districts, because I too share the concern of Representative Hoffman, that the area...downtown Chicago, depending on what school district it is attached to, is going to give that school district an enormous amount of tax assessment...valuation, to the exclusion of other school districts. Now I know that the resource equalizer is supposedly designed to make up the difference, but we all know the problems that we have with resource equalizers. I guess, what I'm saying is, I'm in favor of the concept of this Bill, but I think that this Bill does what I want to be done for all the wrong reasons. And..until such a Bill is designed that I think accomplishes, at least does away with some of the problems that this Bill introduces, I'm going to have to oppose this Bill."

Speaker Giorgi: "Mr. Beatty, on House Bill 2926."

Beatty: "I move the previous question."

Speaker Giorgi: "The Gentleman's moved the previous question. The question is, shall the main question be put? All in favor signify by saying 'aye', the opposed 'no'. The 'ayes', have it, the main question is put. Mr. Capparelli or Terzich to close."

Capparelli: "Ladies and Gentlemen, I agree with Mr. Madison that bigger is not better in this case. And that smaller districts more than



likely, result in a better...efficient and better school programs. And I would ask for a favorable Roll Call...after...if we can give some moments to Mr....Representative Terzich."

Speaker Giorgi: "Mr. Terzich."

Terzich: "Yes, Mr. Speaker, again no one has talked about the bigness of the Chicago Board of Education. It's no easy task to dissect such an octopus or an animal such as the Chicago Board of Education; but, I think, HB-2926 will do such a thing. It does charge the Board of Education to decentralize itself. It does provide the people of the City of Chicago direct control over what type of education or what type of educational facilities that they want in the City of Chicago. I know my district also runs into the suburbs, you know what a difference a block or two makes when you see a nice school with grass, windows and everything else and a block away you see graffiti, broken windows, broken doors, and a rundown...plant. So let's give us a chance in the city and support House Bill 2926."

Speaker Giorgi: "The question is, shall House Bill 2926 pass? All those in favor will signify by voting 'aye', and those opposed by voting 'nay'. Have all voted who wish? Representative Houlihan, to explain...your vote."

Houlihan: "Mr. Speaker and Ladies and Gentlemen of the House, the...issue has been raised to the purpose and intention of this Bill and I share some of the reservations that Representative Mann articulated as to whether this was an attempt just to circumvent the directives of the State Board, but I do believe that there is a very...very high return in having the number of school districts increased and then their size diminished. And I would also suggest that Representative Terzich consider, if this Bill goes to the Senate, accepting an Amendment which would not set up that central corporation, because I think what you would end up having is a bureaucracy continue to control the administration of the school district and thwart his efforts to have individual districts that would be accountable to the people from those areas. I think, additionally, you'll find that each of those school districts has a mixed racial make up. Each of the 27 districts, I believe, is mixed racially, and



so, I think, the arguments that this would be directed merely at circumventing the directives of the State Board, might not be on target and for that reason I vote 'aye'."

Speaker Giorgi: "Have....everyone voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Do you want...Mr. Capparelli, do you want to poll the absentees?"

Capparelli: "Mr. Speaker, I would like to put this on Postponed Consideration, please."

Speaker Giorgi: "All right. Mr. Capparelli, the Sponsor of the Bill asked that it be on Postponed Consideration. It is on Postponed Consideration. House Bill 3132."

Clerk O'Brien: "House Bill 3132, a Bill for an Act to amend Sections of the Illinois Vehicle Code, Third Reading of the Bill."

Speaker Giorgi: "Representative Von Boeckman, on House Bill 3132."

Von Boeckman: "Mr. Speaker and Ladies and Gentlemen of the House, last year we tried to get to the core of the recreational vehicle problem of people using RV plates for regular transportation; and this included most of the motor vehicles. ...In the course of that we had put an additional charge on the trailers and for that oversight we are attempting to rectify. We have no opposition to this clarification and I request an 'aye' vote."

Speaker Giorgi: "Representative Ryan, on House Bill 3132."

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

Speaker Giorgi: "He indicates he will."

Ryan: "Representative, is there a loss of revenue in this Bill?"

Speaker Giorgi: "Representative Von Boeckman."

Von Boeckman: "About 300 thousand dollars."

Ryan: "Thank you."

Von Boeckman: "Most of the complaints we have are ..are people that are on fixed income, retired people...where we upped the fee on these trailers and they are not used very much and we feel like it was an un...unjust hardship placed on them. Therefore, I feel like it is justified that we move it back to the original fee."

Speaker Giorgi: "Representative Mahar, on 3132...Mr. Ryan, are you completed?"

Ryan: "Yes."



Speaker Giorgi: "Representative Mahar, on 3132."

Mahar: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Giorgi: "He will."

Mahar: "Von, does this do anything with the vans that now go around with RV plates on?"

Von Boeckman: "No, it does not reduce any motor-driven vehicle, it only reduces the ones on the trailers."

Mahar: "I'm talking about the vans that have RV plates but are used for everyday...everyday driving. It doesn't ...It doesn't do anything to those people at all?"

Von Boeckman: "No....No."

Mahar: "It's too bad you don't have something in the Bill for that."

Von Boeckman: "Well, what we did last year, we did pass a Bill and we changed it from 17 to 30 for these type of vehicles. We got to that problem, but in the course it was an oversight that they added the additional fee to the trailers, which wasn't the intent of the legislation last year and which Clarence Neff can verify."

Mahar: "It's a good Bill. I urge its support."

Speaker Giorgi: "Representative Kempiners, on 3132."

Kempiners: "Will the Gentleman yield?"

Speaker Giorgi: "He indicates he will."

Kempiners: "Jim, this Bill basically, as you indicated, corrects the problem created with the Bill we passed last year that increased the fees for camping trailers so that they have to pay the regular fee that you would pay for license plates for an automobile or some other motorized vehicle. Is that not correct?"

Von Boeckman: "Correct."

Kempiners: "Okay. With regard to the recreational vehicles which people were using...buying RV plates...but driving them year around, this does not eliminate the correction that was in that Bill. Is that correct?"

Von Boeckman: "No. No, it does not eliminate that. The...That part still stays in the statutes."

Kempiners: "Okay. I would like to address the Bill, Mr. Speaker. I stand in support of the legislation because I think that what we



inadvertently did last Session, would put a great burden on people who do use a camper or a small recreational vehicle occasionally, by forcing them to pay the fees which are on vehicles which are used year around and put many miles on the highway. I think this Bill simply corrects this error that we made last year and I would ask for the support of the Assembly on this Bill."

Speaker Giorgi: "Representative Adams, on 3132."

Adams: "Yes, Mr. Speaker, I would like to ...and Ladies and Gentlemen of the House, I would also like to speak in support of this Bill. It was putting a burden on those that had a truck that paid their 30 dollars and then they would also have to pay their fee for their trailer. We were very much in error in doing that last year so I would very much like to see this Bill voted out, too."

Speaker Giorgi: "Representative Neff, on House Bill 3132."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3132 was introduced to correct an oversight of a Bill that I passed last year...in an attempt to correct the misuse of RV plates primarily by trucks and vans. We included in...the small trailers and so forth, this year we are trying ...we're going to leave all the vans out and all pickup trucks with toppers on it, they still will pay the 30 dollars, but the trailers...the pull trailers would go back to the rate that they were...er had been for the last several years. The state will lose very little money on this here by this change. We gained about 1.3 million dollars last year when we raised them and by taking off these trailers, up to 10 thousand pounds, we're only losing about 300 thousand dollars and most of us feel that these ...camper trailers that are used and many by older people, retired people, they should not have to pay this higher fee, therefore, I would hope that we would pass it."

Speaker Giorgi: "Representative Friedland on House Bill 3132."

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

Speaker Giorgi: "The Gentleman has moved the previous question. The question is, shall the main question be put? All in favor signify by saying 'aye', opposed 'nay'. The 'ayes' have it and the main question is put. Representative Von Boeckman, to close."



Von Boeckman: "Well, Mr. Speaker, again I appreciate a favorable vote."

Speaker Giorgi: "The question is, shall House Bill 3132 pass? All in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 152 'aye' votes, 8 'no' votes, one voting 'present', and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3134."

Von Boeckman: "Out of the record."

Speaker Giorgi: "Out of the record, request of the Sponsor. House Bill 3135."

Clerk Hall: "House Bill 3135, a Bill for an Act to amend Sections of the Illinois Vehicle Code, Third Reading of the Bill."

Speaker Giorgi: "Representative Von Boeckman, on House Bill 3135."

Von Boeckman: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I brought this Bill back from Third Reading to Second for an Amendment to clarify the Bill. What this Bill does is...places more responsibility on the bus...on the driver of a bus...and exempts the passengers from illegal transportation of liquor. This applies to any vehicle carrying 10 or more persons...to have alcoholic liquor. It also stipulates...the driver of any such vehicle is prohibited from consuming or having any alcoholic liquor in or about the driving area of such vehicle. As you recall, charter buses all over the state ...are in violation of the law when they allow liquor to be on it and what...this just clarifies the law and puts the responsibility where it should be...on the driver of the chartered bus. I urge your support. There's no opposition whatsoever, that I knew...from anybody on this Bu...Bill."

Speaker Giorgi: "Mr. Conti, is this for...rise on House Bill 3135? Representative Skinner, let's yield to Representative Conti's point of personal privilege. Representative Conti, on a point of personal privilege."

Conti: "Mr. Speaker, Ladies and Gentlemen of the House, we've got a full schedule here today. I don't mind being called out on a page in the back there, but we are allowing people to call us out in the back, in the corridor back here, I think the doormen or somebody should do something about it. If they want to see any of the Legislators,



let them see them in the back. I haven't got time to be running back and forth."

Speaker Giorgi: "Will the Doorkeeper take note of the Gentleman's remarks? Representative Skinner, for what reason do you arise?"

Skinner: "I rise to ask the Sponsor of the Bill if he's taken care of the problem that was pointed out when the Bill was first on Third Reading."

Speaker Giorgi: "Okay, Representative Skinner, on House Bill 3135. Do you want to ask a question of Von Boeckman?"

Skinner: "Has the Bill been amended?"

Speaker Giorgi: "Representative Von Boeckman."

Von Boeckman: "It was amended to take out the ...Well, this does not apply to buses chartered for school service. The Amendment's clarified in that regard. I don't think that was the only..."

Skinner: "Will liquor be allowed...The other question was, would liquor be allowed on CTA buses, while they are on regular route...?"

Von Boeckman: "No, this is only for chartered buses."

Skinner: "Fine. Thank you very much."

Speaker Giorgi: "Representative Von Boeckman, to close on House Bill 3135."

Von Boeckman: "Again, Mr. Speaker, I ask a favorable vote."

Speaker Giorgi: "The question is, shall House Bill 3135 pass? All those in favor signify by voting 'aye' and those opposed by voting 'nay'. Have all voted who wish? Have all voted who wish? Take the record Mr. Clerk. On this question there're 126 'ayes', 10 'nays', 2 voting 'present', and the Bill having received the Constitutional Majority is hereby declared passed. House Bill 3147."

Clerk Hall: "House Bill 3147, a Bill for an Act to establish a voluntary program whereby private forest landowners may earn sufficient monies to assure, by agreement, the perpetuation and scientific resource management of their forest lands, Third Reading of the Bill."

Speaker Giorgi: "Harris and Winchester on House Bill 3147. Out of the record at the request of the Sponsor. House Bill 3163. Hold it, Mr. Clerk. Mr. Harris, for what reason do you arise?"

Harris: "Mr. Speaker, House Bill 3147."

Speaker Giorgi: "Do you want it called...again? Mr. Clerk, read House Bill 3147....The House Bill has been read a Third time. Mr. Harris on



House Bill 3147."

Harris: "I'd like to turn the first part over to Representative Winchester, and I will close on the Bill."

Speaker Giorgi: "Representative Winchester, on House Bill 3147."

Winchester: "Yes. Thank you, Mr. Speaker. House Bill 3147 is the... creates the Forest Land Incentives Act, in the Department of Conservation. It passed out of the Environment Committee on a unanimous Roll Call vote. The Committee had some suggestions and recommendations that they asked Representative Harris and I to put into the Bill, on Second Reading, which we did. The Bill, I understand now, is...is in agreement with...with the Committee Members of that Committee. Basically, what it does is it stops land acquisition by the state and Federal Government by allowing the state to enter into agreements with...with landowners who own land, a minimum of 10 acres to a maximum of 100 acres. It could be set aside, through a contract, to allow timber that might be growing on that area to stay in its natural state; and to do that...the Department of Conservation will rebate 80 percent of the taxes that is paid on that land to the landowner. The county, at the same time, receives the local property tax where if the Department of Conservation or the Federal Government owned it they would not receive any tax on this money. It's supported by the Department of Conservation. I believe it's a good Bill and I would appreciate a favorable Roll Call vote."

Speaker Giorgi: "Representative Rigney, on House Bill 3147."

Rigney: "A question of the Sponsor?"

Speaker Giorgi: "Continue."

Rigney: "Do I understand, ..is the Conservation Department the only one to determine whether or not such a contract will be allowed?"

Winchester: "That is correct, Representative Rigney. It is strictly up to the Department of Conservation as to who they will enter into a contract with."

Rigney: "They are under no mandates to set aside any certain number of acres under this scheme. If they decide that they don't want to... really want to do anything in this area, they are under no obligation



to do so. Is that correct?"

Winchester: "That is correct."

Speaker Giorgi: "Mr...Representative Porter, on House Bill 3147."

Porter: "Would the Sponsor yield?"

Speaker Giorgi: "He indicates he will."

Porter: "Representative Winchester, you said something in your opening remarks about this taking property away from state and Federal Government...power of eminent domain or something to that effect. Could you explain that further?"

Winchester: "Well, John, in the past 10 years the state and Federal Government have been doing a lot of land acquisition in my area of the state. Some of it through condemnation, some of it through outright purchase agreements with the farmowners. It's taken a considerable amount of acreage off of the tax rolls. And both the Feds and the State Department of Conservation is concerned about this, although they do need timber land. They need to preserve our forest lands and I think we all agree that that should be done. What this does is allow the Department of Conservation to enter into agreements with landowners so that in this agreement they will leave their forest land as it is, the timber as it is, and not cut it and the incentive to do this is that we will...the Department of Conservation will rebate them 80 percent of the local taxes that they pay in that county."

Porter: "And what's the obligation of the landowner once they have entered into agreement? Simply to maintain the land in its virgin state?"

Winchester: "That is correct. Now this is a 25 year contract. With the first 10 years, the Department of Conservation, they can review the agreement. There is some options...that the landowner can get out of the contract if he ...if he so desires, however, there would be a 100 dollar per registered acre fine plus repayment of the payments received, plus a 5 percent yearly interest, if he decided he wanted to get out of...of this commitment. Also, Conservation would go in and make examinations of...of how his timber is growing, where it should be thinned out, what trees should be cut. He could then have those trees cut and sell those trees at a profit to himself."



Porter: "All right. One final question. There's...I assume that there's no mandate that the state enter into these contracts. In other words, if the state decides they don't want to enter into them in a certain area, they can simply say, 'No we don't want to.'"

Winchester: "That is correct. That is correct."

Porter: "Thank you."

Speaker Giorgi: "Representative Totten, on House Bill 3147. Representative Totten, your light is on."

Totten: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to House Bill 3147, for several reasons. As the Bill is constructed, there is nothing to prevent large commercial forest land from being brought under this Act by dividing it up into small acres so that it comes under the Act. And although the Bill only appropriates 175 thousand dollars for the Department of Conservation to administer this Act to start with, with the provisions and the way the Bill is drafted now, it is open-ended so that every one of the 3.8 million acres in forest land in the countr...in the state could come under this Bill. The potential cost under this open-end provision could be millions and millions of dollars to the state. I think it's unwise to embark on a procedure like this is constructed in this measure, House Bill 3147, at this time, because of the cost to the state. I would urge a 'no' vote on House Bill 3147."

Speaker Lechowicz: "Is there any further discussion? The Gentleman from Cook, Mr. Meyer. Ted Meyer."

Meyer: "Thank you...Thank you, Mr. Speaker. I rise in support of this Bill. Quite frankly, if we're going to provide for...for areas of... natural areas to be ... to be saved in this state, it's going to cost the citizens of the State of Illinois money. Quite frankly, local government can't afford the burden and this will more equitably distribute the existing tax burden."

Speaker Lechowicz: "Excuse me, Mr. Meyer, please. He's got the mike."

Meyer: "I'm through, Mr. Speaker."

Speaker Lechowicz: "All right. Is there any further discussion? The Gentleman from Hardin, Mr. Winchester to close."



Winchester: "Mr. Speaker, could I yield to my colleague, Representative Harris, to close on this Bill?"

Speaker Lechowicz: "The Gentleman from Marion, Mr. Harris, to close."

Harris: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to add that this Bill was drawn by the state forester and recommended...the recommendations of the concept of the Bill. It's an agreed to Bill, in my judgment, with the Department of Conservation. The Bill is for clean and green. We're losing 100 thousand acres of forest land in the State of Illinois each year. We have 3.5 million estimated acres of forest land. The maximum acreage would be 100 acres, the minimum would be 10 acres and it would help preserve, similar to what the State of Michigan has, preserving their forest land for clean and green. This is a much needed piece of legislation. I feel as if it would be a step forward ..... It will be controlled by the Department of Conservation. There would be no monies, this is important; there would be no monies taken out of the counties where taxes are paid. It would be General Revenue funds...in the state."

Speaker Lechowicz: "The question is, shall House Bill 3147 pass? All those in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 138 'ayes'; 11 'nays', none recorded as 'present', ....Elmer Conti 'aye'....This Bill having received the Constitutional Majority is hereby declared passed. Now, for the purpose of an introduction, the Gentleman from Will, Mr. Van Duyne."

Van Duyne: "Thank you. Thank you, Mr. Speaker, Mr. Leinenweber, Representative Leinenweber and Representative Davis and myself take great pleasure and ...in presenting to you a basketball team who won the Class AA Championship this year. They come from a town, a little town of about 12 or 13 thousand people adjacent to Joliet, called Lockport. The name of the team is the Lockport 'Porters', and they beat...they beat St. Joe's, of Westchester, in the...the final game of the season. So, without going any further, other than to say that we are very, very, very proud of these young fellows and the coaches, I'll let Dr. Al McCowan, the Principal...er the Superintendent of



the school to introduce the rest of them."

Allen McCowan: "Thank you. Members of the House, it's a sincere pleasure for us to be here. We welcome the opportunity for these young men to be before you. It's a real educational experience for them. Thank you for this privilege. I would like to introduce our basketball coach, who will in turn introduce the rest of the people with us, Coach Bob Basarich."

Coach Bob Basarich: "Thank you very much. I didn't realize I'd make it this far so soon. I'd like to introduce some people to you and I'll have them raise their hands so you'll know who they are. We have Mr. Mel Geiber with us, our Assistant Principal, from our high school. We have Mr. Rolly Bolattino, Varsity Basketball Coach. We have Mr. Gene Higgins, Assistant Superintendent. We have Mr. Olsen, Sophomore Basketball Coach and Freshman Coach, also he had an undefeated season. Okay, and we want to thank, of course, Mr. Sangmeister, Mr. Leinenweber, and Mr. Jack Davis for asking us to be here. Now, I ask the players to raise their hands, quickly, Steve Shelby, Bobby Autman, Ernest Myers, Mike Murry, Brian Davis, Anthony Johnson, Terry Breen, .....Chuck Travis, Terry Green, Jeff Robinson, the next one - you know - Jerry Barbo...Scott Parzych.... and Jack Shanholtz, also our principal here, I'm sorry, Jack, because you're my boss. And of course, the man that started the ball rolling on this, Mr. Van Duyne, we thank you very much for being so nice to us this year and this is the 1978 basketball team from Lockport and thank you. The best of luck in your season."

Van Duyne: "I'm sure you can all understand how proud we are and how proud these coaches are of these young fellows. When you come from a town of 12...13 thousand people and they go through a season where they come up with a record of 33 and nothing. Last year, I forget what the score...what their record was, but it was almost the same. ...Hold it...Yeah. Almost, but not quite. Anyway, all...two all staters on the team. We're very very proud of this team. So let's give them all a good hand."

Speaker Lechowicz: "They'll be here June 7. The House will come back to order. House Bill 3190. Representative M....Representative Dan



Houlihan."

Clerk Hall: "House Bill 3190, a Bill for an Act to amend Sections of the Illinois Purchasing Act, Third Reading of the Bill."

Houlihan: "I ask Leave of the House, Mr. Speaker, to return this Bill to the Order of Second Reading for purposes of an Amendment."

Speaker Lechowicz: "The Gentleman asks leave. Is there any objection? Hearing none, the Bill is on Second Reading. Second Reading, Clerk. Any Amendments?"

Houlihan: "I'm going to move, Mr. Speaker, to table Amendment #3, which has been previously drafted. It will be supplanted by Amendment #4, which is a cleanup Amendment."

Speaker Lechowicz: "The Gentleman asks leave to table Amendment #3. Is there any discussion?"

Houlihan: "I think, technically, I should make the motion to move to reconsider the vote by which Amendment #3 was adopted."

Speaker Lechowicz: "...the vote by which Amendment #3 was adopted, all in favor signify by saying 'aye', 'aye', all opposed ...Amendment #3... The motion...move to reconsider has been accepted and adopted... The Gentleman now moves to table Amendment #3. Is there any discussion? Hearing none, all in favor ...signify by saying 'aye', 'aye', all opposed ...Amendment #3 is tabled. Any further Amendments?"

Clerk Hall: "Amendment #4, Dan Houlihan, amends House Bill 3190, as amended by House Amendment 3, with reference to page and line numbers and so forth."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Houlihan."

Houlihan: "All right. Amendment #4, Mr. Speaker, Ladies and Gentlemen of the House, defines ...strike that...just a moment."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Totten, on a point of order. What's your point?"

Totten: "My point of order is, I believe the Gentleman tabled Amendment #3?"

Houlihan: "Yeah. Yeah."

Totten: "That was adopted by a Roll Call vote...and it must be taken off the same way."



Houlihan: "Mr. Speaker. Mr. Speaker, I am..."

Speaker Lechowicz: "Leave to use the Attendance Roll Call..."

Houlihan: "...No, Mr. Speaker, please. Wait a minute. I made a mistake.

I withdraw my request to reconsider the vote by which Amendment #3 ..

...I want to keep Amendment #3 on the Bill. We have a mixup here with the staff and the ...the Sponsor."

Speaker Lechowicz: "Well, let me just point out to you. That would have required a Roll Call, so now we're back in the position that Amendment #3 is still on the Bill."

Houlihan: "So Amendment #3 will stay on the Bill, is that correct?"

Speaker Lechowicz: "That is correct."

Houlihan: "Now, if we can move now to Amendment #4."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Houlihan, on Amendment #4."

Houlihan: "Yes, Amendment #4, Ladies and Gentlemen of the House, Amendment #4 tightens up and clarifies certain things that are in Amendment #3, by way of the following: It specifically contains the definition of state agency as it will be in the Act, so as to provide that it does not include officers or boards or commissions and agencies of either the Legislative or Judicial Branches or government. Secondly, it provides that prior to entering into any lease for the rental of real property, the Department of Administration Services will conduct a survey of all the available space, including state-owned space, in order to determine and give a priority to any vacant state-owned space prior to their entering into a lease of additional real property. Also, in response to certain concerns that were raised by different Members, one; there will be a requirement in the Bill here for disclosure of political contributions by any lessor of real property within a two year period prior to the execution of the lease and finally, to address the concern that was raised by Representative Gaines, it specifically provides that nothing contained in the Bill shall be construed to interfere in any way with any Affirmative Action Program adopted by any administrative agency as covered by the Bill. That's what the four provisions of this Amendment do and I would ask for your favorable consideration."

Speaker Lechowicz: "On the Amendment, the Gentleman from DuPage, Mr. Daniels."



Daniels: "Will the Sponsor yield?"

Speaker Lechowicz: "He indicates he will."

Daniels: "Representative Houlihan, regard..."

Speaker Lechowicz: "Give the Gentleman some order."

Daniels: "Regarding...Regarding the legislation and the proposed Amendment #4; now it is my understanding that what you're creating here is a definition of professional services. Is that correct?"

Houlihan: "No, I'm not. Amendment #4..."

Daniels: "No, I'm talking about the Bill..."

Houlihan: "...not at all."

Daniels: "I'm talking about the Bill as it relates then to Amendment #4. The Bill itself sets up a definition of professional services. Is that correct?"

Houlihan: "It provides a structure for an agency or department which would be entering into a contract for either professional services or for the lease of property....The standards...pursuant to which those contracts would be....contracts for leases would be entered into."

Daniels: "If our Comptroller wanted to hire an attorney and if this legislation were passed, that attorney would first have to prequalify. Is that correct?"

Houlihan: "That is correct."

Daniels: "And he would do this by filing this with the agency that this Bill sets up?"

Houlihan: "That is correct."

Daniels: "And is that merely a statement...for instance, that he is licensed to practice law in the State of Illinois? Do you require any other statement than prequalification?"

Houlihan: "Well, first of all, if the attorney in your example, for example, if he were an attorney obviously he would have to be a licensed practitioner in the State of Illinois, but additionally he would have to disclose what his educational and professional experience has been."

Daniels: "...The fact that he was licensed is not enough by itself. Is that correct?"

Houlihan: "Well, of course that is the primary thing, that he is a licensed practitioner in the state; but additionally he would have to set out



what his professional experience has been."

Daniels: "Are any other items...of prequalification set out in the Bill itself?"

Houlihan: "I'm sorry, Mr. Daniels, I didn't hear your last question."

Daniels: "Are any other items of prequalification set out in the Bill itself? Other than, for instance, the man is licensed to practice law."

Houlihan: "It would provide, and I'm going to quote this to you, because I think it's more direct, that each state agency would adopt the administrative procedures for the evaluation of professional services, including, but not limited to capabilities, adequacy of personnel, past record and experience, and such other factors as may be determined by the agency...to be applicable to the particular requirement."

Daniels: "Now, the Bill itself, 3190, applies to all Executive, Legislative and Judicial Branches. Is that correct? That's the Bill itself?"

Houlihan: "Amendment 3 did that, Mr. Daniels. Amendment 4 limits this by excluding Legislative and Judicial Branches."

Daniels: "Okay. Now, referring to Amendment 4, could you tell me the reason for excluding the Legislative and Judicial Branches and using the example that I used on the prequalification for lawyers, why would you exclude the Legislative and Judicial Branches?"

Houlihan: "The rationale would be this, ...there appears to be little or no need, that I am aware of as far as Judicial Branch is concerned. As far as the Legislative Branch, the needs of the Legislative Branch are much more narrow and limited and one, obviously, that we as Members of the General Assembly are particularly familiar with. What we are attempting to address by way of the Bill, as amended here in Amendment #4, would be to the broader range of governmental service as provided for the Executive Branches of government."

Daniels: "The Amendment then as proposed, Amendment #4, would specifically exclude the Legislative Branch and therefore would not apply to Mr. Schwartz and Mr. Nelson and Mr. Epstein, is that correct?"

Houlihan: "I am informed that Epstein is not contractual, but it would not apply to the Legislative Branch of government."



Daniels: "Mr. Speaker, may I address the Amendment?"

Speaker Lechowicz: "The Gentleman from DuPage on the Amendment."

Daniels: "Ladies and Gentlemen of the House, first of all I should tell you up front that I'm not in favor of the Bill as contained, but regarding Amendment #4, I think that if we are going to enact this proposed legislation and law that we should cover the Legislative and Judicial Branches. I think, if what we're saying is, for instance that lawyers should prequalify and another agency should determine whether or not they're, in fact, qualified to furnish legal services, that there is no reason to exclude the Legislative or Judicial Branches. For instance, we've seen editorials that Congress has excluded many of ...Congress has excluded itself from many of the laws that they've passed. Now I don't think the Illinois General Assembly should become involved in that. If this law is good enough for other branches, it's good enough for the General Assembly. I would urge the defeat of Amendment #4."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Dan Houlihan, to close on Amendment #4. Dan Houlihan, please."

Houlihan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In urging your adoption of Amendment #4 and in responding to the criticism ...as raised by the one Member from the other side of the aisle, I can only relate that the problem does not exist in the Judicial Branch of government and, I think, that the Legislative Branch of government can police its own operation and does police its own operation. What we are attempting to do, to address the problem and where the problem exists is in the Executive Branch of government. It does call for prequalification. It does call for disclosure of political contributions, it does provide for here that this will not impair any affirmative action programs which have been adopted or will be adopted by the Executive Branches and, I think, it's a good...good Amendment to a good Bill and I ask for your favorable consideration."

Speaker Lechowicz: "The question is, shall Amendment #4 be adopted? All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the



record. On this question there is 76 'ayes', 57 'nays', and the Amendment is adopted. Any further Amendments?"

Clerk Hall: "No further Amendments."

Speaker Lechowicz: "House Bill 3192."

Clerk Hall: "House Bill 3192, a Bill for an Act in relation to government productivity, Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Dan Houlihan. Oh! I'm sorry. The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3192 creates the...establishes the State Productivity Council...for the productivity improvement program; to improve productivity and efficiency in state government. It provides that the budget submitted by the Governor shall include the productivity measurements, indices and assessments required by the Governmental Productivity Act of 1978 and requires productivity assessments on capital improvements in budget. What this does is that we've finally realized that the citizens are asking of us some real reform. They are a little discouraged with the government becoming bigger and bigger. Government costs must be contained. The only way we can contain costs and contain the size of government is by increased productivity of our state employees and our state people. The people that make up the Productivity Council are state officers and many of them are appointed by the Governor. What they will do is it will provide consulting services, informative services, technical services, ....monitor programs in effect and try to increase our productivity by at least 3 percent a year. I think that all of us feel that we can look inwardly and know that we can increase our efficiency by 3 percent. I urge the support of this Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Totten, on 3192."

Totten: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Although I commend the Sponsor for taking a direction that I think state government ought to be doing and should have been doing a long time ago. I think this particular way of doing it is one that will be both wasteful and unproductive. Let me call to the Member's attention that we do have a means of accomplishing what the



Gentleman from Winnebago would like to, right within our own hands right now. That is to use the Office of the Auditor General for management and performance audits of the various agencies where we think there may be waste or productivity may not be what we think it is. It's a way to do it with professional help experienced in the areas of efficiency, scheduling and other measures of productivity. It would also be a lot cheaper than the way that this council is created. There has been, in the history of the Legislature, of the Executive Branch of government, very few instances where commissions, councils or other study groups have produced a product by which...for which we asked them to do. I don't think this council will be any different. I think it's untimely. I think it's wasteful. And I think we have a more efficient means to do it through requesting the Auditor General to provide this information to us when we think it's necessary."

Speaker Lechowicz: "The Lady from Winnebago, Mrs. Martin. Mrs. Martin, please. Mrs. Martin, is your mike on?"

Martin, L.: "Will the Sponsor yield?"

Speaker Lechowicz: "He indicates he will."

Martin, L.: "Representative, how much is this going to cost?"

Speaker Lechowicz: "Mr. Giorgi."

Giorgi: "The start-up costs are estimated at from 50 to 100 thousand dollars; but involved are the Director of the Bureau of the Budget, the Director of the Bureau of Economic Development, Director of Labor, Director of Personnel and Director of Administrative Services, and as Mr. Totten referred...to the Auditor General. All of their expertise will be brought to bear to help increase the productivity of state government."

Martin, L.: "So that perhaps some of the costs are not really included in the Bill. In other words, any of those Departments have to do services or have to provide information, that really is a cost too. So, in addition to, probably for once - ~~usually from you~~ - a conservative estimate. We have 100 thousand dollar plus cost for another government council. That correct, Representative?"

Giorgi: "That is correct, Mrs. Martin."

Martin, L.: "I'd like to speak to the Bill."



Speaker Lechowicz: "Please proceed, Ma'am."

Martin, L.: "It is commendable to have my friend from Winnebago County worry about government efficiency. It is also not quite the direction that government efficiency must take to add more government employees and more costs. I think that probably the taxpayers have heard the story long enough that if we add another department and add more people that somehow there's going to be a long-range savings. That savings never appears. And I would urge that this Bill.... earlier today we talked about a Bill that could be a hoax, that wasn't, this is a Bill that is a hoax; would produce nothing but some more jobs, and more reports that no one would read."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Matijeovich."

Matijeovich: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3192, I believe, is a step in the right direction in trying to improve the efficiency of state government. It's always been my dream that the Second Session of the...the...year that we're in right now, that we have no other legislation except the appropriation Bills; and that the whole House be...Subcommittees and that we try to study how our monies are being spent. Every one of us knows that we do not have efficiency in government. Now this Productivity Council that has been experimented with in other states has proved of some merit and some worth. What it has proved in Wisconsin, for example, is that we have improved efficiency in government by 7 percent. Transfer if you will, 2 billion dollars in operating expenses in state government, at that...7 percent level and you're talking about saving 140 million dollars. Now, what we ought to, you know if you want to experiment with something like this, I'm sure the Sponsor in the Senate would put a self-destruct clause. Let's try it. We haven't succeeded yet in...in avoiding the expenses in government and all we see is inefficiency everywhere we turn. We know, for example, that the Governor's Task Force on Cost Control, that when that report is finally released, that it will show much... much inefficiency in government. It'll show that in prior years, under other administrations...administrations, there was inefficiency. It will show the same thing now. And I don't think the Governor



ought to be embarrassed about that. We all know it exists. But this Productivity Council is a step in that direction in examining state government, improving efficiency in state government, and I don't know who can be against that. I think we all ought to stand in favor of House Bill 3192 because it will add savings and provide better services at less cost and we're all for that."

Speaker Lechowicz: "The question is, shall ...3192 pass? All in favor vote 'aye', all opposed vote 'nay'. Dawson... The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. ....Representative Luc....Mr. Speaker. I don't generally have to close, but I.....couple of things I'd like to add to this and that is:... This Productivity Council self-destructs in two years and the Bureau of the Budget takes up the work that has been laid out for them and federal witnesses testified that there are federal funds available to help and aid this Productivity Council. I think that this Bill reflects the....the mood of the letters that we receive from our constituents tell us ...please help us cut the costs of government. Please help us increase the productivity of government. Please help us with the enormous tax burden we're carrying in our neighborhood. I urge the support of this Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Dan Houlihan, to explain his vote. Roman?....Byers?....Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 92 'ayes', 75 'nays'. The Gentleman from Cook, Mr. Telcser, for what purpose do you seek recognition?"

Telcser: "I request a verification, Mr. Speaker."

Speaker Lechowicz: "Representative Giorgi asked for a poll of the absentees. The Gentleman from Cook, Mr. Dan Houlihan, for what purpose do you seek recognition?"

