

Speaker Giorgi: "House will be in order. The Members will be in their seats. The House will be led in prayer by Father Krueger."

Krueger: "In the Name of the Father, the Son and the Holy Ghost. Amen. Oh, Lord, bless this House to Thy service this day. It is written in the book of Ecclesiastes, verse 17, Chapter 9; 'The words of wisemen are heard in quiet, more than the cry of Him that ruleth among fools.' Let us pray. Almighty Father, we have come this day asking for Thy blessing upon us which is only proper for we are the children of Thy creation and it is to Thee only that we possess our being and have our allegiance. As we consider the issues that come before us this day, let Thy wisdom so rule our hearts and minds that the State of Illinois may be more purposeful and practicable for its citizens whom we do represent in this Eighty-First General Assembly, through Jesus, Christ, our Lord. Amen."

Speaker Giorgi: "Pledge of allegiance."

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

Speaker Giorgi: "Roll Call for attendance. Quick. Take the record. Let the record show Representative Giorgi's here. Message from the Senate."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in passage of Bills the following title to wit; House Bills #2841, 2876, 2883, 2914, 2934, 2941, 2944, 2967, 3057, 3066, 3079, 3080, 3132, 3158. Passed by the Senate June 23, 1980. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Represent-



atives, the Senate, has concurred with the House in passage of Bills the following title to wit; House Bill 3346 with Senate Amendment #1, House Bill 3174 with Senate Amendment #1, House Bill 3137 with Senate Amendment #1, House Bill 3127 with Senate Amendments #1 and 2, House Bill 3116 with Senate Amendment #1, House Bill 3106 with Senate Amendment #1, House Bill 3070 with Senate Amendment #1 and 2, House Bill 3048 with Senate Amendment #1, House Bill 3034 with Senate Amendment #1, House Bill 3007, with Senate Amendment #1, House Bill 3003 with Senate Amendment #1, House Bill 2997, with Senate Amendment #1 and 2, House Bill 2982 with Senate Amendment #1, House Bill 2924 with Senate Amendments #1 and 2, House Bill 2918 with Senate Amendments #1 and 2, House Bill 2837 with Senate Amendment #1, passed by the Senate as amended June 23, 1980. Kenneth Wright, Secretary."

Speaker Giorgi: "Agreed Resolutions."

Clerk O'Brien: "House Resolution 911, Reed, 912, Kent, 913, Anderson, 914, Johnson, 915 Peters, and 917 Ryan."

Speaker Giorgi: "Representative Getty on the Agreed Resolutions."

Getty: "Mr. Speaker, House Resolution 911 by Reed congratulates Lester and Madeline Hamlin on their 50th wedding anniversary. House Resolution 912 by Kent-Breslin, congratulates Illinois Girls' State. Resolution 913 by Anderson congratulates Harvey 'Yorksic' on his work at Marquette Company. Johnson-Stuffle Resolution 914 congratulates J.R. Ray 'Livesy' on 30 years as a radio commentator. House Resolution 915 by Peters congratulates Johnathon Jet on being an Eagle Scout and House Resolution 917 by Ryan-McBroom and Christensen, congratulates the honorable Samuel H. Shapiro on his 50 years of law practice. I move for the adoption of the Agreed Resolutions."

Speaker Giorgi: "You heard the Gentleman's Agreed Resolutions."



All in favor of adopting the Agreed Resolutions will signify by saying 'aye', the opposed 'nay'. The 'ayes' have it. The Agreed Resolutions are passed. General Resolutions."

Clerk O'Brien: "House Joint Resolution 107, Simms. "

Speaker Giorgi: "Committee on Assignment. Death Resolutions."

Clerk O'Brien: "A Death Resolution, House Resolution 916, DiPrima, et. al., with respect to the memory of Albert J. Swiderski."

Speaker Giorgi: "Representative Getty moves the adoption of the Death Resolution. All in favor signify by saying 'aye'; opposed 'nay'. The 'ayes' have it. Senate Bills, Third Reading. Third Reading. Just take another one. Roll Call for attendance. Roll Call for attendance. We'll go to Third Readings of Bills that don't have any controversy. Representative Telcser, you say you have some Bills that don't have any controversy to them. Representative Telcser on the.. Representative Telcser."

Telcser: "Will the Clerk read 1991 please at this time?"

Speaker Giorgi: "Read the Bill for the Third time, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1991, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of the Bill."

Telcser: "Mr. Speaker, Members of the House, House (sic) Bill 1991 is a part of the series of Bills that came over from the Senate dealing with arson. The essence of the Bill is to give an incentive for insurance companies to write policies privately in fair plan areas and the Bill gives the Director the opportunity to reduce their contributions to the fair plan program as an incentive to write more policies.. more privately owned policies in fair plan areas. This is the essence of the Bill. The Bill was... also provides that the beneficial interest for properties would have to be known on the application for the policies. We took an



Amendment from Representatives Katz and Mugalian to limit that exposure to 25% or more of the ownership and not include family members. We also amended the Bill last week to cover.. to take care of some technical omissions and errors which were created last year in the undersigned Motorist Act which are recommendations of the Insurance Laws Study Commission and I would appreciate a favorable Roll Call."

Speaker Giorgi: "Is there any... Take the Roll Call. Take the Roll Call off the Board, Mr. Clerk. Is there any discussion? There being no discussion, the question is, 'Shall Senate Bill 1991 pass?' All in favor will signify by voting 'aye' and those opposed by voting 'no'. Barbara Currie, Representative Currie. On this question.. Have all voted who wish? Have all voted who wish? On this question there are 132 'ayes', no 'nays', two voting 'present'. And Senate Bill 1991, having received the Constitutional Majority, is hereby declared passed. Next Bill, 1992."

Clerk O'Brien: "Senate Bill 1992, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of the Bill."

Speaker Giorgi: "Representative Telcser on Senate Bill 1992."

Telcser: "Mr. Speaker, Members of the House, Senate Bill 1992 also has to do with the arson series that came over from the Senate. The Bill provides that .. that the Director can give factual information to the central authorities so that information can be shared between insurance companies on buildings and properties and owners which could be precursors to possible arson. The Bill.. We also took an Amendment from Representative Stearney to clarify some language regarding Amendment.. regarding the central theme of the Bill. We also took Representative Preston's Amendment which clarified language dealing with pre-paid insurance. The Bill also provides for .. for pre-paid legal insurance in Illinois



so that citizens can buy insurance policies that will cover them for basic legal costs. Representative Stearney offered an Amendment to clarify that language also so we took the three Amendments in Committee. We took Representative Preston's Amendment and Representative Stearney's Amendment. The Bill provides, once again, for a central source of information regarding possible arson prospects and secondly, it deals with pre-paid legal insurance. I'll be glad to answer any questions."

Speaker Giorgi: "Representative Jones, on Senate Bill 1992."

Jones: "Yes, thank you, Mr. Speaker. I know we didn't have this Bill in the Insurance Committee and I see that the Bill has been amended to such degree wherein it can't be somewhat controversial. I wish the Sponsor would take it out of the record until such time as we can deal.... look at all the other Amendments that you placed on this Bill."

Telcser: "You want me to take them all out of the record, all of these Bills?"

Jones: "You can take this one out."

Speaker Giorgi: "You want to try 1993?"

Telcser: "Yeah, I want to try them all, but we'll get back to 1992."

Speaker Giorgi: "Are you going to take it out of the record at this time?"

Telcser: "I will now..."

Speaker Giorgi: "We'll get back to it. Shall we try 1993 Senate Bill 1993. Take 1992 out of the record."

Clerk O'Brien: "Senate Bill 1993, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of the Bill."

Speaker Giorgi: "Representative Telcser on Senate Bill 1993."

Telcser: "Senate Bill 1993 provides a series of methods by which an insurance company can cancel a policy within



ten days. The theory of this Bill would be that an insurance company in looking at a property, the condition of the property, the way the owner maintains it, could possibly conceive that that property is a good suspect for possible arson. Under present law, insurance companies for no reason can cancel a policy within 30 days notice. This Bill provides that upon a ten day notice, policy can be cancelled for a variety of reasons, such a building being abandoned, a failure to correct certain building code violations, a failure to keep the building,.. to keep the building in a good condition. We took an Amendment to eliminate the reference to real estate taxes as one of the causes for cancellation. Mr. Speaker, Members of the House, that really is what the Bill is all about and I'll be glad to answer any questions."

Speaker Giorgi: "Is there any discussion on Senate Bill 1993? There being no discussion, the question is, 'Shall Senate Bill 1993 pass?' All in favor will signify by voting 'aye' and those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record Mr. Clerk. On this question there's 117.. 119 'ayes', no 'nays', two voting 'present'. And this Bill, Senate Bill 1993, having received the Constitutional Majority, is hereby declared passed. Want to try Senate Bill 1994? Senate Bill 1994, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1994, a Bill for an Act to amend Sections of the Property Fire Loss Act. Third Reading of the Bill."

Speaker Giorgi: "Representative Telcser on Senate Bill 1994."

Telcser: "Mr. Speaker, Members of the House, Senate Bill 1994 authorizes the Director of the Department of Insurance to request information from insurance companies regarding property fire losses. It also requires the Director not.. has notification that the insurer has



reason to believe, that a fire loss was caused by other than accidental means. And it also permits an insurance company to request officials in the department and agency personnel receiving information on fire losses or potential fire losses to release this information relative to any investigation that is made concerning any fire losses by the company. It is another one of the Bills in the arson series and I would appreciate a favorable Roll Call."

Speaker Giorgi: "Representative Getty on Senate Bill 1994."

Getty: "Will the Gentleman yield?"

Speaker Giorgi: "Indicates he will."

Getty: "Representative Telcser, so that our legislative record may be clear, would you please define for me potential fire loss and what the intent is to cover it by those words?"

Telcser: "Are you talking about 1994?"

Getty: "That's correct, Sir."

Telcser: "Well, Representative, I don't know that we've alluded to a potential? In 1993 we did. 1994 authorizes the Director of the Department to request information from a company relative to a fire loss that has occurred."

Getty: "Have you striken the language 'potential fire loss' that appears in 1994?"

Telcser: "Oh, I'm sorry, Representative. It was added to it with an Amendment which I overlooked. Potential loss in my judgment for the record would be based upon the interpretation of the Director of Insurance, there seems to have been or there has been or in fact, could be, a pattern developing regarding arson. That is, a property that might be in an area which has had a large occurrence of fires, a property which perhaps has been abandoned, a property whose owner has had a significant number of fire claims, can, I think, rationally be construed to create a set of circumstances whereby the Director could



say to himself or herself, that this property could indeed be a candidate for arson, based upon a variety of sets of circumstances which have occurred or which potentially could occur. I think that that could lead the Director to request information about the property, to try and prevent the possible fire loss. Now, needless to say, the events could occur. It doesn't necessarily mean that arson will happen or that in fact if there is a fire it is arson. But nevertheless, I think that certain circumstances trigger a red flag if you will, and I think the Director ought to have the authority to receive more information about properties he or she believes may be involved in a future arson."

Getty: "Representative Telcser, would you say that what you have just said could be summed up in the language that the Director or such other person as provided under the Act feels that there is imminent danger of a fire loss?"

Telcser: "Yes."

Getty: "All right. So that the key would then be a finding that there is imminent danger that a fire loss would be sustained. Is that correct?"

Telcser: "I think that states it well."

Getty: "Thank you."

Speaker Giorgi: "Representative Epton on Senate Bill 1994."

Epton: "Thank you, Mr. Speaker. I simply was going to..

Rather, Representative Getty asked the question. It's a valid question. The answer was appropriate. I can only add that the Commission found over a period of years that you could almost pinpoint when a fire was going to occur in a particular area or in the particular building. As a matter of fact, in one instance we notified the insurance carrier and they appointed... posted 24 hour guard and the building went up in smoke anyhow. So that even when they have knowledge, they don't always.. aren't always able to avoid it. But I'm



pleased with the answer and I hope that the Representative is satisfied."

Getty: "Thank you."

Speaker Giorgi: "Representative Telcser to close if need be."

Telcser: "No, Mr. Speaker. I would appreciate a favorable Roll Call."

Speaker Giorgi: "Representative... Excuse me, Matula, do you have a question? Representative Matula."

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

Speaker Giorgi: "He indicates he will."

Matula: "Representative Telcser, how will you determine, or get any information from property that's in 'land trust'? How will the insurance Director acquire?"

Telcser: "Well, we have provided for this in one of the other Bills that when you make application for the policy in the fair plan areas, you would have on the application the beneficial interest of the land trust."

Matula: "Oh, you would have that in... Okay. Thank you."

Speaker Giorgi: "Okay. Representative Telcser to close."

Telcser: "I would appreciate a favorable Roll Call."

Speaker Giorgi: "The question is, 'Shall Senate Bill 1994 pass?' All in favor will signify by voting 'aye' and 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 138 'ayes', no 'nays', one voting 'present'. And Senate Bill 1994, having received the Constitutional Majority, is hereby declared passed. Would you like to try for 1994? Or 2000? House Bill (sic) 2000. Mr. Clerk, read House Bill (sic) 2000 for the Third time."

Clerk O'Brien: "House Bill (sic) 2000, a Bill for an Act to amend Sections of an Act in relation to state finance. Third Reading of the Bill."

Speaker Giorgi: "Representative Telcser on House Bill.. Senate Bill 2000."



Telcser: "Mr. Speaker, Members of the House, Senate Bill 2000 would allow the Department of Public Health to pay for certain services that were incurred in one fiscal year to be paid in the following fiscal year out of the fund from the following fiscal year. There are four services, 'chronic renal disease, hemophilia, rape and para-natal services', the Department of Public Health provides for citizens of Illinois which are sometimes... and they sometimes receive or very frequently receive delayed billings. The services are performed in one fiscal year. The Department would like to pay for these services if need be out of the following fiscal year. Now the Audit Commission I understand was concerned about money being held over from one year to the next and I would like to state that if the services incurred in the prior fiscal year and it's paid for in the following fiscal year, the money would come from the following fiscal year's budget. I would appreciate a favorable Roll Call."

Speaker Giorgi: "Is there any question? There being no discussion, the question is, 'Shall Senate Bill 2000 pass?' All in favor... I'm sorry. Representative Birkinbine on Senate Bill 2000."

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

Speaker Giorgi: "Indicates he will."

Birkinbine: "Art, what's to prevent bills that say might come due say in February or March and the Department is running a bit tight on funds and saying, don't worry we'll pay you in July? And people having to wait three or four months under a program like this?"

Telcser: "Well, Representative, I don't know what would prevent any agency from doing that now anyway."

Birkinbine: "Is there any control factor that encourages these agencies to pay say within 30 days except for



financial emergency or some such thing as that?"

Telcser: "Representative, I don't know that there's any ... any 30 day pay period for any agency for any service. I'm not aware of any, for any agency

Birkinbine: "Okay. Thank you."

Speaker Giorgi: "Representative Keane on Senate Bill 2000."

Keane: "A question of the Sponsor."

Speaker Giorgi: "Continue."

Keane: "I'm sorry I didn't hear your earlier statements. I was distracted at the time. Does this Bill, on other words what we will do if there's a bill that's incurred in June and the Department doesn't get the bill until November, they will pay it out of the new fiscal year's fund."

Telcser: "Correct and I think that's what you were concerned with. We talked about it the other day."

Keane: "Yes. I was concerned that they do not carry any funds."

Telcser: "No, they don't carry any funds over, no."

Keane: "Okay. Thank you very much."

Speaker Giorgi: "Representative Robbins on Senate Bill 2000."

Robbins: "I don't really have any objections to the Bill, but I do have the objection to allowing these things to run too long. I think that it's.. the Department should be able to pay their bills in 60 to 90 days instead of making the general public carry the Department for six months to a year and this is costing the state an awful lot of money because they have to allow... they have to charge extra to carry these interest costs and we are driving people out of business by not paying our bills. So, I have.. I wanted to vote 'no' on this, just simply because of that. I think it's a good... I think it's a good Bill, but I'm afraid of the way it will be used."

Speaker Giorgi: "Representative Telcser to close."



Telcser: "Well, Mr. Speaker, Members of the House, the prior speaker is absolutely correct. I agree with him. Bills ought to be paid promptly and on time and no provider ought to have to wait for his or her funds. I would like to say however, that in this instance, these services are performed and it takes the Department a certain length of time to check with third party payees, to check with Public Aid, to be sure that the funds could possibly be paid out of something other than general revenue funds. That does take a little extra time and therefore, the need for the Bill and I would appreciate a favorable Roll Call."

Speaker Giorgi: "The question is, 'Shall Senate Bill 2000 pass?' All in favor will signify by voting 'aye' and those opposed by voting 'nay'. I'm taking noncontroversial Bills in case you have some. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there 128 'ayes', seven 'nays', two voting 'present'. And Senate Bill 2000, receiving the Constitutional Majority, is hereby declared passed. Senator... Representative Wikoff, you want to call those two noncontroversial Bills? Mr. Clerk, read Senate Bill 1579."

Clerk O'Brien: "Senate Bill 1579, a Bill for an Act making appropriations for retirement purposes of higher education institutions and agencies. Third Reading of the Bill."

Speaker Giorgi: "Representative Wikoff on Senate Bill 1579."

Wikoff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is the state pension fund appropriation to the state pension fund to the Board of Trustees for the University's ... all the universities retirement system. The total is 68 million, 514 thousand 600 dollars. This basically is gross pay out which came out of the Senate I think with a unanimous vote on it. "

Speaker Giorgi: "Is there any discussion? The question is,



'Shall Senate Bill 1579 pass?' All in favor will signify by voting 'aye' and those opposed by voting 'nay'. Have all voted who wish? Have all voted who wish? Representatives Bullock, for what reason do you arise?"

Bullock: "Well, Mr. Speaker, I'm late.. a little slow on the switch this morning and I wanted to ask the Sponsor a question. We're in the Roll Call..."

Speaker Giorgi: "Go ahead and ask it."

Bullock: "Would he yield?"

Speaker Giorgi: "Go ahead. Continue."

Bullock: "Representative, is this a cost of living increase in any way for the retirees?"

Speaker Giorgi: "Representative Wikoff."

Wikoff: "No. It's just a gross pay out for the existing. There's no cost of living in there."

Bullock: "Is this for persons who are presently drawing benefits or would this be for future retirees?"

Wikoff: "These are for those who are presently drawing benefits. It's the...the funding for those."

Bullock: "So it is, in effect, somewhat of an increase over existing benefits."

Wikoff: "Don't really believe it is, Larry."

Bullock: "Well, thank you."

Speaker Giorgi: "Have all voted who wish? Take the record, Mr. Clerk. On this question there are 131 'ayes', two 'nays', four voting 'present'. And Senate Bill 1579, receiving.....the Constitutional Majority, is hereby declared passed. Read Senate Bill 1589, Representative Wikoff."

Clerk O'Brien: "Senate Bill 1589, a Bill for an Act making appropriations for the ordinary and contingent expenses of the State Universities Civil Service Merit Board. Third Reading of the Bill."

Speaker Giorgi: "Representative Wikoff on Senate Bill 1589."

Wikoff: "Yes, Mr. Speaker, this is the ordinary and contingent



expenses of the State Universities Civil Service Merit Board. This is.. again, this is for all the universities. It's for the operations of the Merit Board. The total is \$519,778."

Speaker Giorgi: "Representative Bullock on Senate Bill 1589."

Bullock: "Mr. Speaker, will the Sponsor yield to a question?"

Speaker Giorgi: "Indicates he will."

Bullock: "Yeah, Representative Wikoff, somehow or another I'm just stumped on these two Bills. Could you explain to me what Senate Bill 1589 does? Is this the ordinary and contingency expense?"