Houlihan, Dan: "Mr. Speaker, this is on an unrelated matter, but if I may have leave of the House, ...on the priority of call are House Bills 3010, 3202 and 3117, of which I am the Principal Sponsor, which are coming up very shortly. However, I am, at Speaker Redmond's request, I and Representative Daniels are going into a meeting right now, in the Speaker's Office, and what I would like to do is to have leave



of the House and when we return if we could go back to those three Bills. I've discussed this with the Minority Leader and he informs me that he would have no objection."

Speaker Lechowicz: "Are the numbers...3010...?"

Houlihan, Dan: "3010, 3202 and 3117."

Speaker Lechowicz: "Is there any objection? Hearing none..."

Houlihan, Dan: "All right. Then may I also be verified then, on this Roll Call...before..."

Speaker Lechowicz: "The Gentleman asks leave to be verified, Mr. Telcser? No objection. Poll the absentees, Mr. Clerk."

Clerk Hall: "Gene Barnes, Ebbesen, Friedrich and Hoffman."

Speaker Lechowicz: "The Gentleman from DuPage, Mr. Schneider. Schneider, please."

Schneider: "Aye".

Speaker Lechowicz: "Record Schneider as 'aye'. Robinson as 'no'. The Gentleman from Cook, Mr. Steczo. Mr. Steczo. How do you want to be recorded? 'Present'? Yes. The Clerk will now proceed to poll the affirmative vote. Ladies and Gentlemen, kindly be in your own respective seats. All unauthorized personnel remove yourself from the floor. The Clerk will proceed on the verification."

Clerk Hall: "E. M. Barnes, Beatty, Birchler, Bowman, Bradley, Brady, Brandt, Breslin, Rich Brummer, Don Brummet, Byers, Caldwell, Capparelli, Chapman, Christensen, Darrow, Corneal Davis, Dawson, DiPrima, Domico, Doyle, John Dunn, Ewell, Farley, Flinn, Garmisa, Getty, Giglio, Giorgi, Greiman, Hanahan, Harris, Hart, Holewinski, Dan Houlihan, J. M. Houlihan, Huff, Jacobs, Jaffe, Emil Jones, Kane, Katz, Kelly, Kornowicz, Kosinski, Kozubowski, Laurino, Lechowicz,..."

Speaker Lechowicz: "Here I am, Art."

Clerk Hall: "Leverenz, Levin, Lucco, Luft, Madigan, Madison, Mann, Marovitz, Peggy Smith Martin, Matejek, Matijevich, Mautino, McClain, McGrew, McLendon, McPike, Meyer, Mudd, Mugalian, Mulcahey, Murphy, Nardulli, O'Brien, Pechous, Pierce, Pouncey, Richmond, Satterthwaite, Schisler, Schneider, Sharp, Shumpert, Stuffle, Taylor, Terzich, Tipsword, Van Duyne, Vitek, Von Boeckman, R. V. Walsh, Willer, Williams, Younge, Yourell, Mr. Speaker."



Speaker Lechowicz: "The Gentleman from Cook, Mr. Telcser, on the Affirmative Roll Call."

Telcser: "Representative Birchler?"

Speaker Lechowicz: "I'm sorry, who?"

Telcser: "Birchler?"

Speaker Lechowicz: "The Gentleman is in his chair."

Telcser: "Representative Bradley?"

Speaker Lechowicz: "The Gentleman from McLean, Mr. Bradley? Is the Gentleman ....How is he recorded? Bradley?"

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

Speaker Lechowicz: "The Gentleman in the chamber? Mr. Bradley? Take him off the record."

Telcser: "Representative Domico?"

Speaker Lechowicz: "Pardon me. The Gentleman from Cook, Mr. Steczo, for what purpose do you seek recognition?"

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

Speaker Lechowicz: "You are recorded as 'present'."

Steczko: "Please vote me 'aye'."

Speaker Lechowicz: "Kindly record the Gentleman as 'aye'."

Telcser: "Representative Doyle?"

Speaker Lechowicz: "Did you ask for Domico? Domico is in his chair."

Telcser: "No. He's here. I see him."

Speaker Lechowicz: "Doyle is in his chair."

Telcser: "Representative Ewell?"

Speaker Lechowicz: "Representative Ewell? How is the Gentleman recorded?"

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

Speaker Lechowicz: "There he is. He's right there."

Telcser: "Representative Farley."

Speaker Lechowicz: "Farley is in his chair."

Telcser: "Representative Garmisa?"

Speaker Lechowicz: "Garmisa? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Representative Garmisa...in the chamber? I don't see him. Take him off the record."

Telcser: "Representative Giglio?"



Speaker Lechowicz: "Giglio? How is Representative Giglio recorded?"

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

Speaker Lechowicz: "Is the Gentleman in the chamber? Representative Giglio?  
Take him off the record."

Telcser: "Representative Katz?"

Speaker Lechowicz: "Pierce? Excuse me for a minute. Mr. Katz, the  
Gentleman in the chamber? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Take him off the record."

Telcser: "Representative Marovitz?"

Speaker Lechowicz: "Marovitz? Here is Representative Katz. Put him back  
on the record. Did you put Katz back on? Would you kindly put  
Representative Garmisa back on the record? Now, what was the  
question?"

Telcser: "Representative Marovitz?"

Speaker Lechowicz: "Marovitz? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Representative Marovitz is right there."

Telcser: "Representative Matejek?"

Speaker Lechowicz: "Matejek is in his chair."

Telcser: "Representative McPike?"

Speaker Lechowicz: "McPike? Representative McPike? How is the Gentleman  
recorded?"

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

Speaker Lechowicz: "Is the Gentleman in the chamber? Representative McPike?  
Take him off the record."

Telcser: "Representative Mulcahey?"

Speaker Lechowicz: "Mulcahey? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Representative Mulcahey in the chamber? Take him off  
the record."

Telcser: "Representative Richmond?"

Speaker Lechowicz: "Richmond? Representative Richmond? How is the Gentle-  
man recorded?"

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



Speaker Lechowicz: "Representative Richmond in the chamber? Take him off the record."

Telcser: "Representative Byers?"

Speaker Lechowicz: "Byers? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Representative Byers in the chamber? Byers? Take him off the record."

Telcser: "Representative Schisler?"

Speaker Lechowicz: "Schisler is in the back."

Telcser: "Representative Stuffle?"

Speaker Lechowicz: "Stuffle is right here."

Telcser: "Representative Christensen...here he comes..."

Speaker Lechowicz: "Christensen is here. Kindly put Representative Richmond back on the record."

Telcser: "What do we have now, Mr. Speaker?"

Speaker Lechowicz: "Are you through questioning the affirmative vote?"

Telcser: "Yeah."

Speaker Lechowicz: "Are you concluded?"

Telcser: "Yes, I am, Mr. Speaker."

Speaker Lechowicz: "Mr. Clerk, would you give us the results? On this question there are 89 'ayes', and 76 'nays'...and the Bill having received the Constitutional Majority is hereby declared passed.

House Bill 3200, Representative Domico. Better go with this.

Wait a minute. House Bill 3200. The Clerk will read the Bill."

Clerk Hall: "House Bill 3200, a Bill for an Act to amend Sections of an Act to create sanitary districts and to remove obstructions in the Des Plaines River. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Domico."

Domico: "HB 3200 amends the Chicago Sanitary District Act. Increases the salary of members of the Board of Commissioners from 25 thousand to... 30 thousand; President from 32 thousand, 5 hundred to...37 thousand; Vice-President from 30 thousand to 35 thousand and Chairman of the Committee on Finance, from 27 thousand, 5 hundred to...32 thousand, five hundred."

Speaker Lechowicz: "Is there any discussion?"



Domico: "I will ask for a favorable Roll Call."

Speaker Lechowicz: "The question is, shall House Bill 3200 pass? All those in favor vote 'aye', all those opposed vote 'nay'. Have all voted who wish? The Gentleman from Cook, Mr. Domico."

Domico: "I would like to remind you that the members of the board... sanitary district have not received a raise ...their last increase was in 1976."

Speaker Lechowicz: "Marco, do you want to vote for the Bill? Tell him to vote for the Bill. Have all voted who wish? The Clerk will take the record. On this question there are 75 'ayes', 62 'nays'. The Gentleman asks leave to put this Bill on Postponed Consideration. Postponed. House Bill 2691. The Gentleman from Cook, Mr. Brady."

Clerk Hall: "House Bill 2691, a Bill for an Act to amend Sections of the Illinois Public Aid Code, Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Brady."

Brady: "Thank you, Mr. Speaker and fellow Members. House Bill 2691 provides for in-home health care services for elderly and handicapped. We had a Bill before us last spring that we passed out 133 to 2. The Governor amendatorily vetoed it and said that he thought there was more restriction needed so it wouldn't be so open-ended. We have worked with all interested parties, even the Governor's Office, Bureau of the Budget, Department of Public Aid, Department of Aging, ...to produce the kind of Bill that would be effective for senior citizens and disabled people in Illinois. We put an Amendment on that will restrict eligibility and so restrict the number of persons eligible to use this initially. We'd like to see how this works in Illinois. It's going to be a big and important Bill for the people. The senior citizens will be allowed to remain in their homes. They won't go through the vicious cycle of having to go through their assets, onto public aid and into nursing homes. I think this is important to all the people in Illinois and I urge your favorable support of this Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Stearney. His light is on. The Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, it's time for us to pass this Bill. When I was in



Denmark, two years ago, I discovered ..."

Speaker Lechowicz: "Let's give the Gentleman some real attention."

Skinner: "I....I'd like to thank you for helping pay for it, by the way.

I discovered that one of the things that the social workers are attempting to do is to keep senior citizens in their homes as long as they wish to live there. Now, this is of course more expensive than shipping them off to a nursing home, or it may be perceived as more expensive. In the long-run I don't think it is. I am very happy that the Department of Public Aid has agreed to this extremely compromised version of what Representative Brady and my goals are, as well as I hope a majority of this General Assembly. We have got to move toward this...toward this goal and I think this is a step in that direction and hope that there are not many people that dare vote against it."

Speaker Lechowicz: "The Lady from Lake, Ms. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I was one of the Cosponsors of the prior Bills with Representative Beatty. I believed in it then, I believe in it now. It's high time to allow senior citizens who are wanting to stay in their own homes..and are able to take care of themselves..."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Brady, to close."

Brady: "Thank you, Mr. Speaker and fellow Members. We have debated this before. It's a vital...important issue to everybody in the State of Illinois. I urge your support of this Bill."

Speaker Lechowicz: "Have all....The question is, shall House Bill 2691 pass? All those in favor will vote 'aye', all opposed vote 'no'. The Gentleman from Lake, Mr. Matijevich, to explain his vote. The timer is on."

Matijevich: "Mr. Speaker, I'm going to vote 'aye', but remember that I told you in about 5 years you're going to find out that people are also going to be ripped off in their own home. There is going to be a lot of scandals in the home health care industry. I can see it coming."

Speaker Lechowicz: "Have all voted who wish? The Gentleman from Cook, Mr. Huff, to explain his vote. The timer is on. Huff. Mr. Huff, please."



Huff: "Yes, Mr. Speaker. In response to Senator Matijevich, I ...with regard to old people getting ripped off in their homes. What makes him think that's not happening now."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 163 'ayes', no 'nays', one recorded as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 2877. That's the Human Resources Bill, who's handling the Bill? The Gentleman from Cook, Mr. Levin."

Clerk Hall: "House Bill 2877, a Bill for an Act creating the Department of Children and Family Services, codifying its powers and duties and repealing certain Act therein, Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Levin."

Levin: "Thank you, Mr. Speaker. House Bill 2877 is the result of hearings and recommendations of the sub...."

Speaker Lechowicz: "Mr. Levin, please.....please proceed."

Levin: "This legislation is the result of the recommendations of the Subcommittee on day care. It transfers administration of day care services under Title XX, from the Department of Public Aid, to the Department of Children and Family Services, as of July 1, 1979. The Subcommittee has three basic reasons for calling for this transfer. First of all, we found increasing duplication as to services, as the Department of Public Aid employed staff to do exactly the same function that Department of Children and Family Services was already doing. We heard testimony that day care centers were being visited first by representatives of DCFS and after spending a half a day or a day with representatives of that agency, were then being visited by representatives of DPA, who asked the same questions, spent a duplicate amount of time going through the same issues and moreover when questions were asked of them, as far as how to comply with law, the representatives from Public Aid being new, gave answers that were contradictory to those of DCFS. In addition we found that the Department of Public Aid apparently is not that concerned about the quality of day care services. One of the associate directors testified that they saw day care as simply warehousing of children. And finally, we



found that in administering day care, Public Aid doesn't seem to care about the law. They were making placements with unlicensed day care homes. Now, this is being implemented under Title XX, and we checked with HEW as to whether or not it was legal and appropriate to have the administration of day care in the Department of Children and Family Services and we were told that this is perfectly appropriate. In fact it is very consistent with the current administration of Title XX, as envisioned by the Federal Government. Finally, there was a question raised in the fiscal note. Public Aid doesn't want this transfer and as a result Public Aid gave us a fiscal note which said, 'this is not going to save money, this is going to cost money, this is going to cost 18.7 million dollars and their rationale was, that DCFS is going to use the more expensive day care centers rather than using less expensive day care homes. Now I got a letter in response to that fiscal note from DCFS, signed by Director Kennedy, saying that this is not the case, that were this transfer to go through their policy would be to make placements in both day care centers and day care homes. Moreover, it is my understanding, in attempting to figure out what the affects of this transfer would be and the cost to the administration...that the cost of DP...DCFS..."

Speaker Lechowicz: "Excuse me. Let's give the Gentleman some attention, please."

Levin: "The cost ..."

Speaker Lechowicz: "Please proceed."

Levin: "The cost to DCFS, administering this particular day care services would be half of that of Public Aid. Public Aid currently spends one million, 183 thousand dollars; The estimate I have is that for DCFS, it will be 595 thousand dollars."

Speaker Lechowicz: "On the question. The Gentleman from Cook, Mr. Gaines."

Gaines: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House.

In many cases the Department of Public Aid has to use facilities that are available in many underprivileged neighborhoods that are not in the position to undercur (sic) the expenses necessary to have the kind of facility that the sponsor would like to have them in. I was a former caseworker for the Cook County Department of Public Aid



when they first started this program and the reason that they have these other types of child facilities is to enable a mother to have a place to take her child near the home. Therefore, I am going to ask a 'no' vote on this Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Bowman."

Bowman: "Mr. Speaker and Ladies and Gentlemen of the House, I was a Member of that Subcommittee. I'd just like to assure Representative Gaines and anyone who may feel similarly, that the Department of Children and Family Services is fully prepared to use day care homes as well as larger group facilities. That there would be no need for disruption in the current pattern of day care delivery systems and, in fact, we could avoid duplicate inspections by the two different agencies. One of the big complaints that we got, in Chicago particularly, was that the day care agencies are being inspected to death. This would, at the very least, consolidate the inspections, save them a lot of grief and save the state a lot of money in the process. I believe Representative Gaines's misapprehensions are ill-founded."

Speaker Lechowicz: "The Gentleman from Winnebago, Mr. Mulcahey."

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

Speaker Lechowicz: "The Gentleman has moved the previous question. All those in favor signify by saying 'aye', 'aye', all those opposed...The previous question has been moved. The Gentleman from Cook, Mr. Levin, to close. Levin, please."

Levin: "Mr. Speaker, I think we have a measure here which can help streamline the administration's day care, eliminate duplication, and to save the state a lot of money. I would urge the adoption of this Bill."

Speaker Lechowicz: "The question is, shall House Bill 2877 pass? All in favor vote 'aye', all opposed vote 'nay'. The Gentleman from Cook, Mr. Mann, to explain his vote. The timer is on."

Mann: "Thank you, Mr. Speaker. I'm going to support this Bill. But I do want to take this opportunity to ask the director of the Department of Children and Family Services to answer her phone calls or her mail. I vote 'aye'."

Speaker Lechowicz: "The Gentleman from McHenry, Mr. Skinner, to explain



his vote. The timer is on."

Skinner: "I'm sure everybody is wondering why I'm voting 'yes' on this Bill.

The answer is fairly obvious. That answer is that the Department of Public Aid doesn't know what the state law is. The state law says that one should not put children into an unlicensed day care home or day care center, and yet the Public Aid Department had the gall to come before our Subcommittee and admit they regularly do that. Now either the law is to be followed or the law should be repealed, one or the other. The choice of the day care Subcommittee is to transfer the jurisdiction to the Department that may follow the law. Since Public Aid won't follow the law, we think, perhaps DCFS might follow the law. We think it can't be more costly than Public Aid because everybody knows that Public Aid is the bastion of waste in the State of Illinois."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Huff, to explain his vote. The timer is on."

Huff: "Thank you, Mr. Speaker. Well, in my opinion, Mr. Speaker, Ladies and Gentlemen of the House, these two agencies are Siamese twins or bungling and duplicity. In fact, they are so dependent on each other for duplication I would really be hard pressed to separate them. which is the essence of this Bill. I think we would save a lot of chaos if we just keep them together and vote 'no'."

Speaker Lechowicz: "The Gentleman from Will, Mr. Kempiners, to explain his vote. The timer is on."

Kempiners: "Thank you, Mr. Speaker, I regret that we move the previous question as early as we did but I think there are several problems here. First of all, this would limit the flexibility which Public Aid recipients have, in that Public Aid provides different ... a variety of different types of care....day care homes, for profit centers, not for profit centers. DCFS is limited, in their placements, to not for profit centers only. Now, I think, there are some areas in the state where these not for profit centers are very difficult... to find and Public Aid recipients may not be able to get day care immediately, for the people who need it. Also, recipients who are engaged in efforts other than finding placement for their children,



and who are trying some sort of self-support, will have two agencies that they'll have to work with under this. Number one, DCFS to place their child in the home, and then they'd have to go to DPA for other type of supportive activities. I think these are just two good reasons that we ought to be voting 'no' on this Bill."

Speaker Lechowicz: "The Gentleman from Winnebago to explain his vote. The timer is on."

Simms: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this Bill because it's going to cost an additional 18 million dollars that this state does not have. If this should receive the 89 necessary votes, I would, at that time, ask for a verification."

Speaker Lechowicz: "Have all voted who wish? The Clerk will take the record. The Gentleman from Cook, Mr. Peters."

Peters: "Verification?"

Speaker Lechowicz: "Representative Simms asked for a verification. Representative Levin asked for a poll of the absentees."

Clerk Hall: "E. M. Barnes, Jane Barnes, Bennett, Capparelli, Deavers, Deuster, DiPrima, Ebbesen, Edgar, Farley, Flinn, Friedrich, Hart, Johnson, Klosak, Leverenz, Mautino, Meyer, Richmond, Schisler, Schlickman..."

Speaker Lechowicz: "Kindly record Representative Richmond as 'aye'."

Clerk Hall: "Stearney, R. V. Walsh, and Winchester."

Speaker Lechowicz: "Kindly record R. V. Walsh as 'aye'. What's the count? On this question there are 91 'ayes'. The Gentleman from Winnebago, Mr. Simms, requests a ....The Gentleman from Winnebago, Mr. Simms."

Simms: "Before we start the verification, Mr. Speaker, invoke Hanahan's rule, and have the Members be in their seat and raise their hands, I think we could expedite the verification."

Speaker Lechowicz: "The request is in order. We'll try to do that. The Gentleman from Lake, Mr. Griesheimer, for what purpose do you seek recognition?"

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

Speaker Lechowicz: "You're recorded as 'aye'."

Griesheimer: "Change that to 'no', please."



Speaker Lechowicz: "Kindly record the Gentleman from 'aye' to 'no'.

Proceed with the verification, Mr. Clerk."

Clerk Hall: "Beatty, Birchler, Bowman, Bradley, Brady..."

Speaker Lechowicz: "Excuse me, the Gentleman from Cook, Mr. Madigan, for what purpose do you seek recognition? Madigan, please."

Madigan: "Could I be verified as 'aye'?"

Speaker Lechowicz: "The Gentleman asked leave to be verified...Okay, go on."

Clerk Hall: "Brandt, Breslin, Rich Brummer, Byers, Caldwell, Catania, Chapman, Christensen, Daniels, Darrow, Corneal Davis, Jack Davis, Dawson, Domico, Doyle, John Dunn, Ewell, Garmisa, Getty, Giglio, Giorgi, Greiman, Hanahan, Harris, Holewinski, Dan Houlihan, J. M. Houlihan, Jacobs, Jaffe, Emil Jones, Kane, Katz, Kelly, Kornowicz, Kosinski, Kozubowski, Laurino, Lechowicz, Levin, Lucco, Madigan, Madison, Mann, Marovitz, Peggy Smith Martin, Matejek, Matijevich, McClain, McGrew, McLendon, McPike, Mudd, Mugalian, Mulcahey, Murphy, Nardulli, O'Brien, Pechous, Pierce, Polk, Porter, Pouncey, Pullen, Richmond, Robinson, Satterthwaite, Schneider, Sharp, Shumpert, Skinner, Stanley, Steczo, Stuffle, Taylor, Telcser, Terzich, Tipsword, Vitek, Von Boeckman, R. V. Walsh, Willer, Williams, Younge, Yourell, Mr. Speaker."

Speaker Lechowicz: "Are there any questions of the affirmative vote? The Lady from DuPage, Mrs. Dyer."

Dyer: "Mr. Speaker, I'd like to change my vote from 'no', to 'yes', please."

Speaker Lechowicz: "The Lady changes her vote from 'no', to 'aye', Mrs.

Dyer. Are there any questions of the Affirmative vote? Mr. Simms?"

Simms: "Yes....Representative..."

Speaker Lechowicz: "Wait a minute. Wait a minute. Monroe Flinn, 'aye'.

All right. Please proceed. Mr. Simms."

Simms: "The score? What do we start out....with our score now at?"

Speaker Lechowicz: "93 'ayes'."

Simms: "Okay. Representative Bradley?"

Speaker Lechowicz: "Bradley? Representative Bradley. How is the Gentleman recorded?"

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

Speaker Lechowicz: "Is Representative Bradley in the chamber? Take him



off the record."

Simms: "Representative Daniels?"

Speaker Lechowicz: "Daniels? Daniels. How is the Gentleman recorded?"

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

Speaker Lechowicz: "The Gentleman in the chamber? Representative Daniels?"

Take him off the record."

Simms: "Representative Laurino?"

Speaker Lechowicz: "Laurino is in his chair."

Simms: "Representative Giglio?"

Speaker Lechowicz: "Giglio? Representative Giglio. How is the Gentleman recorded?"

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

Speaker Lechowicz: "Is Representative Giglio in the chamber? Take him off the record."

Simms: "Representative DiPrima?"

Speaker Lechowicz: "DiPrima? Representative DiPrima. How is the Gentleman recorded?"

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

Simms: "Representative John Dunn?"

Speaker Lechowicz: "John Dunn? He's in the aisle."

Simms: "Representative Polk?"

Speaker Lechowicz: "Ben Polk? He's there."

Simms: "Representative McGrew?"

Speaker Lechowicz: "McGrew? Representative Sam McGrew? How is the Gentleman recorded? Sam McGrew?"

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

Speaker Lechowicz: "Take him off the record."

Simms: "Representative Hanahan?"

Speaker Lechowicz: "Hanahan? Representative Hanahan? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Take him off the record. Hanahan is here. Put him back on."

Simms: "Representative Roger Stanley?"

Speaker Lechowicz: "Stanley? How is the Gentleman recorded?"



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

Speaker Lechowicz: "Take him off the record."

Simms: "Representative Arthur Telcser?"

Speaker Lechowicz: "He is in his chair."

Simms: "Representative Peggy Martin?"

Speaker Lechowicz: "The Lady from Cook, Mrs. Martin? How is the Lady recorded?"

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

Speaker Lechowicz: "Mrs. Martin? ...Take her off the record."

Simms: "Representative McClain?"

Speaker Lechowicz: "McClain? He's right here."

Simms: "Representative Younge?"

Speaker Lechowicz: "She's there."

Simms: "Representative Stuffle?"

Speaker Lechowicz: "Stuffle? He's in his chair."

Simms: "Representative Garmisa?"

Speaker Lechowicz: "Garmisa's here. Would you put Sam McGrew back on?"

Simms: "Representative Dan Houlihan?"

Speaker Lechowicz: "Dan Houlihan? He's in the Speaker's Office. He told you about the meeting."

Simms: "I wonder if Mr. Cosentino would not be in the way of our verification process?"

Speaker Lechowicz: "Do you have any more?"

Simms: "Yeah. We've got some more .."

Speaker Lechowicz: "Well, who are they?"

Simms: "Representative Kosinski."

Speaker Lechowicz: "Kosinski? ....Roman....How is the Gentleman recorded? Roman Kosinski?"

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

Speaker Lechowicz: "Is the Gentleman in the chamber? Take him off the record."

Simms: "Mr. Speaker, earlier I asked for Representative Polk."

Speaker Lechowicz: "Excuse me. The Gentleman from Cook, Mr. Huff, for what purpose do you seek recognition? Huff."

Huff: "Thank you, Mr. Speaker. Will you change my 'no' vote to 'aye', please?"



Speaker Lechowicz: "Kindly record the Gentleman as 'aye'. Okay, Jake.

Would you kindly put Mrs. Martin back on the Roll Call? Mr. Polk, for what purpose do you seek recognition?"

Polk: "Would you change my vote from 'aye' to 'no', please?"

Speaker Lechowicz: "Kindly record the Gentleman as 'no'. Put Roman Kosinski back on the Roll Call."

Simms: "Did they take off, Stanley?....Ah...Representative Sharp?"

Speaker Lechowicz: "Sharp is in his chair."

Simms: "Representative Brummet?"

Speaker Lechowicz: "Kindly re...Here is Dan Houlihan, if you want to see him again? Who was that? I can't hear you?"

Simms: "Brummet."

Speaker Lechowicz: "Brummet is in his chair."

Simms: "McPike?"

Speaker Lechowicz: "McPike? The Gentleman from Madison, Mr. McPike? How is he recorded?"

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

Speaker Lechowicz: "Take him off the record. The Gentleman from Cook, Mr. Sandquist, for what purpose do you seek recognition?"

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

Speaker Lechowicz: "You're recorded as 'present'."

Sandquist: "Change it to 'aye'."

Speaker Lechowicz: "Kindly record him as 'aye'."

Simms: "Representative Emil Jones?"

Speaker Lechowicz: "Emil Jones? Would you kindly put Representative Daniels back on the Roll Call? Emil Jones?"

Simms: "He's taking a walk?"

Speaker Lechowicz: "How is the Gentleman recorded?"

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

Speaker Lechowicz: "Take him off the record. Put Representative Capparelli.....record him as 'aye'. The Gentleman from Cook, Mr. Leverenz."

Leverenz: "Record me 'aye', please."

Speaker Lechowicz: "Record Representative Leverenz as 'aye'. Put Emil Jones back on. Put Bruce Farley on....as 'aye'. Better quit while



you're ahead, Simms."

Simms: "Representative Yourell?"

Speaker Lechowicz: "Yourell? He'll be right here....Representative Yourell?  
He's right here."

Simms: "Where. Okay."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Madison, what purpose do  
you seek recognition?"

Madison: "Mr. Speaker, ...he's finished, I'd like to be verified."

Unknown: "You can be verified..."

Madison: "Thank you."

Simms: "Representative Mann? Okay...."

Speaker Lechowicz: "Would you kindly change Representative Daniels from  
'aye' to 'no'? What's the count?"

Simms: "Representative Hart?"

Speaker Lechowicz: "Hart? How is he recorded?"

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

Simms: Representative Terzich?"

Speaker Lechowicz: "Terzich? Representative Terzich? How is he recorded?"

Simms: "The Gentleman is recorded as voting 'aye'."

Speaker Lechowicz: "Is the Gentleman in the chamber, Representative Terzich?  
Take him off the record."

Simms: "I have no further questions, Mr....Well....Wait a second. Rep-  
resentative ...Representative Pullen?"

Speaker Lechowicz: "The Lady from Cook, Mrs. Pullen. How is the Lady  
recorded?"

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

Speaker Lechowicz: "Take her off the record. The Gentleman from Cook, Mr.  
Schlickman."

Schlickman: "How am I recorded?"

Speaker Lechowicz: "How is the Gentleman recorded?"

Simms: "The Gentleman is recorded as not voting."

Schlickman: "Vote me 'aye'."

Speaker Lechowicz: "Kindly record him as 'aye'. The Gentleman from  
Champaign, Mr. Johnson. Kindly record Mr. Johnson as 'no'. Mr.  
Bennett? 'No'. Mr. Antonovych, record him as 'aye'. Mr. Mautino,



'no'. On this question there are 91 'aye', 64 'no', this Bill having received ...this Bill having received the Constitutional Majority is hereby declared passed. Where's my Calendar? House Bill 3157. The Gentleman from DuPage, Speaker Redmond."

Clerk O'Brien: "House Bill 3157....."

Speaker Redmond: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3157 amends various practices Acts of physicians, dentists, optometrists, pharmacists and podiatrists, and adds as a grounds for suspension, revocation or denial..."

Speaker Lechowicz: "Excuse me, Mr. Speaker. Ladies and Gentlemen, kindly give the Gentleman your attention, please. Please proceed."

Speaker Redmond: "It adds, for the grounds for suspension, revocation or denial of a license, the provisions of termination or suspension from participation in the Medical Assistance Program may constitute gross and willful misconduct. The statutes provide certain...enumerate certain statutory grounds which constitute or may constitute gross and willful misconduct and it just adds this additional grounds of termination from the ...from the program for Public Aid. I .... request your support on this fine Bill."

Speaker Lechowicz: "Is there any discussion? The Clerk will read the Bill."

Clerk O'Brien: "House Bill 3157, a Bill for an Act relating to the revocation or suspension of a license of physicians and other practitioners in certain regulated professions, Third Reading of the Bill."

Speaker Lechowicz: "The question is, shall House Bill 3157 pass? All in favor vote 'aye', all opposed vote 'nay'. The Gentleman from Lake, Mr. Matijevich, to explain his vote. The timer is on."

Matijevich: "I was wondering if the Gentleman was going to yield. I was going to ask him if this was his first Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Holewinski, to explain his vote. The timer is on."

Holewinski: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to support House Bill 3157, at this time. I think, what the Bill does, is simply give the Department an additional tool that I - and I'm relative sure they want - for dealing with abuse in the



Medicaid program. It's a topic that we've spent considerable time debating in prior Sessions. It will probably not result in any dramatic increase in the number of suspensions, but...I think it gives the Department a reasonable tool that they can use to deal with a very serious problem and I would urge more of my colleagues to join in supporting this legislation."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 102 'ayes', 53 'nays', 6 recorded as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3160."

Clerk O'Brien: "House Bill 3160, a Bill for an Act to amend Sections of the Illinois Public Aid Code, Third Reading of the Bill."

Speaker Lechowicz: "For what purpose does the Gentleman from Cook, Mr. Bowman, seek recognition?"

Bowman: "I didn't reach my switch in time. Leave to be recorded 'aye' on 3160."

Speaker Lechowicz: "On which one?"

Bowman: "I'm sorry, on the last Bill."

Speaker Lechowicz: "3157."

Bowman: "3157, thank you."

Speaker Lechowicz: "Hearing no objection, the Gentleman will be so recorded. The Gentleman from DuPage, Speaker Redmond, on 3160."

Speaker Redmond: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3160 requires that a recipient of Public Aid provide the Social Security number in addition to the other information furnished. As we know, there has been estimates of a possible 4 or 5 hundred million dollars in fraud in this area and this is just another tool to try to bring that fraud within reasonable limits. I request your support."

Speaker Lechowicz: "Is there any discussion? The question is, shall House Bill 3160 pass? All in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? Mudd. Have all voted who wish? Vote him 'aye'. Mudd. Have all voted who wish? The Clerk will take the record. On this question there's 118 'ayes', 34 'nays', 7 recorded



as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3161. The Gentleman from DuPage, Speaker Redmond."

Clerk O'Brien: "House Bill 3161, a Bill for an Act to amend Sections of the Illinois Public Aid Code, Third Reading of the Bill."

Speaker Lechowicz: "Speaker Redmond."

Speaker Redmond: "Mr. Speaker and Members of the House, I'll yield to Representative Chapman now, on 3161."

Speaker Lechowicz: "The Lady from Cook, Mrs. Chapman."

Chapman: "Mr. Speaker and Members of the House, I'm sure there isn't a single Member of this General Assembly who doesn't know that last year for the first time the medical assistance component of the budget of the Department of Public Aid exceeded all other dollars spent...within the budget of the Department of Public Aid. There is a need for this Legislature to carefully monitor the expenditures of the Department of Public Aid and be aware of what they are doing in providing and utilizing for medical services. This Bill amends Public Aid Code requiring the Department of Public Aid to report annually to the General Assembly...on the provision and utilization of medical services in current and proposed rates of Medicaid vendors. We require the following...the filing of one copy of the report with the Clerk of the House, one copy with the Secretary of the Senate, and one copy with the Legislative Advisory Committee on Public Aid, so that this will be available for each Member of the House and the Senate who was interested. I urge you to support this good proposal."

Speaker Lechowicz: "The Gentleman from Winnebago, Mr. Simms, on the question."

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

Speaker Lechowicz. "She indicates she will."

Simms: "Representative Chapman, what is the cost to the State of Illinois, for the implementation of your legislation?"

Chapman: "No fiscal impact on the Department of Public Aid according to the information provided for us by the Department."

Simms: "You mean you are saying that the cost of putting together the statistics of this year and the past three years....there is no cost whatsoever, to the Department?"



Chapman: "Mr. Simms, this is not my statement. This is what the Department of Public Aid said."

Simms: "Well, Mrs. Chapman, I would like to know, in your opinion, as the Sponsor of the legislation, do you believe that to be an accurate statement, that there is no cost for establishing and obtaining data and information?"

Chapman: "Certainly much of this information is available and I would presume that any cost would be of a very nominal nature. Surely the Department of Public Aid is familiar enough with their own budget so that they would be able to advise us, through their fiscal note, as to its fiscal impact."

Simms: "Well, I'm not sure of that."

Speaker Lechowicz: "The Lady from Cook, Ms. Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, I would like to call to your attention that this Bill would require the Department to report the medical service rate. What this will end up doing is standardize medical service rates and we all know at what level, the highest level. Anyone who is concerned about cost of medical care, would be a fool to vote for this Bill and I urge you all to vote 'no'."

Speaker Lechowicz: "The Gentleman from McHenry, Mr. Skinner."

Skinner: "Just what we need. Another report. I would suggest that we listen to what Representative Pullen just said. What we're going to do is give all the providers in the State of Illinois a list of the minimum fees and the maximum fees...and I would suggest that common sense would dictate we agree with her...and that we'll end up with one set of fees at the high level. I think the Department of Public Aid has blown it again. I think their fiscal note is fallacious. And for that reason I think we should vote against this Bill."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Matijevec."

Matijevec: "Mr. Speaker and Ladies and Gentlemen of the House, you know I'm continually amazed at one of the Gentlemen that spoke over there, always wants a report and when we have a report that can do us some good, he's against it. The Federal Government provides 2 million dollars in computers and they have the availability to give a report and that report can help us, as a General Assembly, as a House, to



assess provider fees. Now, it also amazes me, for example, when I looked at the Roll Call on that last Bill, anytime that we hop on recipient welfare fraud, that we get all kinds of support over on that side of the aisles. But as soon as we even touch, even touch upon the issue of looking at the provider fees we get no support. I think that's where the support ought to come from. You know we're going to get all kinds of increases. The Governor was quick, very quick, to say we're going to provide a healthy increase for provider fees in his budget. That's why he finally had to provide, in his budget, for a cost of living increase for welfare recipients. If it weren't for that increase in provider fee increases he'd have never given the recipients a solitary dime. I think that a report...that's the least that we ought to have in the General Assembly, is a report so that we can responsibly look at the fee structure that we can have a voice in it, and by all means, especially when the Federal Government's got this 2 million dollar computer system it can be done very quickly and we ought to have it here for our assessment."

Speaker Lechowicz: "The Lady from Cook, Mrs. Chapman, to close."

Chapman: "Mr. Speaker, I think we're kidding ourselves if we think these providers don't know what they're getting paid and what other providers are receiving. It's the General Assembly that's in the dark. The Governor has already asked for the increases, 20 million dollars in increases for physicians alone. The Legislature is the Body that needs to know what these figures mean. We're the ones who are being kept in the dark. I believe it's time to let some sun shine in. Please vote 'yes'."

Speaker Lechowicz: "The question is, shall House Bill 3161 pass? All in favor vote 'aye', all opposed vote 'nay'....."

Chapman: "Ted. Mr. Speaker."

Speaker Lechowicz: "Schneider....The Lady from Cook, Mrs. Chapman."

Chapman: "Mr. Speaker, I would like to take this time to thank the Comptrollers Office for the assistance they have provided in preparing some of this legislation that relates to misuse and abuse of the Public Aid System. These last three Bills that the Speaker has Sponsored have been prepared with the assistance of the State Comptroller."



Speaker Lechowicz: "The Gentleman from Cook, Mr. Katz, to explain his vote. Katz..."

Katz: "Yes, I'm going to....not be supporting the Bill. I believe that the point made by Representative Pullen is a correct point. It is a violation of the antitrust laws for vendors to exchange price information together. It would seem to me to be a mistake for us to make this information available because it's no question that once we get it it's no longer a violation of the antitrust law....and because I'm skeptical about that aspect I'm going to be voting 'no'."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Holewinski, to explain his vote."

Holewinski: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think we're kidding ourself if we're saying that we don't think the providers have this information now. The providers do have this information and know what each other is charging. People who don't have the information are the people who are sitting in this chamber today. All we are asking for in this legislation is information. Maybe what we're saying is that a little knowledge is a dangerous thing and once we discover what the statistical information provides it may mandate some changes in our system. Are we afraid to face up to that fact? I think that if you take a look at this proposal you'll find that it is ultimately reasonable, that it will provide us information to...with which we can better do our jobs... I urge you to consider supporting this measure."

Speaker Lechowicz: "The Gentleman from DuPage, Mr. Schneider, to explain his vote. The timer is on."

Schneider: "Thank you, Mr. Speaker and Members of the House. It is passing strange that we find it very difficult to accept the notion that these vendors should report to the legislature. Had the proposal related to individual clients, that is welfare or public aid recipients, I think, the count would probably be 177. So it's pretty stra...pretty difficult that when the largest amounts of dollars, per individual, as we have seen in some cases for pharmacists, doctors and other alleged professionals who have taken the state for hundreds of thousands of dollars at one whack, we find



it difficult to ask, in a very moderate fashion, some form of accountability. When it comes to the individual, the public aid recipient, we are vicious in many ways, we have our knives out, and we are asking them to be accountable. I think an 'aye' vote is consistent and it's not hypocritical. I would ask support for this."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish?"

The Clerk will take the record. On this question there's 89 'ayes', 65 'nays', 10 recorded as 'present'. ....Oh....Arthur...The Gentleman from Cook, Mr. Telcser, requests a verification. The Lady from Cook, Mrs. Chapman, wants to poll the absentees. Before we get to that kindly record Representative Laurino as 'aye'. I think that makes it ....What do we start at now, Jack, 90? 90 'ayes'. The Clerk will poll the absentees."

Clerk O'Brien: "Adams, Jane Barnes, Catania...."

Speaker Lechowicz: "Mrs. Catania..."

Clerk O'Brien: "Daniels..."

Speaker Lechowicz: "Do you want to be recorded as 'no', Ma'am?"

Clerk O'Brien: "Jack Davis, Deuster, Friedrich, Hoffman, Jaffe, Luft, Madison...."

Speaker Lechowicz: "Kindly record Mr. Madison as 'aye'. Mr. Jaffe? Jaffe, 'aye'. I'm sorry..."

Clerk O'Brien: "Rigney, ....No further.."

Speaker Lechowicz: "What's our count? 91 'ayes', Art. Do you persist in a verification?"

Telcser: "Yeah."

Speaker Lechowicz; "The Clerk will kindly poll the affirmative vote."

Clerk O'Brien: "E. M. Barnes, Beatty, Birchler, Bowman, Bradley, Brady, Brandt, Breslin, Rich Brummer, Don Brummet, Byers, Caldwell, Capparelli, Chapman, Christensen, Darrow, Corneal Davis, Dawson, DiPrima, Domico, Doyle, John Dunn, Dyer, Ewell, Farley, Flinn, ..."

Speaker Lechowicz: "Excuse me, Jack. Kindly record Representative Luft as 'aye'."

Clerk O'Brien: "Garmisa, Getty, Giglio, Giorgi, Greiman, Hanahan, Harris, Hart, Holewinski, Dan Houlihan, J. M. Houlihan, Huff, Jacobs, Emil Jones, Kane, Kelly, Kornowicz, Kosinski, Kozubowski, Laurino,



Madigan,  
Lechowicz, Leverenz, Levin, Lucco, Luft, Madison, Mann, Marovitz,  
Peggy Smith Martin, Matejek, Matijevich, Mautino, McClain, McGrew,  
McLendon, McPike, Mudd, Mugalian, Mulcahey, Murphy, Nardulli,  
Pechous, Pierce, Pouncey, Richmond, Robinson, Satterthwaite, Schisler,  
Schneider, Sharp, Shumpert, Steczo, Stuffle, Taylor, Terzich,  
Tipsword, Van Duyne, Vitek, Von Boeckman, R. V. Walsh, Willer,  
Williams, Younge, Yourell, Mr. Speaker."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Telcser, on the affirmative verification."

Telcser: "Representative Bradley?"

Speaker Lechowicz: "Bradley is in his chair."

Telcser: "Representative Brady?"

Speaker Lechowicz: "Brady is in his chair."

Telcser: "Brummet?"

Speaker Lechowicz: "Brummet? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Representative Don Brummet in the chamber? Take him off the record."

Telcser: "Representative Byers?"

Speaker Lechowicz: "Byers is here."

Telcser: "Representative Dawson?"

Speaker Lechowicz: "Dawson? Just seen him. He's right here."

Telcser: "Representative Doyle?"

Speaker Lechowicz: "Doyle is in his chair."

Telcser: "Representative Flinn?"

Speaker Lechowicz: "Representative Monroe Flinn? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Is the Gentleman in the Chamber? Monroe Flinn? Take him off the record."

Telcser: "Representative Garmisa?"

Speaker Lechowicz: "Garmisa is here."

Telcser: "Representative Giglio?"

Speaker Lechowicz: "Giglio is here."

Telcser: "Representative Hanahan?"



Speaker Lechowicz: "Hanahan? Representative Tom Hanahan, how is the Gentleman recorded?"

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

Speaker Lechowicz: "Here he is."

Telcser: "Representative Hart?"

Speaker Lechowicz: "Hart? Richard Hart? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Is the Gentleman in the chamber? Mr. Hart? Take him off the record."

Telcser: "Representative Dan Houlihan?"

Speaker Lechowicz: "Dan Houlihan? How is the Gentleman recorded?"

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

Telcser: "Is he in the Speaker's Office?"

Speaker Lechowicz: "Yes he is."

Telcser: "Never mind then. He's here. Representative Kane?"

Speaker Lechowicz: "Representative Kane? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Representative Doug Kane? Is he in the chamber? Take him off the record."

Telcser: "Representative Kelly?"

Speaker Lechowicz: "Mr. Kelly is in his seat."

Telcser: "Representative Kozubowski?"

Speaker Lechowicz: "Kozubowski is in his seat."

Telcser: "Representative Leverenz?"

Speaker Lechowicz: "Leverenz? He is in his seat."

Telcser: "Representative Madigan is in the Speaker's Office? Is that correct?"

Speaker Lechowicz: "Yeah. He just walked over there."

Telcser: "Representative Marovitz?"

Speaker Lechowicz: "Marovitz is here."

Telcser: "Representative McGrew?"

Speaker Lechowicz: "McGrew? Is Representative Sam McGrew in the chamber?

Take him off the record. Put Representative Don Brummet back on.

Mr. Daniels, for what purpose do you seek recognition?"

Daniels: "Please record me as 'no'."

Speaker Lechowicz: "Kindly record Mr. Daniels as 'no'."



Telcser: "Representative McPike?"

Speaker Lechowicz: "McPike? Is the Gentleman in the chamber, Mr. McPike?  
How is he recorded?"

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

Speaker Lechowicz: "Take him off the record."

Telcser: "Representative Mudd?"

Speaker Lechowicz: "Mudd is here."

Telcser: "Oh, there he is. Representative Mulcahey?"

Speaker Lechowicz: "Mulcahey? Representative Mulcahey? How is the  
Gentleman recorded?"

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

Speaker Lechowicz: "Take him off the record."

Telcser: "Representative Schisler?"

Speaker Lechowicz: "Schisler is back there."

Telcser: "Representative Sharp?"

Speaker Lechowicz: "Sharp is in his chair."

Telcser: "Representative Van Duyne?"

Speaker Lechowicz: "Van Duyne? Put Mulcahey back on. ...And put McGrew  
back on. Representative Van Duyne? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Take him off the record."

Telcser: "Representative Von Boeckman?"

Speaker Lechowicz: "He's in his chair."

Telcser: "That's it, Mr. Speaker..... No, wait a second, Mr. Speaker."

Speaker Lechowicz: "Yes, Sir."

Telcser: "I have one more. I'm sorry. Representative Dyer?"

Speaker Lechowicz: "Mrs. Dyer? She's right back there.....walking in the  
back of the hall. Who else? Put O'Brien.....Put Monroe Flinn back  
on. The Gentleman from Cook, Mr. O'Brien, for what purpose do you  
seek recognition?"

O'Brien: "How am I recorded, Mr. Speaker?"

Speaker Lechowicz: "How is the Gentleman recorded?"

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

O'Brien: "Vote me 'aye'."

Speaker Lechowicz: "Kindly record Mr. O'Brien as 'aye'. Did you put Monroe



Flinn back on?"

Clerk O'Brien: "Yes, Sir."

Speaker Lechowicz: "And, was Representative Birchler questioned?"

Telcser: "What's the score, Mr. Speaker?"

Speaker Lechowicz: "Mr. Birchler?"

Telcser: "I don't think we verified him."

Speaker Lechowicz: "The Gentleman asks leave to be verified, Mr. Birchler."

Telcser: "What's the Roll Call, Mr. Speaker?"

Speaker Lechowicz: "On this question there are 89 'ayes', 65 'nays', 10 recorded as 'present', and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3184."

Clerk O'Brien: "House Bill 3184, a Bill for an Act to amend Sections of the Revenue Act, Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from DuPage, Speaker Redmond, on House Bill 3184....Bill."

Speaker Redmond: "Mr. Speaker and Ladies and Gentlemen of the House, this is probably one of the most important Bills that's coming before this Session of the General Assembly. When the real estate tax Bills came out throughout the state some 13 or 14 months ago, and it was obvious that the famous House Bills 990 that was passed in the previous Session was not doing its job, it was rather apparent that although we had rate restrictions we did not have any restrictions or any ceiling on the level of assessment. So I undertook a study of what had happened in the General Assembly in the years that I was here. And, traditionally, since I have been here the allocation of what used to be known as the equalization factor and is now known as the multiplier, was always a matter of great concern for the General Assembly. My first term Bills were introduced and passed to try to have the Department of Revenue divulge the method whereby the equalization factor was established. In groping around for help I came across the report of the Minority...the House Minority Staff in 1976 and some of the Leadership that is here in the House today - on the Minority side, names appeared in that report. One of the cardinal recommendations is that the handling of the multiplier be put in an independent body, independent of the Governor; because



traditionally, and throughout the years there has been a tendency on the part of Governors to control the level of state expenditures for the support of the schools by manipulating, is the language that was used, by the manipulation of the multiplier. We have a constitutional officer in the Office of the Attorney General, or the Auditor General, that is appointed by the Members of the General Assembly, and no party has a dominant voice in the appointment of the Auditor General and this Bill, House Bill 3184, follows the recommendation of the Republican Staff in 1976, to divorce the question of applying...or establishing the real estate multiplier, to divorce it from the Executive Office and put it in an independent agency. That is what the Bill does. I commend the Republican Staff and I commend the Leaders of the Republican Party that was in attendance and in Leadership in 1975 and the '76 Session for this very cogent recommendation. Therefore, I earnestly incur an affirmative vote on House Bill 3184."

Speaker Lechowicz: "The Lady from Adams, Mrs. Kent, on the question."

Kent: "Will the Sponsor yield to a question, please?"

Speaker Lechowicz: "He indicates he will."

Speaker Redmond: "Yes, I will."

Kent: "Could you please tell me what the duties of the Auditor General are?"

Speaker Redmond: "Well, the duties of the Auditor General, after we adopt this Bill, in addition to those which he already has, will be to establish the multiplier. Other than that why he's conducting audit sessions. And his Staff, as I understand it, has many certified public accountants, appraisers and people that I think are singularly qualified to go professionally under the subject of the multiplier in the real estate evaluations."

Kent: "But I thought, by statute, that the Auditor General did not make policy statement."

Speaker Redmond: "Well, I don't consider this to be a policy statement. It's perfectly apparent, with the support of the schools, being...by the new Constitution; I think, we contemplate 50 percent and in practice now, some 600 schools in the State of Illinois are going to receive less money this year than they had last year and inasmuch as the assessment,



because of inflation, probably will continue to rise. It seems to me that that 600 is going to be increased to 700 and 800 and the first thing you know the state will be able to shirk its responsibility of supporting the schools. It seems to me that this is the only way that we have. I would have hoped...you know, traditionally, when we have some kind of a ...of a ceiling on a rate we also have a ceiling on the...on the assessment and if one varied the other one varied, so that the total product..."

Kent: "This does not...this does not stop the ceiling in any way shape or form, it's the Auditor General that you are appointing to do the multiplier. So it doesn't put a ceiling on it at all."

Speaker Redmond: "According to the recommendation of the Republican Staff in 19....in the report of 1976, they evidently felt that there was cause for concern...that the Executive Department might be tempted to use the multiplier in order to juggle the amount of state expenditures and for that reason I'm following their recommendations. And I think that it is a very commendable Bill."

Kent: "May I speak on the Bill?"

Speaker Lechowicz: "Please proceed, Ma'am."

Kent: "I hope that you are all watching this Bill and looking at who is to be appointed as the one to do the multiplier. This is wrong. We know it is wrong. I don't care whose staff, it's Legislators I'm talking to, not staff. So I hope you'll vote 'no' on 3184."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Totten."

Totten: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Lechowicz: "Mr. Speaker...Yes, he indicates he will."

Totten: "You've indicated in your comment, and in the report that you cited, that there were...there could be possibilities of misuse of the multiplier, due to the closeness to the Governor.. Do you have any specific instances of that being done?"

Speaker Redmond: "Well, all I can say is...judging from the offers of that report and the Leadership on the Republican side at that time, I'm sure that they would not have put it in the report unless they had evidence that there had been, and the language that they used was manipulation. I can say that throughout my years here, there has



always been the concern that no matter what we did here, that somebody other than the Members of the General Assembly were in a position to control the amount of state aid. I don't think there was any question and I happen to believe and I don't know whether the Gentleman from McHenry, Representative Skinner, the expert in this field, will agree with me, but it seems to me that there isn't any area that is any more serious and any more dangerous than the prospect of real estate taxes escalating and escalating and escalating. We haven't anything, as far as I know, that puts any ceiling on any rate. I don't know that we have anything that puts any ceiling on any level of assessment. I don't know that we have anything that in any way seeks to limit the amount of levies by local government. The only thing that I do know is that in my own county, in spite of the fact that the assessed evaluation went absolutely wild, that two of the levies in the county were in excess...the rate was in excess of what it had been last year and in my own township, the rate was in excess. It seems to me that we are in a crisis situation here. I don't know whether this is going to work the way that I hope it would work, but I have a strong feeling that it will."

Totten: "May I speak to the Bill, Mr. Speaker?"

Speaker Lechowicz: "Proceed."

Totten: "I'm a little surprised that the Speaker would bring forth a proposal like this. And I'm also enlightened and encouraged to see that he's finally reading Republican Staff reports in order to bring forth legislation here. We have finally recognized though, that that staff report was in error and that this is really not the way to go. Let me remind you that you can't go any farther from the Auditor General to be removed from the people. The Auditor General is a ten year appointment. The only thing that...the only area in which this may reduce the multiplier is it will multiply the distance from which the people can control their assessed valuation...by putting it in the hands of the Auditor General. I think that this practice would be fraught with danger. I think that the Legislature can address itself and keep the Governor and the Department of Local Government Affairs in control and that's where that control can be,



the only better place is in the local community. This is a terrible course to follow."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Bill. The Speaker has explained the background of the Bill. It emanates from the extraordinary increase in real estate taxes all across this state during the last two assessment years. The Bill is very simple. It states that an agent, and appointee of the Governor, today, sets the multiplier. And if this Bill were enacted into law, the multiplier would be set by someone who is insulated from the political processes. The Attorney...the Auditor General is appointed by an extraordinary majority of both the House and the Senate and is not subject to continual year after year political pressures from wherever they may come within our state. If you are concerned about the extraordinary increases in real estate taxes, and I know you are because you've heard about this from your constituents, and you realize that you cannot treat this problem at the level of the local assessors and assessment officials, then you will support this Bill. And support for this Bill will allow you to go back to your constituents and say to them, 'Yes, I did something positive and definite in Springfield to correct the inequitable real estate tax situation in our state.' Support this Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Telcser."

Telcser: "Mr. Speaker, Members of the House, House Bill 3184 has many... many deficiencies contained within it. One of which is that the constitutional mandate for the Office of Auditor General does not include the functions which House Bill 3184 would give to the Auditor General. So it is my opinion that there could very well be a constitutional problem regarding what is contained in House Bill 3184. Let me also say, Mr. Speaker, that the Constitution, notwithstanding, those of us in the Legislature never considered this function to be one which the Auditor General would perform. Now some prior speakers hit on some very important points. Let me also say that I am surprised to hear the Majority Leader talk about this legislation emanating from the citizens of this state's great concern for high real estate



taxes. I think every Member of this House is well aware of what local government does to increase real estate taxes. And that the local taxing bodies contained in local government contribute just as much, if not more, to the high real estate tax bills which everyone who owns property is faced with. Don't be fooled, Mr. Speaker and Members of the House, don't be fooled by the Majority Leader's attempt to sluff off his local responsibility to the local government for whom he speaks, in this Assembly, and try and tout off that responsibility to the state. That's unfair. Let me also remind you, Mr. Speaker, that this piece of legislation does not emanate from the taxpayers whose tax burden is brought upon their shoulders by local government, but it emanates from a political campaign headquarters. The Gentleman has made this a political issue and he's using the feelings of the people of this state to further his own political fortune and the fortunes of his party. But anyone who pays taxes knows full well that local government contributes to a great extent to the exorbitantly high real estate tax bills which the people of this state are facing. So, Mr. Speaker and Members of the House, I urge you to vote against this Bill because the functions which the Auditor General would take under this Bill are not meant for his office. I would also like to remind the Members of the House that the Gentleman talks about insulating the people, insulating the people and yet when we had an issue like merit selection, the Majority Leader led the fight against merit selection, making the argument that the people ought to have a say-so as to who serves in the Judiciary..."

Speaker Lechowicz: "The Gentleman kindly confine his remarks to 3184..."

Telcser: "The people of the state ought to have something to say about how their lives are affected and when it comes to real estate taxes, the Gentleman wants to take away from the people their right to every four years have something to say about what happens to their real estate taxes. This Bill is a political maneuver which will get the Majority Leader and his followers nowhere."

Speaker Lechowicz: "The Gentleman from McHenry, Mr. Skinner."

Skinner: "Yes, would the Sponsor yield, please?"

Speaker Lechowicz: "Speaker Redmond indicates he'll yield."



Speaker Redmond: "Yes, I will."

Skinner: "Is the Speaker charging that the Department of Local Government Affairs is manipulating county multipliers since the Thompson Administration took office?"

Speaker Redmond: "Mr. Skinner, I think that you should know me well enough to know that I very haltingly charge anybody with anything. The only thing that I can say is that in my own county that the local Assessors, now mind you, we had a factor of one since memory of man runneth not to the contrary. When our local...our local Assessors, in the townships completed their work, and when the Supervisor of Assessments completed his work, and when the Board of Review completed their work, we still came out with a multiplier of one, and that was the tentative multiplier that was suggested through out the county. And then, rather belatedly, we were advised by the Department of Local Government Affairs that all the work that had been done by the local people was in vain, and that a multiplier of 1.0806 was being assigned. This last year the multiplier was 1.14 and the tentative multiplier for next year is 1.133. I don't know whether they're manipulating it or not but I know this, that if I was going to try to contain the amount of state expenditures, and I was selective in the samples of property that I was going to take when I was going to have the cost ratio studies, that I could come out with pretty nearly any multiplier that I want. I know that there's concern in my own county. I know that the Assessors have met. I know that the Assessors have suggested to the state to keep its nose out of DuPage County. Now you draw your own conclusions as to whether there is any suggestion of manipulation as originally set forth and charged by the Republican Staff in 1976."

Skinner: "No, Mr. Speaker, you're the Leader of this House, if you're going to make the charge, be man enough to stand up and say, John Castle is manipulating the multiplier. File an Impeachment Resolution like I did for Frank Kirk in 1975, when he most assuredly was malfeasant and manipulating the multiplier. Do you charge that he is manipulating the multiplier?"

Speaker Redmond: "I do not."



Skinner: "Well, in that case, I see no reason for the Bill because all he is doing is following the law. If this Bill passes, how will it help... how will it keep property taxes from rising? Are you suggesting that the Auditor General will not follow the law just as Frank Kirk did not follow the law?"

Speaker Redmond: "Well, I am not going to draw the conclusions if they did or didn't follow the law. If they followed the law then the multiplier would be the same under the Auditor General as it is under the Department of Local Government Affairs."

Skinner: "Thank you for responding to my questions. I think you've just given a very good reason for there being no need for this Bill. The Department of Local Government Affairs is following the law and assessing real estate at 33 1/3 percent of market value, as defined in the State Statutes. That definition is, a three year running average with adjustments made for changes in the assessed valuation. Passage of this Bill or proposing of this Bill is fairly similar to trying to get the General Assembly to abolish inflation. We just don't have it within our power. And until we abolish inflation, we are not going to be able to keep assessments from rising, because indeed, assessments are a reflection of market value, which is controlled by inflation. I would suggest that just because Frank Kirk was malfeasant during the Walker Administration, until I filed that Impeachment Resolution, and he figured somebody in the Legislature might actually be serious about his following the law, doesn't mean that John Castle is malfeasant. In fact, every indication that I have is that the politicians in the Governor's Office, have kept their hands completely off the setting of the multiplier practice. ...I would stress that the report that the Speaker is referring to was drafted in 1976. It referred to allegations made that the Walker Administration wasn't following the law, not that the Thompson Administration wasn't following the law. When the Speaker has one scintilla of evidence that the Thompson Administration is not following the law in equalizing assessments, then he should come back to us, but perhaps with a Constitutional Bill, not one that is parallel to the Board of Election Bills that have been held



unconstitutional by the State Supreme Court, yea these many times.

This Bill ought to be defeated."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Matijevec."

Matijevec: "Mr. Speaker and Ladies and Gentlemen of the House, first make no mistake of it, when I hear that the staff reported the Republicans is now in error, make no mistake about it, the reason it's in error is because now you have a Republican Administration. That report was made during a Democratic Administration. There's never been any change. Every time there has been a Democratic Administration, Republicans have used - and I think rightly so - the Democratic Governors have used the power of the local governmental Affairs to manipulate the multiplier. Every time there has been a Republican Administration, Democrats have used the excuse - and rightly so - that Republicans have used the multiplier and the equalization factor for political purposes. There was an even greater danger now and I don't care what the Representative says, because we don't take that matter of impeachment as lightly as the Gentleman on the other side does, the greater danger is that here we have a handpicked man who heads the Department of Local Governmental Affairs who is now a political...appointment who has been handpicked to run for a political office. Another handpicked man to be in the Treasurer's Office. We had that troika, who we now face, running in the November election. Here is an attempt, and I commend the Comptroller who is now running for Governor, I commend him for at least attempting, attempting to finally try to take this out of the political hands in which everyone of us, all of us, have always said has been abused. We know what those equalization functions, we know what that multiplier power does to the School Aid Formula, and to the use of public funds. So I would say, Ladies and Gentlemen of the House, I don't know about the constitutionality of those powers that we're giving to the Auditor General, but at least we're trying to take it out of the hands of politics for the first time and I...I thought I had ten minutes, Elmer..."

Speaker Lechowicz: "You've got eight minutes to go, Jack."

Matijevec: "Eight minutes to go. Well, Elmer is getting tired and I am



too, but I will say that at least, finally, finally we have a Gentleman running for public office, the highest public office, who says let's take it out of politics. I think we ought to read that into the fact that one who does parade around as not being political, is as political as every past Governor we've had. I commend this Bill and I urge the General Assembly, the House, to vote for it."

Speaker Lechowicz: "The Gentleman from Effingham, Mr. Brummer."

Brummer: "I move the previous question."

Speaker Lechowicz: "The Gentleman has moved the previous question. All those in favor signify by saying 'aye', 'aye'; all those opposed... The previous question has been moved. The Gentleman from DuPage, Speaker Redmond, to close."

Speaker Redmond: "Mr. Speaker and Ladies and Gentlemen of the House, may I say that this Bill did not germinate in the mind of the Democratic candidate for Governor nor did it have its origin in my own thinking. When I was in my first term, when I sat back there in the last row, my seatmate, who is now a Judge in the Appellate Court, Judge Eberspacher, was vainly trying to require that the Department of Revenue divulge to the General Assembly the method whereby the equalization factor was arrived at. Year after year, Session after Session, the General Assembly tried to get that information and they were unsuccessful. With respect to the suggestion that maybe there is manipulation, the only thing that I can say, is that very frequently what people don't do tells us a great deal. There isn't any question that there is a crisis in real estate taxes throughout the State of Illinois. There isn't any question that there's a crisis in the support of our schools. There isn't any question that 15 percent of our citizens are senior citizens and there is no way that they can continue to reside in the homes in which they raised their families and desire to spend out their retirement years unless some way we can give them some relief in the area of the real estate taxes. The Governor of this state has been strangely silent in this area. He has made no suggestion whatsoever, as to how we can get a handle on the real estate taxes, which, to me, is a strong suspicion that perhaps the charges and suggestions that were leveled in the.....



Republican...in the Republican staff report of 1976, probably have some bearing and some truth. I may say this, that the general... the Auditor General of this state is a Republican and when I came here first he was the first assistant to one of the patron saints of the Republican Party, the Secretary of State, Carpentier. I have confidence that Bob Cronson would administer this law in fairness, with equity and equality. I would like to point out...some people are worried about the constitutionality. I would just like to remind you that the question of constitutionality is the function of the court and not the General Assembly. Some of the people that advanced that argument, may I suggest that they voted for the State Board of Elections which the court has held to be unconstitutional. They, in all likelihood voted for the Medical Malpractice, the first one that went out of this chamber, which the courts declared unconstitutional. I happen to think that when the exigency of the situation are so acute as they are in this particular case, that the courts might very well and in all likelihood, would declare that it is constitutional. It's absolutely crucial and absolutely mandatory that we do something to help the real estate owner, particularly the senior citizen. I encourage your support of House Bill 3184."

Speaker Lechowicz: "The question is, shall House Bill 3184 pass? All those for the Gipper, vote 'aye', all opposed vote 'nay'. The Lady from Lake, Mrs. Geo-Karis, to explain her vote. The timer is on. "

Geo-Karis: "Thank you, Mr. Speaker, if you will permit me to explain my vote..."

Speaker Lechowicz: "Please proceed, Ma'am."

Geo-Karis: "...at this time, ~~Thank you, kind Sir.~~ I cannot match the eloquence and the sincerity of the Speaker, who was the Sponsor of this Bill. I am sure he's very sincere in his efforts. However, when you have a Governor appointing the five public members then you're still talking about politics and the political rhetoric of the prior speaker indicates strictly a political football here and we're going add some more bureaucracy levels and I don't feel at this time that this Bill is necessary."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Jim Houlihan, to explain his vote. The timer is on."



Houlihan, Jim: "Mr. Speaker and Ladies and Gentlemen of the House, it may seem strange for me to rise in defense of the Majority Leader and the political accusations that were hurled at him by the Minority Leader, Representative Telcser, but if he would look more clearly at his own house, he would see that in terms of merit selection, his Governor didn't even follow the recommendations of the merit board which recommended filling the vacancies ..."

Speaker Lechowicz: "Please proceed."

Houlihan, Jim: "...If he would clearly review the actions of his administration he would see that the Governor set up a merit board to recommend people to be appointed and he didn't follow that when he filled the vacancies. So, Representative Telcser, people in glass houses.....shouldn't throw stones....bricks, or hurl any kind of ...insults like that at our Majority Leader. Now he may be opposed to.."(mike off...)

Speaker Lechowicz: "The Gentleman from Kane, Mr. Friedland, to explain his vote."

Friedland: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I wish the Sponsor of this measure would address himself in explanation of his vote. I believe this measure....you can correct me if I'm wrong...may be an outgrowth of a Sunday morning meeting that he and I and approximately 15 of our colleagues attended several weeks back. I point out to you he was the only Democratic Member there, others present were Representative Schoeberlein, Daniels, Kempiners, big Bill Walsh, Gene Hoffman, Senators Philip and Bowers. I wish he would explain if this might be an attempt to correct that situation from that day. Thank you."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Schlickman, to explain his vote. The timer is on."

Schlickman: "Mr. Speaker, Members of the House, this Bill is blatantly unconstitutional. It violates the principle of separation of powers. Furthermore, Mr. Speaker and Members of the House, it violates the prescription as to the duties of the Auditor General. This Bill would provide that no final equalization factor multiplier shall be issued by DLGA without prior approval of the Auditor General. You



look at the Constitution, Mr. Speaker and Members of the House, the Auditor General shall conduct the audit of public funds of the state. This is not an audit of the public funds of the state. He shall make additional reports and investigations as directed by the General Assembly. This far exceeds reports and investigations. I respectfully suggest, Mr. Speaker and Members of the House, that what the Comptroller of the state ought to do is to take the paper that this Bill is printed and stuff it into the potholes that he is so concerned about. I urge an ...a 'nay' vote."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish?"

The Gentleman from DuPage, Speaker Redmond."

Speaker Redmond: "After you have taken the toll, here."

Speaker Lechowicz: "Have all voted who wish? The Clerk will take the record. The Gentleman from Bureau, Mr. Mautino, for what purpose do you seek recognition? ...The Gentleman from DuPage, Mr. Speaker Redmond."

Speaker Redmond: "After you've announced the..."

Speaker Lechowicz: "On this question there are 88 'ayes', 75 'nays', 6 recorded as 'present', ...the Gentleman from Cook, Mr. Steczo, wants to be recorded as 'aye'. The Gentleman from Cook, Mr. Telcser."

Telcser: "I would like to have a verification if this should get 89 votes, Mr. Speaker."

Speaker Lechowicz: "It's got 89."

Telcser: "I want a verification."

Speaker Lechowicz: "You're..."

Speaker Redmond: "Poll the absentees, please."

Speaker Lechowicz: "You're entitled to that. The Clerk will kindly poll the absentees."

Clerk O'Brien: "Jane Barnes, Jack Davis, Deuster, Friedrich, Gaines, Klosak, O'Brien....No further."

Speaker Lechowicz: "The Gentleman persist in his request for a verification?"

Telcser: "Yeah. Yes, Mr. Speaker."

Speaker Lechowicz: "The Clerk will poll the affirmative vote. Ladies and Gentlemen, kindly be in your own seats and will all unauthorized personnel remove themselves from the floor? Please proceed with the



poll of the affirmative vote."

Clerk O'Brien: "E. M. Barnes, Beatty, Birchler, Bowman, Bradley, Brady, Brandt, Breslin, Rich Brummer, Don Brummet, Byers, ..."

Speaker Lechowicz: "Excuse me. The Gentleman...Please proceed."

Clerk O'Brien: "Caldwell, Capparelli, Chapman, Christensen, Darrow, Corneal Davis, Dawson, DiPrima, Domico, Doyle, John Dunn, Ewell, Farley, Flinn, Friedland, Garmisa, Getty, Giglio, Giorgi, Hanahan, Harris, Hart, Holewinski, Dan Houlihan, J. M. Houlihan, Huff, Jacobs, Emil Jones, Kane, Kelly, Kornowicz, Kosinski, Kozubowski, Laurino, Lechowicz, Leverenz, Levin, Lucco, Madigan, Madison, Mann, ..."

Speaker Lechowicz: "Excuse me. Representative Telcser. Representative Dan Houlihan requests to be verified...and Dawson. Proceed."

Clerk O'Brien: "Marovitz, Peggy Smith Martin, Matejek, Matijevec, McClain, McGrew, McLendon, McPike, Mudd, Mugalian, Mulcahey, Murphy, Nardulli, Pechous, Pierce, Pouncey, Richmond, Robinson, Satterthwaite, Schisler, Schneider, Sharp, Shumpert, Steczo, Stuffle, Taylor, Terzich, Tipsword, Van Duyn, Vitek, Von Boeckman, R. V. Walsh, Willer, Williams, Younge, Yourell, Mr. Speaker."

Speaker Lechowicz: "The Gentleman from Jackson, Mr. Richmond."

Richmond: "Request leave to be verified."

Speaker Lechowicz: "The Gentleman asks leave to be verified? Leave is granted. Are there any questions of the affirmative vote?"

Telcser: "Mr. Clerk, what are we starting with?"

Speaker Lechowicz: "'89, let's go."

Telcser: "Representative Birchler?"

Speaker Lechowicz: "Birchler? He's here."

Telcser: "Brandt...Brandt in his seat? Representative Brandt?"

Speaker Lechowicz: "Brandt is here."

Telcser: "Representative Brummer?"