Wikoff: "Yes. That breaks down into... There is \$418,000 for personnel services, It's the operations of the management portion of the Civil Service Merit Board. The retirement system was taken out and placed in the Bill that we just actually passed so there's \$78,000 roughly \$79,000 for contractual services and the rest of it breaks down into travel, commodities, printing, and so on and so forth."

Bullock: "Thank you."

Speaker Giorgi: "There being no further discussion, the question is, 'Shall Senate Bill 1589 pass?' All 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 127 'ayes', one 'nay' and one voting 'present'. And Senate Bill 1589, having received the Constitutional Majority, is hereby declared passed. Representative Fr  derick, is your Bill noncontroversial? Okay. Read Senate Bill 1979."

Clerk O'Brien: "Senate Bill 1979, a Bill for an Act to amend Sections of the Environmental Protection Act. Third Reading of the Bill."

Speaker Giorgi: "Representative Fr  derick on Senate Bill 1979."

Fr  derick: "Mr. Speaker, Ladies and Gentlemen of the House,



the passage of this Bill really is important in allowing industry to expand their facilities and to establish new ones in the State of Illinois. 1979 will allow the State of Illinois to operate the permit program for expansion and new construction rather than the Federal Government, by bringing the Illinois EPA into conformity with Sections 165 and 173 of the Federal Clean Air Act. This Bill simply clarifies the language so the state EPA can have clear, statutory authority to operate the program. Yesterday, in addition, Representative Brummer put an Amendment on this Bill which requires that the Attorney General's Office and the Illinois EPA notify a small business that has been an environmental offender that there may be financing to help that business correct the violation. The EPA supports this Bill. The Pollution Control Board supports this Bill. And, the Illinois business community supports this Bill. So, I request your affirmative vote on Senate Bill 1979."

Speaker Giorgi: "Representative Borchers on Senate Bill 1979."

Borchers: "Just a question from the Sponsor."

Speaker Giorgi: "Continue."

Borchers: "This in no way makes the laws and rules of the Pollution Control Board or EPA stronger than the Federal Government and it will be.. the best interest of business?"

Frederick: "Yes. And, no environmental changes at all in this Bill. "

Borchers: "Okay. Thank you."

Speaker Giorgi: "The question is, 'Shall Senate Bill 1979 pass?' All 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 142 'ayes', no 'nays', one voting 'present'. And Senate Bill 1979, having received



the Constitutional Majority, is hereby declared passed. Let's read Senate Bill 1632."

Clerk O'Brien: "Senate Bill 1632, a Bill for an Act to provide for the ordinary and contingent expenses of the Department of Mines and Minerals. Third Reading of the Bill."

Speaker Giorgi: "Representative Ralph Dunn on Senate Bill 1632."

Dunn: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1632 is for the ordinary and contingent expenses of the Department of Mines and Minerals. I don't think there's any controversy about it. It's for \$12,359,500. Nine and a half million of which is federal money and the rest is state money. I'd urge an 'aye' vote."

Speaker Giorgi: "Is there any discussion? There being no discussion, the question is, 'Shall Senate Bill 1632 pass?' All in favor will signify by voting 'aye' and those opposed by voting 'nay'. The question is, 'Shall Senate Bill 1632 pass?' Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there's 124 ... 5 'ayes' and nine 'nays', four voting 'present'. And Senate Bill 1632, having received the Constitutional Majority, is hereby declared passed. Read Senate Bill 1642."

Clerk O'Brien: "Senate Bill 1642, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Illinois Law Enforcement Commission. Third Reading of the Bill."

Speaker Giorgi: "Representative Swanstrom on Senate Bill 1642."

Swanstrom: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1642 provides the appropriation for the ordinary and contingent expenses of the Illinois Law Enforcement Commission, a total appropriation of 38 million, 115 thousand, 600 dollars. I would appreciate a favorable Roll Call."



Speaker Giorgi: "Representative Collins on Senate Bill 1642.

No. No request for... There being no debate, the question is, 'Shall Senate Bill 1642 pass?' All in favor will signify by voting 'aye' and those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there's 123 'ayes', six 'nays', three voting 'present'. And Senate Bill 1642, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1443."

Clerk O'Brien: "Senate Bill 1443, a Bill for an Act making appropriations to the Comptroller. Third Reading of the Bill."

Speaker Giorgi: "Representative Bullock on Senate Bill 1443."

Bullock: "Thank you, Mr. Speaker. This Bill provides \$80,000 for the Comptroller to pay the American College Testing Program for services provided in fiscal year '75-'76 to the Illinois State Scholarship Commission. I don't know of any opposition to the Bill. I respectfully request an affirmative Roll Call."

Speaker Giorgi: "There being no debate, the question is, 'Shall Senate Bill 1443 pass?' All in favor will signify by voting 'aye' and those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. clerk. On this question there's 133 'ayes', four 'nays', six voting 'present'. And Senate Bill 1443, having received the Constitutional Majority, is hereby declared passed. Are there any volunteers for some noncontroversial Bills? Read Senate Bill 1884, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1884, a Bill for an Act concerning the disease of phenylketonuria, designating powers, providing penalties and making appropriations therewith. Third Reading of the Bill."

Speaker Giorgi: "Pardon me. Representative Pullen, for what reason do you arise?"

Pullen: "Are you still attempting to take only noncontroversial



Bills, Mr. Speaker?"

Speaker Giorgi: "Just for a short time."

Pullen: "Then, I don't think you should take this one."

Speaker Giorgi: "Well, Representative Peters, on a noncontro-
versial Bill."

Peters: "Well, Mr. Speaker, I think the only person that's
controversy and this is Representative Pullen. "

Speaker Giorgi: "I didn't... I'm sorry. I'm sorry. I didn't
hear that, Mr. Peters. Repeat that?"

Peters: "I said I think the only person who has controversy
on this Bill is Representative Pullen."

Speaker Giorgi: "Well, then let's read Senate Bill 1884."

Clerk O'Brien: "This Bill has been read a third time previously."

Speaker Giorgi: "Representative Peters to explain Senate Bill
1884."

Peters: "Mr. Speaker, Ladies and Gentlemen of the House, some-
time back the State of Illinois passed a legislation which
mandated that new born infants be treated for PKU which
is a protein imbalance in the body which if not caught
in time and the diet reversed, the child is retarded for
life. Last year, we put some half a million dollars in
the budget, additional funds in the Public Health budget
in order to expand this program and to insure that the
tests were being done and that they would be done by the
Department of Public Health. In the city of Chicago
this last year the city mandated by ordinance that all
tests for PKU taken in the city of Chicago must be returned
to the Department of Public Health in order to insure
the accuracy of the testing. In a testimony we had in
Committee some 80% of the hospitals in the State of
Illinois now send these tests to the State Department of
Public Health in order to insure again the accuracy of
the testing of this particular test that is being taken
on infants. We did have some controversy in Committee,
some initial opposition by the State Medical Society with



the adoption of two Amendments. The State Medical Society has reversed their position and what one of the Amendments does will put an automatic repealer on this particular piece of legislation December 1, 1983 so that we have a two year test period in fact to see whether this legislation will do what it is intended to do and what it is intended to do is to mandate that all tests for PKU be done by the Department of Public Health in order to insure as information we have from Massachusetts and states in the East and some states that send their testing to Oregon, that greater accuracy in the testing is accomplished when you have them centralized because of the greater number of tests that can then be taken. It is hoped that somewhere between ten to fifteen children can be found by this test every year and the retardation process will be reversed. In terms of financial costs, it is estimated by the State depending on the degree of retardation, if a child... if that is not caught and the diet is not reversed,, the cost to the state in caring for a child is somewhere between 800,000 and a million, five hundred thousand dollars a year. We feel that this is a very good piece of legislation. It's supported by the Department of Mental Health, the Commission on Mental Health Developmental Disabilities, and the Illinois Association for Retarded Citizens. I would request your support of Senate Bill 1884."

Speaker Giorgi: "Representative Sumner, on Senate Bill 1884. Sumner?"

Sumner: "Thank you, Mr. Speaker. And would the Sponsor take a question?"

Speaker Giorgi: "He indicates he will."

Sumner: "Mr. Sponsor, in Committee I asked a question and it still has not been answered. Are the Department of Public Health labs licensed and inspected?"

Peters: "The Department of Health labs are certainly inspected



by the Department of Health. I'm not sure whether they have another license by the Department, but I don't know that that's material. We could give them a license if you want."

Sumner: "The private labs and the hospital labs are licensed and inspected and to me, this seems the best way to go and I see no reason for the state to become involved in competing with the private sector. Therefore, I feel that the Bill is unnecessary. Thank you."

Speaker Giorgi: "Representative Peters to close. I'm sorry.

" Representative Hallstrom on Senate Bill 1884."

Hallstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As a Member of the State Commission on Mental Health and Developmental Disabilities, I want to assure every Member of the House that this is this whole program is monitored, has been, and will continue to be. All we're really trying to do is to make sure that not one baby falls between the cracks. Yes, I know that we don't want to compete with private enterprise. But there are small hospitals who really can't do this accurately. They don't have the expertise and I think we have a better chance if we make sure that every test does go through our state lab and I would urge you support of this good piece of legislation."

Speaker Giorgi: "Representative... Representative Peters to close."

Peters: "I would just ask for a favorable Roll Call, Mr. Speaker."

Speaker Giorgi: "The question is, 'Shall Senate Bill 1884 pass?' All in favor will signify by voting 'aye'; those opposed by voting 'nay'. Have all voted who wish? Let's rev it up. Have all voted who wish? On this question... Take the record, Mr. Clerk. On this question there are 138 'ayes', 13 'nays', one voting 'present'. Senate Bill 1884, having received the Constitutional Majority, is hereby declared passed. Read Senate Bill



2013."

Clerk O'Brien: "Senate Bill 2013, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Giorgi: "Representative Lechowicz on Senate Bill 2013."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2013 amends the School Code to provide that the State Board of Education may not expend federal funds without an appropriation by the General Assembly. The effective date of the Bill is July 1, 1981. This Bill combined with Senate Bill 2014 is designed to allow the General Assembly to be in compliance with its Constitutional mandate to appropriate all public funds. This Bill came out of the Executive Committee 17 to nothing. Passed overwhelmingly by the Senate. I ask for your support on Senate Bill 2013."

Speaker Giorgi: "There being no discussion, the question is, 'Should Senate Bill 2013 pass?' All in favor will signify by voting 'aye' and those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there's 136 'ayes', two 'nays', four voting 'present'. And Senate Bill 2013, having received the Constitutional Majority, is hereby declared passed. Read Senate Bill 2014."

Clerk O'Brien: "Senate Bill 2014, a Bill for an Act to amend Sections of an Act in relation to state finance. Third Reading of the Bill."

Speaker Giorgi: "Representative Lechowicz on Senate Bill 2014."

Lechowicz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2014 prohibits the expenditure of federal funds by state agencies except appropriated by law. The Act identifies the following corporate bodies which have been created by the State and are exempt under the Act. Basically it's the Circuit



Courts, units of local government, School Districts, local Boards of election, state colleges and universities, community colleges, the State Scholarship Commission, and the naturally the Illinois Industrial Development Authority, the Housing Development Authority, the Illinois House Facilities Authority, the Industrial Pollution Control Financing Authority, the Educational Facility Authority, and Toll Highway Authority. The reason why those were exempted is based upon their bonding provisions that are required in their respective bonding Acts. This Bill is quite similar to the Bill that was passed in this House, House Bill 186 and House Bill 2344. Hopefully with the exemptions that I listed the Bill should be palatable to the Governor and hopefully he will sign it. I ask for your support on House Bill.. on Senate Bill 2014."

Speaker Giorgi: "There being no request for discussion, the question is, 'Shall Senate Bill 2014 pass?' All 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 118 'ayes', eight 'nays', two voting 'present'. Senate Bill 2014, receiving the Constitutional Majority, is hereby declared passed. Read Senate Bill 1631."

Clerk O'Brien: "Senate Bill 1631, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Emergency Services and Disaster Agency. Third Reading of the Bill."

Speaker Giorgi: "Representative Mahar on Senate Bill 1631."

Mahar: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1631 is the ordinary and appropriation for ESDA. The Bill was taken out of the record yesterday at the request of Representative Leverenz because he had some questions in regard to travel that we had to get some answers for. I'd like to summarize those



for you. The total travel for this year will be \$1300 less than it was last year. Over the last four years FY '78, '79, '80 and '81, the travel for the Director has remained about the same, \$9100 in '78, 86 in '79, 91 in FY '80 and I project it at about \$9,000 for this year. There was also a question about contractual services. The contractual services projected expenses are about \$290,900 for last year and the FY request for this year, FY '81, is \$158,200. This Bill had a thorough hearing in the Senate. \$457,000 was taken out of the appropriation in the Senate and on the floor the other day we added \$7100 back into the appropriation and that was for communications for half a year for communications expert. The other question was a question of head count. There's a total of 61 people, which 46 people are in the Springfield office, two people in the Marion office, and fourteen people in the seven regional offices and Marion, of course, being one of the regional offices. I'd ask for your support."

Speaker Giorgi: "Representative Leverenz on Senate Bill 1631."

Leverenz: "Well, thank you, Mr. Speaker. For a couple of questions of the Sponsor?"

Speaker Giorgi: "Continue."

Leverenz: "Representative, the question of the Director's home or home base, where is that now?"

Mahar: "The Director has chosen for the last several years to make his home base at Marion. The central office is in Springfield. He happens to have the type of agency in which he's in the field a great deal and he has chosen to be in Marion and his travel reflects the fact that there's been no increase over a period of years and he apparently .. it's approved by the executive authority and therefore, it seems to me it's appropriate."

Leverenz: "Isn't he the only Director in State Government that operates in that fashion where he is located many, many



miles away from the central office? For example, the other Directors of agencies located here in Springfield, they come to and from work and some have a state supplied automobile, but I understand this is the only case where the Director receives reimbursement for food and lodging because he comes from his home down near Marion. Is that true?"

Mahar: "Well the answer to that might very well be what you say is correct, is the fact that he is the only Director that I know of that has that type of work in which his work throughout the State of Illinois. Department of Revenue and other people basically are as functions and their administrative procedures are right here in Springfield. The Director of Emergency Services, his work really is all over the state."

Leverenz: "Well, there's no question about that, very similar to the Director of Law Enforcement, very similar to Director Carter that runs the State Fire Marshal's Office. I understand they do not get meals and lodging reimbursement for driving to and from work. As a matter of fact, driving to and from work became very controversial inasmuch as he had approval to replace an automobile for one of his regional coordinators, a station wagon, for about \$4500. He ended up replacing that car with the car for himself and the only answer we received was that he wanted it. And he got a nice lovely car for \$6500 now which has a vinyl roof, glass belted tires, a split bench seat with the passenger side that goes down. Is he chauffeured?"

Mahar: "Not to my knowledge. I think the question referred to is the fact that initially in the appropriation he asked to have money to replace a 1975 Plymouth station wagon and in fact, it was not replaced. He bought instead a 1979 Dodge. This, I think, could be the decision of the Department head, in this case to determine that he felt



the purchase of a Dodge would be a more appropriate to the operation of the Department than to replace a '75 Plymouth station wagon. I think that in all Departments, generally, there's some latitude of discretion on the part of the Director to do certain things. I don't think he's flagrantly violated expenses to the point that he cost the state a lot of extra money."

Leverenz: "Thank you."

Speaker Lechowicz: "The Gentleman from Wayne, Mr. Robbins."

Robbins: "In the past, Directors have been allowed to commute from Chicago to Springfield. It seems only fair that we be allowed one Director in the last 20 years that commutes from southern Illinois to Springfield."

Speaker Lechowicz: "The Gentleman from Hardin, Mr. Winchester."

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I stand in support of this Bill and I stand in defense of Director Erie Jones. Erie Jones is probably one of the most conscientious Directors that we have in State Government. The man is constantly on the move. He attends all the areas where we have tornado disasters. He attends all the areas personally on site inspection of flooding, when we have railroad cars that derail, Erie Jones is there on the spot. I don't think it makes any difference. He's been performing a good job, a damn good job, throughout the State of Illinois and I don't think it makes one damn bit of difference where his home office is. And I, for one, welcome him in southern Illinois and I think it's only fitting that we have one Director in southern Illinois and I think we ought to vote this Bill out with a unanimous vote just to show our appreciation for the work that Erie Jones has been doing."

Speaker Lechowicz: "Mr. Mahar to close."

Mahar: "Thank you. I, in closing, would like to echo the words



of my colleague from downstate in that I have had the pleasure of knowing Erie Jones for several years, long before he became a Director and I've known him to be a very honest and upright man, a very hard working man. I think he does a great service. He's brought the Department from just an average Department to a very fine Department. And I would ask for a favorable vote."

Speaker Lechowicz: "The question is, 'Shall Senate Bill 1631 pass?' All in favor vote 'aye'; all opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 120 'ayes', eight 'nos', six recorded as 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2020."

Clerk O'Brien: "Senate Bill 2020, a Bill for an Act to amend Sections of the Local Mass Transit District Act. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from St. Clair, Mr. Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, this Bill has been pretty well discussed on the Second Reading. We'll briefly explain that it creates... it permits the three counties in the metro-east area to create a Mass Transit District for the purpose of raising funds for matching funds for the subsidies to the mass transit district down there and I would ask for a favorable vote."

Speaker Lechowicz: "Any discussion? The Gentleman from Bond, Mr. Watson."

Watson: "Thank you, Mr. Speaker. Representative Flinn is correct. We have had a lot of talk on this particular piece of legislation. My concern, of course, is not a part of this particular Bill, but I want to remind the Members of the General Assembly exactly what this Bill is going to do. It is going to provide for a Mass Transit District to be formed in three counties of Madison, St. Clair,



and Monroe Counties. A Commission will be established to form this District. This Commission will also have the power to impose a one-fourth percent tax increase on the people of this District. The issue that I'm concerned with naturally as I mentioned, is not a part of the Bill. I still feel they should have a right to decide in rote vote on whether they want to be a part of this District. Unfortunately, they will not have that opportunity. Therefore, I cannot support this particular piece of legislation and I hope other Members of the General Assembly will.. will join me in a red and 'no' vote. I do not personally think that we should establish a Commission which will have the right to create a taxing District without the voter approval. I would appreciate a 'no' vote."

Speaker Lechowicz: "The Lady from Cook, Ms. Hallstrom."

Hallstrom: "Thank you, Mr. Speaker. Will the Sponsor yield please? Representative Flinn, will the people have any opportunity as we did, in our.. in the RTA, when we voted for the RTA?"

Flinn: "No, and to compare this with RTA is like comparing apples and oranges. There is already a Transit District in existence. The Legislature last year mandated to the metro-east area Legislators, 'Get your act straight. Get local money like all the other downstate Mass Transit Districts have, or you don't get any more help out of the pot here in Springfield.' And that's all this Bill does. It does not create a District. It does not do what the previous speaker said. All it does is permit the County Boards, either one of them, two of them, all three of them, or none of them, to create a District for collecting money to keep the bus system going. It doesn't do any of the things he said it does. And he knows that too."

Hallstrom: "Thank you."

Speaker Lechowicz: "Mr. Flinn to close."



Flinn: "Well, Mr. Speaker, I don't want to take the time of the House anymore. I don't think anybody has any doubt what the issue is. I ask for a favorable vote."

Speaker Lechowicz: "The question is, 'Shall Senate Bill 2020 pass?' All in favor vote 'aye'; all opposed vote 'no'. The Lady from Cook, Mrs. Macdonald, to explain her vote, timer's on."