Speaker Lechowicz: "Brummer is here."

Telcser: "Representative Brummet?"

Speaker Lechowicz: "Brummet is here."

Telcser: "Byers?"

Speaker Lechowicz: "Byers..Byers?"

Telcser: "He's in back of your chair...He's here. That's all right."



Speaker Lechowicz: "He's there."

Telcser: "Caldwell is there. Dawson is in the back. Representative Doyle?"

Speaker Lechowicz: "Doyle is always here."

Telcser: "Representative Farley?"

Speaker Lechowicz: "Farley? He's there."

Telcser: "Representative Garmisa?"

Speaker Lechowicz: "Garmisa is here."

Telcser: "Representative Giorgi?"

Speaker Lechowicz: "Giorgi? Representative Zeke Giorgi? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Yeah. There he is."

Telcser: "Is Representative Farley here? Did you say, Mr. Speaker?"

Speaker Lechowicz: "Yeah. He was here. You verified him already."

Telcser: "Is he in the chamber? There he is. Okay. Representative Jones?"

Speaker Lechowicz: "Emil Jones?"

Telcser: "Right."

Speaker Lechowicz: "Emil Jones. The Gentleman from Cook, Emil Jones? How is the Gentleman recorded?"

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

Speaker Lechowicz: "Is Emil Jones in the chamber? Take him off the record."

Telcser: "Representative Kane?"

Speaker Lechowicz: "Representative Doug Kane? How is the Gentleman recorded?"

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

Telcser: "Representative Lucco?"

Speaker Lechowicz: "Wait a minute. Is the Gentleman in the chamber? Representative Doug Kane? Take him off the record. Lucco is in his seat."

Telcser: "Okay. Representative McGrew?"

Speaker Lechowicz: "McGrew? Representative Sam McGrew? Sam McGrew. How is the Gentleman recorded?"

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

Speaker Lechowicz: "Is the Gentleman in the...Yeah, there he is. He's here."

Telcser: "Representative Mugalian?"

Speaker Lechowicz: "Mugalian? Representative Richard Mugalian? How is the



Gentleman recorded?"

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

Speaker Lechowicz: "Mugalian? Mr. Mugalian. Maybe that's why he didn't respond. Is Representative Mugalian in the chamber? There he is. No. I'm sorry. Remove him off the record."

Telcser: "Representative Taylor?"

Speaker Lechowicz: "Taylor? He's there. The Gentleman from Cook, Mr. Greiman, for what purpose you seek recognition?"

Greiman: "Would you vote me 'aye' on this please?"

Speaker Lechowicz: "Kindly change the Gentleman from 'no', to 'aye'. The Gentleman from Cook, Mr. Katz?"

Katz: "Mr. Speaker, how am I recorded, Sir?.....Vote me 'aye', Mr. Speaker."

Speaker Lechowicz: "Kindly record Mr. Katz as 'aye'."

Telcser: "Representative Von Boeckman here, Mr. Speaker?"

Speaker Lechowicz: "Von Boeckman? Representative James Von Boeckman? How is the Gentleman recorded?"

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

Speaker Lechowicz: "That's the right way. Put Emil Jones back on the Roll Call. Representative Von Boeckman? Take him off the record."

Telcser: "Representative Robinson?"

Speaker Lechowicz: "He's here."

Telcser: "There he is."

Speaker Lechowicz: "Any more questions of the affirmative vote?"

Telcser: "Representative Madison?"

Speaker Lechowicz: "Madison was here."

Telcser: "Wait a second. We didn't verify him."

Speaker Lechowicz: "Yeah. You did."

Telcser: "No, we did not, Mr. Speaker."

Speaker Lechowicz: "Was Madison verified?"

Telcser: "No, he wasn't, Mr. Speaker."

Speaker Lechowicz: "No, according to the Clerk, he was not."

Telcser: "Is the Gentleman..."

Speaker Lechowicz: "Wait a minute. The Gentleman from Cook, Representative Jesse Madison? Jesse Madison? The Gentleman in the chamber? How is he recorded?"



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

Speaker Lechowicz: "Take him off the Roll Call."

Telcser: "Representative Leverenz?"

Speaker Lechowicz: "Leverenz was here. Leverenz? The Gentleman from Cook, Mr. Leverenz? How is he recorded?"

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

Speaker Lechowicz: "Take him off the record."

Telcser: "Representative John Dunn?"

Speaker Lechowicz: "He's here. He's in his chair."

Telcser: "That's it, Mr. Speaker."

Speaker Lechowicz: "What's the count? The Gentleman from Tazewell, Mr.

Luft. Luft. Madison is back. Put Madison back on. That's 87.

The Gentleman from Tazewell, Mr. Luft. Record him as 'aye'. That's

88. Mr. Mautino? Mautino? Von Boeckman is 89. The Clerk will take the record. Is there any more? Any more, Art? Okay. That's it,

I guess. The Gentleman from Cook, Mr. O'Brien, for what purpose do you seek recognition?"

O'Brien: "Vote me 'aye'."

Speaker Lechowicz: "Kindly record O'Brien as 'aye'. Von Boeckman is back.

On this question there are 90 'ayes', ...How many 'noes'? 73 'nays', this Bill having received the Constitutional Majority is hereby declared passed. The Gentleman from DuPage, Mr. ...Speaker Redmond."

Speaker Redmond: "Mr. Speaker and Ladies and Gentlemen of the House, I rise on a point of personal privilege. Before the roll was taken and the tally was announced, the Gentleman from Cook made some snide remark with respect to potholes and suggested that perhaps that it was a trivial matter. I would like to read an account in this morning's State Journal-Register. 'Pothole victim on motorcycle dies after crash. Lewis Sloan, 25, Pontiac, critically injured when his motorcycle struck a pothole early Sunday, on Illinois 116, in Pontiac, and rolled over several times, died Tuesday, at St. Francis Hospital in Peoria.' The subject of the condition of our highways is not a trivial matter and it's not something that we should take lightly. Thank you very much. "

Speaker Lechowicz: "The Gentleman from Cook, Mr. Schlickman."



Schlickman: "Mr. Speaker and Members of the House, I rise on a point of personal privilege."

Speaker Lechowicz: "Please proceed."

Schlickman: "I'm very disappointed that my good friend, Bill Redmond, would stand up and take a cheap shot. Now, Mr. Speaker and Members of the House, ..."

Speaker Lechowicz: "Please proceed."

Schlickman: "Mr. Speaker and Members of the House - I wish you wouldn't leave, Bill - I waited and listened to you....as I have for many years....And for those many years you and I have gotten along very well. Now you are an attorney, I am an attorney. I argue with respect to the constitutionality and you simply ignored it. I very much believe in the constitutionality. I simply felt that this Bill was no better than the paper it's written on and my suggestion was, Bill, that if the Comptroller is really concerned about doing his duties and responsibilities, then have him find the adequate means of taking care of those potholes. I share with you that concern. But it was a way for me to demonstrate what he should be doing and what he should not be doing. I hope you would do the same thing, as Speaker."

Speaker Lechowicz: "House Bill 3192."

Giorgi: "Passed it already."

Speaker Lechowicz: "Did you pass that? 3191."

Clerk O'Brien: "House Bill 3191, a Bill for an Act to amend Sections of an Act in relation to state finance, Third Reading of the Bill."

Representative Giorgi in the Chair.....

Speaker Giorgi: "Representative Lechowicz, on House Bill 3191."

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

Speaker Giorgi: "Representative Matijevich, for what reason do you rise?"

Matijevich: "...I didn't want to say this while that other matter was going on, but I just want to say; after the last five Bills, it was nice to see the rebirth of the Democratic Party in Illinois."

Speaker Giorgi: "Very well. Put that in the record, John. Representative Lechowicz."

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



House Bill 391 (sic) is a Bill which is fundamental to the General Assembly's Constitutional authority...to make appropriations of public funds and to fulfill its obligation to control the purse strings. This is not a partisan issue. Both sides of the aisle supported this Bill in an overwhelming fashion...."

Speaker Giorgi: "Excuse me, Mr. Lechowicz..."

Lechowicz: "In an overwhelming fashion...."

Speaker Giorgi: "Excuse me, Mr. Lechowicz. Mr. Conti, for what reason do you arise?"

Conti: "...Last speaker, Mr. Speaker...and Ladies and Gentlemen of the House, I didn't quite understand what he said. Am I to understand that this is now the Democratic platform of the ...State of Illinois, the last five Bills we just passed?"

Speaker Giorgi: "No, Mr. Conti, that's something else for later on this year."

Conti: "The Democratic State Platform, that's what I thought I heard him say."

Speaker Giorgi: "Representative Lechowicz, on House Bill 3191."

Lechowicz: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, we no longer can afford the luxury of agencies involving the state in federally funded programs, which the General Assembly might not have appropriated if it had not been notified initially of their existence. When federal funding is decreased or terminated, the General Assembly must decide whether to continue a program with General Revenue funds. We must bear the brunt of criticism in a federally funded program when it is discontinued. This issue is too important to perish under the cry of the need for executive flexibility. Regardless of what some...someone in Washington says...or thinks, if the Federal Government wants a state agency to do something, it is reasonable to require that this state agency activity be approved by the state's policy makers sitting in the General Assembly. If the Federal Government wants the state to run programs...the...the...state ...the State General Assembly should determine whether the states participate and the nature of their participation. This subject is one of continuous importance to Legislatures across the land. The National Conference of State Legislatures has endorsed the importance



of appropriating federal funds. This is another opportunity for Illinois to provide a model for other states to follow. I believe we have dealt with all the technical objections to last year's Bill. Amendment #1 amends various other Acts which might provide statutory authorization for spending federal funds without an appropriation. It puts in disclaimers, in the statutes, which translates to "Whatever this Section allows the Department to do, it does not mean that expenditures can be made without an appropriation." However, this Bill does, with Amendment #1, allow colleges and universities to continue their present practice of receiving and spending unappropriated federal funds, a large portion of which are for research grants and contracts. Two, it permits...passed through...federal general revenue sharing, an expenditure of federal emergency disaster relief. Three, it permits agencies to make expenditures without an appropriation if they have the specific authority to do so. Four, it allows disbursements of federal funds to local government or school districts if the funds have been designated solely for such...distribution. Five, it enables state agencies to disburse federal funds to persons in their care and custody if such funds are for personal benefits. Amendment #2, Ladies and Gentlemen, clarifies the language being added to the State Finance Act, to insure that this Bill does not inhibit the pass through of federal monies to local governments or school districts when such funds are received by the state solely for distribution...and are not subject to any state discretion as to their use. Ladies and Gentlemen, this is a product of the Economic and Fiscal Commission. This Bill was passed by a substantial margin, last year. We've corrected some of the deficiencies that were brought to our attention, with Amendments #2...1 and 2, and I strongly ask...ask your support on House Bill 3191."

Speaker Giorgi: "Representative Telcser on House Bill 3191."

Telcser: "Will the Gentleman yield?"

Speaker Giorgi: "He indicates he will."

Telcser: "Representative, does this include money prisoners have in the prisons or people in mental institutions who get money for spending or what have you, which goes to the Department and then



given to them?"

Lechowicz: "Art, if it's federal pass through money, it does not include them."

Telcser: "That's not federal pass through money, I'm talking about."

Lechowicz: "Well, what..."

Telcser: "These are non-appropriated funds."

Lechowicz: "Are you talking about the prisoner's trust fund?"

Telcser: "Yeah."

Lechowicz: "They are exempt."

Telcser: "All right. What happens if we have programs such as CETA money, as an example, which are used for some social service functions, that may become available to the state and have to be spent, sometimes in a 30 day period, and we're out of Session?"

Lechowicz: "Well, I believe you know the procedure, as far as it's been adopted by the Appropriations Committee. Normally the procedure is that the Department head notifies the Chairman and the Minority Leader of the respective Appropriations Committee and with their approval, the money is granted and disbursed. This has been the policy of the state for six years that I am aware of. This Bill would ask that the same procedure be followed and that it would be a tremend...it would be an inconvenience to have the House come back. Under Amendment #2, it would say that....to enable...to enable state agencies to disburse federal funds for persons under care and custody of such funds, or for personal benefits, are to be included in that category."

Speaker Giorgi: "Representative Telcser, have you completed your...Representative Hoffman, on House Bill 3191."

Hoffman: "Thank you, Mr. Speaker, will the Gentleman yield?"

Lechowicz: "Yes, Sir."

Hoffman: "Does this affect legislative Commissions, like the School Problems Commission, where we applied for and received, through the National Conference of State Legislatures, 20 thousand dollars in NIE money?"

Lechowicz: "I don't believe that's federal money."

Hoffman: "Well, it comes from the...the National Institute of Education, on



the basis of a ...you know...using the Commission as a pass through to a university."

Lechowicz: "It would not affect their money."

Hoffman: "Fine. Thank you."

Speaker Giorgi: "Representative Totten, on House Bill 3191."

Totten: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of House Bill 3191. There's probably no measure that's more needed than what's put forth in this Bill. We've debated this issue before the General Assembly before. Let me tell you, there's probably no executive...no Governor who will ever be for this Bill, because this puts the control of the appropriation of federal funds into the hands of the Legislature. That's where it should be. The Economic and Fiscal Commission has worked for about three years to put this legislation forth. And we have seen our federal...our state budgets impacted to the point where almost 22 percent of our state's General Revenue Funds go to match federal grants. And we have no control over this. House Bill 3191 provides us with a means here in the Legislature to once and for all start controlling these federal funds and to review programs and the impact they may have on future state budgets. This Bill deserves the 'aye' vote of every Member of this General Assembly who believes that the Legislature should be an equal branch to the Executive."

Speaker Giorgi: "The Gentleman may close. Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I believe that this measure has been explained in its fullest extent. I solicit your 'aye' vote."

Speaker Giorgi: "The question is, shall House Bill 3191 pass? All those in favor will signify by voting 'aye' and those opposed by voting 'nay'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 131 'ayes', 18 'nays', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Schlickman, for what reason do you rise?"

Schlickman: "Point of personal privilege."

Speaker Giorgi: "Continue."



Schlickman: "The Cubs are tied with the Philadelphia Phillies, 4 to 4 in the top of the tenth. Thank you."

Speaker Giorgi: "Thank you, Mr. Schlickman. Mr. Clerk. House Bill 2790."

Clerk Hall: "House Bill 2790, a Bill for an Act making an appropriation to the Flat Branch Drainage District, Third Reading of the Bill."

Speaker Giorgi: "Mr. Tipsword, on House Bill 2790."

Tipsword: "Mr. Speaker and Ladies and Gentlemen of the House, this is an appropriation Bill. This appropriates the sum of 22 thousand, 500 dollars, for the completion of preliminary studies on the South Branch Drainage District - that is on the westerly part of that drainage district - so that they may qualify for the possibility of about a million, 800 thousand dollars in federal funds on the completion of that survey. In addition, this provides the sum of 30 million dollars for the correction of potholes."

Speaker Giorgi: "Excuse me, Mr. Tipsword. Pardon me, Mr. Tipsword. Representative Ryan, for what reason do you rise?"

Ryan: "Mr. Speaker, did you leave the priority list?"

Speaker Giorgi: "Yes, Sir. I went to the priority of call."

Ryan: "How did you get to this Bill, Mr. Speaker?"

Speaker Giorgi: "It's the first Bill on the priority of call, Mr. Ryan."

Ryan: "But that's not where we were. I don't know how you can go back there."

Speaker Giorgi: "It's the first Appropriation Bill on priority of call. First Appropriation Bill. Continue, Mr. Tipsword."

Ryan: "Mr. Speaker, I really question your authority to do this....without leave of the House."

Speaker Giorgi: "Mr. Ryan, on page 339, in the rules, Section 37, Parentheses 5, 'The Speaker has the...discretion to call Appropriation Bills first.'"

Ryan: "Mr. Speaker, I really question...with the deadline bearing down on us this Friday, midnight, your going out of order to handle the partisan, political Bill, Appropriation Bill; when there are many other Members that have Bills on this Calendar, under the order of priority that should be called before that. Blatant political move."

Speaker Giorgi: "You might be right, Mr. Ryan, but Mr. Tipsword, continue."



Tipsword: "Thank you. This Bill and the Amendment that was placed upon it the other day, now provides money for the correction of potholes on state highways and streets throughout the State of Illinois. Money to be distributed in the manner that the road fund monies have been distributed to local municipalities and counties throughout the State of Illinois and to the Department of Transportation, for the state highways throughout this state. I think each and everyone of us can cite instance after instance, in our own district, and the very towns in which we live and the counties where we live, and the road that we travel to get here, where we need these funds. These funds are needed desperately in thousands of areas in ...thousands of places in all of the areas throughout the State of Illinois. I would urge the adoption of this Appropriation House Bill 2790."

Speaker Lechowicz: "The Lady from Adams, Mrs. Kent."

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

Speaker Giorgi: "Excuse me. Will the Gentleman standing in front of Mrs. Kent, remove himself?"

Kent: "Could I ask a question of Representative Tipsword, please?"

Speaker Lechowicz: "Please proceed, Ma'am."

Kent: "It was my understanding when Representative Harris put the Amendment onto this Bill that he struck the enacting clause and started with the pothole Bill. Was I in error?"

Tipsword: "You were in error. He struck the enacting clause as it was by amending it and then adding on, in addition, the matter in regard to the potholes. So that the enacting clause now covers both subject matters."

Kent: "Have we, at this time, received any substantive legislation that creates the fund, this road rehabilitation fund?"

Tipsword: "That Bill is in the Senate...and is moving out of the Senate."

Kent: "Well, how can we appropriate to a road rehabilitation fund when we don't have it?"

Tipsword: "You're going to have one....coming over from the Senate."

Kent: "I know, but I don't have it now so I couldn't possibly vote for this, could I?"

Tipsword: "Well, the Senate...the Senate would be in the same situation."



Kent: "May I speak to the Bill, Mr. Speaker?"

Speaker Lechowicz: "Please proceed, Ma'am."

Kent: "We all know we have potholes. We all know that the maintenance of our roads is very important and vital to our people. But we also know that they're taxes that you just were talking about in such great length...about how high they are. This is the reason, because we take from Peter to pay Paul and Paul doesn't have any. And so this is what you're doing, you're taking out of the General Fund, which is where we depend so much on schools and other social services as well as substantive legislation, and you take it from the Road Fund, which is empty at this time. I urge you to vote 'no' on this Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Telcser."

Telcser: "Mr. Speaker and Members of the House, I rise to oppose House Bill 2790, just as I did on the Order of Second Reading when the Amendments were offered regarding the repairing of the highways throughout the state. As was mentioned earlier today, there is no question but that the maintenance and the condition of the roads of this state are of vital concern to every Member of this House and indeed to everyone who serves in all levels of government. The safety of our citizens is something which is very uppermost and paramount in our minds. But, Mr. Speaker and Members of the House, I think House Bill 2790 is the absolute height of political foolishness. It is a Bill which I can't recall ever seeing the likes of, in all of the years I've served in the House. Let me remind the Members of this Assembly, that the 30 million dollars which makes up the so-called 'Pothole Amendment', is appropriated from a fund that does not exist....that does not exist. How can any Member of this House, in good conscience, vote for this Bill and go back home and tell their constituents that they are voting to help repair the roads. Let me also mention to you that a memorandum issued by ....which attributes facts to the County Superintendent of Highways, indicates that 75 percent of the county maintained roads have already been repaired....and that this money, if there was any money, couldn't be used anyway. So, Mr. Speaker and



Members of the House, I suspect that the Roll Call on this Bill will be a partisan one and that the Members on the other side of the aisle will be blindly voting for another Bill to help resurrect and pump life into the faltering foolish campaign of their nominee for Governor. But, Mr. Speaker and Members of the House, let me remind you that you are promising money which does not exist, which comes from a nonexistent fund, which just cannot be used. I can't imagine any responsible logical Legislator voting 'yes' for House Bill 2790."

Speaker Lechowicz: "The Gentleman from Marion, Mr. Harris."

Harris: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. We all know that the Governor's Budget showed that there was a balance of 71 million dollars available in the Road Fund for fiscal year 79. This Bill says this money must be spent within a period of 6 months, due to the emergency nature. We've heard on the floor of the House today one instance of a death caused by potholes. You and I know that this state is in an implorable condition from Chicago to Cairo, river to river, from the standpoint of no fault of anyone or any administration, due to the past two extreme bad winters we've had, and this is a very necessary expenditure. If we don't spend this 30 million dollars within a period of 6 months, the State of Illinois is going to be asked to spend 60 to 90 million because these terrible conditions are going to get worse. Everyone has potholes that they need to repair in their district. This is on an equalized basis for each and every district, each and every city, each and every road district, and each and every county. This is a legislation that is needed, it's needed now for every constituent in this state."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Kosinski."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House, it has been asked how we can go back to our individual districts if we vote for this measure. I can't see how I can go back if I don't vote for this measure. I live in a moderate income area, where taxes...real estate taxes are extremely high...and the people look at me constantly, as I leave my home, as to the condition of their streets in the City of Chicago. They are fortunate in having reasonable automobiles, of recent vintage, but these automobiles with 7 and 8 thousand miles



on them are being shaken to death by the conditions of our streets. Of course we have to have priorities, I understand the priorities. I understand the need for education, I understand the need for all of the things in the state, but after this winter, this very, very hard winter, the streets in our towns are in such condition that we should be ashamed of facing our neighbors. We have to do something to reconstruct the areas. I charge you to vote for this Bill."

Speaker Lechowicz: "The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Will the Gentleman yield?"

Speaker Lechowicz: "He indicates he will."

Ryan: "Representative, can you tell me how you arrived at the figure of 30 million dollars?"

Tipsword: "On this basis, that investigation indicates it's going to take about 9.6 million for municipalities, and about 3.57 for the down-state counties, about 3.27 in Cook County....3.11 for the township road districts in the State of Illinois and 10.45 for the State of Illinois on its obligation. Giving us a total of 30 million dollars."

Ryan: "I don't believe that answers my question, Representative...I mean... What study or survey do you have that indicates it's going to take 30 million dollars to fill the potholes on the roads you just outlined?"

Tipsword: "The Department of Transportation."

Ryan: "The Department of Transportation told you it would be 30 million dollars? You got your figures from the Department of Transportation?"

Tipsword: "Yes. On the...this is in excess of what is normally spent because of the current situation. And we have it in writing if you would like to see it."

Ryan: "I certainly would like to see it. I certainly would, because the study that the Department has made has come to about...maybe 5 and a half million dollars; 5.3."

Tipsword: "That 5.3 will give you the kind of temporary repairs we've been seeing in about half the potholes that go out with the first rain, and we've had a rain every other day."

Ryan: "Well I don't agree with that, Representative, but I'd certainly like



to...could you have...."

Tipsword: "Come on down, I'll show you some, George."

Ryan: "Could you have one of your ...one of your Pages bring over a copy of the Department of Transportation's study. I'd sure like to see it."

Tipsword: "We will see that it gets to you, Sir."

Ryan: "Immediately...er...after the vote?"

Speaker Lechowicz: "The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, while the Majority Leader is bringing tome over to Mr. Ryan, I think we ought to tell the Members of the House that the biggest problem facing all types of government is the moving of traffic. Traffic is the biggest headache. Automobile is our biggest concern. Energy, courts, police, we must maintain roads so that our automobiles can travel, bring the groceries to market, bring ... allow the Teamsters to deliver...supplies all over the country. Moving of traffic is our number one priority. This Bill just addresses the number one priority facing every community in Illinois, and that's the moving of traffic. Let's fix the potholes so that the traffic can move smoothly."

Speaker Lechowicz: "The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Thank you, Mr. Speaker. Representative, I know that you certainly don't want to mislead anybody in this chamber and...nor does the Chief Page, Mr. Madigan, but this is only a distribution of the Motor Fuel Tax Money, it's not a study as to where the state, the Department of Transportation has said...."

Tipsword: "I didn't send that to you."

Ryan: "...specifically fill potholes..Representative, now that is just not a fair statement."

Tipsword: "I didn't send those figures to you. One of our.."

Ryan: "Well, I got it from your Leader, your Majority Leader."

Tipsword: "One of our aides has just gone upstairs to get you the figure on this...about the potholes...."

Ryan: "All right. I'm sorry..."

Tipsword: "And in addition, I might say to you that it provides that either the 30 million or so much thereof as is necessary and if the whole



amount is not necessary, it will not be expended. But it's necessary that we have sufficient funds to take care of them instead of too little."

Ryan: "Well, Representative Tipsword, when am I going to get that report. I mean that letter from the Department of Transportation..."

Tipsword: "We have gone up to his office ...to get it now..."

Ryan: "Because I'd like to know how much money is going to be spent in your county and in Representative Madigan's county and..."

Tipsword: "Well, it's going to be on the same basis as the distribution of the Motor Fuel Tax Fund."

Speaker Lechowicz: "Representative Tipsword...Representative Tipsword, excuse me..."

Tipsword: "...you've got the distribution..."

Speaker Lechowicz: "Representative Tipsword...Excuse me..."

Ryan: "Is that what you're getting me, the same thing Madigan got me."

Tipsword: "That'd be the distribution, but you were asking what we based it on and we've got the letter that it's based on, also, Sir."

Ryan: "I would really like to see that, Representative."

Tipsword: "That's what they've gone after, Sir."

Speaker Lechowicz: "Representative Tipsword, the report's in my desk drawer, if you need it."

Tipsword: "They've gone to get another one, Sir."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Garmisa."

Garmisa: "Mr. Speaker and Ladies and Gentlemen of the House, what the Minority Leader is referring to ...as far as the work that the state is doing or contemplating doing, is on state roads, but we're addressing ourselves here to the roads all over the state. There are roads that are other than state roads. You've got your county roads, your township roads, your ...roads that are located in the municipalities. And Ladies and Gentlemen, this tragic incident that the Speaker made reference to earlier this afternoon is symptomatic of what's happening all over the state. And this, what we're proposing here today is addressing itself for the first time in recent memory, where we can place the needs of the motoring public, who are the ones who are paying our highway taxes, ahead of the



needs of the bureaucrats on the state's payroll. And for the first time we're now going to be addressing a solid road program where we can do something about this crisis that's in the state now. And this program is a positive response to the number one transportation problem that's right on the minds of the citizens of everyone in this state today. And this is going to provide the funds to make the needed emergency repairs now...not later, now is when they're needed. We've waited patiently for the present administration to respond to the need and to this date it's failed to even acknowledge that this need exists; and to say nothing about them taking any affirmative action. Now this program is not going to impact negatively on the regular state highway construction program because this year that program consists only of federal aid and funds...or should I say borrowed funds and all of the state's share of the 785 million in gasoline taxes and license fees, that we're going to collect this coming year. Or about 560 million of dollars will be gobbled up by diversions and administrative overhead. And there's going to be nothing at all left over to build or to rebuild any of the state's highways. It's imperative that we reorder our priorities and make pothole repairs our number one on our agenda. This program is very definitely a start in that direction. Just recently, Mr. Speaker, there was an article in our Springfield paper that was typical of the situation that exists all over the state. And it reads that as a result of the situation that we're facing state-wide as the result of the winter damage to our highways, streets and roads - and by the way, the article, the heading on this article was entitled 'Sangamon gets sinking feeling as roads become rivers of ruin'. Now, this is citing the Sangamon County Highway Superintendent as also saying that for the last ten days he's been expending nearly 3 thousand dollars a day to try temporary repairs to their roads. These are roads..."

Speaker Lechowicz: "Excuse me. Could we give the Gentleman some attention?"

Please proceed, Mr. Garmisa."

Garmisa: "These are roads that have sunk or they're torn apart, or they've been disintegrating, they're falling away to nothing. Whenever



they make temporary repairs the highway workers are usually dumping stones into caved-in spots. In one place in Illiopolis, it took 618 tons of rock to fill a pothole they had over there. This is a shameful situation, Mr. Speaker and Ladies and Gentlemen of the House. I want to remind every Member of this House that those potholes are not Republican potholes, they're not Democratic potholes and we should not be addressing ourselves to this problem as being a problem of either party. It's a problem of all of the people and all of us here today ought to give this a green light."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, I can sympathize with some of the downstate Representatives here but it shocks me a little bit to hear all this oratory up in the City of Chicago. I'm awful sorry to hear about the accident that happened with the motorcycle, but we've been killing people at the rate of 46 thousand to 53 thousand people a year. Getting back to the City of Chicago, I don't know what they do with their Motor Fuel Tax money, but in the Village of Elmwood Park we've got 30 thousand population. We get 5 dollars and 11 cents per capita back from Motor Fuel Tax money. We have a continuing program of 52 miles of roads ...of repairs. Every once in a while one of the Aldermen says, 'Stay off of Grand Avenue' or 'Stay off of Harlem Avenue', that's a state route, they're going to take care of it. So they're waiting for the state to come in and pay for the state highway, when it's the responsibilities and the duties of the local officials. Now when the people of the City of Chicago come up and start complaining, that I cannot understand. Probably the people in the smaller areas and the rural areas that don't get as much money back from Motor Fuel Tax, have a legitimate complaint, but I've seen a lot of political oratory on this floor, I've heard of two chickens in every pot, but this campaign is getting to be that they want a chicken in every pothole."

Speaker Lechowicz: "The Gentleman from Cook, Mr. DiPrima."

DiPrima: "Yeah. I just want to inform the Members that the Cubs won 6 to 4, in the tenth. A two run homer by Trillo."

Speaker Lechowicz: "The Gentleman from Hardin, Mr. Winchester."



Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House.  
Would the Sponsor yield for a question?"

Speaker Lechowicz: "He indicates he will."

Winchester: "Representative Tipsword, do you have any idea how much money  
the Federal Government has allotted Illinois for pothole repair?"

Tipsword: "That Bill, I understand, is hung up in the United States  
Senate."

Winchester: "All right. Do you have any idea what projects are going to  
be cut from the present state aid programs for road projects, in the  
various legislative districts, if this Bill is adopted?"

Tipsword: "No, Sir. I have no idea."

Winchester: "May I speak to the Bill, Mr. Speaker?"

Speaker Lechowicz: "Proceed."

Winchester: "I had the ideal piece of legislation that would have solved  
the problems of potholes in Illinois, if I could have had the  
cooperation of the Chicago Democrats and the downstate Democrats,  
and that would have forced the RTA to rebate the 36.4 million dollars  
that they owed the State of Illinois on a commitment that they made  
in 1973, and this money would have been put into the General Revenue  
Fund and transferred to the Road Fund and would have been used for  
specifically for road projects. That is not money coming out of  
the General Revenue Fund, that's new money...not necessarily new  
money, old money that would be new money that's owed to us. Now,  
it's not often that I go against my distinguished colleague, Rep-  
resentative Harris, and I know that this is his Amendment, and I  
know that he has good intentions, but Mr. Speaker, I'm afraid that  
if this Bill is adopted and the Governor is forced to sign it there  
is going to be two major projects in the 59 Legislative District  
that's going to be cut and that's the Williamson...or the Herrin to...  
...Energy to Herrin... Road and the Cambria Road project. Those are  
two very important road projects and I don't think that we should be  
playing games with those issues. I think that the Governor ...and  
I think that the President of the United States and the United  
States Congress is concerned about the pothole problems. They are  
working on legislation that should provide Illinois with a sufficient



amount of dollars to take care of the pothole problem. I think we should direct our pressure to the attention of the United States Congress and tell them to hurry up with the dough. Let's get off of this Bill and go on to some things that ...that would be beneficial to the people of Illinois and vote 'no'."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Madison."

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

Speaker Lechowicz: "The Gentleman has moved the previous question. All those in favor signify by saying 'aye', 'aye', all those opposed... The previous question has been moved. The Gentleman from Christian, Mr. Tipword, to close."

Tipword: "Thank you, Mr. Speaker. To the Gentleman who last spoke, I'd like to say, ...nobody knows, I would suggest, as to what programs that are to be in the new highway program. In fact many of the people on this side of the aisle have been trying to find out what that highway program may be. But may I suggest that to...that as bad as we need highways, and we do need them, and I'd like to see everyone of them that we can get built...built. If we could build new highways but leave potholes in all of the rest of them where everyone will break all of their axles, where everyone will have accidents, we'll have people injured or killed, I don't think that's really a very clever or a very wise means of saving in the State of Illinois. We have never seen a time when we've had our highways in this situation they are in now, with potholes due to two years of very ...very ...very severe winters and in fact a very severe spring. We need to have these potholes corrected and just as soon as possible. Now, in regard to the federal funds. If there are federal funds, that's great, because if the Federal Government gives us funds to repair these potholes then we won't have to use these funds, because the Bill already provides in it that only so much as is necessary of this fund would have to be used. And in that situation then it can back into whatever your projects may be. I also would point out that I'm informed that there're some 70 to 71 million dollars ...plus... right now in the Road Fund. In addition to what's going to be coming in during this coming year. So certainly we should be able to take



care of these potholes. I can speak from personal experience. There have been potholes between my house and my office - in Taylorville - that I have seen filled three times this spring. Every time they are filled we get another heavy rainstorm, the traffic goes over them and they are ready to be filled again, because we get only those temporary repairs on potholes. We need permanent repairs upon these potholes. This morning, coming from my house, one mile from my home - out to the city limits of Taylorville, on Route 29 - I cannot drive on the righthand side of that road coming to Springfield. You have to drive with your lefthand wheel in the other lane because of the potholes, all that distance. And if you meet someone you've got to try to jump what potholes are in your immediate vicinity and get out on the shoulder, that's the only way to travel over Route 29 in that area. And there are hundreds of other instances of that kind in cities and on state highways and on rural highways throughout the State of Illinois. Regretably we haven't seen many of these potholes repaired permanently up to this time, they've only had this temporary kind of repair. And in providing the money it's going to be distributed on the same kind of a basis as we presently distribute the Motor Fuel Tax. Now there are some quarrels with that and I would be one of the ones that have one of the greatest quarrels with the manner in which that is distributed, because the manner in which it is distributed now really has no bearing to the amount of highways that the local government have to...to keep up and repair and construct in their particular area. But, nevertheless, we have that formula and I can't change it. We've tried to change it before. So, at least, we'll be distributing this money on the basis of the formula that this Legislature has passed. These potholes are urgent to be repaired. We can't travel upon many of our streets and highways without damage or with <sup>out</sup> injury. We do need better highways in Illinois. More highways than we're able to provide now, but the potholes are here now and in almost every highway in the State of Illinois and must be repaired. And we must get around to business - in addition - of doing everything that we possibly can do to otherwise upgrade our highways, thereafter. If we get funds from the Federal Government



this Bill very well provides that they can be so used and that much of these funds would not be used for pothole repair. I urge the people of this House to adopt this appropriation in House Bill 2790 and let's get about the business of providing for repair of these potholes...And in regard to whether the fund exists...the fund is in a Bill, in the Senate, and we were ...we were informed shortly after our new Constitution went into effect that you have to have that in a separate Bill. It can't be in the Bill that provides for the appropriation. Thank you very much."