Macdonald: "Yes, I've had my light on before. I only wanted to mention a brief statement in explanation of my vote, is that I wish that more Representatives like Representative Watson from downstate had been with us in my first term when we passed the original transportation authority with only the help, and it could not have passed without the downstate support that it got. I'm voting 'yes', but I certainly remember those days and that was a sorry day."

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

Skinner: "Mr. Speaker, I know this is going to pass, but I do have a question which I'd like to get the answer to on the record. Does this mean that the bi-state transportation agency is not going to come to the State Legislature again asking for operating funds, operating subsidies?"

Speaker Lechowicz: "Mr. Flinn."

Flinn: "Well, I can't speak for any other agency, but what this does, once and for all, puts this area in the same posture as the rest of the downstate Mass Transit Districts. And we will all be getting the same amount of money from the State Legislature due to the Downstate Mass Transit Act. And we will no longer be getting the excess amount that we've been getting all these years. And, I, for one, would not come back and ask for the three-thirty-seconds anymore after this time expires that we just voted the other day. This is plenty of time to create the District, to get the local money and I, for one, can say that I will not be back."

Skinner: "Well, Mr. Speaker, I'm now very confused. If the



Representative said, 'No, we will not come back for operating funds, ' I might even vote for the..."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 99 'ayes', 43 'nos', ten recorded as 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1978."

Clerk O'Brien: "Senate Bill 1978, a Bill for an Act to amend Sections of the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Vermilion, Mr. Campbell."

Campbell: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1978 is a Department Bill and it amends the Public Aid Code to provide for a distinct standard of need that would be established by the Department from which the grant levels would be determined as a percentage thereof. This legislation was introduced to clarify how the Department's standard of need and grant levels are determined. Currently, there is no separation of the standard of need and the grant amount in the Code. Both terms are used synonymously. The result of this ambiguity in the Code is .. resulted in a law suit that has been filed against the Department concerning the way they determine their standards. Now the bottom line of this legislation is simply whether we want court mandated standards or whether we want it a part of the budgetary process of this General Assembly and in the Executive Department. And I think most everyone will agree that we shouldn't have a formula of standards in the Department of Public Aid that would be locked in by a court mandate. Now there are two Amendments on this Bill. Amendment #3 provides that the Illinois Department of Public Aid shall promulgate new conditions, standards and elements of reimbursement to nursing homes by July 1st,



1982. Also the Amendment #5 provides that the Department shall reimburse Oak Forest Hospital for their nursing home or long term chronic disease patient population at an in-patient hospital rates rather than the present nursing home rates level. And I would appreciate your favorable support."

Speaker Lechowicz: "Any discussion? The question is, 'Shall Senate Bill 1978 pass?' All in favor vote 'aye'; all opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 152 'ayes', no 'nays', two recorded as 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 16... Let's go right back to page two of the Calendar appears Senate Bill 569. Mr. Hoffman?"

Clerk O'Brien: "Senate Bill 569.."

Speaker Lechowicz: "Out of the record, request of the Sponsor. 1378, Ms. Pullen? Out of the record, request of the Sponsor. 1497, Mr. Pierce? Out of the record. 1518, Mr. Woodyard? Read the Bill."

Clerk O'Brien: "Senate Bill 1518, a Bill for an Act to eliminate certain occupations and use taxes on gasahol^a. Third Reading of the Bill."

Speaker Lechowicz: "Mr. Woodyard."

Woodyard: "Thank you, Mr. Speaker and Members of the House. As I mentioned to you last week in a memorandum, this is one of the last or the very few gasahol incentive Bills left in the General Assembly of all the ones that were introduced. The Bill reduces the state sales tax, now not motor fuel tax, doesn't affect the road fund. It reduces the state sales tax that four percent to zero for about a year and a half. Then it phases that tax back on over a four year period. Our feeling is that if we can provide the incentive in Illinois for people to use gasahol, then we will keep them on it due to the fact they



will have increased mileage, smoother operation of their vehicles and they will then go ahead and pay the tax as it's phased back on. The thrust of the Bill certainly is to bring the price of gasoline and gasohol very close together for a year and a half to get people to use it and then phase that tax back on. Eighteen states have now provided some kind of tax incentive for users of gasohol. We also feel that by providing this Bill we also will impact our crude oil importations. It will reduce the amount of gasoline that we actually have to import in crude oil. It will stretch the allocation by ten percent with the addition of alcohol to that fuel. "

Speaker Lechowicz: "Any discussion? The Gentleman from Macon, Mr. Dunn."

Dunn: "Mr. Speaker and Ladies and Gentlemen of the House, reluctantly I rise in opposition to this Bill in its present form. I think the sentiment of this Body is at sometime to take off some kind of tax to encourage and promote the use of alcohol as a motor fuel. That's a laudable concept. I think we should probably do that. We should be very careful about the manner and form in which we do it. In this particular piece of legislation as I understand it in its present form, what will happen if it becomes law is that the consumer will pull up to the gasoline pump and be able to buy a gallon of gasohol and there will be zero sales tax on that gallon. A gallon of gasohol as is presently envisioned will be 90% gasoline and ten percent alcohol. And therefore, 90 percent of the benefit from this legislation will accrue not to the producers of alcohol who will be using Illinois corn as a source of alcohol, but 90 percent of the benefit will be produced... will be accruing to the oil companies, to Texaco, to Exxon, to Shell, to Amoco to all those companies who are showing profits in the billions of dollars each quarter, they are



are the ones who are going to as retailers, have the sales tax removed from their products. What retailer wouldn't like to have the sales tax taken off his product? You hear the arguments that the ultimate one to benefit will be the consumer. And that's right. The consumer will not have to pay the sales tax on a gallon of gasohol, but we have no assurance about what the price a gallon of gasohol will be. Even without the sales tax, it may cost as much or even more than gasoline at the other pumps in the station. No matter what the price is, however, the fact remains that 90 percent of the benefit of this legislation will accrue to the major oil companies. So if you want to.. in this year of 1980, when we're still debating what additional sales we're going to provide to those who buy groceries, if you want to provide sales tax relief to the major oil companies, instead of providing it to your people back home then vote for this Bill. If you want to provide sales tax relief where the priorities really are, let's hold this Bill and put it in a better form. Let's don't ignore the concept of this Bill. Let's provide some relief for gasohol, but let's don't give all that relief to the major oil companies. Let's hold this Bill. Take another look at it; Do it right and provide sales tax relief where it really counts. I urge a 'no' vote on this Bill."

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

Griesheimer: "Mr. Speaker, will the Sponsor yield?"

Speaker Lechowicz: "Indicates he will."

Griesheimer: "I wonder if you could tell me if any of our immediate neighboring states have adopted similar legislation?"

Woodyard: "Yea, they have. Nearly eighteen states have right now some type of tax incentive for"

Griesheimer: "I'm asking for neighboring states.."



Woodyard: "Indiana has.."

Griesheimer: "In Indiana have they noted that there is an actual significant difference in price between regular gasoline with lead as opposed to gasohol?"

Woodyard: "I'm sorry. What?"

Griesheimer: "Do you have actual knowledge or information that if you pull into a gasoline station in Indiana, the gasohol price is in fact less than the price of regular gasoline? This is the same line that Representative Dunn was speaking to."

Woodyard: "No, I don't have. "

Griesheimer: "What about any other state?.."

Woodyard: "In this Bill, gasohol would still be a little above the price of gasoline, even with the removal of the four percent state sales tax. But it would be very close together, within a cent and a half to two cents."

Griesheimer: "Well, I don't mean to be argumentative. But if you can go into Springfield right now and that's the difference that you pay right now between gasohol and regular. "

Woodyard: "In most areas of the state it runs six to seven cents a gallon difference."

Griesheimer: "Well, I'd like to speak to the Bill, Mr. Speaker."

Speaker Lechowicz: "Please proceed, Sir."

Griesheimer: "I really think this is a laudable idea and one that would undoubtedly appeal to those who want to encourage the use of gasohol. However, our most immediate knowledge on a similar subject was when the Governor played the shell game and took the... suggested that we take the gasoline tax off for RTA in the RTA area and go to the increased sales tax. After we took off the five cent gasoline tax in the collar counties and in Cook County, at least in Lake and DuPage where I was familiar and actually drove around to gas stations purchasing gas, there was no appreciable change in the price of gasoline."



And indeed, Representative Dunn's comments were exactly true. If there was a benefit to be obtained, it wasn't by the consumer, it was by either the retailer who sold the gasoline or the gasoline companies. They just put more profit in their pockets and quite frankly, with the attitude of the gasoline companies and oil companies today, I would be very doubtful that if we did take this off the gasoline price or the gasohol price that it would be of any benefit to the consumer. Moreover, the real problem is that we'd be cutting out additional funds to the roads. And at the present time, Illinois roads are despicable. They're at least as bad as any in the United States and maybe the worst. And I don't think we can really afford to cut out that money today. I would only like to pose this last question. Maybe the Sponsor can handle this in closing. Has he computed out how much loss of revenue there would be to the State of Illinois by adopting this? I believe you'd find that if gasohol became widespread, we'd be talking in the millions of dollars."

Speaker Lechowicz: "The Gentleman from Williamson, Mr. Harris."

Harris: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a very important Bill to the State of Illinois since we are number one producers of grain. We do have a surplus of corn. This will help not only the state in alleviating the shortage of gasoline. It will help your farmers to help sell his corn and also to alleviate where he can drive his tractor and his vehicles on something that's renewable. We all know that we are paying the price of the OPEC nations periodically. Each time they meet they raise the price of oil. This is something that we have a surplus of that can be grown, something that's renewable, something that's needed. It holds local governments and RTA harmless. It holds local governments and RTA harmless with respect to taxing



authority. This Bill is one of many designed to give gasohol a temporary incentive that some think is needed to survive in the marketplace and it's something that is going to help farther down the line in the next two or three years, alleviate shortages ..energy shortage. It's a much needed piece of legislation. Thank you very much."

Speaker Lechowicz: "The Lady from LaSalle, Mrs. Hoxsey.

Mrs. Hoxsey please."

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

I think what we need to consider here is the fact that we're trying to be self reliant and the energy source, using the surplus that we have. I don't question but what in a very short time we'll be producing gasohol with less dependence on the oil companies that we have now. We need to do this. We need to be self reliant. You can only take a good look at what OPEC has gotten us into in this country and we have to take steps, steps on our own to be self productive, self reliant. I suggest we support this to get the show on the road."

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

Kosinski: "Mr. Speaker, I think we've heard enough gas in this hall and I move the previous question."

Speaker Lechowicz: "The Gentleman has moved the previous question.

All in favor say 'aye', 'aye'. Opposed. The previous question has been moved. Mr. Woodyard to close."

Woodyard: "Well, thank you very much, Mr. Speaker. In closing, there have been a couple of comments that I would like to address. This does not impact the road fund. This is sales tax. It's not a windfall for oil companies. The consumer is the one that pays that four percent sales tax and we're giving the consumer of gasohol a break on that to provide the incentive that I think we need. Today is June 24th. It's been designated Illinois Alcohol Fuels Day at Sangamon State University. As a matter of fact, I think the Governor is to speak out



there this morning to try and promote the use of alcohol in this state. This Bill will promote the use of gasohol in this state. I ask for a favorable Roll Call."

Speaker Lechowicz: "The question is, 'Shall Senate Bill 1518 pass?' All in favor vote 'aye'; all opposed vote 'no'. The Gentleman from Madison, Mr. Steele, to explain his vote. Timer's on."

Steele: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In explaining my 'yes' vote, I think that this is one of the more important Bills that we're going to be voting on here. We need to support this Bill and support gasohol in the State of Illinois. I'm a Member of the Energy Resources Commission and the Illinois Energy Resource Commission is in support of this Bill. You know, Congress just recently passed a Bill in which they're increasing the reserves, putting more and more gas in reserves. I think one hundred million a day. If this really takes effect, there's going to be some more long lines at these filling stations. That's why we're going to have to develop some more fuels for the people of this state if they're going to have fuel to travel with and gasohol is the best alternative fuel. Now eighteen other states have already given incentives to gasohol and here we are in Illinois, the number one agricultural state. We ought to be first in line. We ought to be doing the most for gasohol and to promote it because eighteen other states, that are certainly lesser agricultural states than we are, have al..."

Speaker Lechowicz: "The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Thank you, Mr. Speaker, Members of the House. It's ... Certainly after hearing the Gentleman from Macon give his erroneous comments about how the oil companies are going to get all the benefits from this, it's tempting to vote for this. Everybody knows that



when you tax a company or business or corporation, it's the consumer who ends up paying the tax, so obviously if you remove a tax from a business or corporation, the consumer has to benefit. So, even though he might say the oil companies benefit, the consumers obviously benefit by not having to pay the tax which is in the form of a lower price. However, we've seen the federal level of internal revenue code being used over and over again as behavior modification. This is all this is, is an attempt to modify the behavior of the American motorists by using a revenue measure. It's bad practice and I urge a 'no' vote."

Speaker Lechowicz: "The Gentleman from Franklin, Mr. Rea, to explain his vote. Timer's on."

Rea: "Thank you, Mr. Speaker and Members of the House. In explaining my vote, with Illinois being the leader in terms of agriculture production, we should be taking the lead. We should not be behind the other states. We should have taken action on this before now. Also, I think that the public feels very strongly this way and if many of you recall, last year during the state fair there was a poll taken as to whether or not we should exempt the sales tax from gasohol. And the people responded at the state fair, 80 percent in favor of eliminating that tax. So now only, should we support it. But the public is highly supporting this move up and down throughout the State of Illinois. I would urge some more green votes up there."

Speaker Lechowicz: "The Gentleman from McLean, Mr. Ropp. Timer's on."

Ropp: "Mr. Speaker, Members of the House, I certainly want to urge support of this particular Bill. Last year we heard a lot of talk about the fact that we need more study on gasohol and energy replacement sources and yet we've seen nothing come forward. I want to commend



as men for the same jobs. Now, I am .. I have initiated along with the Legislative Audit Commission, or any Legislative Audit Commission, a performance audit of the FEPC with special emphasis be given on whether or not the agency has used this power that Representative Davis authored. I believe that the results of the Auditor General's report which will be released sometime next month, will show that the Department has done virtually nothing now. There's a new agency coming into existence and I think that the Members of this General Assembly should scream loud and long if the new Department does as little as the predecessor has done to make sure that women are paid as much as men for doing the same job. One should not have to be elected to be a Member of the General Assembly in order to be paid the same amount of money for doing the same amount of work. We have an Executive Branch agency which is mandated, mandated, to do this, to equalize the wage limits and I contend and assert that that agency has done an incompetent job and that based on its performance, it probably should be abolished. I hope the successor agency, the Director of the successor agency, will put a little more emphasis. In fact, it wouldn't take much effort at all to put a little more emphasis, to put a major amount of emphasis so that when the Sponsor of the appropriations Bill for this Department next year stands on this floor, that someone can stand here in my place and ask the same questions that I have asked and get an answer which is much more satisfactory than the lack of answer that we get today. And the lack of answer is not on the part... is not any fault of the part of the Sponsor because even if the Sponsor knew what the statistics were, he would probably be ashamed to report them. Because I know he shares my goal of having equal pay for equal work."



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

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

Speaker Lechowicz: "Indicates he will."

Deuster: "Representative, following along the lines of

Representative Skinner's good question, would you indicate with respect to the Fair Employment Practices Commission's duties of handling administering and pursuing to conclusion complaints relating to sex discrimination, in the Governor's budget what is the percentage increase and what is the dollar increase with respect to handling the sex discrimination cases? Now, as you know, the Ladies have been saying that, 'Yes, we have the law that guarantees equal opportunity, equal protection and so forth. But there's a backlog of cases. They're not enforcing the law.' And I would like to know, in view of the fact that the Governor is such a strong proponent of equal opportunity and ERA, for that matter, what has the Governor recommended and what is the increase in the Governor's budget for the FEPC functions.

Reilly: "All right. The division that handles complaints, the Charge Division, or the division that handles complaints, doesn't break out their budget separately between say sex discrimination, religious discrimination, handicapped discrimination and so on. There is a 34 percent increase in the total budget for the Department. That reflects largely the fact that the Department projects because of the new rights and the new responsibilities that it is to enforce, that the case load will go from something like 2700 to something like 3700 this year. But that's not broken out between sex discrimination as opposed to other kinds because within the law and within the agency, those are processed in the same way."

Deuster: "Was your answer, I'm not sure I understood it, that the total Department budget was up 34 percent or the division that deals with discrimination in general is



up 34 percent?"

Reilly: "The total Department."

Deuster: "Well, what is the increase for the division that deals with discrimination cases relating to race, sex, handicapped and all those other things?"

Reilly: "I'm sorry, I don't have that information."

Deuster: "Well, I think it's very important for many Members and I wish that information could be developed as rapidly as possible cause that's a big complaint. We have thousands of people marching around the State of Illinois coming into Illinois from other states, all alleging that in our state and around the nation we're not taking action to enforce equal opportunity and I would think that would be probably the most important statistic in fact in this budget to have to present to this House to the Members who all share this important goal of wanting equal opportunity."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Taylor. Mr. Taylor?"

Taylor: "Thank you, Mr. Speaker. I rise in opposition to Senate Bill 1622. The lack of enforcement I think the agency would be nothing and I think there would be no need for this and I urge you to vote 'no' on Senate Bill 1622."

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

Bullock: "Mr. Speaker, will the Sponsor yield for a question?"

Reilly: "Yes, I will."

Bullock: "Okay. Representative, the appropriation for this new agency, is there an increase over the prior agency's? Is there a net increase?"

Reilly: "Yes, to 34 percent."

Bullock: "Thirty-four percent increase?"

Reilly: "Yes.."

Bullock: "Representative Reilly, could you tell me at this point what the status of this new agency is?"



Reilly : "At this point it has no status. July 1st, it comes into being under the law."

Bullock: "So, we are, in fact, at this point funding a non-entity?"

Reilly: "No. We're.. All of the appropriations we're handling are for the next fiscal year and this agency, by law, comes into being July 1st."

Bullock: " Mr. Speaker, I'd like to address the Bill."

Speaker Lechowicz: "Please proceed, Sir."

Bullock: "Ladies and Gentlemen of the House, I'd like to call your attention to the matter before us. Representative has indicated that this agency is not in existence, this agency has no staff, this agency does not have standing at this point. I respectfully urge that for those of you who would like to move Illinois ahead in the decade of the '80's, that you either vote 'present' on this Bill or that you join with me in outright opposition and vote 'no'. This agency has no place in State Government. This agency has not fulfilled its Constitutional mandate and there is serious question as to its Constitutional validity. And for those reasons, and for many more, I stand in opposition to this Bill and will vote 'no' and respectfully urge you to do so."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Emil Jones."

Jones: "Yes, thank you, Mr. Speaker. Just a question of the Chair. As I read the Calendar I see under Motions you have a motion here by Representative Huff to strike the enacting clause. If this Bill is passed out then the question of striking the enacting clause will become moot. Is it proper for the Chair to deal with the appropriation first or should you deal with the motion first?"

Speaker Lechowicz: "Your point is well taken. If the motion ... Does take priority."

Jones: "So I would suggest, Mr. Speaker, at this point in time, that we cease debate on this piece of legislation



until such time as you deal with the motion that is on the Calendar."

Speaker Lechowicz: "We should revert to the motion. Are you the Sponsor of the motion? I believe it's Mr. Huff. Is that correct? Mr. Huff. The Gentleman from Cook, Mr. Huff."

Huff: "Thank you, Mr. Speaker. Are you ready to deal with the motion, Mr. Speaker?"

Speaker Lechowicz: "Yes, we are. We're on the motion to strike the enacting clause."

Huff: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I rise to make this motion and rightly so. The Governor and the Governor only without any specific recommendations decided one day to give blacks a new set of standards in the area of civil rights, standards that prove to be less protective than those it replaced. The Governor attempts to make a minstrel act out of the so-called Human Rights Act in which he sets himself up as Mr. Interlocutor. And then he went out and got some chitterlings hustling blacks who would sell their grandmother for a price while resisting black elected officials from any input. The results of which, the blacks are no better protected in this state than their grandfathers were. One can only wonder what the Governor has been smoking. Here, Mr. Speaker and Ladies and Gentlemen of the House, is ample evidence that the Governor never believed in equal rights when he concocted this monstrosity. " It appears that he believes more in the Orwellian concept that some are more equal than others. I'm asking for a favorable vote to strike everything after the enacting clause."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Walsh, on the motion."

Walsh: "Mr. Speaker, I submit to you that this motion is not timely, that it's the motion to strike the enacting clause is



timely on Second Reading only. And I call your attention to Rule 61-A... I beg your pardon, 61-B2, wherein it says: 'A motion to strike the enacting clause in a Bill has precedence of a motion to amend and if carried is equivalent to rejection of the Bill.' That certainly suggests to me, Mr. Speaker, that the Bill must be on Second Reading for this motion to be timely."

Speaker Lechowicz: "According to the Parliamentarian, you're wrong. You may have a point now according to the Parliamentarian. The Gentleman from Cook, Mr. Ewell, on that point."

Ewell: "Well, I was going to rise in opposition to the motion to strike..."

Speaker Lechowicz: "Oh, well let's get back to Mr. Walsh... The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, before Representative Walsh made that point of order, I was going to raise it. I raised it next to my.. with my colleagues here and I think that this would establish a very bad precedent and I'm not speaking on the issue at all, but only on the matter of striking the enacting clause anytime other than Second Reading. Because if we establish that precedent, what we're going to do is have Members when Bills are on Third Reading file a motion to kill a Bill by striking the enacting clause and I think that that would be counterproductive to the manner in which we ought to be legislating and when a Bill is on Third Reading, it ought to go up or down. We all know that we still have the procedure in our rules to strike the enacting clause, but I believe that that is strictly on Second Reading and surely that ought to be what we keep in our rules..."

Speaker Lechowicz: "John, your point is well taken..."

Matijevich: "All right..."

Speaker Lechowicz: "According to the Parliamentarian now, it's only.. It's only on Second Reading. No, I'm not Mr. Huff."



Huff: "Mr. Speaker, this motion was on the Calendar at the time the Bill moved from First to Second. I think the Chair was in error if that was the case, not to go to the Order of Motions. Because a motion to strike as I understand it,"

Speaker Lechowicz: "You should have brought it to the attention of the Chair at that time, Sir. Mr. Emil Jones."

Jones: "Yes, thank you, Mr. Speaker. Not speaking to the merits of the motion, but as far as procedure is concerned, that I think we have to look at the time when the motion was filed. If the Bill was still on Second Reading at the time the motion was filed, then the Bill was improperly moved to Third Reading at which time we should bring the Bill back to Second Reading. But if the motion was filed in proper time, Mr. Speaker, then the Bill is on Third Reading in violation of the rules. And this is just speaking to the point raised by Representative Walsh."

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

Ewell: "Mr. Speaker, the orderly process of the House requires the Bill goesto First, Second and Third Reading. It is rather clear from the rules that the Second Reading is the appropriate time. If the maker of the motion lapses on his right to make the motion at that time, then that would attach to him and not to the House. I'm saying that the Bill is properly on Third Reading and it should be considered on its merits. I think that the motion is out of order and it ought to so be ruled."

Speaker Lechowicz: "Your point is well taken. Make that ruling. Mr. Reilly? Now, Mr. Huff, want to speak against the Bill on Senate Bill 1622? The Gentleman from Cook, Mr. Totten, for what purpose do you seek recognition?"

Totten: "Mr. Speaker, I'd like to ask leave of the House to move Senate Bill 1622 back to the order of Second Reading."



Speaker Lechowicz: "That's out of order. We're on Third Reading. The Gentleman's in the process. Mr. Huff, you want to speak against the Bill?"

Huff: "No, Mr. Speaker. I want to speak to the motion. Have you made a ruling?"

Speaker Lechowicz: "The ruling is that the motion at this time is out of order. Don't talk about Mr. Huff's motion. Mr. Jones."

Jones: "Thank you, Mr. Speaker. According to your ruling, what you're saying in essence and I want every Member to understand this, that when you found an Amendment to a Bill and that Bill is on Second Reading, the Chair as it so desires can move that Bill to Third Reading irrespective to the Amendment that you have found. And leave that Bill on Third Reading. Now, that's a very important ruling that the Chair is making because some of you Members are going to get caught up in this. The Bill should remain on Second Reading. It should not have been moved to Third Reading because the motion was filed in plenty of time. So the ruling that the Chair is making, I want each and every Member to understand this, that when you file an Amendment to a Bill, the Chair is saying that they can move that Bill to Third Reading in violation of the rules. And without even hearing the Amendment. So, Mr. Speaker, I think you should reassess what you are doing here because the ruling that you are making has wide precedence on various pieces of legislation that we will be hearing. So you are, yourself, in violation of the rules."

Speaker Lechowicz: "The important thing is that if an Amendment or a motion is filed, the Member should be on the floor while we're in the process of discussing the Bill on Second Reading. And he should pursue his point at that time. Mr. Ewell."

Ewell: "I'd like to speak to the merits of .. the merits of the



Bill..."

Speaker Lechowicz: "On 1622? You're in order. Mr. Huff, doesn't want to speak in opposition. Mr. Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, I think it's a grievous error to vote against this particular Bill. We have an agency that was the product of a great deal of work. A great deal of support within the black community from everyone from the Urban League to the NAACP, that there are deficits and shortages, I agree. However, to vote against this Bill is tantamount to shooting your camel in the desert. Who is going to carry you across the desert? And for us to get into blind fights because of personalities, or something of that type, is not proper. The agency is an agency of the government. It was established by law and to fail to fund it is an erroneous thing. We can work for changes within the agency as to anything that we feel to be improper, but to simply decide that an entire agency of government should not have funding would work disaster, not only on that agency, but for the purpose for which it was set up. And I think it is the height of folly for us to oppose a bonafide agency, an agency that must be funded and to single out this agency and simply to say simply because the Governor may not have appointed exactly who some Members might have wanted, is an error. I do believe that as long as we have a legislative Body and an executive Body that the Governor is entitled to make an appointment based upon the considerations that he has and the confirming of that opinion has to be done by the Senate. The Senate confirms the Director of this Department and I think it is high folly for us to sit here in the House and decide to shoot the only camel we have to carry us across the desert. The Gentlemen are in error in their positions and I suggest for this Body that wisdom would indicate that we simply



ought to support the appropriation as we do for each and every other agency of government. Thank you."

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

Henry: "Thank you, Mr. Speaker. Well, Ladies and Gentlemen of the House, I've just heard some debate on this appropriation. I would suggest that we take a hard look at 1622. I would also suggest that we save the funds for a real agency for human rights. I would suggest that an agency that would protect the right of all, not just black, not just brown, not just white, but an agency that would protect the rights of all the people of Illinois. I have some real problems with those who get up and speak about an agency that is supposed to be representative or supported by human rights and civil rights agencies in the city of Chicago and that's not true also. There are also legal minds that have contacted us throughout the State of Illinois last year and the people of the State of Illinois met at a state capital conference, and they told us at that capital conference that they did not want this. So this was our only last chance, Ladies and Gentlemen of the House, and I wish you would support knocking out this Bill."

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

Huff: "Thank you, Mr. Speaker. All I'm trying to say is, Ladies and Gentlemen of the House, since every black is the subject of discrimination, then surely every black is the judge as to how he perceives that discrimination. This is exactly what we tried to convey to the Governor one year ago this month when we first learned of his intent to merge the existing civil rights agencies. The proposed new Act will repeal those important protections and will substitute a proceeding before a Commission which will supposedly investigate complaints of discrimination and issue an order of cease and desist. But before that, the Commission will have six



months to determine whether it has jurisdiction and then and only then, will it go to court. But in doing so, prevents the person bringing the suit from participating in such a proceeding. I submit that we can well do without that camel. Senate Bill 1377 (sic) is further objectionable in that for the first time in Section 5-103 private clubs are exempt from the Civil Rights Act. And as you know, many places of public accomodation in the past have attempted to discriminate against black people by claiming that that business is a private club. This proposal seems to gratuitously give places of business an excuse, an opportunity to evade the law. In addition to that it repeals the Fair Employment Practice Act which I think is a slur against one of our former Members, Representative Corneal Davis, who worked 30 of his .. of his long, hard years here in the House to enact the Fair Employment Practice Act. And less than one year after his retirement, the Governor sees fit to now expunge that fine law from the books. For that reason and many other reasons, I'm asking the House to support our motion to kill the funding for this.. this Commission. I realize that in doing that, there would be no discrimination monitoring in the state, but that's exactly what we would have if we left this Commission intact. "

Speaker Lechowicz: "The Lady from Cook, Mrs. Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In case some of you are confused about what exactly is going on, I think a little history is in order as well as an explanation of some of the reservations and objections to this Bill. Last year we passed an Illinois Human Rights Act which was at the time that it was passed no more and no less than a planning document. As a piece of legislation it was, in my opinion, an abomination. It was an abomination in the opinion of many of the black Legislators who have stood in opposition to Senate Bill 1622.



A couple of weeks ago, last week we had a party for the Democratic House out at a Yacht Club. And I mentioned to the Speaker at the time that that Yacht Club could now deny me Membership on the basis of my race for the first time in Illinois history and get away with it. Because of that legislation. That legislation had many, many defects in it. However, the legislation is now a reality as is the existence of this agency. The head of that agency has recently been appointed and it seems to me although I am in full support of my colleagues' objections, it seems to me that it would not be appropriate to kill the agency altogether at this time. I say that with great regret because I have worked closely with those who have mounted the fight against this agency and the damage that it has done in the State of Illinois. I am still convinced as many of you know, this year we have passed numerous Amendments to try to clean up what was House.. Senate Bill 1377. The legislation still has not been cleaned up. It's still a disaster. I wish that I could join my colleagues in voting 'no' on this appropriation. However, I will vote 'present' in understanding of their objections and I would encourage a 'present' vote. Thank you."

Speaker Lechowicz: "Mr. Reilly to close."

Reilly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, let us get clear what is before the House. The only question before the House is not last year's battle, it is not who is the head of certain political caucus, it is not who is to be the Director of the Department. It is simply, plainly and simply whether we're going to fund this agency. Frankly, I don't care. I am tired after a year and a half of...."

Speaker Lechowicz: "Excuse me, Mr. Reilly..."

Reilly: "Fighting to put this agency together.."



Speaker Lechowicz: "Let's give this Gentleman some order."

Reilly: "I am tired after working for a year and a half to put this agency together, working with every major civil rights group in the state that came down here to endorse this Bill, working with Senator Washington in the implementation Committee that was promised when we worked on 1377 last year, working in that Committee for several meetings, meetings that I could have been elsewhere, I could have been doing other things, working all that time to bring this Bill into shape, to bring the Department into shape, it is in good shape.

It is nonsense. It's just not true to say that this Bill or that 1377 which created this Department is in any way a retreat. It is a major advance. Every major newspaper, every major civil rights group in this state, will tell you that. And have said that time and time again. It is not true that we have created exemptions that didn't exist before. Federal law has always had the private club exemption, just as an example. So I don't care. If you don't want to fund this agency that we fought for, if you don't want to fund this major advance in human rights, not only for people and for racial reason, sex reasons, handicapped, all people, I don't care. I am tired of fighting on this and having it attacked wrongly, falsely, for all kinds of other reasons that have nothing whatsoever to do with this agency. I want a favorable Roll Call."

Speaker Lechowicz: "The question is, 'Shall Senate Bill 1622 pass?' All in favor vote 'aye'; all opposed vote 'no'. The Gentleman from Cook, Mr. Peters, to explain his vote. Timer's on."

Peters: "Mr. Speaker, just to explain my vote this way. A number of years ago on this House floor, people had problems with what was then known as the Governor's Office of Human Resources. That office was set up



by statute. Attempts were made to abolish that office by not appropriating for it. The courts clearly held that the only way you can prevent an office from functioning of that nature is to pass substantive legislation to undo what the legislation did creating that office. We are just forestalling a problem here. If you don't want the Commission to exist, put in legislation to destroy it. This ain't going to work."

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

Taylor: "Thank you, Mr. Speaker. The greatest fighter for civil rights that we ever had here in the great State of Illinois is here standing beside me now, a former Representative, now a Member of Chicago Board of Elections Commission, Representative Corneal A. Davis."

Speaker Lechowicz: "Deacon, welcome back. Good to see you. Have all voted who wish? The Gentleman from Marion, Mr. Friedrich, to explain his vote. Timer's on."

Friedrich: "Mr. Speaker and Members of the House, we used to have a little sandlot baseball game once in a while and we had one kid in the neighborhood who always said, 'If I can't pitch, I won't play.' I think we've got some people over there that are not being allowed to pitch so they're not going to play. I think the Gentleman who said that you're going to shoot the camel and you're not going to get across the desert, if that's the way you want it, that's the way you've got it."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Huskey, to explain his vote. Timer's on."

Huskey: "Well, Mr. Speaker, I have to agree with some of the speakers on the other side like Representative Ewell who .. who got lost in the middle of the desert. Let me say that you people with your 'present' lights on remind me of the old guy that used to send his wife down to the creek to wash her laundry out with the rocks instead of buying her a washing machine. So, I vote 'yes'."



Speaker Lechowicz: "Have all voted who wish? The Gentleman from Cook, Mr. Emil Jones, to explain his vote. Timer's on."

Jones: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I don't want to go over what we went over last year dealing with this piece of legislation. I know several individuals who were down here to testify ..."

Speaker Lechowicz: "Excuse me, Mr. Jones. Mr. Ewell, on a point of order? What's your point, Sir?"

Ewell: "As I understand it, Mr. Jones spoke once in debate."

Speaker Lechowicz: "Not on this issue. Please proceed to explain your vote."

Jones: "I'm very surprised that my distinguished 'write-in' mate was denying me the opportunity to speak. But, as you notice, I am voting 'present' on this motion (sic) because I feel that the funding is needed for this particular agency, but by the same token in support of our economy. Because we have been stripped by this human rights agency. Sure, there were persons who came to Springfield to testify for.. but for a lousey three pieces of silver, they sold the rights of a lot of people down the river. And, my colleague of the 29th District knows what I'm talking about when I say the three pieces of silver. And that's what happened on this piece of legislation. I feel you have a Director there and I will be supportive of that Director. But we are sending a message to the people by our vote. I request more 'present' or 'no' votes."

Speaker Lechowicz: "The Gentleman from Cook, Mr. J.J. Wolf, to explain his vote. Timer's on."

Wolf: "Thank you Members.. Mr. Speaker, Members of the House. I really think that voting against this or voting 'present' is really an exercise in futility. Because we have statutory.. statutory authority creating this particular Department. Now, it just seems to me that.. that if you



want to do away with the Department, that's what you have to do. You have to enact legislation to abolish what we already have on the books, but this isn't going to solve anything at all. It just seems to me that there's a lot of controversy here and I don't think that not funding the agency is going to be the answer. The agency is going to exist with it or without this appropriation. I think the time for playing games is over and I think it's time to vote 'yes' is here. And I vote 'aye'."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 84 'ayes', 39 'nos'. Mr. Reilly asks for a poll of the absentees."

Clerk Leone: "Poll of the absentees: Abramson. Dawson. DiPrima. Donovan. John Dunn. Farley. Flinn. Gaines. Hanahan. Klosak. Laurino. Leon. Sandquist. Schraeder. Stearney. VonBoeckman. Williams. Younge. And, Mr. Speaker."

Speaker Lechowicz: "On this question there are 84 'ayes', 39 'nos', This Bill, having failed to receive the Constitutional Majority... Mr. Reilly? Is declared lost. Kindly record Mr. White as 'present' on the last Roll Call. Senate Bill 1629."

Clerk Leone: "Senate Bill 1629, a Bill for an Act making appropriations for the ordinary and contingent expenses of the State Fire Marshal. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Madison, Mr. Steele. Out of the record? How about 1630, Mrs. Stiehl? Out of the record. Senate Bill 1638, Mr. Stanley? Read the Bill."

Clerk Leone: "Senate Bill 1638, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Health Finance Authority. Third Reading of the Bill."



Speaker Lechowicz: "Mr. Stanley."

Stanley: "Thank you very much, Ladies and Gentlemen of the House. This is the annual appropriations for the Health Finance Authority which was created with the Eightieth General Assembly. It's an agency that's been set up for the purpose of reviewing hospital rates and assuring the hospital rates are equitably determined. I'd ask for a favorable Roll Call. The total appropriation is for one million, seventy-three thousand dollars."

Speaker Lechowicz: "Any discussion? The question is, 'Shall Senate Bill 1638 pass?' All in favor vote 'aye'; all opposed vote 'no'. Marco. Marco. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 133 'ayes', seven 'nos', two recorded as 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1643, Mr. Kornowicz? Eddy, you want the Bill called? Out of the record. 1662, Mr. Telcser? Out of the record. 1726, Mr. Mautino? 1728, Mr. Watson. Read the Bill."



Clerk Leone: "Senate Bill 1728. A Bill for an Act in relation to exemptions of bankruptcy proceedings provided that the federal exemptions in the Bankruptcy Code are not available to persons residing in this state. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Bond, Mr. Watson."

Watson: "Thank you, Mr. Speaker and Members of the House. This is Senate Bill 1728. In 1978, the Congress passed a Bankruptcy Reform Act of 1978 which took effect in October of 1979. One provision in this Act was to provide for new federal exemptions. Another provision of the Act was to allow the states to opt out of these federal exemptions if they so wish. One of the things the government...Federal Government was trying to do was bring about uniformity to the Bankruptcy Code, but they failed when they allowed the states to opt out of the federal exemptions. Twelve states have so far done this. The Bankruptcy Act will remain intact, and we are only opting out of the exemptions. I believe there's some confusion possibly on this particular aspect of what I'm trying to do. We have made some changes in the Illinois provisions of the exemptions of the Bankruptcy Code, which, of course, were Amendments that were adopted last week, and we're trying to make revisions in hopes that we're being fair to the bankrupt. The federal exemptions went too far. They were...liberalized it considerably, and I think that Illinois should exercise their right to opt out of this particular bankruptcy chapter. I would entertain any questions...answer any questions if anyone would so wish."

Speaker Lechowicz: "Any discussion? The Gentleman from Cook, Mr. Jaffe."

Jaffe: "Yes, Mr. Speaker and Members of the House, I rise in opposition to this Bill. As you know, we have discussed



this Bill for a long period of time on this particular floor. Now, let me just say to you that every state that has opted out has actually reviewed and updated their exemption law. You know, we have not done so in the State of Illinois for approximately a decade. The cosmetic things that we did with the Bill on the floor of the House last week just doesn't mean a darn thing, and there are so many problems that exist with this Bill that it's mindboggling. Let me...let me first of all tell you some of the problems. First of all, the exemptions in Illinois are..."

Speaker Lechowicz: "Excuse me, Mr. Jaffe. It's...kindly move over to the side. Will you give the Gentleman your attention, please? Please proceed, Sir."