Speaker Lechowicz: "The question is, shall House Bill 2790 pass? All those in favor vote 'aye', all those opposed vote 'nay'. The Gentleman from Cook, Mr. Totten, to explain his vote. The timer is on."

Totten: "Thank you, Mr. Speaker. To explain my vote; this Bill has a double negative. In the debate about the potholes we forgot what the Bill was about in the first place. That was to provide the money to the Flat Branch Drainage District. In the history of this General Assembly we've never quite done what we're doing in the original purport of this Bill. The eventual financial impact of that Bill, which is still part of it; it could be some 18 to 20 million dollars. The pothole Amendment will cost the state additionally probably up to 100 million dollars. As the Road Fund only has 10 million, the other 20 million will be used to take away from federal matching monies. Those of you who have road projects in your districts, downstate, will be completely destroying that program for this next fiscal year. The vehicle used to do this will provide for a disastrous financial..." (mike off)

Speaker Lechowicz: "The Gentleman from Adams, Mr. McClain, to explain his vote. The timer is on."

McClain: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, in a minute or less I'll try to explain...No one talked about..at all... the present funding of the road program...er the Road Fund. Right now we take money for the state road program, administrative costs, boating, Series 'A' Bonds, local monies and grade crossing sites. And then the Governor, the Executive Branch, this year takes 164 million, rips it off from the Road Fund and puts it for Departments



and Commissions. This is a brilliant way to finance road programs in the State of Illinois, because of taking what's left in the Road Fund and move that money from the bottom of the 'Bell Curve' onto the top so that for sure that 30 million can be spent on roads and not on Departments and Commissions. That will increase or will do away with further diversion of Road Fund monies. I ask for an 'aye' vote."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Bluthardt, to explain his vote. The timer is on."

Bluthardt: "Thank you, Mr. Speaker. If there ever was a phony political issue this is it. Anybody who knows anything about repairing potholes knows that you don't repair potholes permanently during the winter or early spring, you have to wait for that warm weather. All repairs are made as temporary, with cold patch, during the winter and during the early spring and until the warm weather comes on. And you'll see those repairs being made with the monies that we have available in the state now. This is strictly a phony political issue. We've had potholes since the first hard road was ever constructed. We're going to have them from now on. And it's going to take summertime repairs in order to repair those potholes that appear in the winter time. Vote 'no'."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Mann, to explain his vote. The timer is on."

Mann: "Well, Mr. Speaker, they're absolutely right. There is no pothole problem. I've only had to have my car realigned 8 times in the last month. But what...really...really was interesting is when a number 6, Jeffery bus disappeared into a pothole on the Outer Drive. I vote 'aye', Mr. Speaker."

Speaker Lechowicz: "The Gentleman from Madison, Mr. Byers, to explain his vote. The timer is on."

Byers: "Thank you, Mr. Speaker. I would just like to attest to the road condition in Madison and St. Clair County and down my way. The roads are in terrible shape. This is a nonpartisan issue. This is an issue that is...affects people. The people are very interested in this. I think they are concerned and I know that they want the roads repaired. I have personally had to have my front end



realigned one time, one blowout and...and am still walking crooked...  
 During ...the...recently, Representative Robinson, and myself in fact,  
 had to buy some asphalt and rent a truck and go out and fill up some  
 potholes that weren't being filled up. And this has helped quite a  
 bit and I do think this Bill should pass and I think we should turn  
 on some more green lights on this nonpartisan issue."

Speaker Lechowicz: "The Gentleman from McHenry, Mr. Skinner, to explain his  
 vote. The timer is on."

Skinner: "Well, I was going to try to save some time of the House by just  
 asking for leave for the Clerk to record the last partisan Roll  
 Call..."

Speaker Lechowicz: "The Lady from Lake, Mrs. Geo-Karis, to explain her vote."

Geo-Karis: "Mr. Speaker, and Ladies and Gentlemen of the House, this is the  
 first time that I've seen a Bill go from 22 thousand, 5 hundred dollars,  
 to the Flat Branch Drainage District to 30 million dollars for  
 potholes. And I really am shocked to see the perfidy perpetrated  
 upon this House on the basis that we need the potholes to be repaired  
 and as Representative Bluthardt said, 'It's not quite done the way  
 it was said.' When you really need the money in your treasury for  
 your schools, for your senior citizens and for the mentally ill and  
 what have you. I do feel that this is a political football but  
 God bless you all when you pull those footballs, we know it and I  
 hope the public gets wise."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish?  
 The Clerk will take the record. On this question there are 94  
 'ayes', 71 'nays', 6 recorded as 'present'. This Bill having received  
 the Constitutional Majority is hereby declared passed.  
 (See page 144. Special)



Speaker Lechowicz: "Leave of the House, there is House Bill 3193 on page 3, Second Reading. Gentleman from Cook, Mr. Laurino."

Clerk O'Brien: "House Bill 3193."

Speaker Lechowicz: "It's on Second Reading. The Gentleman from Cook, Mr. Schlickman."

Clerk O'Brien: "A Bill for an Act...."

Speaker Lechowicz: "Wait a minute."

Schlickman: "I don't think leave of the House was given, Mr. Speaker, you took it but it wasn't given."

Speaker Lechowicz: "As long as you.....I don't...I don't believe that there was any objection. All right, I asked for leave of the House. Proceed with the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3193. A Bill for an Act to establish the Illinois Insurance Regulatory Board. Third Reading of the...."

Speaker Lechowicz: "The Gentleman from Kankakee, Mr. Ryan. Let me just point out to the Membership that Representative Laurino came back and his mother is dying, I'm doing this as an accommodation for Representative Laurino who wants to be back with his mother and we will proceed with the Bill. Well, wait a minute. I didn't say anyone's a bad guy, or good guy, I just asked for leave. Well, Mr. Ryan from Kankakee."

Ryan: "Well, I...in view of what you just said, naturally, I'm not going to object...."

Speaker Lechowicz: "Thank you...."

Ryan: "But I wished you'd give us....you know, be just a little bit fair about how you operate up there, it would be a lot...lot easier on all of us."

Speaker Lechowicz: "George, I think you know me."

Ryan: "Thanks, Teddy."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Laurino, on 3193."

Laurino: "Mr. Speaker, Ladies and Gentlemen of the House, I believe there's an Amendment on the Clerk's desk."

Speaker Lechowicz: "Any Amendments from the floor, Mr. Clerk?"

Clerk O'Brien: "Amendment #1. Rich Brummer. Amends House Bill 3193 on page 1 by deleting lines 1 through 5 and so forth."



Speaker Lechowicz: "Any motion...who's Amendment is it?"

Clerk O'Brien: "Rich Brummer."

Speaker Lechowicz: "The Gentleman from Effingham, Mr. Brummer, on Amendment #1."

Brummer: "Yes, Mr. Speaker, Ladies and Gentlemen, Amendment #1, as was mentioned last night, is a major Amendment which basically rewrites the Bill. It establishes a seven-member Illinois Insurance Regulatory Board, whose makeup I would submit, insures that the Board will be independent of the insurance industry. The makeup of the Board is as follows: two members from that Board, of that Board, will be selected from the insurance industry, one member will be selected from the academic community and four members shall be selected from the public. Of those members...."

Speaker Lechowicz: "Excuse me. The Gentleman from Will, Mr. Kempiners, for what purpose do you seek recognition?"

Kempiners: "Before we get to the Amendment, Mr. Speaker, yesterday when this Bill was brought back to Second, I questioned the... the applicability of the fiscal note that was filed regarding the original Bill. Speaker Redmond is on the floor of the House, and I'm glad he's here because of his request, I didn't pursue it more yesterday. However, I believe that the fiscal note that has been filed on the Bill, not on the Amendment we're discussing, but the Bill is in violation of, I believe, it's Rule 33(e) that calls... and the Fiscal Note Act, which states that the fiscal note filed must prepared by the Department or Agency. The fiscal note that is on this Bill was filed by the Sponsor and I would ask that until the fiscal note is filed, that this Bill remain on Second Reading."

Brummer: "Mr. Speaker, this Bill is on Second Reading, just...."

Speaker Lechowicz: "One moment, please, the Parliamentarian has been awaiting this request and he's got the response....and it'll take fourteen hours to get it. Are you objecting to moving the Bill to Third Reading?"

Kempiners: "All I'm asking, Mr. Speaker, is that we abide by the rule and hold this until...on Second until the appropriate fiscal note is filed, which according to law...."



Speaker Lechowicz: "Before we get to...before we move the Bill to Third Reading we'll get back to you. Okay. Mr. Brummer, on the Amendment."

Brummer: "Yes, Ladies and Gentlemen, I was going through makeup.... makeup of the Illinois Insurance Regulatory Board, consists of two members from the insurance industry, one member from the academic community acquainted with insurance, four members from the public. Three of those of whom shall be selected from the following geographic areas, one from the City of Chicago, one from Cook County, DuPage County, Kane County, Lake County, McHenry County or Will County - outside of the City of Chicago - and one from that remaining region of the State of Illinois. Additionally, at least one of those four public members must be a businessman not related to the industry of insurance...the Chairman is selected from the Membership. The Director of the Department of Insurance serves on that Board as a nonvoting member. The term of the Board members are staggered with subsequent appointments to be over a four-year period of time. I think the makeup of that Board is a crucial and critical item with regard to this entire Amendment. You know, we have repeatedly heard criticism of the Department of Insurance and the Directors of the Department of Insurance; that criticism has been that the Directors come, generally, from the insurance industry, they are a member of the insurance industry and they are director of a department that deals directly with the insurance industry. What we have also experienced in the past is that Directors who have left the Department of Insurance at times after having made very critical rate-making decisions on such areas as workmen's comp and other areas have gone directly back into the insurance field. There has been a good deal of criticism by members of the public that the Director is dominated by the insurance industry as a result of his affiliation with the insurance industry either before or after his service as Director of the State of Illinois or in some instances at both times. I would submit that this makeup of the Board will allow these individuals to...in an independent manner examine those issues of insurance over which they



have jurisdiction and authority. The Bill, as it now exists, is what is commonly called in the industry, a prior approval Bill. In other words, that the Bill, that the rates of the insurance areas to be written have to be approved prior to their being used. This Amendment changes that concept. It is now what is commonly called a file-in-use, and under the file-in-use system, the insurance companies, or rating organizations or advisory organizations, would merely file the rate with the Department, or with the Board. The Board has authority to react to those rates only in the following instances, in instances where the rates are filed...are found to be excessive, inadequate or unfairly discriminatory. In the absence of a finding of those items by the Board, the Board does not engage in a rate setting. I would submit that Department...the industry of insurance should not be without some type of control and certainly granting ... to this Board authority to step in when rates are found to be excessive, when rates are found to be inadequate, or when they are found to be unfairly discriminatory, is a reasonable delegation to this Board with regard to the industry of insurance."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Laurino."

Laurino: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I ask leave of the House to grant me...to vote 'aye' on this Bill, I have an emergency situation at home, and as such, Mr. Brummer is a hyphenated Cosponsor will...if it's okay with the House, I'd like for him to have responsibility for the Bill if I don't arrive back."

Speaker Lechowicz: "Gentleman asks leave of the House to have Rich Brummer handle the Bill for him. Hearing no objection...and be recorded as 'aye' on the Amendment..."

Laurino: "And the Bill."

Speaker Lechowicz: "Well, the Bill's not...on Second Reading, it won't go to Third. If there are no objections the Gentleman will so... leave is granted. Is there any further...the Gentleman from Will, Mr. Kempiners, on the Amendment. Amendment #1."

Kempiners: "No, Mr. Speaker, not on the Amendment but prior to going to the Amendment, I pursue in my request from the Chair, that this



Bill until Rule 33(e) is complied with that this Bill, regardless of whether or not the Amendment is held on Second, until the proper fiscal note comes from the Department of Insurance."

Speaker Lechowicz: "Your objection is not timely right now, we told you when....get back..."

Kempiners: "Yes, Mr. Speaker, I...I....would stress that it is timely.

The Bill was still on Second Reading, the rules are very clear...."

Speaker Lechowicz: "According to the Parliamentarian it isn't."

Kempiners: "I...I would like an explanation from the Chair on that then."

Speaker Lechowicz: "Because we're not at the point of being ready to move to Third."

Kempiners: "Well, Mr. Speaker, the rule just provides that this has got to be made, the request has got to be made on Second, I'm making that request prior to the adoption of any Amendment and it is applicable to Rule 33(e) which says that I have this right. The Sponsor has got to file an appropriate....fiscal note."

Speaker Lechowicz: "No...No one is ignoring your objections or your rights, we'll get back to it at the proper time."

Kempiners: "Well, Mr. Speaker, now the thing I'm afraid of is the ruling of the Chair is if an Amendment goes on then 33(f) is going to apply and I just want this Body to be aware...."

Speaker Lechowicz: "Don't...don't...."

Kempiners: "I'm making this request before the Amendment goes on."

Speaker Lechowicz: "Don't anticipate, don't second guess. The Gentleman from Will, Jack Davis, on Amendment #1."

Davis, J: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker Lechowicz: "Indicates he will."

Davis, J: "Representative Brummer, I know a couple of things that are bothering me about Amendment #1 - well more than a couple but I'll speak to those later - if the Bill, or Amendment which is now the Bill, provides that your...your Board of Governors, if you will, that are to be regulating rates - if this Bill should succeed on this Amendment and the Bill should succeed and become law - that the compensation is to be 100 dollars per meeting but not more than 5,000 dollars per year, is that correct?"



Brummer: "Yes, it is."

Davis, J: "Well, it also provides that any aggrieved citizen in the State of Illinois can request an audit of a rate or of an individual company on a rate, is that correct?"

Brummer: "It...it provides a procedure for the filing of a complaint by any individual, that is correct."

Davis, J: "Well, does it not also provide - and I don't have the specific page in front me - that if that complaint is brought forth with that the Board must then within a respectable period of time enter into an audit of that particular rate and/or company, is that correct?"

Brummer: "No."

Davis, J: "It is not correct? Then what does this Board intend to do?"

Brummer: "This...this Board, as I attempted to explain in my introductory remarks, has the authority to investigate rates and to react to rates and order a refund of rates when they found them to be excessive. For example, they...they have the authority to order an increase of rates when they find them to be inadequate and they have authority to...to react to rates when they find them to be unfairly discriminatory. I would...I would point out that this is the authority that the Department of Insurance felt was necessary that should be given to the Director with regard to the Department's Bill. This language comes specifically from Old Thirty-and a-Half which was in effect in Illinois from 1969 to 1971."

Davis, J: "Yes, thank you, Representative Brummer. I'm just reading from the Bill on page 19, lines 20 through...on page 20, through line 8, which seems to indicate there is a system set up by which hearings can be held by any aggrieved citizen within a rate problem or any company specifically. And it does provide, of course, that that request can be denied by the Board within...in writing within 45 days stating its reasons for denial which, of course, causes the Board to meet in particular...on that particular complaint whether it hears the complaint or not. So I'm saying to you, I think that my question is, again, it would seem to me, would it not, that your Board is going to be meeting almost full time and that 100 dollars



a meeting, or 5,000 dollars, is certainly not adequate compensation for a full time Board of Governors to regulate the insurance industry. Is that not correct?"

Brummer: "The...the Board meets pursuant to the Bill and not less than once per month and at such other times as is deemed necessary."

Davis, J: "Well, that's the very thrust of my...of my remarks. Mr. Speaker, may I...may I address the Bill? I had a couple other questions but I'll cover those in my...in my comments."

Speaker Lechowicz: "Please proceed."

Davis, J: "Thank you, Mr. Speaker. Well, to begin with on that particular point, I think Representative Brummer is...is misleading us somewhat in this particular section because it occurs to those of us who have read the Amendment and have heard extensive hearings on this particular concept, and this particular item in the Amendment, that you have a Board here who's going to be terribly undercompensated because it's going to be meeting full time with what seems to be the consumer outcry in the State of Illinois. And I know, Representative Brummer, that that is the thrust of...of a rating law is to take care of consumers but you're telling me that you probably are not going to be take care of consumers with the Board of Governors because they won't be meeting full time nor will they be hearing these complaints so I question as to what that Board is going to do. Secondly, I...I'm really somewhat surprised, Representative Brummer, you were a Member of the Insurance Committee - and a very esteemed and distinguished Member of that Committee - and asked some very pertinent questions in all of our deliberations there and I don't think you were present during the extensive hearings held in Chicago on Representative Kelly's House Bill 170 which roughly covered the same subject. But if you were at that particular day-long meeting in which we heard testimony you would find out, or would have found out, some of it was repeated here in Springfield, that Illinois has the lowest open competitive rates in the nation among the fifty states in terms of increase of insurance rates in the State of Illinois. And those states which have adopted tough rating laws, such as New Jersey and Pennsylvania, have risen...  
three times



as great...three times greater than the State of Illinois with its open competitive nature of not having a rating law. And, as matter of fact, the market is restricting dramatically in insurance carriers in those states which have adopted tough rating laws. Furthermore, let me point out something <sup>else</sup> to you, that this particular rating law, if adopted, would drive up insurance rates in the State of Illinois and would cause nothing but chaos because you don't define what is an excessive rate, what is an unreasonably high rate, and you can't define those except by market segment which is what Representative Kelly was trying to do in his House Bill 170 and even that concept fell by the wayside in testimony taken. So I strongly urge everyone here who has been listening to these remarks - I know Representative Schuneman would like to amplify and Representative Kempiners - that this is a very bad Bill. We've got a pretty good deal here in Illinois and I think this Amendment should be defeated and certainly the Bill if it's adopted."

Speaker Lechowicz: "Gentleman from Whiteside, Mr. Schuneman."

Schuneman: "Thank you, Mr. Speaker, would the Sponsor yield?"

Speaker Lechowicz: "Indicates he will."

Schuneman: "Representative Brummer, your Amendment which constitutes an entirely new Bill and entirely new concept calls for an administrative board which would pass on insurance rates in the State of Illinois, am I correct?"

Brummer: "No, it would...it would only do so, as I have repeatedly said and I don't think Jack Davis must have heard that, that only when they found they were excessive, inadequate or unfairly discriminatory which terms are, incidentally, defined within the Bill."

Schuneman: "Or...or when they had any kind of a complaint from any consumer. As I read your Bill on page 19, it says, 'Any person aggrieved by any rate charged may request the rating organization to review and correct if necessary the manner in which the rate has been applied with respect to insurance afforded him'. Now if I read that correctly it means that any consumer in the State of Illinois who's unhappy about his insurance rates could bring that matter before this Board."



Brummer: "If...if the Board found out to be unfairly discriminatory, I...I would suggest you're correct and the Board ought to have that authority...."

Schuneman: "Okay. Okay...."

Brummer: "...If the Insurance Company is unfairly discriminatory... discriminating."

Schuneman: "Then is it not true that if that is the case that any consumer can bring such a matter to your Board, that your Board is going to have an awful lot of work to do?"

Brummer: "You will note...."

Schuneman: "Well, can't you just give me an answer to that? Do you think they'd have a lot of work to do or not?"

Brummer: "Well, you know, to the extent that there is excessive, inadequate or unfair discrimination with regard to insurance rates, if that is a widespread practice, they would have a lot of work to do."

Schuneman: "Well, but...."

Brummer: "If...if the industry does not currently engage excessive, inadequate or unfair discrimination, I would submit to you that the Board would not have a lot of work to do."

Schuneman: "But, of course, the Board would be meeting, would they not, to determine whether or not the inadequate or excessive condition existed. One other thing I'd like to ask you about the...the term of the various members of this Committee expire, two of them expire each year, but then in Section...page 2, Section C, it says, 'An action or decision concurred in by any four members shall constitute an action or decision of the Board unless there shall exist at the time, two or more unfilled vacancies; in which case an action or decision by a majority of the remaining members shall constitute an action or decision of the Board'. This says to me that if the Governor fails to make reappointments to this Board that we might have three people, as few as three people, in the State of Illinois who pass on all these judgments as to whether rates are unfairly discriminatory, whether they're excessive, inadequate or whatever, and it seems to me, Mr. Speaker, that this could lead to widespread unfairness in this business. And if...the overall result, I believe,



of...of this Amendment is going to be to make insurance more difficult to...to obtain and it's going to make it more costly to obtain. I only have one other question, Mr. Speaker, and that has to do with <sup>the</sup> exceptions that are in this Bill. I note that several important segments of insurance are left completely out of your Bill and one of them is medical malpractice. Now, did you leave medical malpractice out of this because you thought there were no problems in medical malpractice?"

Brummer: "Medical mal...the...the accepted classes are those classes that were accepted under Thirty and a-Half from 1969 to 1971."

Schuneman: "Well, but...but you surely don't think that there are no problems in the area of medical malpractice I take it then? Mr. Speaker, I'd like to speak just briefly to the Bill."

Speaker Lechowicz: "Please proceed, the timer's been on."

Schuneman: "Our...our present...our present system of open competition in Illinois has served us very, very well. I speak from the standpoint of one who has had almost 30 years experience in arranging insurance for my consumer, people who are clients of mine. I do not work for any insurance company. I do not own stock in any insurance company. My interest is...is...I think the same as yours and that is in the area of protecting the consumer. I honestly believe that our present system is so much superior to what's being suggested here that we should not adopt this Amendment. I also think, Mr. Speaker, that this Amendment is offered too late in this Session to allow an adequate discussion of this important problem and I would certainly urge that the Amendment be rejected."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Holewinski."

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

Speaker Lechowicz: "The Gentleman moves the previous question. All those in favor signify by saying 'aye', 'aye', opposed.... The previous question's been moved. The Gentleman from Effingham, Mr. Brummer, to close on Amendment #1."

Brummer: "Yes, very briefly. If we want to create a...a truly independent or Regulatory Board that's free of political pressures with regard to the...an item that affects all the citizens of this state



in the area of insurance. I would submit to you that great care and attention has been gone into construction of this Board in the granting of authority to that Board. I find it very interesting that the individuals who spoke against the Amendment said that we ought to have open competition. This is an Amendment to a Bill which provides the...the Bill as it now is and as they clearly understand because they're on that Insurance Committee, calls for flat prior approval. This Amendment will remove prior approval so that we...so that the insurance industry does not have to obtain prior approval prior to going in and beginning to write insurance on the rates that they file. I would remind everyone that this Regulatory Board has authority only when they find that rates are excessive, inadequate or unfairly discriminatory. And I find it hard to believe that anyone on the floor of this House can vote in favor of something which would allow the insurance industry to continue to charge excessive, inadequate or unfairly discriminatory prices or rates. If those rates that are used by the insurance industry are not excessive or not inadequate or...or not unfairly discriminatory then the Regulatory Board would not be regulating those rates. I respectfully ask for an 'aye' vote on this Amendment."

Speaker Lechowicz: "The question is, shall Amendment #1 be adopted?

All in favor vote 'aye', all opposed vote 'nay'. Ralph. Ralph. Gentleman from Cook, Mr. Keats, to explain his vote. Timer's on."

Keats: "Thank you, Mr. Speaker, I did not get a chance to ask questions but some excellent questions were raised by Representative Davis, Representative Schuneman, Representative Kempiners, I don't feel there's a real necessity. But I want to say, we've got a real problem here, when you enter new regulation you've got to talk about the defining of what is unfair and unreasonable. And in classic demagoguery, today we could appoint a Board where we would trust everyone and to be reasonable, but if you rely on a board of citizens under tremendous public pressure you never know what they'll decide at a later date in a partisan manner what is unfair or unrealistic. In Illinois we do have excellent insurance rates, very competitive and for us to then open it up to government regulation will simply



destroy our competitive nature at this time when we should be making an attempt to keep our rates low, not apply or put in a group that could raise those rates at a later date."

Speaker Lechowicz: "The Gentleman from Will, Mr. Leinenweber, to explain his vote. Timer is on."

Leinenweber: "Thank...thank you, Mr. Speaker, Members of the House.

If you take a look at this Amendment, and I have, you'll find that it sets forth a bureaucratic nightmare. And as I suggest to you, if you're satisfied with the bureaucratic messes that the Civil Aviation Authority and the Federal Power Authority who are in the business of regulating the rates of airlines, you might wonder why you have to pay so much more to go from a scheduled airlines and one that is not scheduled merely because these agencies are in there to raise rates. If we set this up we're gonna find insurance rates are going up, you're also going to find that there'll be less insurance companies in the State of Illinois and less competition. This Amendment, in short, makes an atrocious Bill abysmal."

Speaker Lechowicz: "Gentleman from Madigan...Gentleman from Chicago, Cook, Mr. Madigan, to explain his vote. Timer's on."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, I wish to commend Representative Brummer for preparing this fine Amendment to this Bill and thereby presenting to us the issue of insurance rate regulation. All of us, and all of our constituents, are affected by the question of insurance. All of us and all of our constituents have experienced increase in the cost of automobile insurance. Many of us and many of our constituents have experienced outlandish increases for home owners' and fire insurance. And, regrettably, many of our constituents have found themselves in a position where their home owner's insurance has been cancelled. Under these circumstances and in these conditions, what recourse is available to these people? And the answer to that question is, practically no recourse at all. It is true that they can file a complaint with the Department of Insurance but the record of action by the Department on those complaints and grievances is very poor. I suggest to you if you don't believe me travel through some of the neighborhoods



in the City of Chicago, talk to people who aren't able to obtain fire insurance on their homes, talk to people who are unable to get automobile insurance, who are forced to pay outlandish fees and prices for automobile insurance, and after those conversations I say to you that you'll take a different view of this. It's regrettable that the primary opposition to this Amendment is coming from the other side of the aisle but it's the same old story year after year after year of a certain political party representing the insurance industry. This is an Amendment that ought to be adopted. There are there...those of you on this floor today who are voting against it, and I say to you, that this issue will come back and it'll be presented to you again in the November election. This will not be forgotten and it'll be presented to you and you'll be asked, why did you not vote to rectify these...."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Holewinski, to explain his vote. Timer's on."

Holewinski: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We heard several speakers say that insurance rates in Illinois are excellent rates. Well, Ladies and Gentlemen of the House, they are excellent rates, excellent rates if you live in certain neighborhoods in certain cities in this state. If you live in the right neighborhood. Not everyone does live in the right neighborhood. And let me suggest to you that the question of right or wrongness in terms of the place of your residence is not based upon actuarial loss experience or risk experience but on prophecies by insurance companies about changes in neighborhoods and about anticipation of changes. And those anticipations and those prophecies do not cover neighborhoods now but complete cities. We must come to grips with this problem, we must deal with the urban problem throughout this state in an intelligent and very aggressive manner. It is imperative that this legislation, that this Amendment, be adopted...."

Speaker Lechowicz: "Gentleman from Cook, Mr. Huff, to explain his vote. Timer's on. Mr. Huff, please."

Huff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I also rise to echo the sentiments of the previous speaker. Ladies



and Gentlemen, it is no mistake that the vote breakdown on that Board is representative of what we are confronted with here with... regards to the insurance industry. The rates are different because the insurance companies have willfully and very skillfully, I must add, created a dual market. I can assure you in the district that I come from there hasn't been a new home built in ten years and the reason for that is that a new homeowner can't get property insurance, not because of any actuary as Representative Holewinski has pointed out quite accurately, but because insurance executives just objectively makes the evaluations that that building is in a poor risk rate ratio. But when you ask that same representative of the insurance company to show you some actuary proof in black and white, bottom line figures, he can't do it. We have a dual market and that's why you cannot see our problem...."

Speaker Lechowicz: "Gentleman wish to conclude his remarks please?"

Huff: "I can only ask the Members on the other side of the aisle, urge ....some more green lights up there, we can debate this issue a little further. Thank you."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Katz, to explain his vote. Timer's on."

Katz: "I share the Gentleman, who is the Sponsor...concern about insurance rates and if I believe creating another bureaucratic monstrosity would solve the problem of insurance, I can assure you that I would be voting 'aye' on this matter. All that experience shows is that we will simply create an agency, create some more jobs, create some more bureaucratic mess and really succeed in doing nothing. We believe in an economic system under which competition solves problems. All that I know is, that government regulation in this kind of situation does not solve problems, it creates them. It is misguided to believe that if we create such an agency that anything will happen other than the insurance companies will take it over and use it to eliminate competition. According, I respectfully vote 'no'."

Speaker Lechowicz: "Gentleman from Cook, Mr. Marovitz, to explain his vote. Timer's on."



Marovitz: "Thank you very much. The...anybody who believes that the insurance rates presently are low really has lost touch with his constituency. The arguments that we have heard against this Bill really is nothing more than scare tactics. This Bill and this Amendment would provide a method to respond to the problems that are faced by citizens across the State of Illinois. I think one thing has become apparent to many of us in this House, those of us particularly who sit on the Judiciary Committee, anytime we want the insurance industry to come in and respond to us with some cost justification and some statistics, they're not around, they're never around. They are in other Committees but they are never around when we're trying to deal with the problem. We have to subpoena them to come in, they don't want to deal with the problem because they've got control. This will disperse some of the authority from the present Commissioner and bring it closer to the people and bring it closer to a solution to providing reasonable insurance rates to people across the State of Illinois. Don't be dissuaded by scare tactics."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Matijevich, to explain his vote."

Matijevich: "Well, Mr. Speaker, I'm voting 'aye' because this is an attempt to do something about the insurance rates and I...I sure believe that in my district this is a very prime issue. And you know, I was kind of disappointed when I saw the Sun-Times Sunday and I didn't find any insurance lobbyists in the top ten. I think that one of them that surely deserves to be in the top ten because all of us know that the insurance lobby is a hell of a lobby here in Springfield and I'm sure that the Governor knows it because I can't see many Republican votes up there. And I think we ought to vote 'aye' because it's at least a first step in doing something about the incredible insurance rates and the hold that they have on state government."

Speaker Lechowicz: "Gentleman from Effingham, Mr. Brummer, to explain his vote. Timer is on."

Brummer: "I think it's amazing the red herrings that have been thrown



around here. The original Bill is a prior approval. Those who talk about creating a bureaucratic monstrosity may be correct with regard to prior approval. I would reiterate for about the third or fourth time that this rate-making board has authority to do anything with rates, only, only, when they are found to be excessive, inadequate or unfairly discriminatory. And I would submit to you that are voting red that you are voting to allow insurance industry, in those instances where they exists, to continue to charge excessive, inadequate or unfairly discriminatory rates. I would...this...this Bill has received considerable hearing. The whole concept of rating has...received considerable hearing. I was present in Chicago when we had an all day session with regard to this type of proposal...."

Speaker Lechowicz: "Gentleman bring his remarks to a conclusion, please?"

Brummer: "The states that have been quoted as having excessive rates are those...states that have prior approval. The Bill, as originally filed, was a prior approval Bill and those of you who have heard from the insurance industry with regard to that Bill and were told to vote against it, I would suggest to you that you are voting to improve this Bill and...and this is not the Bill that the insurance industry contacted you and asked that you vote against it: This is a reasonable Bill. It creates and allows the open competition to exist and it only allows - in limited circumstances - the rating board to go in and do something about rates."



Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 87 'ayes', 81 'nays'. Gentleman from Whiteside, Mr. Schuneman."

Schuneman: "Mr. Speaker, I request a verification of the Affirmative Roll Call."

Speaker Lechowicz: "Gentleman from Effingham, Mr. Brummer, asks for a poll of the absentees."

Clerk O'Brien: "Jane Barnes. Friedrich. Madison. Meyer. No further absentees."

Speaker Lechowicz: "Would the Ladies and Gentlemen kindly be in their own respective seats. All unauthorized personnel remove themselves from the floor. The Clerk will proceed to poll the affirmative vote."

Clerk O'Brien: "Antonovych...."

Speaker Lechowicz: "Let's save a little time of the House, we'll do a verified oral. Up and down and then let's go. Procedure is that when a Clerk calls your name you'll kindly respond in the affirmative or negative and kindly hit your own button in the same position, affirmative or negative. This is an Oral Verified Roll Call. Clerk will proceed to call the Roll."

Clerk O'Brien: "Abramson, pass. Adams, pass. Anderson, 'no'. Antonovych, 'aye'. E. M. Barnes, pass. Jane Barnes, pass. Bartulis, pass. Beatty, 'aye'. Bennett, 'no'. Bianco, 'no'. Birchler, 'aye'. Bluthardt, 'no'. Boucek, 'no'. Bowman, 'no'. Bradley, 'aye'. Brady, 'aye'. Brandt, 'aye'. Breslin, 'no'. Rich Brummer, 'aye'. Don Brummet, 'aye'. Byers, pass. Caldwell, 'aye'. Campbell, 'no'. Capparelli, 'aye'. Catania, 'aye'. Chapman, 'aye'. Christensen, 'no'. Collins, 'no'. Conti, 'no'. Cunningham, pass. Daniels, pass. Darrow, 'no'. Corneal Davis, 'aye'. Jack Davis, 'no'. Dawson...."

Speaker Lechowicz: "Excuse me, Jack, would you kindly record Representative Dan Houlihan as 'aye', he's going back to that meeting. Marco. Dan Houlihan, 'aye', hit his button. Please proceed."

Clerk O'Brien: "Dawson, pass. Deavers, 'no'. Deuster, pass. DiPrima, 'aye'. Domico, 'aye'. Doyle, 'aye'. John Dunn, 'aye'.



Ralph Dunn, 'no'. Dyer, pass. Ebbesen, 'no'. Edgar, 'no'.

Epton, 'no'. Ewell, pass. Ewing, 'no'. Farley, 'aye'.

Flinn, 'aye'. Friedland, 'no'. Friedrich, pass. Gaines..."

Speaker Lechowicz: "Gaines, 'aye'."

Clerk O'Brien: "Gaines, 'aye'. Garmisa, 'aye'. Geo-Karis, 'no'.

Getty, 'present'. Giglio, 'no'. Giglio, 'aye'. Giorgi, pass.

Greiman, 'aye'. Griesheimer, 'no'. Hanahan, 'aye'. Harris,

pass. Hart, pass. Hoffman, 'no'. Holewinski, 'aye'. Dan

Houlihan, 'aye'. J. M. Houlihan...."

Speaker Lechowicz: "Jim Houlihan, pass."

Clerk O'Brien: "Pass."

Speaker Lechowicz: "Put him as 'present', Eddie. Jim Houlihan's

not here. Okay, proceed."

Clerk O'Brien: "Hoxsey, 'no'. Hudson, 'no'. Huff, 'aye'. Huskey,

'no'. Jacobs, 'aye'. Jaffe, 'aye'. Johnson, 'no'. Dave Jones,

'no'. Emil Jones, 'aye'. Kane, pass. Katz, pass. Keats,

'no'. Kelly, 'present'. Kempiners, 'no'. Kent, 'no'. Klosak,

'no'. Kornowicz, 'aye'. Kosinski, 'aye'. Kozubowski, 'aye'.

Kucharski, 'no'. Laurino..."

Speaker Lechowicz: "Laurino was given leave to vote 'aye' on this."

Clerk O'Brien: "Aye. Lechowicz."

Speaker Lechowicz: "Aye."