Jaffe: "Yeah. The exemptions in Illinois are definitely inadequate. You know, let's face it. You know, if a large corporation goes bankrupt, you can be darn sure that the president of that large corporation or the chairman of that board is going to walk out, and he's going to walk out with his yacht, and he's going to walk out with his Cadillac, and he's going to walk out with all of his money. But, God forbid, the little guy on the corner who owns a tavern or owns a grocery store. If he goes bankrupt, he's going to have to take these Illinois exemptions, and he's going to walk out with absolutely nothing. Just look at those exemptions. They're really horrifying. Secondly, there are so many other things that are wrong with the exemptions. Let me tell you this, that the Illinois exemptions go contrary to really a single person. For instance, if you're a householder, and you have a family, and you have a piece of property, why, you get a ten thousand dollar exemption as a householder. But, if you're a single person, what do you get? You get absolutely nothing, and I don't think that that's fair under the



federal law, and it has changed a great deal, and most other states have changed that. Only Illinois remains in the dark ages. Let us say, for instance, that a senior citizen goes through bankruptcy. What happens to his social security benefits? Under the Illinois law, that senior citizen could have his social security benefits taken. Under the federal exemptions, he cannot. What if somebody loses their business and goes on unemployment insurance? Well, under the federal law, of course, you couldn't attach his unemployment insurance. Under Illinois, you can attach the unemployment insurance. Say you have someone who is...goes through bankruptcy and is receiving maintenance or support for their child. Well, under Illinois law, you could attach that support payment, and you could attach the maintenance payment. Under the federal law, you could not. I could go on and on and on and on. What I'm saying to you is that this subject matter is really so complex that even if you wanted to go to the state law, I think that the only logical way to do it would be to say, well, let us appoint the Subcommittee to Judiciary I. Let us study it for about six months. Let's have the business community come in. Let's have the Bar Associations in it. Let's have everybody have some input and let's update the Illinois law. Let's just not run to pass an Illinois law that is really, very, very archaic. I think we would make a grave mistake in this state if we would go...if we were to go to our own state exemptions when those state exemptions have not been updated for a period of approximately ten years, and you all know what has happened in the last ten years. We've had double digit inflation year after year after year. I think we have to be logical. We have to approach this Bill with some reason, and I would urge an 'aye'...a 'no' vote on this particular Bill."



Speaker Lechowicz: "The Gentleman from McLean, Mr. Bradley."

Bradley: "Yes, Mr. Speaker, we've listened to this issue long and hard on Second Reading, and there's one area that was not discussed or the voice of the businessman, as far as I'm concerned, was not heard. Nobody talked about the businessman who gave credit to a person who then, for some reason or another, decided they were going to file bankruptcy, and the businessman, whatever the sale might have been, whether it'd be 500 dollars, 1000 dollars, 2000 dollars, a small business, large business, an automobile dealer, whatever it might be, that fellow is left hanging high and dry, and he does not receive his money for a sale for supplying services or whatever it might be to the person who volunteers... voluntarily decides he wants to file bankruptcy. Nobody forces him to file bankruptcy. He voluntarily decides he wants to file bankruptcy. I didn't hear anybody talking about the fellow who's left without the bill being paid, so in return he can pay his bills. A man who might have been in business...this happens all the time. It happens in the small business that I happen to run where all of a sudden we're notified that somebody has filed bankruptcy, and then we're left hanging high and dry, whether it'd be a 500, or 1000, 2000 dollar bill. What's supposed to happen to that fellow? Where is he being defended? I don't hear anybody jumping up and saying, 'Well, you know, let's help that fellow.' What we're saying is, let's help the fellow that wants to go bankrupt, so he's got some of his assets left, so he can continue to live in the same style and fashion that he's been accustomed to living. I object to that strongly. I think we're way too liberal as it is now. If a fellow files bankruptcy, in my opinion, we ought to really cut him back to the point that he liquidates all of his assets



and pays his bills with whatever is left. I think this Bill might be a step in the right direction. It doesn't go far enough in my posi...in my estimation. We ought to make it more stringent. We ought to say to a fellow, 'You want to voluntarily take bankruptcy? Then go ahead and take it. We'll liquidate all your assets, and you can start all over again, but don't forget you've got to pay your bills.' Those people who he is leaving... leaving and saying to them, 'I don't care what happens. I'm going to file bankruptcy, and, as far as I'm concerned, you can just try to make out the best way you possibly can.' I think we ought to vote for the Bill."

Speaker Lechowicz: "The Gentleman from Henry, Mr. McGrew. Oh. Mr. Sam Wolf."

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

Speaker Lechowicz: "The Gentleman has moved the previous question. All in favor signify by saying 'aye'. 'Aye'. Opposed...the previous question's been moved. The Gentleman from Bond, Mr. Watson, to close."

Watson: "Thank you, Mr. Speaker. Bankruptcy is a horrible thing, but it should be the last resort. With the federal exemptions that we have presently in Illinois, it's almost to a point where we're encouraging bankruptcy. A lot of consumer legislation, and I'm not necessarily anti-consumer, but a lot of consumer legislation actually turns out to be the reverse of what the intent of the legislation would be, and I think this is a good example. We're actually going to be hurting the very guy we're trying to help by possibly cutting off the money supply to this individual. Many lending institutions or anyone dealing in credit are revising their policies and what's going to happen is the money supply will be shut off to an individual whose ...who possibly doesn't have the assets to warrant a



loan. I don't feel that the intent of this Act was to cut down on the purchasing power of an individual, but I think that that could readily happen. One of the areas that I would definitely like to mention that the federal exemptions cover is 7500 dollars of a debtor's interest in a homestead, and a married couple jointly filing bankruptcy could have a claim of...a total of 15,000 dollars. Now, that's not so bad, but one provision in the Federal Bankruptcy Code allows an individual up to 400 dollars in any property which may be combined with the unclaimed homestead exemption value with a maximum of 11,500 dollars. In other words, an individual could have personal property exemptions of 11,500 dollars, whether it'd be a checking account, savings account, stocks, bonds, whatever. This particular piece of legislation passed the Senate without any Amendments 42 to 3. We have made some revisions in the Illinois Code, and I think they're progressive... progressive changes, and I would appreciate a favorable Roll Call."

Speaker Lechowicz: "The question is, 'Shall Senate Bill 1728 pass?' All in favor vote 'aye'. All opposed vote 'no'. The Gentleman from Cook, Mr. Schlickman, to explain his vote. Timer's on."

Schlickman: "Mr. Speaker, Members of the House, I agree wholeheartedly with the Chairman of the Judiciary Committee who urges a 'no' vote on this measure. Bankruptcy has been in existence for decades on account of the Federal Government taking the position that people ought to be given a fresh start in life if they have become subjected to an overabundance of credit through ignorance, through inability on their part to manage their own affairs, through unscrupulous practices of creditors. When Congress engaged in a major overhaul or review of the Bankruptcy Act, by compromise it allowed



states to opt out with the understanding...with the implications that those states that were behind with respect to exemptions would bring them up-to-date... would take into account today's situation. This Bill, Senate Bill 1728, did not provide for any reform.."

Speaker Lechowicz: "The Lady from Cook, Mrs. Balanoff, to explain her vote. Timer's on."

Balanoff: "In the short time that I've been in this House... a little over one year, I can't think of a worse Bill that's come to this House floor. Anyone who votes for this Bill is saying that he doesn't like people. He's saying that he doesn't like people who are down and out. A person can go through bankruptcy only once in seven years. People who go through bankruptcies don't want to do it. They do it, because they have to go through bankruptcy. We are penalizing the little guy. The one who is down and out, if you vote green on this Bill."

Speaker Lechowicz: "The Gentleman from Will, Mr. Davis, to explain his vote. Timer's on."

Davis: "Thank you, Mr. Speaker. The last speaker couldn't have been more wrong. This is a pro-consumer Bill, because anyone familiar with the laws of economics can simply tell you this, if the federal law is allowed to go in, two things will happen. Credit lines will restrict at the retail level...at the lending level, and the cause of the restriction or the effect of the restriction will be higher credit cost, if it's available at all. If you're pro-consumer, you ought to be voting for this Bill, because it will tend to hold interest rates down and make credit more available to those who qualify."

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

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in opposition to this Bill. Some of the comments



that I've heard here this morning would paint the picture of someone gladly, gleefully, voluntarily marching off to file bankruptcy. In fact, that is not anywhere near the case. Bankruptcy is a very last resort. The present bankruptcy law enables people who have no other way of getting a second start a means of getting a second start to keep themselves and their families off the public aid rolls. In fact, to start up another business, to make jobs available to themselves and to other people, to earn money, and enable them and their workers to spend money. We must defeat this Bill. It's a terrible idea. Thank you."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Griesheimer. Timer's on."

Griesheimer: "Thank you, Mr. Speaker. We have heard people use the term 'fresh start' on this Bill a number of times, and that's just plain hogwash. The federal legislation as it was passed doesn't give anybody a fresh start. It allows him to just flat out cheat his creditors. In other words, you're not starting from ground zero and trying to build up again. You can rip off practically every piece of personal property you own, keep it from your creditors, and you're not starting afresh. You're starting way ahead of the game, and anybody that's so naive as to believe otherwise just hasn't read the law, and to the prior speaker, we all feel she's been in the Legislature longer than that."

Speaker Lechowicz: "The Gentleman from Macon, Mr. Dunn. Timer's on."

Dunn: "Mr. Speaker, I reluctantly rise in opposition to this Bill, because I don't think my remarks are going to do any good. There are too many votes on the board, but I do want to point out that those who say that this is a consumer Bill, that this is a Bill to help the



creditors, are not right either. Maybe they don't understand that when you go into the short loan company, or when you go into the bank, or when you go into anyone who makes credit extensions, that you apply for a loan, and on that loan application you list your assets and you also list your liabilities. You explain to them exactly what you owe. Those bankers or lenders also have access to credit reports. They know what you owe when they make a loan to you. That's their business. Their business should involve some risk. If they make bad loans to poor credit risks, that's a loss that they should have to suffer. The people who genuinely need the relief of bankruptcy, should not be deprived of that relief to make it easier for those who make loans. The people who..."

Speaker Lechowicz: "Have all voted who wish? The Gentleman from Champaign, Mr. Johnson."

Johnson: "Mr. Speaker and Members of the House, I think one point among all the debate really hasn't been highlighted as it should be, and that is that the whole concept of bankruptcy law is that an individual, through his...either his irresponsibility or overextension of credit, has gotten in over his head...he or she... and has an opportunity to enjoy a fresh start. And, part of that same concept is that when you wipe out everyone's debts and leave the creditors high and dry, that along with that you ought to have to pay a certain amount of cents on the dollar with the property you had. You can't have it both ways. You can't, at the same time, wipe out all your debts and keep all your property. If you vote 'no' on this, that's exactly what you're doing. That's exactly what the federal Bill does. It allows somebody to have a substantial asset, well in excess of 30 or 40 thousand dollars, depending on how they can be added up, wipe out all



your debts, and thwart the purpose of bankruptcy. The purpose of the bankruptcy law would be well enjoyed. Repr..."

Speaker Lechowicz: "The Lady from DuPage, Mrs. Dyer. Timer's on."

Dyer: "Mr. Speaker, you've heard the two extreme points of view on this Bill. Some speakers have said it's the best Bill on the subject. Others have said it's the worst Bill on the subject. I would like to see the middle ground, a reasonable Amendment. Amendment #2 was proposed for this Bill, which would give exemptions midway between the federal and the state. I would urge enough Members to put on a red light or a 'present' light to get this under 89, have it put on Postponed Consideration, and consider this reasonable Amendment which is between the federal and state exemption. It's the reasonable position. It's the moderate position. I urge a red light or a 'present' vote at this point."

Speaker Lechowicz: "The Gentleman from Will, Mr. Leinenweber. Timer's on."

Leinenweber: "Well, I don't know how many Members of the General Assembly have ever been in bankruptcy court and see how it operates. Well, I have. Fortunately, not as a bankrupt, but I can tell you this, that when an individual goes bankrupt, if you think that our workmen's compensation arbitration hearings are bad, you ought to see what happens in bankruptcy court. There's never been a dividend paid when an individual comes in, and I tell you if you pass this...if you don't pass this Bill and the federal exemptions the referees get to work with, anybody can go bankrupt, and they'll never have to pay one cent. This is a good Bill, and everybody ought to be voting for it."

Speaker Lechowicz: "The Lady from DuPage, Mrs. Karpiel. Timer's on."



Karpiel: "...previous question, Mr. Speaker."

Speaker Lechowicz: "That isn't done, ma'am, when...while we're explaining votes. The Lady from Champaign, Mrs. Satterthwaite. Timer's on."

Satterthwaite: "Mr. Speaker and Members of the House, I thought this was a Bill that I was going to be able to support until I realized that this leaves us with language which may, in fact, be very detrimental. If there is a dissolution of marriage along with the bankruptcy proceedings as this law is written, it leaves no guarantee that the women's rights would be protected at all. It leaves it open so that all of the exemptions could, in fact, be claimed by the male head of the household, and we would end up with no assurance that support payments would be available to the wife or to children after the bankruptcy proceedings had been concluded. For that reason, even though I object to some of the federal standards, I cannot support this Bill as the only alternative."

Speaker Lechowicz: "The Lady...the Gentleman from Rock Island, Mr. Darrow. Darrow, please."

Darrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Dyer was completely correct in her statement concerning this legislation. The federal regulations are quite liberal. The states are quite stringent. If we pass this Bill today, what we are saying is, 'You will receive a homestead exemption if you're rich enough to buy a home.' But, if you're a fellow that can only own a mobile home and has to live in a mobile home park, forget it. You're going to lose your home. We're saying that if you're sick and run up a lot of doctor bills, have to go bankrupt, you're going to lose your property. You're going to lose all you have to a finance company with the exception of a few hundred dollars in merchandise. I think this should be taken



back to Second Reading and the appropriate Amendments put on. Until that's done, I can't support it."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 100 'ayes', 52 'noes', 14 recorded as 'present'. Mr. Jaffe."

Jaffe: "Mr. Speaker, I really hate to do it, but I see a lot of Members who are voting for that Bill who are not here, and I'm, therefore, going to request a verification."

Speaker Lechowicz: "The Gentleman requests a verification. Mr. Watson wants a poll of the absentees. Clerk, please poll the absentees."

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

Speaker Lechowicz: "Mr. Van Duyne, for what purpose do you seek recognition?"

Van Duyne: "Mr. Speaker, I'd like to be verified now if I could."

Speaker Lechowicz: "The Gentleman asks leave to be verified. Leave is granted. Van Duyne."

Clerk O'Brien: "Poll of the absentees. Abramson. Cullerton. Huff. Kelly. Klosak. Laurino. Stearney. Steczo. Williams. Sam Wolf. And, Yourell."

Speaker Lechowicz: "Please proceed to verify the affirmative vote."

Clerk O'Brien: "Ackerman. Anderson. Beatty. Bell. Bianco. Birkinbine. Bluthardt. Borchers. Boucek. Bower. Bradley. Brummer. Burnidge. Campbell. Capuzi. Casey. Christensen. Collins. Conti. Daniels. Davis. Deuster. DiPrima. Domico. Donovan. Doyle. Ralph Dunn. Ebbesen. Ewing. Farley. Virginia Frederick. Dwight Friedrich. Griesheimer. Hallock. Hallstrom. Hanahan. Hannig. Harris. Hoffman. Hoxsey."

Speaker Lechowicz: "Excuse me. Mr. Reilly would like to have



leave to be verified. Leave is granted. Please proceed."

Clerk O'Brien: "Hudson. Huskey. Johnson. Dave Jones. Karpel. Keane. Kent. Kucharski. Kulas. Leinenweber. Leverenz. Macdonald. Mahar. Margalus. Matula. Mautino. McAuliffe. McBroom. McClain. McCourt. McGrew. McMaster. Molloy. Neff. Oblinger. O'Brien. Pechous. Peters. Piel. Pullen. Rea. Reed. Reilly. Rigney. Robbins. Ropp. Ryan. Schisler. Schoeberlein. Schraeder. Schuneman. Simms. Skinner. Stanley. E. G. Steele. C. M. Stiehl. Sumner. Swanstrom. Totten. Tuerk. Van Dwyne. Vinson. VonBoeckman. Walsh. Watson. White. Wikoff. Winchester. J. J. Wolf. And, Woodyard."

Speaker Lechowicz: "Mr. Birkinbine wants to have leave to be verified. Leave is granted. Mr. Abramson, for what purpose do you seek recognition?"

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

Speaker Lechowicz: "Kindly record Mr. Abramson as 'aye'. Anymore...what are we starting with, Jack?"

Clerk O'Brien: "One hundred and one 'ayes'."

Speaker Lechowicz: "There's 101 'ayes'. Do you...are there any questions of the affirmative vote, Mr. Jaffe?"

Jaffe: "Anderson."

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

Jaffe: "Beatty."

Speaker Lechowicz: "Wait a minute. Who was that?"

Jaffe: "Beatty."

Speaker Lechowicz: "Beatty? Beatty's in his chair."

Jaffe: "Bell."

Speaker Lechowicz: "Mr. Molloy wants to have leave to be verified. Leave is granted. Who was that? Representative Bell? Is Mr. Bell in the chamber? He's in his chair."

Jaffe: "Boucek."

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



Jaffe: "Bower."

Speaker Lechowicz: "Oh, Mr. O'Brien wants to be verified.

Leave is granted. Bower, did you ask for, Mr. Jaffe?"

Jaffe: "Bower. Yes."

Speaker Lechowicz: "Bower's here. Mr. Conti, for what purpose do you seek recognition?"

Conti: "Well, Mr. Speaker, this is going to be a long week, and I hope that these people who...on these verifications of Roll Calls, when they're asked to be verified, I hope it's for legislative reasons and not for luncheons or meeting constituents."

Speaker Lechowicz: "Oh, no. No."

Conti: "I'm going to start objecting to it if I find that it's going to be any different."

Speaker Lechowicz: "Your point's well taken."

Jaffe: "Brummer."

Speaker Lechowicz: "Brummer? He's in the back of the hall."

Jaffe: "Capuzi."

Speaker Lechowicz: "He's always here."

Jaffe: "Casey."

Speaker Lechowicz: "Casey? He's here. Mr. Friedrich, for what purpose do you seek recognition?"

Friedrich: "I think the Gentleman's being dilatory. He called five straight names, and the people were sitting right in their own seats."

Speaker Lechowicz: "That happens. Please proceed, Mr. Jaffe."

Jaffe: "DiPrima."

Speaker Lechowicz: "DiPrima's in his chair."

Jaffe: "Okay. Domico."

Speaker Lechowicz: "Domico's in his chair."

Jaffe: "Donovan."

Speaker Lechowicz: "Mr. Donovan in the chamber? Remove Mr. Donovan." Kindly change Mr. McClain from 'aye' to 'no'."

Jaffe: "Ebbesen."

Speaker Lechowicz: "Mr. Ebbesen. Is the Gentleman in the



chamber? Mr. Ebbesen. Remove him."

Jaffe: "Ralph Dunn."

Speaker Lechowicz: "Ralph Dunn? How's the Gentleman recorded?
He's here."

Clerk O'Brien: "The Gentleman's..."

Jaffe: "Ewing."

Speaker Lechowicz: "Mr. Ewing is here."

Jaffe: "Farley."

Speaker Lechowicz: "Farley is here."

Jaffe: "Hanahan."

Speaker Lechowicz: "Hanahan's here."

Jaffe: "Hallstrom."

Speaker Lechowicz: "Kindly change Mr. Rea from 'aye' to 'no'.
Mrs. Hallstrom is here." Mr. Huff wants to be recorded
as 'no'. Anyone else?"

Jaffe: "Hoffman."

Speaker Lechowicz: "Hoffman is here. Put Mr. Ebbesen back
on, please. Put Mr. Donovan back on."

Jaffe: "Mr. Keane."

Speaker Lechowicz: "Mr. Keane? Mr...how's Mr. Keane recorded?"

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

Speaker Lechowicz: "Remove him."

Jaffe: "Kucharski."

Speaker Lechowicz: "Kucharski? How is Mr. Kucharski recorded?"

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

Speaker Lechowicz: "Mr. Kucharski? Remove him."

Jaffe: "Kulas."

Speaker Lechowicz: "Kulas is in his chair."

Jaffe: "Tim Johnson."

Speaker Lechowicz: "Tim Johnson...how is Mr. Johnson recorded?"

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

Speaker Lechowicz: "Remove him."

Jaffe: "Leverenz."

Speaker Lechowicz: "Put Kucharski back on. Leverenz?"

Jaffe: "Yeah."

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



Jaffe: "Mahar."

Speaker Lechowicz: "Mr. Stearney, what purpose do you seek recognition?" Kindly record Mr. Stearney as 'no'. Mahar. How is Mr. Mahar recorded?"

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

Speaker Lechowicz: "And he is in the chamber."

Jaffe: "Margalus."

Speaker Lechowicz: "Margalus...he's back there."

Jaffe: "Matula."

Speaker Lechowicz: "Matula is back there."

Jaffe: "McAuliffe."

Speaker Lechowicz: "McAuliffe...Mr. McAuliffe...put Mr. Schoeberlein back. And Mr. McAuliffe...remove Mr. McAuliffe. Mr. Schoeberlein."

Jaffe: "McGrew."

Speaker Lechowicz: "Was that McBroom?"

Jaffe: "No...no, never mind."

Speaker Lechowicz: "McGrew is back there." Put McAuliffe back on."

Jaffe: "Peters."

Speaker Lechowicz: "Peters...is here."

Jaffe: "McBroom."

Speaker Lechowicz: "McBroom is here."

Jaffe: "Reed."

Speaker Lechowicz: "Mrs. Reed, she is here."

Jaffe: "Reilly."

Speaker Lechowicz: "Reilly is here."

Jaffe: "Robbins."

Speaker Lechowicz: "Clyde asked leave to be verified."

Jaffe: "Alright...alright...Schisler."

Speaker Lechowicz: "Schisler...how is Mr. Schisler recorded?"

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

Speaker Lechowicz: "Remove him."

Jaffe: "Schuneman."

Speaker Lechowicz: "Schuneman...is here."



Jaffe: "Simms, oh, I see Simms. Never mind. Stanley."

Speaker Lechowicz: "Stanley did you ask for? Mr. Stanley... how is he recorded?"

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

Speaker Lechowicz: "Remove him."

Jaffe: "C.M. Stiehl."

Speaker Lechowicz: "The Lady is here." Pick up the votes."

Jaffe: "E.G. Steele. I just have a few more."

Speaker Lechowicz: "He's here."

Jaffe: "Tuerk."

Speaker Lechowicz: "Tuerk is here."

Jaffe: "VonBoeckman."

Speaker Lechowicz: "Mr. VonBoeckman...how is the Gentleman recorded?"

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

Speaker Lechowicz: "Remove him."

Jaffe: "White."

Speaker Lechowicz: "Jesse I think changed. He went from 'aye' to 'no', and he's here. Didn't Jesse White change his vote? He's here."

Jaffe: "Christensen."

Speaker Lechowicz: "Christensen...Mr. White, I'm sorry, did you change your vote or you... You...good. Kindly record Mr. White as 'aye', and he is here."

Jaffe: "Christensen."

Speaker Lechowicz: "He is here."

Jaffe: "Wikoff."

Speaker Lechowicz: "Put Stanley back on." Wikoff...he's here. Mr. Vinson wants to be verified."

Jaffe: "I have no further questions."

Speaker Lechowicz: "What's the count, Jack? Kindly record Mr. Cullerton as 'no'. On this question there are 96 'ayes', 58 'nos'. This Bill having received the Constitutional Majority is hereby declared passed."



Speaker Lechowicz: "Mr. Mahar, you want to make an announcement? Mr. Ryan. Mr. Mahar."

Mahar: "Thank you, Mr. Speaker. There will be a Republican conference in room 118 about 45 minutes."

Speaker Lechowicz: "Would you repeat that, Sir?"

Mahar: "A Republican call for a Republican conference in room 118 for about 45 minutes."

Speaker Lechowicz: "For 45 minutes. The Gentleman from Lake, Mr. Pierce."

Pierce: "Mr. Speaker, as the heir designee of our conference Chairman, who is not on the floor now, I request a Democratic conference as a launchment."

Speaker Lechowicz: "In 114?"

Pierce: "114, room 114, Democratic conference."

Speaker Lechowicz: "The House will stand in recess till the hour of 1:00 o'clock for the purpose of a Democratic-Republican conference. The House will come to order. Members be in their seats. On the Calendar appears Senate Bill 1813, Mr. Sharp?"

Sharp: "Yeah, I'd like to bring .. leave of the House, 1813 back to Second Reading for the purpose of an Amendment."

Speaker Lechowicz: "Any objections? Hearing none, Senate Bill 1813 is on Second Reading."

Sharp: "Okay. I'd like to offer Amendment #1 that takes care of the concerns that some had yesterday about opening the door to all types of construction working progress. This just deals with coal. And that's what it specifies. I move for its adoption."

Speaker Lechowicz: "Any discussion? The Gentleman has moved for the adoption of Amendment #1. All in favor signify by saying 'aye', 'aye'. Opposed? Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Skinner-O'Brien, amends Senate Bill 1813 on page one, line one and five by changing Section 41 to Section 36."



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

Skinner: "Mr. Speaker, this is the Amendment that would eliminate the automatic fuel adjustment clause for coal which is mined out of the State of Illinois. As I argued yesterday, the only way that we're going to increase the use of Illinois coal is if we take the cost of transporting western coal automatically off and increase in the rate. If the cost of coal goes up, the rate automatically goes up....."

Speaker Lechowicz: "Excuse me. The Gentleman from Adams, Mr. Sharp, for what purpose do you seek recognition?"

Sharp: "Yeah, has that... I don't have that Amendment and no one gave me a copy..."

Speaker Lechowicz: "Has Amendment #2 been distributed? It has not. Mr. Skinner."

Skinner: "The Amendment has been on the Clerk's desk since 1:00 a.m. Excuse me, 1:00 p.m. Actually since about 15 of one."

Speaker Lechowicz: "Unfortunately it wasn't the only Amendment."

Skinner: "It was the first Amendment that was up there."

Speaker Lechowicz: "Be nice today, will you? The Amendment is not distributed."

Skinner: "Is that what the fellow says?"

Speaker Lechowicz: "Who? They're giving you a message, Cal. Mr. Sharp?"

Sharp: "Yeah, you know, I want to move the Bill back to Third because we're running out of time, so.."

Speaker Lechowicz: "Mr. O'Brien."

O'Brien: "Yes, Mr. Speaker and Members, let me ask a question. Have we adopted House Amendment #1?"

Speaker Lechowicz: "Yes, we have."

O'Brien: "All right. Now of the Sponsor of the Bill, House Amendment #1 took off the Senate Amendment and made this Bill refer directly to the use of coal so that now, Representative Sharp, this Bill deals with coal and the



use of coal and those types of pollution devices that will be used to clean coal by the utilities in the State of Illinois. Okay. I am also a Cosponsor of the Amendment that Representative Skinner has referred to. And I think that the full House ought to have the opportunity to discuss that Amendment and I would ask the Sponsor to hold this Bill for an hour so that we can discuss that Amendment, and then, at that time, I think that if the Amendment is accepted or if it is rejected, I would be willing to support the Bill. I think the Bill would be in better fashion for the consumers in the State of Illinois. However, I do think that we should have a discussion of that Amendment that Representative Skinner is talking about as I said, I am a Cosponsor. That Amendment should have been distributed and I would request the Sponsor... ask the Sponsor to hold it just for a couple of hours and then I think we can work with him and get this Bill passed."

Speaker Lechowicz: "There's also been a request for a fiscal note, Mr. Sharp. Yes, Mr. Sharp?"

Sharp: "Yeah, I want to move the Bill back to Third and we're going to be getting into workmens' comp and that. I don't know if we're going to get back to it or not. Tomorrow is the deadline. You know, if we have time, I'd like to see the Amendment that they have, first of all..."

Speaker Lechowicz: "I wish I could help you, but there's been a request for a fiscal note. The Bill has to remain on Second Reading until that request is fulfilled. The Gentleman from Will, Mr. Leinenweber, for what purpose do you seek recognition? Yes, Senate Bill 1813 will remain on Second Reading. Did you read the Supplemental Calendar #1 into the record?"

Clerk O'Brien: "Supplemental Calendar #1, has been distributed."

Speaker Lechowicz: "Mr. Stuffle, on 1957? Out of the record."



Mr. Telcser on 1992? Out of the record. Senate Bill 1629, Mr. Steele?. Take it out of the record. 1662, Mr. Telcser? "

Clerk O'Brien: "Senate Bill 1662,..."

Speaker Lechowicz: "Senate Bill 1992."

Clerk O'Brien: "Senate Bill 1992, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of the Bill."

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

Telcser: "Mr. Speaker, Members of the House, Senate Bill 1992 deals in the first instance with the question of arson. It allows under the rules and regulations promulgated by the Department of Insurance to gather information regarding claims made on ... arson claims. It allows the Insurance Department to collect these facts in cases of fraud only. That is the substance of Senate Bill 1992. We also adopted an Amendment to Senate Bill 1992 which deals with the question of pre-paid legal insurance. The Amendment was adopted in Committee. We then adopted Representative Preston's clarifying Amendments and I'll be glad to answer any questions regarding Senate Bill 1992."

Speaker Lechowicz: "Any discussion? The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Yeah, I do have a question for the Sponsor. Representative Telcser, you might know even more than a pay raise, I'm interested in legal fees. What is the Amendment on pre-paid legal fees? Which number is it and what does it do?"

Telcser: "Amendment #5 is one of the Amendments dealing with that subject matter and we also adopted Amendment"

Leinenweber: "That's all right. My counsel to the rear of me has explained it to me."

Speaker Lechowicz: "Any further discussion? The question is,



'Shall Senate Bill 1992 pass?' All in favor vote 'aye'; all opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 133 'ayes', no 'nays', one recorded as 'present'. Record me as 'aye' on that Bill please. Jack, Lechowicz, 'aye'. This Bill, having received the Constitutional Majority, is hereby declared passed. Also record Mrs. Dyer as 'aye'. "

Speaker Pierce: "Moving to Supplemental Calendar 1, Order of Concurrences, on Supplemental Calendar 1, is House Bill 3003. Lechowicz and Ryan. And the Chair recognizes the Gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House do concur in Senate Amendment #1 to House Bill 3003. The Senate, what they did is cross reference the odometer certification required in Section 3-112 of the Bill concerning the contents and effect of the certificate of title issued by the Secretary of State. It also deletes the Section of a second division vehicle being listed for hire or not for hire because it has not been found to be necessary information for resale. As you recall, House Bill 3003 which passed overwhelmingly in the House, provided a provision that an odometer reading be placed on the certificate of title in the Secretary of State's Office, this insuring a protection for the consumer in the State of Illinois. It was an item that was thoroughly discussed in Committee. It had the support of the Car Dealer's Association, the Secretary of State's Office. It's an item where the consumers would be protected as far as having the odometer reading. It would also comply with the federal requirements of the 1972 Federal Act stating that the dealers would have to maintain this information on a separate piece of paper. Due to the computerization of the title procedures in the Secretary



of State's Office, now they're able to do this at no additional costs to the consumer at all. I move for the adoption of .. concurrence of Amendment #1 to House Bill 3003."

Speaker Pierce: "The Gentleman from Cook moves to concur in Senate Amendment #1 to House Bill 3003. This is final action. Any discussion on the Gentleman's motion? The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3003?' Final action. All in favor will vote 'aye'; opposed will vote 'nay'. Pierce, 'aye'. On this question there are 1... The Clerk will take the record. On this question there are 140 'ayes', no 'nays', none voting 'present'. And the House concurs in Senate Amendment #1 to House Bill 3003, by a Constitutional Majority. Back on the Regular Calendar... Back on the Regular Calendar on the Order of Motions, is House Resolution 897, Representative Chapman. For what reason does the Gentleman from Macon, Representative Borchers, arise?"

Borchers: "Thank you, Mr. Speaker. I just wanted to tell my very good friend, John Matijevich, on the other side over there that according to the mail I'm receiving this morning, he is carrying Wisconsin, but I'm carrying Alabama."

Speaker Pierce: "For what reason does the Gentleman from Cook, Representative Jones, arise?"

Jones: "Yes, thank you, Mr. Speaker. I was telling Webber, he's getting quite popular. I read about him in the Chicago Sun-Times paper Sunday and he's getting quite popular throughout the state."

Speaker Pierce: "It's that VFW cap that did it. Oh, you're talking about the second page, not the first page of the Sun-Times. I see."

Jones: "Yes. Mike Roykowrote about him then."

Speaker Pierce: "Is... Representative Chapman, are you ready



to proceed on House Resolution.."

Chapman: "Yes, Sir..."

Speaker Pierce: "897?"

Chapman: "Mr. Speaker..."

Speaker Pierce: "Motion to discharge."

Chapman: "There's been a motion filed to discharge the Committee on Human Resources from further consideration of House Resolution 897. And this Resolution expresses the intent in the Bill which women Legislators put forward earlier in the year which passed with a very resounding vote in this Body, that there be coordination of programs dealing with adolescent parenthood and that a task force be formed. And I have talked with the Chairman of the Committee on Human Resources and she does not believe that it is possible at this time or feasible to hold another meeting and so, I understand that she joins with me in asking that this Bill, this Resolution be discharged. So, I would ask you for support on this, Mr. Speaker and Members of the House."

Speaker Pierce: "All right. The Lady has moved to discharge on the issue... The Lady from Cook, Representative Willer."

Willer: "Yes, thank you, Mr. Speaker. As Representative Chapman said, we had hearings on these Bills. We do not have time to hold another hearing and I see no reason to hold another hearing. The Committee heard them and so I join with Representative Chapman in moving that the House do discharge the Bill, (sic)."

Speaker Pierce: "The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Thank you, Mr. Speaker. Would the Sponsor yield for a question? Does the.. Does the Resolution seek to initiate a new state program?"

Chapman: "What the Resolution asks is that a task force be formed with the Leadership provided by the Department of Public Health to be in touch with all of the agencies



involved with programs and that they develop a.. identify the present program services resources and develop a state plan and make recommendations. Any decisions that would be made as a result of their planning would, of course, be made by this Legislature. So there is no new program as a result of this Resolution. Could be at a later date if this General Assembly so decided."

Vinson: "Would the Resolution have to be approved by the Senate as well as the House?"

Chapman: "No, Sir."

Vinson: "Would the Resolution be subject to the Fiscal Note Act?"

Chapman: "No, Sir. Not in my view."

Vinson: "Quite curious that you would try to start a new state program that would not be reviewable under the Fiscal Note Act or reviewable by the other House of this bicameral institution."

Chapman: "I beg your pardon, Sir. I was not suggesting a new program.. I talked about coordination and planning. I did not talk about a new program. As a matter of fact, quite the opposite. I said that any new program that might occur as a result of this Resolution would need to have the approval of the General Assembly."

Vinson: "I appreciate your forthcoming answer. Thank you."

Speaker Pierce: "Anything further? The Lady... Yes, the Gentleman from Cook, Mr. Totten."

Totten: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What the Lady is trying to do is to now put in the form of a Resolution, a Bill that was held in the Senate that passed this House. I think that we.. to discharge the Committee as she is trying to do would be a bad practice seeing she is trying to accomplish the same thing by Resolution that the Senate ~~passed~~ in their wisdom not to do and to get around the fact that we do have two bodies of this General Assembly that must approve



legislation. Because the Senate has held it up, it's apparent that the Sponsor now chooses another route which is a Resolution to accomplish the same purpose. That, in my mind, is a bad route to choose and that we ought not to discharge the Committee from consideration of House Resolution 897, but probably let it lie there and I would recommend a 'no' vote."

Speaker Pierce: "The Lady from Cook, Mrs. Hallstrom."

Hallstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. First of all, as it has been mentioned, this is a Bill (sic) that was part of a very important package. This was discussed on this floor and by the vote it seemed like everyone else here, or at least the majority, a great majority, felt it was important too. As far as the other Representative who just spoke and suggesting that we should not take this route as far as the Resolution, I'd like to say that for the year and a half I've been here, I have watched each one of you who are determined to get something through that you feel is right take any legal way that you can to get it done. So, please, I ask you, don't vote on this on the basis of whether they couldn't get it through the Senate and we brought it back as a Resolution. Vote on the merit of the Bill. (sic). This is a subject that's very important. It has come out in the press, very often. Consider the problems of these teenage pregnant girls and don't vote 'no' on the basis that this route was taken. I would appreciate your support on this Bill, (sic)."

Speaker Pierce: "The Lady from Cook is recognized to close."

Chapman: "Mr. Speaker and Members of the House, there has been a question raised as to where the pro-life groups are on this particular Bill (sic) and I would like to read to you from a publication called Lifeline, put out by the Illinois citizens for life. It is May, 1980, volume seven, number four and under the heading, State Legisla-



tion this is stated, 'A series of Bills designed to help young pregnant women has been introduced in the Illinois General Assembly. Pro-lifers can support House Bill 20..pardon me. House Bill 3214.' House Bill 3214 is the Bill that is incorporated within House Resolution 897. It is not identical, but what is here is the same call for coordination, for ... looking at the programs that we presently have in place, for agencies cooperation in dealing with this serious issue of adolescent motherhood. I ask for your support for this Resolution."

Speaker Pierce: "The motion is to discharge. On the.. The Lady from Cook, Representative Chapman, has moved to discharge House Resolution 897 from the Committee on Human Resources. All those in favor will say 'aye'; opposed will vote 'no'. Record vote. Pierce 'aye'. Have all voted who wish? Representative Skinner is recognized to explain his vote."

Skinner: "Well, I am just looking at the vote total incredibly. I knew the women were under represented in the General Assembly, but I thought they were more powerful than this."

Speaker Pierce: "Don't speak too soon. Have all voted who wish? Representative... The Lady from DuPage, Representative Dyer, to explain her vote."

Dyer: "Yes, Mr. Speaker. In explaining my vote, I'd like to remind the Members of the House that this Bill, (sic) in the form of 3214 passed this House overwhelmingly. And like many, many other House Bills, did not make it past the Rules Committee in the Senate. This has the strong support of Mr. Bill Kempiners, the Director of the Department of Public Health. It is a reasonable approach. It's to set up a task force within that agency to study the problems of adolescent mothers. Pro-life people can vote for this, as Representative



Chapman said. I thank you for your 'yes' vote."

Speaker Pierce: "Have all voted who wish? The Clerk will take the record. On this motion, the votes are 104 'aye', 29 'nay', six voting 'present'. And the Resolution is discharged from Committee. Do you want to consider that now? Representative Chapman is recognized."