Clerk O'Brien: "Aye. Leinenweber, 'no'. Leverenz, pass. Levin,

'aye'. Lucco, 'aye'. Luft, 'no'. Macdonald, 'no'. Madigan,

'aye'. Madison, pass. Mahar, 'no'. Mann, pass. Margalus,

'no'. Marovitz, 'aye'. Lynn Martin, 'no'. Peggy Smith Martin,

pass. Matejek, pass. Matijevich, 'aye'. Matijevich, 'aye'.

Matula, 'no'. Mautino, 'no'. McAuliffe, pass. McBroom, 'no'.

McClain, 'aye'. McCourt, 'no'. McGrew, 'aye'. McLendon, 'aye'.

McMaster, pass. McPike, 'aye'. Meyer, pass. Miller...."

Speaker Lechowicz: "Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, I'd like to be recorded as voting 'aye'."

Speaker Lechowicz: "Record him as 'aye'. Giorgi."

Clerk O'Brien: "Giorgi, 'aye'. Miller, pass. Molloy, 'no'. Mudd,

'aye'. Mugalian, 'aye'. Mulcahey, 'aye'. Murphy, 'aye'.



Nardulli, 'aye'. Neff, 'no'. O'Brien...."

Speaker Lechowicz: "O'Brien."

Clerk O'Brien: "O'Brien, pass. Pechous, 'aye'. Peters, pass.

Pierce, 'aye'. Polk, 'no'. Porter, 'no'. Pouncey, 'aye'.

Pullen, 'no'. Reed, 'no'. Reilly, 'no'. Richmond, pass.

Rigney, 'no'. Robinson, 'present'. Ryan, 'no'. Sandquist,

'no'. Satterthwaite, 'aye'. Schisler, 'aye'. Schlickman."

Speaker Lechowicz: "Mr. Schlickman."

Clerk O'Brien: "No. Schneider, 'aye'. Schoeberlein, 'no'.

Schuneman, 'no'. Schuneman there? Schuneman, pass...Schuneman,

pass. Oh, there he is. Schuneman, 'no'. Sharp..."

Speaker Lechowicz: "Sharp, 'aye'."

Clerk O'Brien: "Sharp, 'aye'. Shumpert, 'aye'. Simms, 'no'.

Skinner, 'no'. Stanley, 'no'. Stearney, pass."

Speaker Lechowicz: "Stearney wants 'no', he's right over here."

Clerk O'Brien: "Stearney, 'no'. Steczo, 'aye'. E. G. Steele, 'no'.

C. M. Stiehl, 'no'. Stuffle, 'aye'. Summer, 'no'. Taylor, 'aye'.

Telcser."

Speaker Lechowicz: "Telcser, pass."

Clerk O'Brien: "Pass. Terzich, 'aye'. Tipword, 'aye'. Totten,

'no'. Tuerk, 'no'. Van Duyne, 'aye'. Vinson, 'no'. Vitek,

'aye'. Von Boeckman, 'aye'. Waddell, 'no'. R. V. Walsh, 'aye'.

W. D. Walsh, 'no'. Wikoff, 'no'. Willer, 'aye'. Williams,

pass. Winchester, 'no'."

Speaker Lechowicz: "Aye. Oh, I'm sorry, Winchester, 'no'."

Clerk O'Brien: "Wolf, pass. Younge, 'aye'. Yourell, 'aye'.

Mr. Speaker."

Speaker Lechowicz: "Aye."

Clerk O'Brien: "Aye."

Speaker Lechowicz: "Now we'll proceed to call the absentees. He'll  
be right out."

Clerk O'Brien: "Abramson. Abramson, 'no'. Adams. Adams, 'no'.

E. M. Barnes. E. M. Barnes, 'aye'. Jane Barnes, pass. Bartulis."

Speaker Lechowicz: "Bartulis. Bartulis."

Clerk O'Brien: "Bartulis, 'no'. Byers, 'aye'. Cunningham, pass.



Daniels."

Speaker Lechowicz: "Daniels."

Clerk O'Brien: "Daniels, 'no'. Dawson, 'aye'. Deuster, 'no'.

Dyer, 'no'. Ewell, pass."

Speaker Lechowicz: "Pass."

Clerk O'Brien: "Friedrich, pass. Harris..."

Speaker Lechowicz: "Pass."

Clerk O'Brien: "Pass. Hart, pass. Kane, pass."

Speaker Lechowicz: "Pass."

Clerk O'Brien: "Katz, pass."

Speaker Lechowicz: "Katz voted 'no'. He voted 'no' in the past."

Clerk O'Brien: "Katz, 'no'. Leverenz..."

Speaker Lechowicz: "Leverenz votes 'aye'."

Clerk O'Brien: "Aye. Madison, pass. Mann..."

Speaker Lechowicz: "Mr. Mann votes 'no'."

Clerk O'Brien: "No. Peggy Smith Martin, pass. Matejek..."

Speaker Lechowicz: "Pass."

Clerk O'Brien: "Pass. McAuliffe, pass. McMaster, pass. Meyer, pass. Miller, pass. Peters, pass. O'Brien, 'aye'. Richmond, Richmond, 'aye'. Peters, I called, passed. Telcser, pass. Williams, pass. Wolf, pass."

Speaker Lechowicz: "The Lady from Cook, Mrs. Martin. Kindly record the Lady as 'aye'. Gentleman from Cook, Mr. Houlihan. Pardon me?"

Houlihan, J: "Mr. Speaker, I was seeking recognition prior to the Lady from Cook but I'd like to recorded as 'aye' also."

Speaker Lechowicz: "I guess they're from the old school, Jim. And kindly...I'm going to have to record the Speaker as 'present'. So on this question...is there anyone else seeking recognition? Mr. Harris."

Harris: "Mr. Speaker, I'd like to be recorded as 'aye'."

Speaker Lechowicz: "All right, what's the count? Is there anyone else seeking recognition? Kindly record Wolf as...Wolf as 'no'. Wait a minute. Wolf, 'no'. Representative Telcser, 'no'. Representative Tom Miller, 'no'. McMaster as 'no'. We will as soon as we get the count. Is there anyone else seeking recognition?"



Let's take the count, Jack. I'm trying to. What's the count, Jack, let's go. On this question there are 79 'ayes', 82 'nays', 4 recorded as 'present' and the Amendment is not adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Lechowicz: "Now we go back to Representative Wolf...Kempiner's question on the fiscal note."

Kempiners: "Right, Mr. Speaker. According to Rule 32(e) a fiscal note must be filed when requested. One has been requested... one has been requested and it was submitted by the Sponsor of the Bill which is contrary to the Fiscal Note Act which requires that the affected Department or Agency must file the note or it provides a note, so I would request, Mr. Speaker, that this Bill stay on Second Reading until such time as an appropriate note is filed."

Speaker Lechowicz: "I believe....Representative Brummer wants to hold the Bill on Second Reading anyway. The Bill will remain on Second Reading."



Speaker Lechowicz: "...Just used most of the Bills on Second Reading.

Going back to Third Reading, according to the Order of Call, we left off at 2790...Next Bill is 620. Representative Monroe Flinn, is he on the floor?"

Clerk O'Brien: "House Bill 620, a Bill for an Act to license, tax and regulate business of operating jai alai, Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from St. Clair, Mr. Flinn."

Flinn: "Just a minute, Mr. Speaker. You kinda surprised me, you called my Bill."

Speaker Lechowicz: "Do you want to take it out of the record...momentarily?"

Flinn: "No, I don't. ....Stay right with it. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 620 is the so-called Jai Alai Bill, and I'd like to briefly explain what the game of jai alai is, for the benefit of you who may not know. It's sort of a handball game played with wickets..."

Speaker Lechowicz: "One moment, please. The Gentleman from Cook, Mr. Totten."

Totten: "Point of order, Mr. Speaker..."

Speaker Lechowicz: "State your point."

Totten: "...the priority of call, left us somewhere else other than House Bill 620. You went back...2790, I believe, because of the appropriation...which you can do. You cannot then go to 620. You must continue on the priority of call."

Speaker Lechowicz: "I'm sorry. I just looked at the Calendar, it was... 2790, the last Bill we called..."

Totten: "You got there because it was an appropriation matter, which you could do, but then you can't go to..."

Speaker Lechowicz: "The next Bill is 620..."

Totten: "It's not an Appropriation Bill. The priority of call must be continued. I believe the correct Bill would be 3202, unless you continue on appropriation matters."

Speaker Lechowicz: "Well, we're here, let's go with the Bill."

Totten: "Well, ....you can't do it....unless you....I don't know if you can suspend the rule or not?..."

Speaker Lechowicz: "Are you objecting, Sir."

Totten: "Yes, I am."



Speaker Lechowicz: "The Gentleman objects. If you want to suspend the rule, Mr. Flinn, you may."

Flinn: "Well, I would move that we suspend the rule...because I've been waiting a long time to try to get this thing called, and I spent a lot of time waiting on Second Reading for people to amend it and no Amendments showed up. And I think I've been more than fair in waiting my turn. Now, I've had to...I've been bypassed a couple of times myself, and didn't object...And I would like to move to suspend the appropriate rule."

Speaker Lechowicz: "The Gentleman has moved to suspend the appropriate rule on the Order of Call rule, ....You tell me. All those in favor vote 'aye', all those opposed vote 'nay'. 37 (a), Gene, according to the Parliamentarian. The Gentleman from DuPage, Mr. Hoffman....Ah... ....Let me just point out to the Members, it takes 107 votes, to suspend the rule. Mr. Hoffman."

Hoffman: "You said it for me."

Speaker Lechowicz: "Okay. Have all voted who wish? Have all voted who wish? The Gentleman from Cook, Mr. Totten, to explain his vote. Your light is on. The Lady from DuPage, Mrs. Dyer, your light is on. Have all voted who wish? The Gentleman from St. Clair, Mr. Flinn, to explain his vote."

Flinn: "Mr. Speaker, I don't think I'm being unreasonable to suspend the rules....to get my Bill heard because it's....the sheer number of the Bill indicates that it's been around for a long time. I waited to get hearings in the Committee last year and never got an opportunity to hear it. I..I..We finally had Subcommittee hearings and come back and I waited my turn in the Committee again this year and now hear I am on the floor asking it to be heard when there is a reasonable audience here. Maybe I do or maybe I don't have enough votes to pass it, but I'm asking that it be heard now and that's all I'm asking. I'm not asking anybody for a vote at this time. Just the opportunity to present the Bill."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 109 'ayes', 29 'nays', 2 recorded as 'present'. The Gentleman has suspended the



rule for the immediate hearing on House Bill 620. And the Bill has been read a Third time. The Gentleman from St. Clair, Mr. Flinn, on the Bill. The Gentleman from Cook, Mr. Totten."

Totten: "An inquiry of the Chair, then. Are you now...started a new priority of call? Is the Bill you're going to hear after 620, 2418? Or, have we just suspended the rule just to hear this one Bill?"

Speaker Lechowicz: "The Gentleman from McLean, Mr. Bradley. Bradley. Mr. Bradley, please."

Bradley: "Mr. Speaker, Ladies and Gentlemen of the House, the Gentleman moved to suspend the rule to go to House Bill 620, and he was successful in suspending that particular rule and, in my opinion, now ...at that point then the Speaker can go back to the place where he was. There's no mandate, it was not in the motion that we stay on the priority of call, if I understand the Gentleman's motion correctly, Mr. Speaker."

Speaker Lechowicz: "That's what I'd like to know."

Totten: "Is that your intention?"

Speaker Lechowicz: "It's the intent of the Chair to just go to 620, 2418, 2932, and then revert back to Second Reading. That day of 20th of April, 1978, I was here ...and you know, at the appropriate time there was nobody here on the floor when those Bills were called. So in all fairness we'll give them a shot...."

Totten: "Okay."

Speaker Lechowicz: "...and then we'll go back to Second Reading. House Bill 620."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, as I was mentioning before, House Bill 620 is the so-called Jai Alai Bill. Jai Alai is a game that is played a great deal like handball...and it's by nature...it's a three-wall court in which a very hard rubber ball is thrown against the one wall and it's caught on the rebound by a wicket. It's played, generally, in the Spanish countries, Cuba, South America and Spain and most of the players come from the Basque Area of Spain. It's rapidly becoming a popular thing in this country. It's been played in Florida for some time. It's legalized in Connecticut and in Nevada and I



believe in Vermont, I'm not sure of the other New England States. There's four states that have legalized jai alai or parimutuel betting on jai alai. What I offer to do here is not create another gambling law, but to create something that would be quite a sensation in the Midwest, from the standpoint of tourist attraction. It has been estimated that the hotel and motel and restaurant business could realize up to 20 million dollars a year in additional business from tourists if we had jai alai here in Illinois. Some of the experts that we called into Subcommittee described jai alai pretty... pretty much to us and estimated that Chicago ...the area of Chicago could probably support three frontons, two of which could be having the games at the same time, if they were as much as 50 miles apart. Probably the St. Louis area could support one, and in all probability maybe Rockford or some other areas of the state, but they did not have the population figures and the necessary figures to verify that it could be supported in any other part of the state. There is considerable taxes that comes in from this Bill, as it is presently written, and amended. It's designed a great deal after the race track from the standpoint of the breakage, from the standpoint of how much the players get back and for how much the state tax amounts to. I don't want to talk too long on the thing because I know there are a lot of other Bills to be heard, but I would open the thing up to questions, if there are any."

Speaker Lechowicz: "The Gentleman from Winnebago, Mr. Simms."

Simms: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to House Bill 620 on the principle of being opposed to organized gambling in the State of Illinois and legalized gambling. Just how much of the State of Illinois can be really take of legalizing the further steps down the opening the door. There is legislation that is now pending for off-track betting. You had the lottery in Illinois and now it's the passage of this Bill. Illinois is going to turn into nothing more than another Nevada and Las Vegas. Now if that's what you want, to have Illinois become a complete gambling state, have crime on the increase, this is the type of legislation to vote for, but if you want to maintain a state with some type of moral sanity and dignity, this type of legislation should be defeated."



I have great respect for the Sponsor of the legislation and his integrity, but this type of legislation has no place in the State of Illinois. We don't need this type of gambling legislation to further the moral decay of our society. I urge an overwhelming 'no' vote."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I think many of us have been to Florida, and I don't think Florida has been known as a state running rampant with organized crime, but they do have jai alai frontons and I think many people enjoy it. I used to play a lot of handball, I haven't played in a long time. I went and watched jai alai and I'm not a gambling man. I used to play a couple of dollars, but I really enjoyed watching jai alai. In my county we have, as many of you know, 'The Great America Theme Park'. We have many...many tourists now coming to Lake County. Let's face it, there is probably not many jai alai players available so there wouldn't be many frontons in Illinois, if we did go to jai alai. But I could envision where Lake County could be one such area where, because of the many tourists, that we could have jai alai. You know, I think it was about 20 years ago, over 20 years ago that a Jai Alai Bill did pass. It was a Representative from Lake County that introduced it. It was Representative McClory, he's not known to be one who has advanced gambling interests, but I think that when we say that such, if you want to call it gambling, I think people ought to make their own moral decisions whether they do want to watch jai alai, whether they do, in fact, want to gamble on jai alai, I don't think that we ought to legislate whether someone wants to make that moral decision himself. But, I think, for example in the depressed area that Representative...the Representative and Sponsor of this Bill, Monroe Flinn, is talking about, this could go a long way into bringing business and tourists in that area. I know it could work in Lake County where we have all those tourists coming in to watch and enjoy Marriott Theme Park. Not that Marriott Theme Park wants it, but I think it could bring a lot of added tourism, a lot of added business. So I'm standing here in support of the Bill."



Speaker Lechowicz: "The Gentleman from St. Clair, Mr. Flinn, to close."

Flinn: "Well, thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I think it needs to be pointed out ...I think it needs to be pointed out....there would be a lot of tourists come here to Illinois just to see the jai alai games. There are a lot of people that travel ...."

Speaker Lechowicz: "Excuse me for one moment. There was some lights.... people seeking recognition...Mr. Polk's light was not...does not work up here. He did come up to the Clerk and ask to be recognized. Could you just hold your closing until he's finished. Mr. Polk."

Polk: "Thank you, Mr. Speaker. Appreciate that. Realize the light's not flashing up there. Mr. Flinn, just a couple of questions...."

Speaker Lechowicz: "Would the electrician kindly check these lights out? Please continue."

Polk: "Representative Flinn,...from the...my Digest...it doesn't indicate ...approximately how much money do you think this would generate for the state?"

Flinn: "Well, are you talking about the income from taxes?"

Polk: "No, just the income from the betting. What can a state see direct, as revenue?"

Flinn: "Just..."

Polk: "I recognize the fact that you're looking at this as a tourist attraction, but what do you see the revenue from the state, from the betting, I'm thinking in terms of monitoring it in regard to the state expenses of having people...as we do for race tracks and so forth? How much are we going to make? Is this going to be a profitable thing?"

Flinn: "Let me give you some figures and you pick out of them what you want to hear. In the first place to build one fronton, it costs about...counting the land and the building and all, about 28 million dollars, roughly...and these are all round figures. The direct tax revenues from that fronton to operate one year would be about 13 million dollars and the indirect economic output, which would be the ...would have to do with the other related ...with the other related parts of the fronton, such as the concessions and that



sort of thing, would be about 10 million dollars."

Polk: "What's the price to build a fronton palace?"

Flinn: "28 million dollars..."

Polk: "Who is going...is that going to be done by private funds or is this going to be state funds?"

Flinn: "Well, all the state would do would license people to build the frontons and the state would charge taxes in the same manner that the race tracks are run."

Polk: "And when a wager is made, the state is going to get a percentage of that wager. Is that correct?"

Flinn: "Yes.....I..."

Polk: "Are you going to distribute that...as we are talking about on off-track betting? How is that going to be distributed in the communities?"

Flinn: "Well, there wouldn't be an off-track betting but it would be on the track...the fronton, and would be distributed in the same manner as the race track money is distributed now. 83 percent would go to the players, 17 percent would go to the cost of running the business and the taxes and all that sort of thing."

Polk: "Fine. Thank you."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Jaffe."

Jaffe: "Mr. Speaker, Members of the House, I rise in opposition to this Bill. Even if we were not to go into the question of morality, I sat as chairman of the Subcommittee that dealt with this particular Bill. We did leave it out, but only so that it could get onto the floor of the House and be debated. I must tell you that this Bill is so full of holes that it makes Swiss cheese, you know, look solid. First of all, under this particular<sup>Bill</sup>, it gives the power of regulating to the Racing Board. I must tell you that the Racing Board indicated to us that they don't even want to regulate this particular sport. They just don't want it. The Racing Board is not set up for it, they don't care for it, they don't want it, period. Secondly, I have to tell you that this Bill would create a monopoly, really, for a very few outfits and those outfits, by and large, would be out of state outfits and not Illinois outfits. As a matter of fact, as I recall



this Bill, and I don't see anything in the Amendment that changes this, those people who only were dealing with jai alai prior to this time to get in on this industry. Let me tell you this, there are practically no people in the State of Illinois that are active in jai alai today and what we would have is we would have foreign corporations coming in from either Florida or Connecticut and they would solely be the only ones that could operate this particular industry and Illinois people by and large would be cut out. If you take a look at the limitations of ...of space, for instance, I think the Bill says somewhere around 150 miles, if I'm not mistaken, is the....you would have that limit for a fronton. Well, if you plot a fronton properly, in the Cook County area, what you in essence would do is you would have to not only monopolize the entire northern part of the state but you would also monopolize states like Wisconsin and Michigan and Indiana. So you can see that you could take an awful big monopoly and give it to a very...very few people. I think that this Bill actually should be voted against. Again I want to discuss the fact that they changed this to the Racing Board, the Racing Board doesn't want it, they don't want to administer it, and I know of no decision of theirs...recently, that says that they want to...they've indicated that in all of our Committee meetings. I think that this Bill really needs a lot more work and it really should be returned to Interim Study, rather than passing out of the House at this time."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Deuster."

Deuster: "Mr. Speaker, if the Sponsor would yield for a question?"

Speaker Lechowicz: "He indicates he will."

Deuster: "Representative Flinn, I know that you realize there's a press of time and you cut your explanation a little short. I think there are many Members of the House that have never seen a jai alai game. And I think that it would be helpful if you would describe, I know it's like a handball court and it's a very fast moving game, but do the spectators sit around and watch it or how are the bets placed? Can you describe that fairly briefly?"

Flinn: "Yes. In the first place the court looks like a three-sided wall, which they play the ball off of. The fourth side is screened in to



keep the ball from going out into the audience. The audience is on a slanted seat arrangement to the tune of about...anywhere from about 75 hundred to 10 thousand people watching the game, and seated. They have people who come down from the windows toward the front of the building, take bets, take them back and carry them forth; or you can go up to the windows and bet - win, place or show - on any of the individual players or in some cases on player teams. They play the ball...ball game in such a manner that the first player throws the ball against the wall and each succeeding player must catch it before it hits the ground or before it hits on the second bounce and throw it against that wall or bounce it off of the back wall, either one, and the player that drops the ball loses a point."

Deuster: "Representative Flinn, is there any opportunity that ...that this can be rigged in any way. Is there any danger of manipulation or fleecing the people of money or ...."

Flinn: "Well, they are human beings playing the game, if that answers the question, but in Florida and Connecticut and Nevada, they have had absolutely no scandals involved in this game at all. There has been ...and in no case has there been any instance where there's been rigging in the games or cheating or that sort of thing."

Deuster: "Two quick questions. Do people buy tickets to watch the exhibition?"

Flinn: "Yes they do. What's your second question?"

Deuster: "And they bet on...bet on the players. What are the sizes of the bets and what's...and no one who is not there is able to bet, is that correct?"

Flinn: "They have got to go there to bet on the game. The bets begin at 2 dollars and they go...the same way the race track bets if you've ever been there."

Deuster: "Thank you."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Huskey."

Huskey: "Mr. Speaker, may I ask the Gentleman a question?"

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

Huskey: "If we were to legalize gambling on this handball, do you think that it would be in line that we just as well legalize gambling on



tennis, baseball, football, the rest of the sports that we have in the United States, to raise money for taxes?"

Flinn: "You introduce a Bill like that and I'll let you have a vote over here....But this Bill doesn't call for anything but jai alai."

Speaker Lechowicz: "The Gentleman from Rock Island, Mr. Darrow."

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

Speaker Lechowicz: "The Gentleman has moved the previous question. All those in favor signify by saying 'aye', 'aye'; all opposed....The previous question has been moved. The Gentleman from St. Clair, Mr. Flinn, to close."

Flinn: "Mr. Speaker, I'll be brief in closing. I think that most of the people, probably, like any other Bill, have made up their mind how they're going to vote before the explanation. But I think this would be quite a tourist attraction for Illinois. There are none anywhere near the midwest. There would be a great deal of benefit in jobs. Each fronton would furnish up to 900 permanent jobs in operating it; to say nothing about the construction of the buildings involved. I think the benefits to the hotels and motels and resturants alone is worth it...worth the whole project. The State of Illinois will realize, for one fronton, about 13 million dollars a year, if we have three in Chicago, that's 39 million dollars a year. If there is one also in the St. Louis area, that's 52 million dollars a year in income, in revenue, to the State of Illinois, that has not been available before. I would like to emphasize that it is a great spectator sport game and not so much on the gambling part of it. It is one that has created a lot of interest and those people who go on vacation in Florida and see the game down there, come back excited about seeing it. I ask for your favorable vote on this House Bill 620."

Speaker Lechowicz: "The question is, shall House Bill 620 pass? All in favor vote 'aye', all opposed vote 'nay'. The Gentleman from Winnebago, Mr. Giorgi, to explain his vote. The timer is on."

Giorgi: "Well, Mr. Speaker, I've been here a few years and I've had to listen to my colleague from Winnebago, who happen to be on the Illinois Crime Commission, is it, or what is it, the Illinois



Investigating Commission; well, anyway, they couldn't track a bleeding elephant through snow. From reading their reports over the years they've been telling us about all the huge amounts of money that the undesirables are skimming to run the nefarious activities. And when we hear the crys and tears on the floor of this House that there's no money in the lottery, there's no money in off-track betting, there is no money in the jai alai. Well, where the hell is the money you guys have been telling us is in this undesirable skim? The Crime Commission, with Siragusa and all his crime hunters, have been using these hysterical crys for years to fatten up their budget. And what's happened to our crime rate, it's gone out of sight. You know where the criminal is coming from? It's the Class X and the citizen criminal. Now if you'll promise...." (Mike off)

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish?"

The Clerk will take the record. On this question there are 48 'ayes', 96 'nays', none recorded as 'present'. This Bill having failed to receive the Constitutional Majority is hereby declared lost. House Bill 2418.

(see page 176, Special Request)



Speaker Lechowicz: "House Bill 2418."

Clerk O'Brien: "House Bill 2418. A Bill for an Act to abolish all ad valorem personal property taxes and to provide for the replacement of revenues lost thereby. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Pierce."

Pierce: "Mr. Speaker, as Representative Geo-Karis reminded you, it's Lake. House Bill 2418 was a product of the Revenue Committee in implementing the Illinois Constitution of 1970 that many in this room helped...helped draft by providing a substitute for the personal property tax pursuant to the mandate of the 1970 Constitution which directed us by January 1, 1979 to replace the personal property tax with taxes on the same classes. When the Revenue Committee made this a Revenue Bill, I, as Chairman of the Committee, I appointed a Subcommittee chaired by the Gentleman from Cook, Representative Mugalian. He...he chaired that Subcommittee, drafted the Bill, approved it in Subcommittee and, of course, a full Committee approved it. So at this time I would like to yield, as Chairman of the Revenue Committee, to the Chairman of the Subcommittee on personal property tax replacement, Representative Mugalian, who worked so hard on this important piece of legislation carrying out our Constitutional mandate."

Speaker Lechowicz: "Gentleman from Cook, Representative Mugalian."

Mugalian: "Thank you, Mr. Speaker, I didn't work nearly as hard as staff and others, the...the industry groups affected who made contributions to this Bill in order to comply with a nine year old mandate that the people of the State of Illinois gave us to abolish the personal property tax remaining which is on businesses and partnerships. Now the mandate is relatively simple. Is, first of all, to repeal the personal property tax. The second part of it is to replace the revenues lost that we now receive from the personal property tax and, finally, to distribute those revenues to the units of local government including the schools. I will welcome questions on this complicated Bill. I would like to take a few minutes to tell you how the Bill works. I think it's an important Bill and I appreciate the attention the House. Now the repeal is easy. It's



just the last year of the personal property tax would be for the year 1978. The replacement taxes are as follows: there would be an additional income tax on corporations of one and a-half...of two and a-half percent. There would be an additional tax on partners and on Subchapter S corporations which are treated for income taxes purposes as partnerships of one and a-half percent. And there would be an additional one and a-half percent tax on the taxes now paid by utilities. Now these taxes were...were chosen because they would be on those classes relieved of the personal property tax, we have no way out of that, that is the way how...that is the way <sup>it</sup> must work. And the rates have been established on a very careful basis to just replace those taxes have been... that will be lost by abolition of the personal property tax. Now these new taxes require no new bureaucratic enforcement structures since they are merely an extension of increased...of present existing taxes. Now, a personal property tax replacement fund is created and from that fund the State Treasurer will distribute directly to the units of local government the amount collected. Now the amount distributed to the local governmental units cannot exceed the personal property tax base which is the amount of personal property taxes collected in the last year of its extension which would be in 1978. Now there was a problem as to this...this these tax revenues and this fund to our units of local government and the schools and this Bill includes a three percent annual increase in that personal property tax fund. That figure was determined on the basis of the historical growth in the personal property tax revenues in the state. I would like to call your attention to a WGN-TV editorial which says as follows, 'The General Assembly has had more than seven years to meet this requirement. Now business leaders,' it says, 'are seeking a Constitutional Amendment to extend the personal property tax another ten years. More delay won't help, it will just extend the deadline. If the General Assembly cannot meet its deadline the voters should know that when they go to the polls in November. Our lawmakers take an oath of office to uphold the Constitution. That is what they must



do this year.' Now House Bill 2418 did just a passable job. We, in the House, ought to do our job and send it to the Senate. It was a hard-working bipartisan House Revenue Subcommittee and full Committee that examined and fine...fine-tuned this legislation. Now we hear about mandates that we give to the schools and local governments; House Bill 2418 responds to a mandate given the House and the Senate by the people of the State of Illinois nine years ago. But, Ladies and Gentlemen, Mr. Speaker, I believe that House Bill 2418 does more than a passable job, it does a complete job in compliance with the provisions of Section 5(c) of Article IX. Now not every element of the replacement and distribution of requirement is without room for debate. There cannot be unanimous agreement, that's quite obvious. And that's pretty obvious because the personal property tax by its very nature is so bad, and has been so inequitable, that any replacement would have to result in some winners and some losers. There's an element of the replacement tax that I think is...is of interest to you as Illinoisans. You pay, and your constituents pay, a personal property tax whether or not they make a profit but that payment is lost to our Illinois taxpayers if that business in that year lost money or didn't make a profit. We all know how important it is to see that Illinois tries to receive as much money from Washington as it pays to Washington. This is...this one element in this Bill that helps correct that because the replacement taxes are paid only if there is earned income for the year by the classes relieved of the personal property tax. Now, just - I'll conclude in a minute because I'm sure there will be questions-- I want to give you just a few examples of some of the major classes that are affected and how they are affected, you should know that, and it can't come out even, it can't come out exactly. This, according to a Chamber of Commerce study on the impact of the personal property tax as projected in 1978 and the ...and the personal...and these replacement taxes that would come about as a result of this Bill, the transportation community and public utilities would pay a personal property tax of 41.9 percent of the total. Under the replacement taxes in this Bill,



they would pay 39.1 percent, so that these elements would be a slight winner by about 2 points. Now let us take the manufacturing class, under the personal property taxes which this Bill would abolish, the manufacturing category pays 31 percent of the total. Under this Bill they would pay 27 percent. The manufacturers should be in support of this Bill. Finally, the retailers who would be paying 9.4 percent because they have large inventories, and personal property of course taxes inventories, they would pay 6.2 percent based on their expected income. Agriculture, forestry and fisheries pay a very small amount in either event; the personal property is 2.8 percent, the replacement tax is 1½ percent. Now I shall try to answer any question that you have, but in behalf of the House Revenue Committee and the hardworking Subcommittee, I ask that this Bill be passed and sent to the Senate. It is a good piece of legislation, one that this chamber can be proud of."

Speaker Lechowicz: "The Gentleman from Livingston, Mr. Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I wonder if the Sponsor would yield for a question?"

Speaker Lechowicz: "He indicates he will."

Ewing: "Would you...could you explain just a little more for me how the 3 percent increase in the base rate works in this?"

Mugalian: "Yes, the personal property...tax, replacement tax base, is established by the actual collections in a one year period of the 1978 personal property tax. That's where you start. In the following year there will be a 3 percent addition to that and in every year succeeding."

Ewing: "Well, this isn't an increase in the rate then?"

Mugalian: "No, Sir. It...it's likely that...that there will be an overpayment...by the way, I didn't explain, that if the fund exceeds 10 percent of the base then the taxpayers are refunded that excess. In fact, with inflation, it'll probably be that the gross receipts will exceed the 3 percent growth."

Ewing: "But if we were to have deflation, would we have the 3 percent growth?"

Mugalian: "Yes, we would."



Ewing: "How are we going to get the 3 percent growth then if our income's going down?"

Mugalian: "We would then have to make some adjustment in the rates if necessary."

Ewing: "Then the rates would have to go up at that time?"

Mugalian: "Yes, they would."

Ewing: "Is there an Amendment on this Bill that makes it effective only if the pending Constitutional Amendment is not approved?"

Mugalian: "No, there is not but I...I would imagine that it would make sense for the Legislature to wait to see what the outcome is, for that reason we could send it to the Senate, the Senate could be poised to act in the event the referendum failed although I think we should act regardless of what the referendum does. We should act now because this mandatee has been with us for nine years. In answer to your question, no."

Ewing: "And is there...will each unit of local government get the same amount back that they had in the...in the year, the final year of the personal property tax. Is that the way it'll be distributed?"

Mugalian: "...Percentages of the total will be determined at each tax receiving unit and that percentage will be constant."

Ewing: "And that will be based on the last year of the personal property tax?"

Mugalian: "Yes, Sir."

Ewing: "And it's based on the amount they collect and not on the amount that they levied, or the assessed valuation?"

Mugalian: "That's a very good question, Representative Ewing. The Fiscal and Economic Commission has prepared a report based on hearings on this very big question and you could ask whether the replacement should be on the extensions or whether it should be on the collection. The Constitution itself does not tell us what we should do, there's a great deal of leeway in the Constitution. The decision was to do it on the basis of collection so in that way the local governments will get what they've been getting."

Ewing: "Would there be...if we were to have a new park district formed,



would they be able to get into the fund and get what would have been their tax revenues from the old personal property tax?"

Mugalian: "If there is an entirely new unit of government, other than a school, they would not participate. We have specifically taken care of schools in the case of either a split up of the school district or a consolidation of two school districts, there'd be no loss to the total totality of the school situation, and as you know, the entire state is in some school district. But if there is a brand new school district somewhere they would not be a participant. We have....we found no way to solve that problem."

Ewing: "Are there any categories that will be paying less generally under this than they were under the personal property tax?"

Mugalian: "Yes, of course, I said they would be...they would have to be."

Ewing: "Could you name those for us?"

Mugalian: "Well, I have...I have a pile of statistics here. I think generally it could...it's obvious that service-oriented businesses that have relatively little in the way of tangibles or machinery or equipment....."

Speaker Lechowicz: "Mr. Ewing, would you kindly bring your questioning to a close, or remarks, there's a number of people seeking recognition and I believe your time is just about up."

Ewing: "Thank you, Mr. Speaker, I think this is a pretty important matter, I've had some quite...close concern with this and I would like to speak to the Bill."

Speaker Lechowicz: "Please proceed."

Ewing: "We have passed out of this General Assembly two Constitutional Amendments which provide for the replacement of the...or the removal from the Constitution of the mandate to replace the personal property tax. The Representative who is the Sponsor of this Bill has done an excellent job of handling it through the Subcommittee and through this General Assembly but I would...I would submit to you that there are as many, yes, as many inequities in this new proposed legislation as there is in the old personal property tax. First of all, no new unit of government can get in on the taxes. Think what that



would do to new park districts, new units of government, and we're forming them all the time. There are many inequities. Just as many inequities in who's paying under this as who's paying under the old personal property tax. For instance, those companies which have large write-offs would pay no tax. U. S. Steel would pay no replacement tax. And yet, is income the only measure of wealth? No, we know that property is also a measure of wealth. The refund provision, they could have a refund of the excess tax and it could go back to taxpayers who were not even paying in or contributing to that excess. I think that there's a lot of good in this Bill. I think it ought to stay right in this House until after the November election when we see what happens to the Constitutional Amendment. The Illinois Retail Merchant's Association is a major sponsor of this Bill and you can rest assured that their group will be paying a lot less under it than they are under the present system. And I would ask for a 'present' vote. Let's keep it here. It'll be available in November if we need it. Thank you."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Yourell."