Chapman: "Mr. Speaker and Members of the House, the United States has one of the highest teenage birth rates in the industrialized world. Here, in Illinois, one out of five children is born to a child. Teenagers are much more likely to have problems, complications of pregnancy, in pregnancy. Their children, their babies are at risk also. Seven in ten teenagers get no pre-natal care in the first trimester. Six percent of those under 15 and three percent of the 15 to 17 year olds receive no pre-natal care. Babies of teenagers are two to three times more likely to die in their first year. Babies born to teenagers are much more likely to be premature and of low birth weight, major causes of mortality, birth injury, childhood illnesses, retardation and other neurological defects. Pregnancy is the most common cause of school drop out among young women and teenage mothers face greater risk of unemployment and welfare dependency than those who have their first child in their 20's. This is a problem that affects all of us. And it's one that the State presently is giving attention to, but there is a need for coordination among the agencies and for assessment of the needs. I ask for your support for this Resolution."

Speaker Pierce: "The Gentleman from... Mr. Brummer, is recognized, the Gentleman from Effingham. Mr. Brummer."

Brummer: "Thank you, Mr. Speaker. Will the Sponsor yield? It's been oft repeated here that 3214 passed out of here with a rather overwhelming majority. I don't recall



the vote on that. I recall they were considered on 3214 several different Amendments. One of those Amendments specifically was Amendment #3 which dealt with a specific prohibition against abortion performance, abortion counseling, and abortion referral services. Now, my question to the Sponsor is, 'Do you have that specific prohibition against abortion performance, abortion counseling and abortion referral services in this Resolution?'

Chapman: "Mr. Speaker, if I may respond to Mr. Brummer. Since this is a Resolution and not a Bill, the language has had to be changed. What we have maintained in the Bill... in the Resolution is that task force Section of it and it does not have any force since it is a House Resolution, Sir."

Brummer: "But what is the task force to do?"

Chapman: "It is a policy statement."

Brummer: "What is the task force to do?"

Chapman: "Identify all program services, resources and legislation relating to adolescents who are or may become parents, develop a state plan for the delivery of comprehensive adolescent parent support services."

Brummer: "Okay, is there any prohibition against developing in the developing of that plan? Is there any prohibition against the plan including abortion performances, abortion counseling, or abortion referral services?"

Chapman: "There is no such language here. However, it is clearly stated that this relates to adolescent parents: and when you look at the Resolution, Mr. Brummer, you see the use of the language, 'adolescent parent', again and again and again and adolescent parent support services. There is.."

Brummer: "Doesn't it deal with problems caused by adolescent parentage?" I suppose one solution to those problems would be an abortion and you wouldn't have the problems



of adolescent parents."

Chapman: "We are... The language is clearly, Mr. Brummer, in terms of support services for parents, not for teenagers, but for parents and to my knowledge, there is no prohibition in the state law right now in terms of abortion performance, counseling, etc, so by the adoption of this Resolution, we are surely not going to change the law in that regard. There is absolutely no intention and I've said this for the record and if this is what would respond possibly to your inquiry, the legislative intent is in no way to relate to or to encourage or to provide for counseling or performance or referral...."

Brummer: "Yes, I understand..."

Chapman: "The only intent of..."

Brummer: "You indicated that same legislative intent with regard to 3214 before the Amendments and before the Amendment, the right to life groups were not willing to support it. After that legislative intent was clearly spelled out with language, by the Amendment #3, I think which was adopted on 3214 making it very specific that abortion performance, abortion counseling, and abortion referral services would not be part of that program, then the right to life organizations agreed to and did support that and it passed out of here with an overwhelming vote. Prior to the adoption of that Amendment, there was great concern and in fact, if I recall the legislative history, I think it failed to pass out of here on... Okay. It did not. Okay, I'm sorry. In any event, the Amendment was adopted that was specifically offered by individuals concerned about the right to life issue. And I feel that that same Amendment ought to be offered with regard to this Resolution so we clearly define that this task force is not to deal with teenage pregnancies problems by making recommendations for state plans dealing with abortion performances, abortion counseling or abortion



referral services. That was an integral part of 3214. I would suggest that that Bill were to probably not pass out of here had that Amendment not been adopted. That same language is not in this Resolution. Therefore, this Resolution does not do the same thing that 3214 did and I feel we ought to hold this Resolution until it makes it very clear by specific language in the Resolution that the task force is not to set up a state plan dealing with abortion performance, abortion counseling and abortion referral services."

Speaker Pierce: "The Lady from the Lake, Lady from Lake, Mrs. Frederick."

Frederick: "Mr. Speaker..."

Speaker Pierce: "The Lady of the Lake, Mrs. Frederick."

Frederick: "Mr. Speaker and Ladies and Gentlemen of the House, in answer to Mr. Brummer's question, I personally talked with the right to life attorneys regarding 3214, which did pass out of this House, by the way, overwhelmingly. I found that they were not really opposed to 3214, but they felt they would be more comfortable with the Bill with the anti-abortion Amendments that were placed on it. And, so they were not opposed to our Bill, but they just asked us if we would allow those Amendments to go on as a safeguard. So, I just wanted to tell the people in this Body that the right to life people did agree with us on this Bill. We spent many months getting this Bill developed Representative Matijevich and myself held a hearing in my district and we found that this Bill is necessary and I hope that you will support the Resolution at this time."

Speaker Pierce: "All right. The Gentleman from Lake, Mr. Deuster."

Deuster: "Well, Mr. Speaker, I rise in support of this Resolution. In the last Session I sponsored legislation to renew the licensing of midwives and one of the things that



I learned about the subject of prenatal care in Illinois and all of us should be absolutely shocked and ashamed by this situation, of all the 50 states in the union Illinois ranks about 47th or 48th when it comes to infant mortality. That's babies dying in association with their birth. We've got to do everything we can to provide more prenatal care and more help, especially to those young mothers who are not receiving advice about diet, not receiving advice about their general health, and care. Frankly, this Resolution is not my first priority because this urges the government, the Illinois Department of Public Health to get into the act and go out and do something. But I would point out to the Members that this is part of an important and wider program. We need nurses to go out into the communities to give prenatal care. We need some doctors to do that. I happen to also believe we ought to license midwives who are dedicated persons who want to go out and help. Young women take care of themselves and take care of their babies, but this is part of a wide and important program to do something about the scandalous health situation in the State of Illinois. Most of us think of ourselves here in Illinois as Members of a society that is a northern industrial state and we're advanced and progressive. That may be so generally, but when it comes to babies dying at the time of birth and shortly thereafter, we are in a scandal. We have an epidemic. We need to do something about it and this Resolution calls and encourages the Director of the Department of Public Health to take some steps and to start moving to solve this problem. I would urge a lot of 'aye' votes in support for this good Resolution. Thank you."

Speaker Pierce: "The Gentleman from Cook, Mr. Kornowicz, is recognized."

Kornowicz: "Mr. Speaker, move to the previous question please."



Speaker Pierce: "The Gentleman has moved the previous question. All those in favor say 'aye'; opposed. 'Ayes' have it. We're on the explanation of votes. The Lady from Cook, to close."

Chapman: "The state agencies, particularly the Director of the Department of Public Health, supports this legislation. The Governor has made this one of his priorities for the year, that is, the priority of dealing with infant mortality. It is a policy statement. It is a Resolution. It is not a Bill which would become part of the state statutes. It is an expression of the views of this Legislature that we do recognize the problems of teenage pregnancy and that we do want to help adolescents be good parents and help them have healthy children. I ask for your approval of this Resolution."

Speaker Pierce: "The Lady has moved for adoption of House Resolution 897. The Gentleman from Cook...Kelly; Representative Kelly, is recognized to explain his vote."

Kelly: "Thank you, Mr. Speaker. I would like to... I don't know if we can take this Resolution out of the record for a few moments to discuss with the Sponsor.. I do think Representative Rich Brummer may very well have some very strong opinions on this subject. That this may have an influence upon what our intent is of this Legislative Body, particularly since it's being passed at the same time. I would like to say that the.. that the pro-life supporters in this House were very supportive, as I was, of the teenage pregnancy Bills. And I don't they would have passed without that type of support. I'm going to vote 'no' at that same time, I know there's an important problem here, but I would like the Sponsor if she could either take it out or if we could even amend it on its face, to just say and not an abortion performance, counseling, or referral services. It's just a short change and if it goes in there, it would be, I



think very important."

Speaker Pierce: "Have all voted who wish? Mr. Kelly, can you get me 'aye'? All those in support of the adoption of the motion to adopt House Resolution 897 will vote 'aye'; opposed 'nay'. Mr. Kelly?"

Kelly: "Yes, Mr. Speaker. I'd like to make an inquiry. Is this just a majority of those voting or is it 89 votes or what?"

Speaker Pierce: "It's a close question, but there might be some expenditure of funds in connection with this, so therefore it would be 89 votes and that's from the Parliamentarian. The Gentleman (sic) from Champaign, Representative Satterthwaite, is recognized to explain her vote."

Satterthwaite: "Mr. Speaker and Members of the House, this Resolution talks about support to pregnant teenagers and parenting skills. Now, it seems to me that any concern about abortion is already some question that has been resolved before you get into what this task force responsibility will be. We are talking here about young women who are pregnant or who have recently delivered a child and giving them some additional services so that their health will be better, the health of the child will be better, the skills that they have in dealing with that child will be improved so that the child has a better chance of coming into life with a healthy body and will remain in good care. I don't see how we are involving this into the issue of abortion at all. Any determination for abortion would have been made long before the teenager would get into a program of the sort that this task force is to deal with. I think it's an extraneous issue that unfortunately looks as though it's going to defeat a good Resolution. I urge your support."

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



explain his vote. One minute."

Skinner: "Mr. Speaker, it seems to me you should rule to take 107 votes. I think every issue that has to do with women's rights on this House floor takes at least that many votes. It certainly does not require the expenditure of any funds by the Illinois General Assembly or any additional unappropriated funds by any department of State Government. There's no reason this should take 89 votes to pass. It should take a simple majority."

Speaker Pierce: "The Lady from St. Clair, Mrs. Younge."

Younge: "It is important that the various departments of State Government, particularly the Department of Health, try to make its advice and resources available to young women who are pregnant and I think the essence of this Resolution is that by way of a policy statement, we say to the Executive Branch, that this is an epidemic situation which we are terribly concerned about and we would like to know and would like to be sure that you are doing what you can to make sure that the knowledge and the information and the resources that you could make available to these young women are made available to them. In the following analysis what we're talking about...."

Speaker Pierce: "Excuse me. For what purpose does the Gentleman from Cook, Mr. Kelly, arise? Mr. Kelly?"

Kelly: "Yes, Mr. Speaker. I never did get an answer from the Sponsor about taking this Resolution out of the record so we could get together and join together on something...."

Speaker Pierce: "It'll have to go to Postponed Consideration now.."

Kelly: "Unless we get leave of the House."

Speaker Pierce: "If you get leave, it can be taken out of the record. The Lady from.. Excuse me. The Lady from Cook, Mrs. Chapman."

Chapman: "Mr. Speaker, I ask leave to take the Resolution out



of the record, please."

Speaker Pierce: "Does the Lady have a unanimous leave to take the Bill (sic) out of the record? Leave and the Bill (sic) will be taken from the record. House Resolution 898, Macdonald, a motion to discharge on the Speaker's Table: Want to pursue that right now? Mrs. Macdonald?"

Macdonald: "Mr. Speaker, I would ask to save time of the House, if Representative Kelly has also looked at House Resolution 898 which was House Bill 3216 and went out of this House with an overwhelming majority and merely asks for a feasibility study for the establishment of coordinated services and service centers which would provide adolescents of 17 or under with services providing their pregnancies and parenthood. And when we say, 'and parenthood,' we certainly are not talking about abortions in any way. Now, I don't know whether this Resolution falls under the same category as the first one or not, but to save time of the House, I would just refer my question to Representative Kelly to see what his feeling is on this Resolution."

Speaker Pierce: "The Monsignor from Cook, Mr. Kelly."

Kelly: "Thank you, Mr. Pope. I'd like to.. to just mention that we did take this out of the record. I think, maybe Virginia, we can get together maybe with you and maybe with Eugenia in trying to .. See, I don't know. I would say your proposal did pass and I mean, you know, why do we need this if we have that to begin with? I don't know."

Speaker Pierce: "We're getting into discussion here..."

Kelly: "We're getting into dialogue that we shouldn't get into right here on the floor."

Speaker Pierce: "Yeah. The motion if you wanted to put it at this time will be a motion to discharge the Committee on Human Resources. You can withdraw that motion and take it up tomorrow after talking to Mr. Kelly. There's no dead-



line. This is a Resolution, not a Bill."

Macdonald: "There is no deadline then."

Speaker Pierce: "It's a House Resolution.

go to the Senate. Not even a Joint Resolution."

Macdonald: "Well, possibly we ought to take these Resolutions out of the record then and talk to Representative Kelly and others who have problems with these Resolutions and see what we can do to resolve any difference and.."

Speaker Pierce: "Fine. It's only a Resolution.."

Macdonald: "I take it out of the record, at this time."

Speaker Pierce: "Not a Bill... not a... HR 898 will be taken out of the record. We'll make one more try for the women, Representative Oblinger, the Lady from Sangamon, you wish to pursue your motion on House Resolution 899?"

Oblinger: "Yes, because it's entirely different than the others.. I move to discharge."

Speaker Pierce: "Motion to discharge."

Oblinger: "I move to discharge this from the Human Resources Committee."

Speaker Pierce: "You wish to speak on your motion?"

Oblinger: "Yes, this Bill has nothing to do with any new program at all. All it says is that the Department of Public Aid and the Department of Children and Family Services should give priority to teenage mothers for day care. There's no additional dollars. It hasn't asked them to expand the program. All it asks is to give priority to the teenage mother so she can return to school and get some training."

Speaker Pierce: "All right. The Lady from Sangamon, has moved to discharge House Resolution 899 from the Committee on Human Resources pursuant to Rule 66-A. Any discussion on that? The Lady from DuPage, Representative Dyer."

Dyer: "I would just like to urge a 'yes' vote. This is clearly a needed program and it has none of the questions in relation to abortion that the other two raise. I would



urge a 'yes' vote."

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

Epton: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I was going to ask the Sponsor if this affected anything in the State of Israel, but she assured me that it doesn't, so I withdraw any questions."

Speaker Pierce: "Not even the west bank. Representative Birkinbine, the Gentleman from Cook."

Birkinbine: "Will the Sponsor yield for a question?"

Speaker Pierce: "She indicates she will."

Birkinbine: "Your explanation was incomplete.. To say, give priority' to something implies priority over something else. What is it that they're going to have priority over?"

Oblinger: "The way it is now, the Department of Public Aid in conjunction with the Department of Children and Family Services, determines the eligibility of people for child care from infancy through five years of age. We've asked them to give priority to the teenage mother over other people because they are as young as ten and should be going back to school and those 14 and 15 should be getting some training so we don't have them later to worry about."

Speaker Pierce: "Excuse me. I want to point out to the House including those waiting to speak, like the Gentleman from Cook, Mr. Walsh, we're on a motion to discharge and we will pick up the substance of the motion to adopt. All right? Representative Birkinbine wants to finish then." "Oh, he's through. Okay. The Gentleman from Cook, Mr. Walsh, wants to give his final speech to the House."

Walsh: "Yes. There's no guarantee, Mr. Speaker. Mr. Speaker, since Representative Macdonald's Resolution is going to be heard by the Human Resources Committee, why isn't this



one heard by them as well? We're spending a lot of time talking about matters that we shouldn't be discussing. There's no rush on this. Why doesn't the Lady let it be heard in Committee and then, if it's reported out, then we can discuss it?"

Oblinger: "Mrs. Macdonald... Representative Macdonald did not say that. She said she would withdraw it to hold it until tomorrow when Representative Chapman comes back."

Speaker Pierce: "She withdrew her motion. But we have a page with two dips of rainbow ice cream sherbert in the middle looking towards the Republican side. Representative Walsh, is that your rainbow sherbert? All right. The Lady has moved... She withdrew your polite request to take her motion out of the record."

Walsh: "Well, then, I'd like to talk on the motion."

Speaker Pierce: "All right. The Gentleman from Cook, to discuss the motion."

Walsh: "Yeah, Mr. Speaker, Ladies and Gentlemen of the House, this is a tremendous imposition to be placed on the Members of the House, it seems to me, to be talking about a matter as controversial as child care and asking us to discharge a Committee that I think would give this probably favorable support. But at least, it ought to be heard in the Committee and those Members of the Committee who might have some feelings on the questions of child support, ought to be able enlighten the rest of us. It seems to me that this is not the right thing to do at this time and that the Human Resources Committee ought to meet tomorrow or the next day or sometime and I'm sure this House would be glad to waive the posting requirements in order that they can hear this Resolution, Mrs. Macdonald's Resolution and any other Resolution that anyone has to place before us. And I would urge you to vote 'no' on the Lady's motion."

Speaker Redmond : "Representative Kelly."



Kelly: "Yes, Mr. Speaker and Members of the House, we're in very similar posture to what we were on the earlier Resolution. We have just reviewed the Resolution and there is the same problem and I'll tell you what, the portion dealing with the feasibility study which is very similar to Virginia's House Bill that passed out of here, which I know there was a problem at that time when it passed, but we for some reason did not make an issue of it at that time. It's in this proposal. It does provide for feasibility study. It does not mention anywhere...."

Oblinger: "Not in this one. This is day care."

Kelly: "I know it, but down in about the next to the last paragraph, there's a mention of a feasibility ... feasibility study within that proposal..."

Oblinger: "It's alright with me if you take it out of the record."

Kelly: "I think we'd better take it out of the record."

Oblinger: "All right."

Speaker Redmond: "Representative Oblinger? Out of the record. Give you some idea where we stand, tomorrow is the last... Representative Oblinger?"

Oblinger: "When I talked to the Parliamentarian and then the temporary Speaker this morning, they said I should bring up 893, House Resolution 893."

Speaker Redmond: "Well, we'll get back there when as and if."

Oblinger: "All right."

Speaker Redmond: "I want to tell you what our problems are. Tomorrow is the last day for substantive Bills out of the House. Two more days and I guess that'll take us to Friday is the last day for appropriation Bills out of the House. We have to take all of Second Reading Bills and get them up onto Third. Anything that's on Third Reading that you want to bring back for the purpose of Amendment, we have to take care of today. In the light of



the exegesis of the workload, it would seem to me that it would be advisable for us to stay in Session now without a break for dinner until we get through with the day's work. Representative Johnson."

Johnson: "Mr. Speaker, just a... I had asked Representative Pierce when he was up there, on Senate Bill 1728, in fact of which I was a Cosponsor, and Representative Jaffe was.... It's a verified Roll Call, by the way. When he was verifying the Roll Call, I waved my hand and he nodded to me and then I guess later had forgotten that I raised my hand and I got verified off. I just wonder if I could have unanimous leave to be an 'aye'. There's 95 votes anyway."

Speaker Redmond: "Rules says that you may not even with unanimous consent, Representative Johnson on a verified Roll Call. "

Johnson: "That's the rules? I move to suspend the rules for purposes of this Roll Call? I was over in the Senate on a Senate Bill and it was just... I was here when my name was verified. I don't know how I got verified off. Leave to suspend the rules then." "It's a Bill I'm Co-sponsor of. I wouldn't normally ask this, but I would appreciate your indulgence."

Speaker Redmond: "Rule 50-C. This Rule shall not be suspendable."

Johnson: "Mr. Speaker?"

Speaker Redmond: "Representative Johnson. You shouldn't have voted for these rules."

Johnson: "I think any rule is suspendable, isn't it?"

Speaker Redmond: "Not.. Not when it provides here that it's not suspendable."

Johnson: "Well, then let me ask the guidance of the Parliamentarian as to how I can do it."