Yourell: "Yes, thank you, Mr. Speaker. I would ask leave to be recorded as voting 'aye' on House Bill 620. I was inadvertently absent from the House floor. It won't change the results, it only got 48 votes and I'd be the 49th."

Speaker Lechowicz: "Is there any objection? Gentleman asks leave to be recorded as 'aye' on 620? Be so recorded. The...the Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker, I move the previous question."

Speaker Lechowicz: "The Lady has moved the previous question, all those in favor signify by saying 'aye', 'aye', all opposed...previous question has been moved. The Gentleman from Cook, Mugalian, be close."

Mugalian: "Well, I...I know the time is late, this is one of the most important Bills since I've been in the Legislature and ...and certainly one of the most important...in this Session. It's been suggested that we wait to see what happens after the referendum but do you remember the pressure we were under when the RTA was... was required to be considered. You recall last year the Unemployment Compensation crisis which we had to solve in six days, we did



a lot of work on this Bill and it should go to the Senate, it could stay there, it could possibly come back with or without an Amendment. But this Bill, there's no partisanship or politicizing of this Bill and that's the way it should be. Now the, we didn't talk enough and I thought there'd be some questions in debate about the guts of this Bill and that's the personal property tax Bill. It's been described by some as a 'pay and pray' tax, you pay and pray that you're not going to get into trouble that...that they return your files even though it's obviously dishonest isn't going to get you for perjury. You should know that the hated capital stock is going to be eliminated by this Bill. Some of you lawyers may know that you...you advise your clients to incorporate in Delaware so you don't have to pay a capital stock tax. It's also called a 'sue and settle' tax. The personal property tax takes hundreds of people to enforce, to extend, to collect and to file suit and make deals with the State's Attorneys Office. It's a terrible way to collect the tax and it makes crooks of almost everyone. I wonder if any lawyer had ever advised a client to file an honest personal property tax? And that is why the Constitution gave us this mandate to get rid of it but we can't just get rid of it and deprive the schools and the units of local government of 450,000,000 dollars. So we worked over a year and a-half trying to figure out an equitable system to do this and that was done essentially by...by a method of a tax on income and paid if you have some income but they're very low rates and I should tell you that the corporate...income tax rates in Illinois after this Bill passes, if it does, will be less than the corporate income tax paid by the...by most corporations in surrounding states. Now since this Bill has been understood, as more and more people have understood what it's doing, we have found more and more support and just today it was endorsed by the Civic Federation. I...I really think that we ought to do what the people told us to do and not be accused of passing the buck or dodging the issue and get this over to the Senate. If there are any problems with this Bill, I'm sure the Senate can help us with it, although I don't think that there are any major problems. There's nothing



we omitted doing in an important way that is not done by this Bill."

Speaker Lechowicz: "The question is, shall House Bill 2418 pass? All those in favor vote 'aye', all opposed vote 'no'. The Gentleman from Cook, Mr. Schlickman, to explain his vote. The timer's on."

Schlickman: "Well, I wish the timer wasn't on, Mr. Speaker, inasmuch as debate was cut short to discussion by only one other Member of the House other than the Sponsor of this Bill. Mr. Speaker, Members of the Bill(sic), I'm voting 'aye' for three reasons. Number one, we're constitutionally mandated to replace the personal property tax before January 1 of 1979. We have no alternative. Number two, Mr. Speaker, Members of the House, this Bill represents a shift in the tax burden from corporations with substantial personal property to corporations with substantial income and to public utility corporations. I think that's a better way to tax. Finally, Mr. Speaker, Members of the House, a reason for my voting for this Bill is that it will discourage the formation of new local...units of local government. Already we have more units of local government than any other state per capita, I think it's about time we do something effectively to discourage any more and I urge an 'aye' vote."

Speaker Lechowicz: "The Gentleman from DuPage, Mr. Hoffman. Timer's on."

Hoffman: "Thank you. Mr. Speaker and Ladies and Gentlemen of the House, I, too, am sorry that the debate was cut so short because from what I can read and what I can understand, one of the basic problems that I see with this is the fact that as our State Aid Formula operates as they lose the personal property tax - the school districts, for example - will get an increase in state aid and at the same time through another source, it looks to me like we'll be replacing real estate taxes they lose. I suppose as a person employed by a school district I should be happy with this; however, until that question is answered I feel that I must vote 'present'."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Wolf, to explain his vote. No. The Gentleman from Kankakee, Mr. McBroom, to explain his vote. Timer is on."

McBroom: "Yes, Mr. Speaker, Members of the House, I am voting 'no' on this particular Bill and I want to hasten to say it's not because of any pride of authorship of the Constitutional Amendment which



Representative Pierce offered and the one which I offered, I'm sure the idea occurred to many Members of this chamber on both sides of the aisle. After the two Constitutional Amendments were passed, it was...we became aware that they were similar, one of Speaker Redmond's assistants came to me and asked how we could compromise the matter. I said it doesn't matter to me whatever will make Representative Pierce happy, so I'm not talking for that reason. I'd like to say to Representative, the Sponsor of the Bill, that if I...if it receives 89 votes I'm sure that there's going to be request for a verification, if not from me from someone else. I think we ought to leave well enough alone, leave it on the Interim Study Calendar. I think that passing this Bill will only further cloud....."

Speaker Lechowicz: "The Gentleman from McHenry, Mr. Skinner, to explain his vote. Timer is on."

Skinner: "This may be a great Bill but the chair has done a great disservice to it because there are all sorts of people with all sorts of questions that won't have a chance to ask them. I, for instance, would like to know who is going to be mad at me if I vote for this Bill and I don't know that yet. And for that reason I'm voting 'present'."

Speaker Lechowicz: "The Gentleman from Whiteside, Mr. Schuneman, to explain his vote. Timer's on."

Schuneman: "Thank you, Mr. Speaker. I'm voting 'present' on this Bill, I don't think there's any dire emergency to get this Bill out of the House. We can hold this Bill here until after the election and see what happens and then pass it as an emergency matter. The Sponsor mentioned that we are under a mandate to abolish the personal property tax. He also mentioned that the taxes must be replaced by imposing state-wide taxes but what he didn't mention is the Constitutional mandate which says that those state-wide taxes must be solely on those classes relieved of the burden of paying ad valorem personal property taxes. Now we may be replacing the tax on the same class but I assure you we are not...we are not replacing it with the same tax burden on each taxpayer. And you're...we're going



to hear from a lot of people if this Bill gets out of here who are going to be very, very unhappy about the increases in their taxes. At the same time, most railroad and...and..."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Pierce, to explain his vote. The timer's on."

Pierce: "Mr. Speaker, the Gentleman from McHenry asked about who was for or against the Bill, just today the Board of the Civic Federation of Chicago after studying the Bill for months came out in support of this legislation. Not only are retailers in support of it, large and small to their organization, but many manufacturers have come out in support of this Bill including U. S. Steel Company. What this Bill does is get rid of the tax on companies with many...many assets but with low income and it taxes those that do well in the years they do well and relieves them of heavy taxation in the years when they're not doing so well so...so they do not close down their plants in Illinois and move them out of the state in years that are not good years. The...the Illinois State Chamber of Commerce did not take a strong stand one way or the other because of differences in their membership on the Bill. The last speaker was right, individual taxpayers will have different results under this Bill but the...."

Speaker Lechowicz: "Have all voted who wish? Gentleman from Cook, Mr. Yourell, do you want to...your light's on."

Yourell: "The only...the only problem I have with this legislation as an individual who has an interest in retail business, I think I have a conflict of interest and I'll be voting 'aye'."

Speaker Lechowicz: "Have all voted who wish? The Gentleman from Cook, Mr. Sandquist, to explain his vote. Timer's on."

Sandquist: "Yes, thank you, Mr. Speaker. I'd like to reiterate, I think we ought to all vote 'present' on this because, first of all, the mandate that you're talking about that we have to replace it, as Mr. Schuneman says, that we have to replace on the same classes of taxpayers. And I think for sure that this Bill does it. And besides the mandate, we...it also says that we shall enact by having a replacement but we can make a decision that the personal property tax is not as bad anything else and our decision is to do nothing



and then it would still be in effect plus the fact we've already passed an Amendment so the people can vote on. And I think to rush this thing over to the Senate now, not to have it considered, is the wrong thing and we should vote 'present' and keep it here."

Speaker Lechowicz: "Have all voted who wish? Clerk will take the record. On this question there's 116 'ayes', 9 'nays', 37 recorded as 'present'. The Gentleman from Kanakee, Mr. McBroom. McBroom, please."

McBroom: "Hello."

Speaker Lechowicz: "Yeah."

McBroom: "Mr. Speaker, I'm going to request an oral verification, please."

Speaker Lechowicz: "There's 116, it only needs 89 votes. You persist, Sir?"

McBroom: "Well, I haven't asked for one before, Mr. Speaker, and... and I'm not going to do it now. I don't think there's a 116 votes there and I don't think you do either but just let it go."

Speaker Lechowicz: "I think there's 89 and it says 116. On this question, 116 'ayes', 9 'nays'....Jim Von Boeckman wants to be recorded as 'aye'....117 'ayes', 9.....'nays', 37 recorded as 'present'. This Bill, having received the Constitutional Majority, hereby declared passed."



Speaker Lechowicz: "...Okay. House Bill 2932. Who's handling that for Elementary and Secondary Education? John Sharp. Out of the record. Representative Jim... Representative Houlihan, he asked leave to ...before...on House Bill 3010, 3202 and 3117. And I'd like to get back to those Bills at this time. House Bill 3010. Yeah. We're going to get there in a minute. 3010. Dan Houlihan."

Clerk O'Brien: "House Bill 3010, a Bill for an Act to provide for the registration of container trade marks, Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Dan Houlihan."

Houlihan D.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House.

House Bill 3010 would enact what is entitled the Registered Container Trade Mark Act. Excuse me for just a moment. Would enact the Registered...."

Speaker Lechowicz: "Excuse me for a second, Dan. Representative Art Telcser. All right. Please proceed. Representative Dan Houlihan, on 3010."

Houlihan, D.: "House Bill 3010 would enact the Registered Container Trade Mark Act to provide for registration of trade marks used on containers as defined under the Act. Registration with the Secretary of State's Office. And one so registered would provide a civil remedy...for misuse or misappropriation of these containers...a civil remedy in the owner, which could be enforced in the Circuit Court of the particular county where the misuse or misappropriation has taken place. By way of background, Ladies and Gentlemen, first of all the term container, as defined in the Act, is limited, specifically limited, to those containers which are intended, in the normal course of business, to be returned from the retailer back to the distributor or manufacturer. The problem that the Bill seeks to address is particularly prevalent in the milk and juice industries of this state. The legislation here is similar to that which has been enacted in some 42 other states and is similar, specifically, to legislation in all of our boarder states. The problem, as far as what presently exists, is the fact that the only civil remedy which is available is one of common law bailment. Because of the common law bailment relationship, only a replevin action is the appropriate civil proceeding. It is simply too cumbersome with the requirement of bonding, et cetera...et cetera.



The rationale for the Bill...or the impetus for the Bill, rather, comes about because of what are apparently staggering losses in the milk and juice industry, of their cases and crates which are intended to be returned back to the manufacturer. In 1976 these losses for three of the major dairies in the Chicago area amounted to approximately 700 thousand dollars...and they have experienced the same rate of loss in 1977 and in the first part of 1978. Essentially, what the Bill does is to provide a civil...a civil remedy which may be enforced by the manufacturer for the return of their merchandise. I would ask for your favorable consideration."

SPEAKER REDMOND IN CHAIR.....

Speaker Redmond: "Any discussion? Representative Bowman."

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

Speaker Redmond: "He indicates he will."

Bowman: "Representative Houlihan, I understand your purpose, but you know, a lot of people keep old milk containers for home use. Wouldn't this prevent that? Would they be guilty of an offense under your Bill?"

Houlihan, D.: "No, it would not. The Bill, as amended, is specifically restricted to containers which are intended for the ordinary...in the ordinary course of business to be returned from the retailer back to the distributor or manufacturer."

Bowman: "Well..."

Houlihan, D. " "The reason for that Amendment was to eliminate the concern you just expressed."

Bowman: "Wait a minute. Let me look at my Calender. How many Amendments are on there? I only have one. One and two..."

Clerk O'Brien: "It was a floor Amendment..."

Bowman: "Got it. Okay. All right."

Speaker Redmond: "Anything further? The question is, shall this Bill pass? Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 160 'aye', and 1 'no', and the Bill having received the Constitutional Majority is hereby declared passed. 3202..."



Speaker Redmond: "...3202.

Clerk O'Brien: "House Bill 3202, a Bill for an Act to amend Sections of the Fair Employment Practice Act, Third Reading of the Bill."

Speaker Redmond: "Representative Dan Houlihan."

Houlihan, D.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 30...202...is a companion measure to a Bill which passed the House yesterday, which was House Bill 2875. What the Bill would do would be to amend the Fair Employment Practices Act and by way of background the rationale for this Bill is the same as the legislation which we passed yesterday and that was a relatively recent decision of the Illinois Supreme Court in the case of Springfield-Sangamon County Regional Planning Commission versus the FEPC. The Act, as presently structured, provides for an agreed party, who is claiming an unfair or a discriminatory practice, to bring a charge before the Commission within 180 days subsequent to the date of the alleged...occurrence. The Fair Employment Practices Commission had determined that that was a directory and not a mandatory provision. The Illinois Supreme Court, in the case that I have cited, determined that that was indeed mandatory and was jurisdictional. Now, in consequence, there have been a great number of pending cases which have been affected by that decision. And through the best information that I have it's approximately some 34 hundred charges...which now, as a result of that decision, will be beyond the jurisdiction of the Fair Employment Practices Commission. In consequence, what this Bill does is to provide for those persons prior to March 30, 1978, who had filed a charge within the applicable time provisions under the Act with the Fair Employment Practices Commission, that they would have a civil remedy in the Circuit Court of the county where the alleged unfair practice had occurred. It also provides, ...if successful in the civil proceeding, that they would be compensated for their reasonable costs and their attorney's fees. It would also provide that the notice of this...right, to the effected parties, would have to be brought to the attention of such parties by the Fair Employment Practices Commission and the notice would have to be mailed as soon as practical subsequent to the effective date of the Act. As far as what



substantive law should apply to prove discrimination in these cases, the court should simply apply the elements, presumptions and standards approved which the FEPC would have applied had these cases been timely disposed of by the Commission. It does not grant new rights to these people who file charges of discrimination prior to March 30, 1978. Rather, what it does do is to provide a form for the resolution of these parties as far as the aggrievement that they seek to resolve. That is the background of the Bill and I'd be happy to answer whatever questions you may have."

Speaker Redmond: "Representative James Houlihan."

Houlihan, J.: "Will the Gentleman yield for a question?"

Speaker Redmond: "He will."

Houlihan, J.: "Dan, ...two things. Wouldn't this put a more stringent burden upon the particular individual who felt that they were offended and that they would have to prove it in court? Wouldn't it be more difficult for them to follow that remedy?"

Houlihan, D.: "No, Jim, I don't think it would. I think that what it provides is a remedy. Right now, as a result of this decision, these people have no remedy and it's not their fault. It's a twofold fault if you will. One of which was created because of the great deal of backlog. And second, by the fact that what the Commission apparently had always regarded as directory provision, to coordinate a jurisdictional provision."

Houlihan, J.: "I understand that but wouldn't going into the court be a little more difficult in terms of access to legal counsel and fees and burdens of proof and..."

Houlihan, D.: "We have provided, by way of an Amendment, that reasonable costs and attorney's fees would be awarded to a petitioner, under this civil remedy that would be provided, if he were successful in ... case."

Houlihan, J.: "If he were successful?"

Houlihan, D.: "Now, as far as making it more difficult for 'em I suppose that, to a certain extent, it will be because you will not be dealing with the Commission, which is first, in this type of alleged discrimination. Rather, you'd be dealing with a court of law. But it happens



to be the only logical remedy available to...to correct, really, what is a deep inequity."

Houlihan, J.: "Except...wouldn't there be additional remedy that this is not finally resolved, the particular case which would disenfranchise those people situated in that...this class. That's not finally resolved at this point, is it?"

Houlihan, D.: "I'm not quite sure I understand what you mean."

Houlihan, J.: "I am under the impression that there's some litigation pending or some appeal pending which makes this Supreme Court decision not final. And, secondly, that it doesn't necessarily extend to all of the cases. It may have impact on a large number of them but not necessarily all of them."

Houlihan, D.: "Jim, I'm under the impression that there has been a petition for rehearing filed in the case, that has not been acted upon as yet. The approximation though, of some 34 hundred cases, comes from the Commission itself."

Houlihan, J.: "Yes, but I spoke with the legal counsel for the Commission and they had some feeling that there would be some ..in that large category that would not be affected by this particular decision if it was very strictly interpreted. And in our hearings in the Appropriation Committee, and afterwards, I suggested to them that they might pursue bringing those cases and examining those cases and bringing them up to the point where they might be able to issue a complaint so that that might take some of the burden off of the individual who ...felt that he was grieved..that he or she was grieved. And I wonder if they couldn't with this legislation, still pursue that course of action?"

Houlihan, D.: "Well, there wouldn't be a prohibition on it but obviously the intent of it would be that you were not to create a duplicate remedy. That this is an alternative and the ones who would be eligible for it would be those who have been denied their right, you know, under what is the existing law as far as the FEPC. I would point out, of course, that the Commission does support this Bill."

Houlihan, J.: "I understand, Representative Houlihan, I just didn't want the other alternatives to be precluded and I don't think this does and I would speak in favor of this particular remedy. I don't think,



necessarily, it's the one that has to be followed by every case there. I think there may be other avenues open to the Commission, but I think this is an excellent approach and solves, at least, a certain portion of the problems. I would urge your support for House Bill 3202."

Speaker Redmond: "Representative Schlickman. Schlickman."

Schlickman: "Thank you, old friend and good buddy. Would the Sponsor yield?"

Speaker Redmond: "He will."

Schlickman: "This Bill, as amended, provides that a complainant who seeks judicial release and prevails will have the opportunity to petition for costs and reasonable attorney's fees. Is that correct?"

Houlihan, D.: "Yes, it would be discretionary with the courts. And it is so stated that the courts may award such person costs and reasonable attorney's fees."

Schlickman: "But the Bill, as amended, does not provide that if a respondent prevails that the respondent could petition for costs and reasonable attorney's fees. And I simply ask you, where's the equity?"

Houlihan, D.: "It's a question, I suppose, of ...philosophical approach on the Bill."

Schlickman: "Many...?"

Houlihan, D.: "Many. Substantially all of the persons who....experiences demonstrated...would be bringing such charges. Persons without adequate funds to normally engage counsel. To do the necessary investigative work that a case of this nature entails. Most of the respondents will be, generally speaking at least will be, corporate dependents. And ...would feel, frankly, that if you were to put a provision in there for a respondent to be entitled to the same costs and reasonable attorney's fees, that what you, in effect, would be creating would be a chilling effect on these type of petitioners. And in view of the fact that there is an inequity which has been created, not by their faults at all, it was felt that as far as imposing the obligation for attorney's fees, it was my feeling to restrict it solely to petitioners."

Schlickman: "May I speak to the Bill, Mr. Speaker? ...Old friend and buddy, can I speak to the Bill?"



Speaker Redmond: "Proceed."

Schlickman: "Thank you. Mr. Speaker and Members of the House, the Bill, as it was described by the Sponsor, I think is a good Bill and I think it is meritorious; but when you refer to the Amendment which of course is a part of the Bill, you have what I consider to be a debilita.... debilitating effect, one that operates on the assumption that the respondent has the ability to pay while the petitioner does not. I know, Mr. Speaker and Members of the House, that there are many employers, operating in good faith, who do not have the financial resources by which to cope with, to respond to, this kind of litigation. I respectfully suggest, Mr. Speaker and Members of the House, that we acknowledge what the Sponsor said that there is a philosophical issue here and one that, I think, ought to be addressed at this time. Hopefully, because of this Amendment, the Bill would not secure the 89 votes for passage, would receive 70 but less than 89 so that it could be brought back to Second Reading and this inequitable Amendment could be removed. As a consequence, I urge either a 'no' or a 'present' vote."

Speaker Redmond: "Representative Darrow....Representative Davis..."

Davis, C.: "Mr. Speaker and Ladies and Gentlemen of the House, most of you know that FEPC, Fair Employment Practice, represents 20 years of my life in this General Assembly. You ask where the equity is, through no fault of their own, through our fault, because we didn't have proper staff, we did not provide the money for proper staff, we did not have the investigators. The Federal Government, under the Dirksen Amendment, you know they send their cases in here. With all of those cases piled upon them and the Federal Government has a matching fund that they...that they pay for each one of those cases...With all of those cases piled up, some 3000 or more cases accumulated. The equity is they were denied their right to the hearings because of no fault of their own. And the equity in this Amendment is they will be given their day in court. Thank God for that. And when given that day in court, having been denied the right, through no fault of their own, I think it's only right and just that the attorney fees be provided for. I don't think we're doing anything that's unjust. I



think it's all equitable. Now you can't plead laches on their part. They did not delay. They filed the charges and if there is laches it was our fault. If there was delay, it was our fault. Now this will give them their day in court and through no fault of their own I think it's all equitable that they be rewarded if they ...if the suit is prosecuted. And if they win they should be rewarded with attorney fees. I support this Bill and this Amendment...wholeheartedly."

Speaker Redmond: "Representative Stearney."

Stearney: "Would the Gentleman yield?"

Speaker Redmond: "He will."

Stearney: "The petitioner, would that be the individual himself or the FEPC?"

Houlihan, D.: "That would be the individual himself."

Stearney: "Okay. Well, my question is this, wouldn't we be encouraging litigation by imposing fees on the respondent if the petitioner is successful?"

Houlihan, D.: "No. We would not be. Attorney's fees would be awarded only if the petitioner were successful. The provision that we have embodied here, by way of an Amendment, and what Representative Schlickman was critical of, and I'm sorry I didn't have this information in responding to his question, was that this is the identical provision which exists as far as a federal claim ...or the claim of discrimination under Title VII of the Federal Civil Rights Act. So that if the.... petitioner there were to bring a proceeding ...excuse me, Marco, ... were to bring a proceeding in the United States District Court, the law presently provides there - the comparable federal law provides - that a successful petitioner will be awarded costs and reasonable attorney's fees. So this is not a unique or an unusual provision. It is rather a comparable one to one that is already existent in federal law."

Stearney: "Well, Representative, aside from what the federal...what they do under the federal system, which I don't think we should always try to emulate. My question is this, if the attorney's fees could be awarded against the petitioner, if he were unsuccessful, wouldn't... in that instance, cause all petitioners to be a bit more cautious in



what issues they...what claims they do file against the respondents?"

Houlihan, D.: "I think I responded to that in responding to Representative Schlickman. It is a philosophical ... determination, what we have to be concerned about here that if we were to impose that kind of a sanction against a petitioner, it would have an absolutely chilling effect as far as petitioners seeking a remedy. Now this is going to be limited only to those parties who had filed a charge with the Fair Employment Practices Commission prior to March 30, 1978. So, Ron, what we have here is a very limited class of people, relatively speaking. I think that your apprehension should be alleviated by the fact that it does relate solely to a limited class."

Stearney: "Well, Mr. Speaker, in addressing myself to the question..."

Speaker Redmond: "Proceed."

Stearney: "...I would first say that we should not carry over this concept of chilling effect into this area of the law where we're going to be litigating private claims. My concern is this that what we're going to be doing is imposing a greater hardship upon corporate defendants more so than they have now. I don't think that we should be awarding attorney's fees to successful petitioners in this case when on the other hand we would not award attorney's fees to the respondent if he happened to be successful. I think there are sufficient sanctions against a respondent, namely a businessman, be it corporate... corporation or otherwise, without imposing new sanctions upon him which are going to be altogether more and more onerous than we have now. I don't believe that this here provision, in awarding attorney's fees, is fair. I think the Bill should be defeated, it should be brought back to Second Reading and that provision should be eliminated. There's no reason carrying over, into our concept into state law, what they may be doing on a federal level. I don't believe that it's altogether right what they do on the federal level, and so for that reason we shouldn't carry-over or try to emulate everything that they are doing. This Bill should be defeated. Thank you."

Speaker Redmond: "Representative Darrow."

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

Speaker Redmond: "The question is, shall the main question be put? Those



in favor say 'aye', 'aye'; opposed 'no'. The 'ayes' have it, the motion carries. Representative Dan Houlihan to close."

Houlihan, D.: "Thank you, Mr. Speaker. Based on the criticisms, as expressed by the two Members from the other side of the aisle, there does not appear to be a criticism to the Bill, as such, which is intended to provide a remedy to persons who have been stripped of their remedy under the existing law. Their concern, I think, is alleviated by the fact that this is limited to a relatively small class of persons. I suggest that if we are going to realistically provide a remedy, then we must include reasonable costs and attorney's fees and we have limited that only to successful petitioners. This is a very necessary Bill and it addresses what is a real inequity in this state as far as these pending cases are concerned and I would ask for your favorable vote.

Speaker Redmond: "The question is, shall this Bill pass? Those in favor vote 'aye', opposed vote 'no'. Representative Johnson, to explain his vote. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 110 'aye' and 28 'no'; the Bill having received the Constitutional Majority is hereby declared passed. 3117."



Speaker Redmond: "...3117."

Clerk O'Brien: "House Bill 3117, a Bill for an Act relating to foreclosures of demolition liens by units of local government, Third Reading of the Bill."

Speaker Redmond: "Representative Dan Houlihan."

Houlihan, D. : "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3117 is a Bill which now in its amended form is, as I understand it, agreed to by those who did have some concern, particularly Representative Mahar. What it would provide is that those counties and municipalities where they seek to...where there has been a lien for demolition placed against property within the county or municipality, and that county or municipality forecloses the lien, that there will be an extinguishment of outstanding taxes so that the county or the municipality, in transferring titles, will transfer it free and clear of all outstanding taxes. Now it does not relieve the prior owner of tax liability. It does prevent such owner from reacquiring, in a public bid, that property, for a period of ten years, however it would provide that in reacquiring they are still subject to the outstanding prior liability that had been incurred against the property. I know of no opposition to the Bill. I'll be happy to answer whatever questions you may have. I would ask for a favorable vote."

Speaker Redmond: "Is there any discussion? The question is, shall this Bill pass? Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this question there's 157 'aye' and no 'nay', and the Bill having received the Constitutional Majority is hereby declared passed. On the Order of House Bill, Second Reading, First Legislative Day, Representative Reilly. Okay. 3380."

Reilly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First, I've cleared this with both sides....the Leadership on both sides of the aisle, I would move to suspend the appropriate rule to bring this Bill to Second Reading, Second Legislative Day."

Speaker Redmond: "Is there any objection? Hearing no objection, the Attendance Roll Call will be used in support of the Gentleman's



motion. And House Bill 3380 will be put on the Order of Second Reading, Second Legislative Day. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3380, a Bill for an Act to amend Sections of an Act to provide for the ordinary and contingent expense of the Department of Transportation, Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Tipsword, amends House Bill 3380, on page one, line one, and so forth."

Speaker Redmond: "Representative Tipsword."

Tipsword: "Mr. Speaker and Ladies and Gentlemen, this Bill amends the monies for the pupil ...the special rate that is provided for students in the various Transportation Districts throughout the state, adding a figure of one million, 300 thousand dollars supplemental to that because it showed that there is going to be that much of a loss in that area...pupil transportation, in the State of Illinois. For the elderly transportation, it provides a figure of 500 thousand dollars in addition, in supplemental funds, for the increased amount of elderly fees that will be provided during this current year."

Speaker Redmond: "Representative Skinner."

Skinner: "Would I be correct in smelling a 'potload' of money going to the RTA? And if so, how much?"

Tipsword: "On the Chicago Transit Authority, it would receive approximately one million dollars in pupil fees. The exact figure on the elderly I cannot give to you. Each and every transit district in the state will share...rateably' on this."

Skinner: "Let us concentrate on the students. It's one million to the CTA, and how much for the whole rest of the state?"

Tipsword: "That would be...that is what they estimate would be the amount. No one knows the exact amount until they know how many students that they actually going to be transporting. ...Believe that this is on the basis of what they have done so far on their projections. That is what it indicated both by the Department of Transportation and by the CTA, and by the Illinois Public Transit Association."



Skinner: "And how much is allocated for students state-wide?"

Tipsword: "A million, 300 thousand."

Skinner: "Well, that sounds fair, doesn't it, colleagues? One million for Chicago, 300 thousand dollars for the rest of the state."

Tipsword: "Well, it so happens that's the way the Legislation that you heretofore passed works out."

Skinner: "I didn't heretofore pass it, you heretofore passed it. It seems to me that the Regional Transportation Authority is...in getting over 300 million dollars a year in operating subsidies ought to have enough. This is a pothole which does not need filling. I would suggest that we vote 'no'."

Speaker Redmond: "Representative Van Duynes."

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

Speaker Redmond: "He will."

Van Duynes: "Tipsword, or somebody else, could you explain how these youths get to school now? Do they pay a reduction in rates..."

Tipsword: "They pay a reduced charge upon the Transit Authorities through the State of Illinois, that provides this reduced fare, and then the state, by our legislation, makes up the balance of that reduced fare."

Van Duynes: "Okay. If you can explain it just a little bit further. How do you arrive at the one million? Is it a penny, is it a dime or..."

Tipsword: "It is on the basis of students that are transported by the Transportation District. And this is the estimated shortfall for 1978, on the pupil transportation and the elderly transportation, which we have provided by our legislation, that it can be a reduced half fare, and half of that fare is then picked up by the State of Illinois. This is the shortfall that is expected on the basis of their current available estimates, both in the Department of Transportation and by the Illinois Public Transit Association."

Van Duynes: "Then they've already ridden the buses or the trains or whatever?"

Tipsword: "They will be riding the buses through the entire year, until the year is over with."

Speaker Redmond: "Representative....Anything further? Representative



Pullen. Representative Hudson, will you please sit down?"

Pullen: "Will the Sponsor yield for a question?"

Speaker Redmond: "Representative Hudson, please sit down."

Pullen: "Will the Sponsor yield, Mr. Speaker?"

Speaker Redmond: "He will."

Pullen: "If the funds, in this Amendment, do not prove to be sufficient, is there any provision for a pro rata share of the funds?"

Tipsword: "If we fail at any time to provide sufficient funds, each transit district ratably shares in that loss."

Pullen: "Would you repeat that, please? I couldn't hear you."

Tipsword: "If we fail in our appropriation, to provide adequate funds to pay for all of either the elderly or the student transportation costs that we have ...mandated for these districts throughout the State of Illinois, then each of the districts shares ratably in the loss...in the shortfall that we fail to provide money for."

Pullen: "Where is that provided...in law?"

Tipsword: "It's provided in the statute that enacts the elderly and the student transportation reduced fares."

Pullen: "Thank you."

Speaker Redmond: "Anything further? Representative Madigan."

Madigan: "Question of the Sponsor."

Speaker Redmond: "Proceed."

Madigan: "Who caused this Amendment to be prepared?"

Tipsword: "This Amendment was requested by the Illinois Public Transit Association."

Madigan: "Is that a downstate public transit association?"

Tipsword: "The Illinois Public Transit Association is the association of downstate transit districts. They are located in Champaign, Illinois. In fact I just talked this afternoon with Miss Anna Elrick, of that Association."

Speaker Redmond: "Anything further? Representative Reilly?"

Reilly: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this is my Bill, House Bill 3380. I have to oppose the Amendment, though I have no particular argument with what Representative Tipsword is trying to do, for two reasons. First of all this takes the money from the



Road Fund, which is already short, in fact that's part of the reason that we're having this transfer Bill. But the second reason and probably the most important one; this Bill is a fund transfer so that the Department of Transportation can meet its June payroll. I want this Bill kept clean, not because I particularly argue with Representative Tipsword, but because we've got to get this Bill to the Governor's Desk so that we can get the paychecks out in the month of June. I've had Members from the other side of the aisle coming to me all day asking me to move this Bill so that we can get going on it. As I say, I think this Amendment would just delay the Bill. I would oppose the Amendment both because we can't afford it and because we want to keep this a clean Bill, that we don't cloud the issue of getting the paychecks out on time. We face a June 1 deadline."

Speaker Redmond: "Fine. Representative Lucco."

Lucco: "Yes, thank you, Mr. Speaker. A question of the Sponsor?"

Speaker Redmond: "Proceed."

Lucco: "Representative Tipsword, just for my own clarification and really edification, how would you compare the cost for a pupil...of the Transit transported student, as compared with the cost of transportation on the regular school buses, per month or per year? I'm not opposing the Amendment, I really just wondered if you had a relationship there."

Tipsword: "I regret, I don't have that kind of a comparison figure for you."

Speaker Redmond: "Anything further? Representative Ewing? The question is on the Gentleman's motion to adopt Amendment #1 to House Bill 3380. Those in favor say 'aye', opposed 'no'. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this question....Representative Skinner."

Skinner: "I won't call for a verification if you'll get us out of here in 5 minutes."

Speaker Redmond: "Trust me."

Skinner: "Again?"

Speaker Redmond: "Representative Reilly?....Declare the motion carried, the Amendment is adopted. Now, Representative Reilly."



Reilly: "Oh, no! I regretfully have to ask for a verification on this Roll."

Speaker Redmond: "Representative Tipsword has requested a poll of the absentees. All bets are off, Representative Skinner. That's why it's hard to give your word. Representative Jack Davis."

Davis, J.: "Mr. Speaker, I think it's fairly obvious from looking around the room there's not 153 people here. Perhaps we could just dump it and go again with a clean Roll Call?"

Speaker Redmond: "Representative Tipsword?"

Tipsword: "Poll the absentees."

Speaker Redmond: "The Gentleman has requested a poll of the absentees."

Clerk O'Brien: "Jane Barnes, Breslin, Collins, Ebbesen, Flinn, Friedrich, Gaines, Hoffman, Klosak, Kucharski, Laurino, Madison, Lynn Martin, Mautino, McAuliffe, McCourt, McMaster, Meyer, ..."

Speaker Redmond: "Representative Meyer,.....'no'."

Clerk O'Brien: "Molloy, Murphy, Pechous, Richmond, ..."

Speaker Redmond: "Representative Murphy?....'Aye'."

Clerk O'Brien: "Richmond, Stearney, ..."

Speaker Redmond: "Representative Stearney, ...Stearney, 'no'. ...and Willer...Representative Madigan?"

Madigan: "May I be verified 'aye'?"

Speaker Redmond: "May he be verified 'aye'? No objections. Proceed. Verify the Affirmative Roll Call."

Clerk O'Brien: "Abramson, ..."

Speaker Redmond: "Representative Reilly?"

Reilly: "I withdraw my request."

Speaker Redmond: "The Gentleman has withdrawn his request. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Supplemental Calendar. Order of Motions. House Bill 1773. Representative Vinson."

Vinson: "I move that we discharge the Committee on Personnel and Pensions, House Bill 1773 and move it to Second Reading, Second Legislative Day."

Speaker Redmond: "Representative Houlihan?"



Houlihan, D.: "I support the motion, Mr. Speaker."

Speaker Redmond: "Is there any question. Representative Skinner wants to know what it's about. The question is on the Gentleman's motion to discharge House Bill 1773, discharge Personnel and Pensions, and advance to the Order of Second Reading. Are there any objections? Representative Skinner?"

Skinner: "Why, I certainly think that the Body deserves to know that it does nothing more than repeal the Personnel Code."

Speaker Redmond: "Representative Vinson."

Vinson: "I have an Amendment, Mr. Skinner, which we discussed the other day, which was adopted on another Bill the other day, and we can adopt it on this Bill. The Bill will not be in the form it's in now."

Speaker Redmond: "Is there any objections? Leave to use the Attendance Roll Call in support of the motion? Leave is granted. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1773, a Bill for an Act to amend the Personnel Code, Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #1, Vinson-McClain, amends House Bill 1773, on page one, by deleting line 1 and 2 and so forth."

Speaker Redmond: "Representative Vinson."

Vinson: "The Amendment, Mr. Speaker, essentially does the same thing that the Amendment we adopted to 2753, the other day, did. It deals with making a bureaucracy more responsive to the Legislature, the Governor and the people it's supposed to serve. I urge its adoption."

Speaker Redmond: "What do you want to do now? Representative Dan Houlihan."

Houlihan: "I support the Amendment, Mr. Speaker...and would urge the Members to give Representative Vinson a vote."

Speaker Redmond: "The question is on the Gentleman's motion for the adoption of Amendment #1. Those in favor say 'aye', 'aye', opposed 'no'. The 'ayes' have it, the motion carried, the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Representative James Houlihan is



recognized."

Houlihan, J.: "Mr. Speaker, I would like to move to suspend the appropriate rule, it's been cleared with the Leadership on both sides of the aisle, to set a special order of business tomorrow at 3 o'clock, to consider the Governor's Executive Order. Representative Stiehl, who is the Minority Spokesperson on the Committee on Government Organization, is in agreement. I don't believe there is any objections to this. The Committee Resolution is filed. The report will be on your desks in the morning."

Speaker Redmond: "Representative Stiehl."

Stiehl, C.M.: "Thank you, Mr. Speaker. I concur with this motion."

Speaker Redmond: "The question is on the Gentleman's .... I hear noises but I don't see anyone. Representative Byers? Representative Bradley? Bradley?"

Bradley: "Mr. Speaker, Ladies and Gentlemen of the House, evidently my question has been answered by the Sponsor, but with the deadline coming up Friday, I'm wondering if we could set a time limit on it if we meet at 3 o'clock, let's... you know, will the Sponsor of the motion set some kind of a time limit, so all of the Bills..."

Speaker Redmond: "According to the rules, the Speaker sets the time limit."

Bradley: "Well, would you set a time limit on the length of time we can go, because there are people waiting for Bills to be called..."

Speaker Redmond: "Will do.... The question is on the Gentleman's motion to suspend the notice requirement for special order of business. Is there any objection to the motion? Hearing no objection, we'll use the Attendance Roll Call in support of the motion. The motion carries. Representative Dan Houlihan. .... The special order will be tomorrow at 3 o'clock and it will come to a close at 3:10. Representative Dan Houlihan."

Houlihan, D.: "Does the Clerk need time?"

Clerk O'Brien: "Two minutes."

Houlihan, D.: "Mr. Speaker, I move that the House stand adjourned until 10 o'clock tomorrow morning, with leave for the Clerk to have a Perfunctory Session of what...two minutes for the Clerk's purposes."

Speaker Redmond: "What time is it, Mr. Clerk?"



Clerk O'Brien: "The time is one minute after 7:00 p.m."

Speaker Redmond: "The question is on the Gentleman's motion. Those in favor say 'aye', 'aye', opposed 'no'. The 'ayes' have it, the motion carries. We stand adjourned until 10 o'clock. We were within one minute of the promise and that's on account of ... Representative Reilly had a talk with Representative Ryan."

Perfunctory.....

Clerk O'Brien: "Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House in adoption of the following Joint Resolution, to wit: House Joint Resolution #52, concurred in by the Senate, May 24, 1978, Kenneth Wright, Secretary. Introduction, First Reading of Bills. House Bill 3399, Polk, a Bill for an Act to amend Sections of the Illinois Blood Bank Act, First Reading of the Bill. Senate Bills, First Reading. Senate Bill 1186, Hudson, a Bill for an Act to amend an Act relating to Water Service Districts, First Reading of the Bill. Senate Bill 1442, Griesheimer, a Bill for an Act making appropriation to the Capital Development Board, First Reading of the Bill. Senate Bill 1470, Holewinski, a Bill for an Act to provide for the ordinary and contingent expense of the Commission on Children, First Reading of the Bill. Senate Bill 1591, DiPrima, a Bill for an Act to provide for the ordinary and contingent expense of the Department of Veteran's Affairs, First Reading of the Bill. Senate Bill 1710, Van Duyne-Mudd-Stuffle, a Bill for an Act to make an appropriation to the Capital Development Board, First Reading of the Bill. Senate Bill 1749, Madigan-Ryan, a Bill for an Act ceding concurrent jurisdiction to the United States over the United States Courthouse Annex and Parking Facility in Chicago, Illinois, First Reading of the Bill. Senate Bill 1852, Ewing, a Bill for an Act to amend the Revenue Act, First Reading of the Bill. No further business, the House now stands adjourned."



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
1.	10:00	Speaker Redmond	House to order
		Reverend Krueger	Prayer
		Speaker Redmond	Roll Call; SB's First Reading
		Clerk O'Brien	
		Speaker Redmond	Agreed Resolutions
		Clerk O'Brien	
		Speaker Redmond	
		Giorgi	Reads Resolutions
2.		Speaker Redmond	Resolution adopted Committee on Assign.....SJR Order of Speaker's Table
		Narduli	HR #14
		Speaker Redmond	
3.		Houlihan, J.	
		Speaker Redmond	Resolution adopted
		Chapman	HR-760
		Speaker Redmond	Resolution adopted
		Walsh, Wm.	
		Speaker Redmond	
		Chapman )	
		Walsh, Wm. )	
4.		Speaker Redmond	
		Dyer	HR 268
		Speaker Redmond	
5.		Boucek )	Question
	10:18	Dyer )	
6.		Walsh, Wm.	
		Speaker Redmond	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Ewing ) )	Question
		Dyer )	
7.		Speaker Redmond	
		Dunn, J. ) )	Question
		Dyer )	
		Speaker Redmond	
8.		Hudson ) )	
		Dyer )	
9.		Speaker Redmond	
		Deuster	
		Speaker Redmond	
10.		Macdonald	Urge 'yes' vote.
		Speaker Redmond	
		Chapman	
		Speaker Redmond	
11.		Dyer	To close
		Speaker Redmond	
	10:35	Yourell	
12.		Speaker Redmond	Resolution adopted
		Clerk O'Brien	HB-2808, Third Reading
		Speaker Redmond	
		Epton	
13.		Speaker Redmond	Passed
		Clerk Hall	HB-2772, Third Reading
		Speaker Redmond	
		Hart	
		Speaker Redmond	



3.

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
14.		Ewing ) ) Hart )	Question
		Speaker Redmond	
		Leinenweber	
15.		Speaker Redmond	
		Hart	to close
		Speaker Redmond	Passed
		Clerk O'Brien	HB-2604, Third Reading
		Speaker Redmond	
		Leinenweber	
16.		Speaker Redmond	
17.		Geo-Karis )	Questions
		)	
18.		Leinenweber )	
	10:52	Speaker Redmond	HB-2604...Passed
		Waddell	Introduction
19.		Clerk O'Brien	
		Speaker Redmond	
		Polk	
		Speaker Redmond	
		Bradley	
		Speaker Redmond	
		Mann	Point of personal privilege
		Speaker Redmond	
		Clerk O'Brien	HB-2663, Third Reading
		Speaker Redmond	
20.		Bradley	
		Speaker Redmond	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	4.
		Brady )	Question	
		)		
		Bradley )		
		Speaker Redmond		
21.		Tuerk )	Yield	
		)		
		Bradley )		
		Speaker Redmond		
		Mahar	Question	
		Bradley		
22.		Speaker Redmond		
	11:01	Madigan	Support	
		Speaker Redmond		
23.		Ewing )	Yield	
		)		
		Bradley )		
		Speaker Redmond		
24.		Skinner )	Question	
		)		
25.		Bradley )		
		Speaker Redmond		
		Mudd		
26.		Speaker Redmond		
		Darrow	Moves previous question	
		Speaker Redmond		
		Bradley	to close	
		Speaker Redmond		
		Walsh, Wm.	Explain vote	
27.		Speaker Redmond		
		Ewing		
		Speaker Redmond	HB-2663...Passed	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Clerk O'Brien	HB-2626, Third Reading
28.		Speaker Redmond ) ) Ebbesen )	
		Speaker Redmond	
		Hanahan	
29.		Speaker Redmond	
30.		Tuerk	Yield
	11:25	Ebbesen	
		Speaker Redmond	
31.		Ryan	Introduction
		Speaker Redmond	
		Tipsword	
		Speaker Redmond	
32.		Kosinski	Question
		Ebbesen	
		Speaker Redmond	
		Leverenz	Moves previous question
		Speaker Redmond	
		Ebbesen	to close
		Speaker Redmond	
		Katz	'No'
33.		Speaker Redmond	
		Marovitz	
		Speaker Redmond	
		Ebbesen	
34.		Speaker Redmond	
		Geo-Karis	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	6.
		Speaker Redmond	HB-2626	
		Ebbesen	Poll absentees	
		Speaker Redmond		
	11:35	Marovitz	Possible verification	
35.		Clerk O'Brien	Polls absentees	
		Speaker Redmond		
		Ewing	Change to 'yes'	
		Speaker Redmond		
		Tipsword	'yes'	
		Speaker Redmond		
		Winchester	'aye'	
		Speaker Redmond		
		Christensen	'aye'	
		Speaker Redmond		
		Abramson	Change to 'aye'	
36.		Speaker Redmond	100 'ayes', 45 'noes'	
		Marovitz	Withdraw verification	
		Speaker Redmond	Passed	
		Clerk O'Brien	HB-3225, Third Reading	
		Speaker Redmond		
		Macdonald		
37.		Speaker Redmond		
		Hanahan	'Against'	
38.		Speaker Redmond		
		Geo-Karis		
	11:45	Speaker Redmond		
		Flinn	Supports	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
39.		Speaker Redmond	HB-3225.....Passed
		Houlihan, J.	Leave to be recorded 'aye'
		Speaker Redmond	
		Clerk O'Brien	HB-3113, Third Reading
		Speaker Redmond	
		Yourell	
		Speaker Redmond	
40.		Telcser	
		Speaker Redmond	
41.		Bluthardt )	Yield
		)	
		Yourell )	
		Speaker Redmond	
42.		Leinenweber )	Yield
		)	
43.		Yourell )	
		Speaker Redmond	
		Walsh, Wm.	
		Speaker Redmond	
44.		Pullen	
		Speaker Redmond	
		Daniels )	Yield
		)	
45.		Yourell )	
46.		Speaker Redmond	
	12:03	Mulcahey	Moves previous question
		Speaker Redmond	
		Yourell	
47.		Speaker Redmond	HB-3113
		Conti	Vote 'no'.



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
48.		Speaker Redmond	
		Bowman	Votes 'no'.
		Speaker Redmond	
		Kane	Vote 'no'
		Speaker Redmond	
49.		Martin, L.	Recommends 'yes' vote
		Speaker Redmond	HB-3113
		Ryan	Verification
		Speaker Redmond	
		Clerk O'Brien	Polls absentees
		Speaker Redmond	
		Keats	Change to 'nay'
		Speaker Redmond	
		Clerk O'Brien	Affirm. Roll Call
		Speaker Redmond	
		Getty	Leave to be verified
		Speaker Redmond	
50.		Clerk O'Brien	Continues
		REPRESENTATIVE GIORGI IN CHAIR.....	
		Speaker Giorgi	
	12:20	Simms	Leave to be verified
		Speaker Giorgi	
		Deuster	Change to 'no'.
		Speaker Giorgi	
		Kucharski	yes to 'no'...
		Speaker Giorgi	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	9.
		Ryan	What's the count	
		Speaker Giorgi )	93 'ayes' 63 'noes'	
51.		Ryan )	Questions Affirm. Roll Call	
		Speaker Giorgi		
		McPike	Change to 'aye'	
		Speaker Giorgi		
52.		Ryan	Continues questions	
		Speaker Giorgi		
		Edgar	Change to 'no'.	
		Speaker Giorgi		
53.		Campbell	'Aye' to 'nay'...	
		Speaker Giorgi	Tally? 87 'aye'; 59 'nay' Asks Youerll if he wants to put it on Postponed Consideration	
		Clerk O'Brien		
		Levin	Change to 'aye'	
		Speaker Giorgi		
		Clerk O'Brien	Not voted...	
		Madison	Change to 'aye'	
		Speaker Giorgi		
		Clerk O'Brien	Recorded 'no'.	
		Mann	Change to 'aye'	
	2:28	Speaker Giorgi	90 'ayes'; 60 'noes'; HB-3113 passed	
54.		Clerk O'Brien	HB-2926, Third Reading	
		Speaker Giorgi		
		Capparelli		
		Speaker Giorgi		
		Terzich	Urges support	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	10.
		Speaker Giorgi		
55.		Mann ) ) Terzich )	Yield	
		Speaker Giorgi		
		Terzich		
		Speaker Giorgi		
56.		Mann	on Bill	
		Speaker Giorgi		
57.		Hoffman ) ) Terzich )	Question	
		Speaker Giorgi	HB-2926, Third Reading	
	12:35	Yourell	Announcement, introduction	
58.		Speaker Giorgi		
		Tipsword	Motion	
		Speaker Giorgi		
		Madison		
		Speaker Giorgi		
		Tipsword		
		Speaker Giorgi		
	12:40	Van Duyne		
		Speaker Giorgi		
		Geo-Karis		
		Speaker Giorgi		
		Kosinski	forgot the Bill	
59.		Speaker Giorgi		
60.		Madison ) ) Terzich )	Yield	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Speaker Giorgi	
		Beatty	Moves previous question
	12:45	Speaker Giorgi	
61.		Capparelli	to close on HB-2926
		Speaker Giorgi	
		Terzich	Explains vote 'supports'
		Speaker Giorgi	
62.		Houlihan	Explains vote 'supports'
		Speaker Giorgi	
		Capparelli	Postponed Consideration
		Speaker Girogi	
		Clerk O'Brien	Reads HB-3132, Third Reading
		Speaker Giorgi	
	12:50	Von Boeckman	Explains HB-3132
		Speaker Giorgi	
		Ryan )	Yield?
		)	
63.		Von Boeckman )	Discussion
		Speaker Giorgi	
		Mahar )	Yield? Supports
		)	
		Von Boeckman )	
		Speaker Giorgi	
		Kempiners )	Yield? Supports
		)	
		Von Boeckman )	Discussion
64.		Speaker Giorgi	
		Adams	Supports
		Speaker Giorgi	
		Neff	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	12.
		Speaker Redmond		
		Friedland	Moves previous question	
		Speaker Giorgi		
65.		Von Boeckman	To close on HB-3132	
	12:55	Speaker Giorgi	HB-3132 is passed	
		Clerk Hall	Reads HB-3135	
		Speaker Giorgi		
		Von Boeckman	Explains HB-3135	
		Speaker Giorgi		
66.		Conti	Personal Privilege	
		Speaker Giorgi		
		Skinner )	Question	
		)		
		Von Boeckman )		
		Speaker Giorgi		
		Von Boeckman	to close on HB-3135	
		Speaker Giorgi	HB-3135 is passed	
		Clerk O'Brien	reads HB-3147	
		Speaker Giorgi	TOOR	
		Harris	wants it called	
		Speaker Giorgi		
67.		Harris	Yields to Winchester	
		Speaker Giorgi		
		Winchester	Explains HB-3147	
	1:00	Speaker Giorgi		
		Rigney )	Yield?	
		)		
		Winchester )	Discussion	
68.		Speaker Giorgi		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Porter )	Yield?
69.		Winchester )	Discussion
		Speaker Giorgi	
		Totten	Opposes
		REPRESENTATIVE LECHOWICZ IN CHAIR.....	
		Speaker Lechowicz	
		Meyer	Supports
		Speaker Lechowicz	
		Winchester	Yields to Harris
70.		Speaker Lechowicz	
		Harris	to close on HB-3147
	1:10	Speaker Lechowicz	HB-3147 is passed
		Van Duynes	Introduction....Baseball
71.		Al McCowan	Superintendent Lockport H. S.
		Coach Bob Basarich	
		Van Duynes	
		Speaker Lechowicz	Back to order
72.		Clerk O'Brien	Reads HB-3190
		Houlihan, D.	Back to Second?
		Speaker Lechowicz	leave granted
		Houlihan	Table Amt. #3
		Speaker Lechowicz	Amt. #3 is tabled
		Clerk Hall	Reads Amt. #4
	1:15	Speaker Lechowicz	
73.		Houlihan, D.	<del>Explains Amt. #4</del>
		Speaker Lechowicz	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Totten	Point of order
		Speaker Lechowicz	
		Houlihan, D.	Withdraws request to table #4
		Speaker Lechowicz	
		Houlihan, D.	Explains Amt. #4
		Speaker Lechowicz	
74.		Daniels )	Yield? Opposes
		)	
		Houlihan, D.)	Discussion
75.	1:25	Speaker Lechowicz	
76.		Houlihan, D.	to close on Am. #4
77.		Speaker Lechowicz	Amt. #4 adopted, Third Reading
		Clerk Hall	Reads HB-3192
		Speaker Lechowicz	
		Giorgi	Explains HB-3192
		Speaker Lechowicz	
78.		Totten	
79.		Speaker Lechowicz	
		Martin, L.	Yield?
		Giorgi	
		Speaker Lechowicz	
80.	1:30	Matijevich	
		Speaker Lechowicz	
		Telcser	Verification
		Speaker Lechowicz	
		Houlihan, D.	Leave of House, etc. 3010, 3202, 3117
81.		Speaker Lechowicz	

Tape II



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	15.
		Clerk Hall	Rolls absentees, Affirmative Roll Call	
		Speaker Lechowicz		
82.		Telcser	Questions Affirm. Roll Call	
83.		Speaker Lechowicz		
		Steczo	Vote 'aye'	
		Speaker Lechowicz		
		Telcser	Continues questions	
84.		Speaker Lechowicz	HB-3192, Passed	
		Clerk Hall	HB-3200, Third Reading	
		Speaker Lechowicz		
85.		Domico )		
		)		
		Speaker Lechowicz )	Postponed Consideration	
		Clerk Hall	HB-2691, Third Reading	
		Brady		
		Speaker Lechowicz		
86.		Skinner		
		Speaker Lechowicz		
		Geo-Karis		
		Speaker Lechowicz		
	1:54	Brady		
		Speaker Lechowicz	HB-2691	
		Matijevec		
		Speaker Lechowicz		
87.		Huff		
		Speaker Lechowicz	Passed	
		Clerk Hall	HB-2877, Third Reading	
		Speaker Lechowicz		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
88.		Levin	
		Speaker Lechowicz	
		Gaines	
89.		Speaker Lechowicz	
		Bowman	
		Speaker Lechowicz	
		Mulcahey	Moves previous question
		Speaker Lechowicz	
90.		Skinner	Explain 'yes' vote
		Speaker Lechowicz	
		Huff	Explain vote
		Speaker Lechowicz	
		Kempiners	
		Speaker Lechowicz	
91.	2:04	Simms	Opposes...Requests verification
		Speaker Lechowicz	
		Peters	Verif.
		Speaker Lechowicz	
		Clerk Hall	Polls absentees
		Speaker Lechowicz	
		Simms	
		Speaker Lechowicz	
		Griesheimer	Change to 'no'.
		Speaker Lechowicz	
92.		Clerk Hall	Verifies Aff. Roll Call
		Speaker Lechowicz	
		Madigan	Leave to be verified



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	17.
		Speaker Lechowicz		
93.		Clerk Hall	Continues	
		Simms )		
		)		
		Speaker Lechowicz )		
		Simms )	questions Aff. Roll	
		)		
94.		Speaker Lechowicz )		
		Huff	Change to 'aye'	
		Speaker Lechowicz		
95.	2:17	Polk	Change to 'no'.	
		Speaker Lechowicz		
		Simms	Continues questions	
		Speaker Lechowicz		
		Sandquist	Change to 'aye'	
		Speaker Lechowicz		
		Simms	Continues	
		Speaker Lechowicz		
		Leverenz	'aye'	
		Speaker Lechowicz		
		Simms		
		Speaker Lechowicz		
96.		Madison	Like to be verified	
		Simms )		
		)		
		Speaker Lechowicz )	HB-2877 passed	
97.		Clerk O'Brien	HB-3157, Third Reading	
		Speaker Redmond	Sponsor	
		Speaker Lechowicz		
		Speaker Redmond	Proceeds	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	18.
		Speaker Lechowicz		
		Clerk O'Brien	Reads Bill	
		Speaker Lechowicz		
		Matijevich		
		Speaker Lechowicz		
	2:25	Holewinski	HB-3157.....passed	
		Speaker Lechowicz		
		Clerk O'Brien		
98.		Speaker Lechowicz		
		Bowman	'Aye' on 3157	
		Speaker Lechowicz		
		Speaker Redmond	Sponsor of 3160	
		Speaker Lechowicz	Passed	
99.		Clerk O'Brien	HB-3161, Third Reading	
		Speaker Lechowicz		
		Chapman		
100.		Speaker Lechowicz		
		Simms	Question	
		Chapman		
		Speaker Lechowicz		
		Pullen		
		Speaker Lechowicz		
		Skinner		
		Speaker Lechowicz		
		Matijevich		
	2:35	Speaker Lechowicz	HB-3161	
101.		Chapman		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
102.		Speaker Lechowicz	
		Katz	
		Speaker Lechowicz	
		Holewinski	
		Speaker Lechowicz	
		Schneider	
103.		Speaker Lechowicz	89 'ayes'; 65 'nays'
		Telcser	Verif.
		Speaker Lechowicz	
		Clerk O'Brien	Polls absentees
		Speaker Lechowicz	
104.		Clerk O'Brien	Affirm. Roll Call
		Speaker Lechowicz	
105.		Telcser )	Questions Aff. Roll
		)	
		Speaker Lechowicz )	
		Daniels	'no'.
		Speaker Lechowicz	
106.		Telcser	Continues
		Speaker Lechowicz	
		O'Brien	Vote me 'aye'
		Speaker Lechowicz	
		Telcser	What's the score
	2:50	Speaker Lechowicz	89 'ayes'; 65 'nays' HB-3161, passed
107.		Clerk O'Brien	HB-3184, Third Reading
		Speaker Lechowicz	
		Speaker Redmond	Sponsor



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Speaker Lechowicz	
108.		Kent )	Yield
		)	
109.		Speaker Redmond )	
		Speaker Lechowicz	
		Totten )	Yield
		)	
110.		Speaker Redmond )	
		Speaker Lechowicz	
111.		Madigan	Support
		Speaker Lechowicz	
112.		Telcser	
		Speaker Lechowicz	
113.		Skinner )	Yield
		)	
114.		Speaker Redmond )	
115.		Speaker Lechowicz	
		Matijeovich	
		Speaker Lechowicz	
116.		Brunner	Moves previous question
		Speaker Lechowicz	
	3:13	Speaker Redmond	to close
117.		Speaker Lechowicz	
		Geo-Karis	Explain vote
		Speaker Lechowicz	
118.		Houlihan, J.	Explain vote
		Speaker Lechowicz	
		Friedland	explain vote
		Speaker Lechowicz	
		Schlickman	Explain vote



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	21.
		Speaker Lechowicz		
119.		Speaker Redmond		
		Speaker Lechowicz		
		Telcser	Verif.	
		Speaker Redmond	Poll absentees	
		Speaker Lechowicz		
		Clerk O'Brien		
120.		Speaker Lechowicz		
		Clerk O'Brien	Affirm. Roll Call	
		Speaker Lechowicz		
		Richmond	Leave to verified	
121.		Speaker Lechowicz		
122.		Telcser )	Questions Affirm. Roll Call	
		Speaker Lechowicz )		
		Greiman	'aye'	
		Speaker Lechowicz		
		Katz	'aye'	
	3:30	Speaker Lechowicz		
		Telcser	Continues	
123.		Speaker Lechowicz		
		O'Brien	'aye'	
		Speaker Lechowicz	HB-3184, passed	
		Speaker Redmond	personal privilege	
		Speaker Lechowicz		
124		Schlickman	personal privilege	
	3:38	Speaker Lechowicz		
		Clerk O'Brien	Reads HB-3191, Third Reading	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		REPRESENTATIVE GIORGI IN CHAIR.....	
		Speaker Giorgi	
		Matijevich	
		Speaker Giorgi	
125.		Lechowicz	Explains HB-3191
		Speaker Giorgi	
		Conti	
		Speaker Giorgi	
		Lechowicz	Continues
126.		Speaker Giorgi	
		Telcser	Yield
		Lechowicz	
127.		Speaker Giorgi	
		Hoffman )	Yield
		)	
	3:46	Lechowicz )	
128.		Speaker Giorgi	
		Totten	
		Speaker Giorgi	
		Lechowicz	HB-3191, passed
		Speaker Giorgi	
		Schlickman	Point of Personal privilege
129.		Speaker Giorgi	
		Clerk Hall	HB-2790, Third Reading
		Speaker Giorgi	
		Tipsword	
		Speaker Giorgi	
		Ryan	Question



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Speaker Giorgi ) )	
		Ryan )	
		Tipsword	continues
130.		Speaker Giorgi	
		Kent )	Question
		Tipsword )	
		Speaker Lechowicz	
		Telcser	Oppose
132.		Speaker Lechowicz	
		Harris	
		Speaker Lechowicz	
		Kosinski	
133.		Speaker Lechowicz	
		Ryan	Yield
134.		Tipsword	
		Speaker Lechowicz	
		Giorgi	
		Speaker Lechowicz	
		Ryan )	
135.		Tipsword )	Discussion
		Speaker Lechowicz	
136.		Garmisa	
137.		Speaker Lechowicz	
		Conti	
		Speaker Lechowicz	
		DiPrima	Cub score!
		Speaker Lechowicz	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
138.		Winchester) ) Tipsword )	Question
		Speaker Lechowicz	
		Madison	Moves previous question
139.		Speaker Lechowicz	
	4:12	Tipsword	to close
140.		Speaker Lechowicz	HB-2790
141.		Totten	Explain vote
		Speaker Lechowicz	
142.		McClain	
		Speaker Lechowicz	
		Bluthardt	
		Speaker Lechowicz	
		Mann	
		Speaker Lechowicz	
		Byers	
143.		Speaker Lechowicz	
		Skinner	
		Speaker Lechowicz	
		Geo-Karis	
		Speaker Lechowicz	HB-2790, passed
		Clerk O'Brien	HB-3193
		Speaker Lechowicz	
		Schlickman	
		Speaker Lechowicz	
		Clerk O'Brien	HB-3193, Third REading
		Speaker Lechowicz	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Ryan	
	4:25	Speaker Lechowicz	
		Laurino	Leave to return to Second
		Clerk O'Brien	Am. #1
145.		Speaker Lechowicz	
146.		Brummer	
		Speaker Lechowicz	
		Kempiners	
		Speaker Lechowicz	
		Brummer	Am. #1
		Speaker Lechowicz	
147.		Laurino	
		Speaker Lechowicz )	
		)	
148.		Kempiners )	
		Speaker Lechowicz	
149.		Davis, J.)	
		)	
		Brummer )	
150.		Speaker Lechowicz	
		Schuneman )	Yield
		)	
152		Brummer )	
		)	
153.		Speaker Lechowicz )	
		Holewinski	Moves previous question
		Speaker Lechowicz	
154.		Brummer	to close
	4:46	Speaker Lechowicz	
		Keats	Explain vote
		Speaker Lechowicz	



Tape III

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
155.		Leinenweber	Explain vote
		Speaker Lechowicz	
156.		Madigan	Explain vote
		Speaker Lechowicz	
		Holewinski	Explain vote
		Speaker Lechowicz	
		Huff	Concludes
		Speaker Lechowicz	
157.		Katz	Explain vote 'no'.
		Speaker Lechowicz	
		Marovitz	Explain vote
158.		Speaker Lechowicz	
		Matijevec	Explain vote
		Speaker Lechowicz	
159.		Brummer	Explain vote
		Speaker Lechowicz	87 'ayes'; 81 'nays'.
160.		Schuneman	Verification
161.		Speaker Lechowicz	Verified Oral Roll
162.	5:01	Clerk O'Brien	
163.		Speaker Lechowicz	
		Houlihan, J.	
164.		Harris	'aye'
		Speaker Lechowicz	Am. #1 HB-3193 fails
		Kempiners	Fiscal note
165.		Speaker Lechowicz	Bill remain on Second
		Clerk O'Brien	HB-620, Third Reading
		Speaker Lechowicz	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	27.
	5:20	Flinn		
		Speaker Lechowicz		
		Totten	Point of order, objects	
166.		Speaker Lechowicz		
		Flinn	Move to suspend rule	
		Speaker Lechowicz		
		Hoffman		
		Speaker Lechowicz		
		Flinn		
		Speaker Lechowicz	Motion carries	
167.		Totten	Inquiry of Chair	
		Speaker Lechowicz		
		Bradley		
		Speaker Lechowicz		
	5:30	Flinn		
168.		Speaker Lechowicz		
169.		Simms	Oppose	
		Speaker Lechowicz		
		Matijevich	Support	
170.		Speaker Lechowicz		
		Flinn	to close	
		Speaker Lechowicz		
171.		Polk )		
		)		
		Flinn )	question	
		Speaker Lechowicz		
		Jaffe	Oppose	
172.		Speaker Lechowicz		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
173.		Deuster ) ) Flinn    )	Question
		Speaker Lechowicz	
174.		Huskey            ) ) Speaker Lechowicz )	Question
		Darrow	Moves previous question
		Speaker Lechowicz	
		Flinn	to close
		Speaker Lechowicz	
175.		Giorgi	explain vote
		Speaker Lechowicz	HB-620, lost
176.	5:46	Clerk O'Brien	HB-2418, Third Reading
		Speaker Lechowicz	
		Pierce	
		Speaker Lechowicz	
177.		Mugalian	
178.		Speaker Lechowicz	
179.		Ewing            )	Yield
180.		)	
181.		Mugalian        )	
		Speaker Lechowicz	Bring remarks to close
		Ewing	Continues
182.		Speaker Lechowicz	
		Yourell	
		Geo-Karis	Moves previous question
		Speaker Lechowicz	
183.		Mugalian	to close
184.		Speaker Lechowicz	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Schlickman	Explain vote
		Speaker Lechowicz	
185.		McBroom	Explain vote
		Speaker Lechowicz	
		Skinner	
		Speaker Lechowicz	
		Schuneman	
186.		Speaker Lechowicz	
	6:14	Pierce	Explain vote
		Speaker Lechowicz	
		Yourell	
		Speaker Lechowicz	
		Sandquist	
187.		Speaker Lechowicz	
		McBroom	Verification
		Speaker Lechowicz	HB-2418, passed
188.		Clerk O'Brien	HB-3010, Third Reading
		Speaker Lechowicz	
		Houlihan, D.	
		Speaker Lechowicz	
		SPEAKER REDMOND IN CHAIR.....	
		Speaker Redmond	
		Bowman )	Yield
		)	
		Houlihan, D. )	
		Speaker Redmond	Passed
189.		Clerk O'Brien	HB-3202, Third Reading



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	30.
		Speaker Redmond	HB-3202, Third Reading	
190.		Houlihan, D.		
		Speaker Redmond		
191.		Houlihan, J. ) ) Houlihan, D. )	Question	
192.		Speaker Redmond		
	6:29	Schlickman	Yield	
193.		Houlihan, D.		
194.		Speaker Redmond		
		Davis, C.		
195.		Speaker Redmond		
196.		Stearney ) ) Houlihan, D. )	Question	
197.		Speaker Redmond		
		Darrow	Moves previous question	
		Spekaer Redmond		
		Houlihan, D.	To close	
		Speaker Redmond	HB-3202, passed	
198.		Clerk O'Brien	HB-3117, Third Reading	
		Speaker Redmond		
		Houlihan, D.		
		Speaker Redmond	Passed	
		Reilly	HB-3380, Motion, Second Reading Second Legislative Day	
		Speaker Redmond	Leave granted	
199.		Clerk O'Brien	HB-3380, 2nd Reading, no C.A.	
		Speaker Redmond		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Clerk O'Brien	Am. #1
		Speaker Redmond	
	6:45	Tipsword	
		Speaker Redmond	
		Skinner )	Question
200.		)	
		Tipsword )	
		Speaker Redmond	
		Van Duyne	Yield
		Tipsword	
		Speaker Redmond	
201		Pullen )	Yield
		)	
		Tipsword )	
		Speaker Redmond	
		Madigan	Question
		Tipsword	
		Speaker Redmond	
		Reilly	
		Speaker Redmond	
202		Lucco )	Question
		)	
		Tipsword )	
		Speaker Lechowicz	Am. #1
		Skinner	
		Speaker Redmond	Am. adopted
		Reilly	Verification
203.		Davis, J.	Suggest dump Roll
		Tipsword	Poll absentees
	6:55	Clerk O'Brien	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	32.
		Speaker Redmond		
		Madigan	Leave to be verified 'aye'	
		Speaker Redmond		
		Clerk O'Brien		
		Speaker Redmond		
		Reilly	Withdraw request	
		Speaker Redmond	Third Reading	
204.		Vinson	HB-1773, Motion	
		Speaker Redmond		
		Houlihan, D.	Support	
		Speaker Redmond		
		Skinner		
		Speaker Redmond		
		Vinson		
		Speaker Redmond	Leave Granted	
		Clerk O'Brien	HB-1773, Second Reading, No. C.A.	
		Speaker Redmond		
		Clerk O'Brien	Am. #1	
		Speaker Redmond		
		Vinson		
		Speaker Redmond		
		Houlihan, D.	Support	
	6:59	Speaker Redmond	Am. 1 adopted, Third Reading	
205.		Houlihan J.	Move to suspend rule	
		Speaker Redmond		
		Stiehl, C.M.	concur	
		Speaker Redmond		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Bradley	
		Speaker Redmond	Motion carries
		Houlihan, D.	Move House adjourn
			10:00 a.m. Thursday
		Speaker Redmond	House adjourn in two minutes
7:05		Clerk O'Brien	House adjourns