Speaker Redmond: "Okay. You come up and see the Parliamentarian. You see Mr. Johnson. Senate Bills, Third Reading. Senate



Bill 1759. Representative Simms."

Clerk O'Brien: "Senate Bill 1759, a Bill..."

Simms: "Mr. Speaker, may I have leave to bring Senate Bill 1759 back to Second Reading for the purposes of an Amendment which Representative Chapman will offer?"

Speaker Redmond: "Representative Simms has requested leave to return 1759 to the Order of Second Reading. Does he have leave? Hearing no objection, will be returned to the Order of Second Reading. Any Amendments, Mr. Clerk?"

Clerk O'Brien: "Amendment #2, Chapman, amends Senate Bill 1759 as amended with reference to page and line numbers, House Amendment #1 and so forth."

Speaker Redmond: "Representative Chapman?"

Chapman: "Mr. Speaker and Members of the House, Mr. Simms and I have discussed this Amendment and we believe that this clarifies the intention of Amendment #1. I move for the adoption of Amendment #2 to Senate Bill 1759."

Speaker Redmond: "Any discussion? The question's on the Lady's motion for the adoption of Amendment 2. Those in favor say 'aye', 'aye'; opposed 'no'. The 'ayes' have it. The motion carried. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Any other Member have a Bill on Third Reading? Representative Simms. Simms."

Simms: "Mr. Speaker, would it be appropriate to suspend the rule to allow Senate Bill 1759 to be considered at this time on.."

Speaker Redmond: "I don't think it's necessary now. We can.. We have all day tomorrow to take care of that one."

Simms: "Okay."

Speaker Redmond: "Anyone else have a Bill on Third Reading that wants to bring it back to Second Reading for the purpose of an Amendment? Senate Bills, Second Reading. Representative Jones."



Jones: "Yes, thank you.."

Speaker Redmond: "What do you want?"

Jones: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Redmond: "State your point."

Jones: "Mr. Speaker, earlier this morning there was an insurance Bill, 1992, on the Calendar, which I had talked with the Sponsor and asked that that Bill be held. Immediately after we adjourned from the conference, and I had some business over in the Senate, the acting Speaker at that time, the Assistant Majority Leader, Representative Lechowicz, called the Bill knowing full well that that Bill was supposed to be held. I don't appreciate, Mr. Speaker, a Bill of that nature and that magnitude and that ramification, being rammed through this House all of a sudden. When I talked to the Sponsor about it, the Assistant Majority Leader knew that that Bill was supposed to be held. It seems like it's very difficult, Mr. Speaker, for Democrats on this side of the aisle to work in unison for the people of this... for the State of Illinois and we have one of our own Assistant Majority Leader because he has a special interest perhaps in the legislation, to call that Bill when it should not have been called."

Speaker Redmond: "Have you concluded your remarks, Representative Jones?"

Jones: "Well, in conclusion, Mr. Speaker, I think it's very unfair to the Membership when you have an agreement with the Chair and the Chair, in turn, works in concert with the other individual and calls the Bill when they know the Bill should be held, I think is very unfair, Mr. Speaker."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Well, Mr. Speaker, Ladies and Gentlemen of the



House, as a matter of personal privilege. I have nothing personally to gain or to lose in Senate Bill 1992. I did not know. Emil Jones did not come up to me and to me hold the Bill. The Republican staff person came to me and told me that Telcser's ready to move on Senate Bill 1992. I was looking for work to be done up there. The Gentleman was on the floor. Asked his Bill to be called and I called it. I personally resent the fact of being accused of something that I have nothing to do with nor...and he knows me better. That that I would try to protect every Member on this side of the aisle at all times. But if you're telling me that I have something personally to gain, you're an absolute liar. And if you're telling me that... And you came to my office and I was laying down because you know I haven't been feeling good, and you accuse me of something that I had nothing to do with. I totally don't care for it at all. And I won't accept it and I'll tell you what you can do with it."

Speaker Redmond: "Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, I'm sorry.

I picked up this discussion most of the way through it and I'm sorry if there's any misunderstanding on anyone's part. Earlier this morning, we called 1992. Representative Jones asked me to take it out of the record. After taking it out of the record, I talked to him two or three different occasions about the Bill. We both agreed that we would not agree and I told Representative Jones, I'm going to ask the Bill to be called and we'll fight it out on the floor. Now, if the Gentleman wasn't on the floor when it was called, I can't help that in the closing days. But I kept my word. I took it out of the record. We talked and we didn't agree. And I appreciate Representative Jones's time for giving me a few moments to talk with him. I'm sorry he wasn't on the floor."



Speaker Redmond: "Representative Jones."

Jones: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. It's very strange that this piece of legislation went to the Judiciary Committee when the legislation dealt with an insurance matter. It's very strange, Ladies and Gentlemen, that attached to that piece of legislation, was a bonanza for the insurance industry as well as the lawyers who are Representatives in this House. It's very strange, Mr. Speaker and Ladies and Gentlemen of the House, that when I asked the then Speaker in the Chair that this legislation be held, that courtesy is usually extended to that Member. And I don't mind individuals jumping on the House floor calling people names and saying whether they are liars or not, but the facts speak for themselves."

Speaker Redmond: "Representative Peters."

Peters: "Mr. Speaker, on a more agreed and agreeable piece of legislation, I would now move the appropriate rule so that the House may consider Senate Bill 1759 which is on Third Reading, page three."

Speaker Redmond: "Senate Bill 1759 was returned to the Order of Second Reading, it was amended, moved back to Third and under our Rules, it would have to stay there until the next Legislative Day unless that rule is suspended. As I understand it.."

Peters: "I would move the Attendance Roll Call, Mr. Speaker."

Speaker Redmond: "Representative Peters, requests the suspension of 33-A in order that Senate Bill 1759 as amended may be considered. Is there any objection? We'll use the Attendance Roll Call. Representative Peters."

Peters: "Mr. Speaker..."

Speaker Redmond: "1759, waive 33-A so that it can be considered today. It was taken back to Second. It was amended and put up to Third."

Peters: "Mr. Speaker, I would ask Representative Simms to make a brief explanation. I think the House is well aware



of this Bill."

Clerk O'Brien: "Senate Bill 1759, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill."

Speaker Redmond: "Representative Simms."

Simms: "Thank you, Mr. Peters, Ladies and Gentlemen of the House. This Bill was throughly discussed.. discussed yesterday on Third Reading. Representative Chapman and I did agree that there was a technical error in the Bill and I appreciate the staff for pointing this out. As we indicated yesterday, this Bill is another resource open for the Judiciary to assist the child's welfare program in the State of Illinois. It is supported by the Department of Children and Family Services, Lutheran Social Services, the Illinois Catholic Conference, and all those parti... individuals that have an interest in this legislation. And I would move for the passage of Senate Bill 1759."

Speaker Redmond: "Any discussion? Representative Mulcahey."

Mulcahey: "Question for the Sponsor?"

Speaker Redmond: "Proceed."

Mulcahey: "Representative Simms, in Amendment #1, I believe it was Amendment #1, I believe the repayment was to be one percent of the total budget of the Department of Children and Family Services?"

Simms: "That's the maximum."

Mulcahey: "That's the maximum. What is that total figure going to be right now? I heard two and a half million dollars and I heard one and a half million dollars."

Simms: "Depending on the appropriations process, what is projected right now, the maximum for FY '81 would be one point five million. That's what is projected right now. And I don't know what..."

Mulcahey: "So it Could be less as far as that goes."

Simms: "Oh, it could be more. Depends on what the total budget is, but there's a one percent cap."



Speaker Redmond: "Any further discussion? 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? Clerk will take the record. On this question there's 146 'aye' and five 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bills, Second Reading, Short Debate. 1799."

Clerk O'Brien: "Senate Bill 1799, a Bill for an Act to amend sections of the State Employees Group Insurance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "Floor Amendment #1, Vinson, amends Senate Bill 1799..."

Speaker Redmond: "Representative Greiman?"

Greiman: "... There was another Amendment to be filed on that. We can go ahead with this one and then just leave it on Second."

Speaker Redmond: "Okay. Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Members of the House. This is one of the Amendments with which I am associated that I know of no opposition to it. What it does is that it gives the Director of Personnel and the Group Insurance Advisory Commission, which is a legislative oversight Commission, for the Department on the matter of the state employees insurance program. It gives to those two bodies the authority to include in the group insurance program, a program for dental and vision care. The program would be limited to examinations to preventive care. It would not include the more expensive form of actually providing for the purchase of glasses or for the removal of teeth. I would urge adoption of the program. It's a good step forward. It will allow us to keep competitive in this field."

Speaker Redmond: "Anything further? Representative Birchler."



Birchler: "Mr. Speaker, did I understand Representative Greiman to say to put the Amendments on and then leave it on Second? Is that what you said?"

Greiman: "I said that there's another Amendment which is being put on and in the interest of time since we're at this sort of business. That Amendment has been filed, but not distributed. Proceed with this one and then just keep it on Second and then we'll take that one up and move it to Se.. to Third later on today."

Birchler: "How are you going to get it out of here if it's not on Third tomorrow? "

Greiman: "Well, I'm hoping that the Speaker would give me the courtesy to call it. The only order of business.. The only Bill on that order of business.."

Speaker Redmond: "Anything further? Representative Greiman, anything? The question's on Representative... Representative Bower, you seeking recognition? The question's on the Gentleman's motion for the adoption of Amendment 1. Those in favor indicate by saying 'aye', 'aye'. Opposed 'no'. The 'ayes' ^{have} have it. The motion carried. The Amendment is adopted. Any further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Representative Greiman, leave it on Short.."

Greiman: "Leave it on Second... Second and then we'll come back.."

Speaker Redmond: "The Gentleman asks leave to leave it on Short Debate. Does he have leave? Hearing no objection, leave is granted. Senate Bills, Second Reading on page four. 1457. Has the fiscal note been furnished on this, Mr. Clerk? Okay. 1457. We're only going to take the substantive Bills the first time around."

Clerk O'Brien: "Senate Bill 1457, a Bill for an Act to exempt drugs and medicines, supplies and certain foods for the human consumption from occupation and use taxes and replace local revenue losses. Second Reading of the Bill. Amendment #1 failed in Committee."



Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "Amendment #2, Skinner, amends Senate Bill 1457 on page one, line two by deleting the final 'and' and so forth."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Speaker, I stand as a confessed sinner. Last year I made a mistake.."

Speaker Redmond: "Would you repeat that please?"

Skinner: "Last year I made a mistake."

Speaker Redmond: "Okay."

Skinner: "I supported..."

Speaker Redmond: "The record will so show."

Skinner: "Yes. Well, you were in on the mistake too, Mr. Speaker..."

Speaker Redmond: "Let the record show that too."

Skinner: "You and I and Comptroller Burris and Senator Daley flew around the State contending that the Governor was incorrect in his pessimistic views of state revenue. We contended that we could afford to make a multi-year commitment to phase out the sales tax on food and drugs. Well, I'm here to admit that I was wrong. The Governor and the Director of the Bureau of the Budget were right. They were prudent. I was overly reckless. Well, with that on the record, I may .. I do propose Amendment #2, which will attempt to keep the General Assembly from making the same mistake this year that I and the General Assembly made last year, or at least made this time of year. What the Governor has said is that there are x amount of dollars which are available in the budget to phase out a certain amount of the sales tax on food and drugs. Now, in the format which he originally talked about, there would be one... another penny cut off the sales tax on food and drugs. He has said however, in the public press, that he doesn't really care which approach the General Assembly takes as



long as it costs the same amount of money. Now, I have asked our staff to draw up an Amendment which would cost the same amount of money as would cutting off the extra penny, but would take the categorical approach, which is preferred by the Democratic task force and the Illinois Retail Merchants Association. Now, this is not to say that the Democratic task force approves this Amendment or that the Illinois Retail Merchants Association approves the Amendment. It's merely to say that this is the same approach. What the Amendment does is to exempt totally from state and local sales taxes, beginning August 1st, 1980, meat.. meat products, poultry, poultry products, fish and fish products. This reduces the cost to approximately 140 million dollars. The Bill... The Amendment eliminates additional categorical food items phase out scheduled for 1981 and 1982, thus eliminating the built in additional cost which a prudent man or woman at this time would not be willing to commit the state to. We also eliminate in this Amendment the sales tax reimbursement to counties, municipalities, and the RTA. We abolish the local sales tax on these products, fish, meat and poultry, for local governments. But we give them the permission to reimpose the sales tax on those items if they dare. Now, organizations such as the organization that goes by the acronym mass movement against the sales tax, I'm sure can bring the type of pressure on the Chicago Members of.. of the city council that they have brought on us. And I don't think the city of Chicago would reimpose the sales tax on meat, poultry, and fish. Of course, I could be wrong. But if they do, they would have to take the blame, not us. This is the crux of the Amendment. I think it is an affordable.. an affordable Amendment. Now, I think the Bill in its unamended form, which would cost approximately 205 million dollars next year versus the 140 million



dollars that this will cost ... is not affordable. And I ask for your approval of Amendment #2."

Speaker Redmond: "Representative Pierce. "

Pierce: "Mr. Speaker, there's nothing so terrible about the Gentleman's idea or concept, but if he really felt so strongly he should have introduced his own Bill, gotten the credit for it and run for State Senator or Congress or anything else two years from now on the issue. The Senate sent over this very fine Bill to us. It was approved in Committee. The Gentleman's Amendment I believe was defeated in Committee. We're now on Second Reading on the floor. I've talked to Senator Sangmeister, the Sponsor. He doesn't want the Amendment. I've talked to the Retail Merchants Association, IRMA, they don't want the Amendment. Although they're not hostile to the concept. They don't want this Amendment on this Bill at this time. The Democratic task force didn't sponsor this Amendment. It's Representative Skinner's Amendment. As the House Sponsor of Senate Bill 1457, I ask that the Amendment be rejected as a separate idea and a separate Bill that the Gentleman should have introduced if he was so interested in it back in January or February and carry to conclusion. And I ask my colleagues to reject Amendment #2 on the floor as it was rejected in the House Revenue Committee."

Speaker Redmond: "Representative Preston."

Preston: "Thank you, Mr. Speaker. Ladies and Gentlemen, I rise in opposition to this Amendment to just add to the words of Representative Pierce. Other people who are not in favor of this Amendment are the numerous representatives of senior citizens organizations throughout the state who testified in hearings of the sales tax sub-Committee of the Revenue Committee, had hearings held in Chicago. They support the concept of the Bill as it stands. Not only does the Senate Sponsor support that concept, not



only do I support that concept, and IRMA, but the people of Illinois, the people who that Bill will affect the most support that concept. So I'd ask the people in this chamber to be kind enough to reject this Amendment and let us get to the Bill and vote the Bill up or down."

Speaker Redmond: "Representative Bi... Friedrich. Friedrich."

Friedrich: "Mr. Speaker and Members of the House, I think that the Skinner Amendment makes sense in that it does not automatically tie us into other items next year. And I think we took the approach last year that we'd take this thing one step at a time. I think the mistake we made then which is being corrected by this Bill (sic) is putting it on single items. But I think that we should adopt the Skinner Amendment and I want to support it."

Speaker Redmond: "Representative Dunn. John Dunn."

Dunn: "Will the Sponsor yield for a question?"

Speaker Redmond: "He will."

Dunn: "Where does this leave local governments? Does this hold them harmless or reimburse them or will they suffer a loss of income as a result of this Amendment?"

Speaker Redmond: "Representative Skinner."

Skinner: "As I explained in my initial presentation, we will abolish the sales tax for local governments and if they dare, they have the permission under this legislation, the option, if you will, to reimpose the sales tax on meat, fish and poultry. They do not have to however. "There is no reimbursement."

Dunn: "There's no reimbursement. Mr. Speaker and Ladies and Gentlemen of the House, I would just like to point out to the Members that we all represent local government. We go back home. We talk to them. We know that times are difficult this particular year and to do anything which would deprive them of the meager income which they



now have, would very severely restrict them and be harmful to them and in spite of the fine, outstanding concept of the... of the Amendment, I would respectfully urge the Membership to cast a 'no' vote on this Amendment and to.. and to proceed with this Bill in a better form."

Speaker Redmond: "Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield for some questions?"

Cal, I can't find your Amendment on my desk, so you'll have to excuse me for asking some of the questions which I otherwise would look at in the Amendment. Would you repeat for me the items that would be exempt in the first stage and is there only one stage or do you have everything taken care of over a period of time?"

Skinner: "No, there's only one stage, meat and meat products, try, and poultry products fish and fish products. I guess this is as good a time as any to apologize to the vegetarians."

Satterthwaite: "And what did you indicate the fiscal impact of this was?"

Skinner: "Total cost during FY '81 will be 140 million dollars approximately."

Satterthwaite: "To the state, not including the impact to local government? "

Skinner: "That is correct."

Satterthwaite: "And so there would be another 25% of that plus denied to local governments unless they took the initiative to reinstate it on their own."

Skinner: "The tax eaters have the option of putting it back in."

Satterthwaite: "May I ask why you decided to eliminate medicines and the medical products?.."

Skinner: "Oh, I'm sorry. My mistake. My mistake. Prescription and nonprescription medicines are eliminated. I misspoke when I.. previously."

Satterthwaite: "Along with the meats and other things..."



Skinner: "Yeah, medical appliances, insulin, urine testing equipment, syringes and needles used by diabetics."

Satterthwaite: "And that would still remain in the Bill then?"

Skinner: "Yes, that is. I'm sorry. I didn't underline it in my analysis."

Satterthwaite: "What was the anticipated fiscal impact of the two cent reductions that the Governor had indicated he would approve, you know, the one cent that's now off, plus the second cent that he had agreed to approve as of January 1, 1981?"

Skinner: "It's approximately the same. I mean, those are the guidelines which I gave the staff prior to drafting this Amendment."

Satterthwaite: "You're saying that for next year, the impact would have been 150 million dollars or 140 million dollars total?"

Skinner: "Right.."

Satterthwaite: "With the two cents off."

Skinner: "Yes, I think the Governor can sign this Bill, I'm positive that he will not sign the other.. the Bill in its unamended form."

Satterthwaite: "Well, Mr. Speaker, Members of the House, if I may speak to the Bill now, I really feel that if we had started on the process of eliminating sales tax on food and medicine by this process, we might have had a good idea. I'm concerned however that now that we have gotten underway and thought we had agreements, that the second cent would come off in January, it looks as the Governor's Office is having second thoughts. It seems to me that it is more confusion than help for us to be changing a system that we've now started well on its way to revert to this system. And I regret that I will oppose the Amendment. I will oppose the Bill and I think that we are in gross error if we change the process that we've now started."



Speaker Redmond: "Representative Bowman."

Bowman: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'm surprised that an Amendment like this would be offered by Representative Skinner, who is usually the champion for the.. the property tax payers and the homeowners. Because the practical effect of this Amendment is that the local governments as he surmises will not reimpose the sales tax on specific food items. I think therefore the only recourse that they will have will be to raise their property taxes. Representative Skinner would probably...would hope that they would cut their budgets, but I think he's realistic enough to know that the recourse that will be adopted by almost every unit of local government that has the opportunity will be to raise their property taxes. And I don't think anyone here wants an increase in property taxes. Not only that, I strongly suspect that those units that are able to will raise them by more than enough to compensate. Rather than reimposing a tax and taking the heat for imposing an additional tax or a new tax or reimposing an old tax, they will simply up the ante on the property tax. And I think they will use it as an excuse to try and take more dollars out of the system than they would otherwise be collecting on the sales tax. And so when the property tax payers complain, they'll say, well, we had to do it cause the State Legislature took this source of revenue away from us. I think this is an anti-property tax payer, anti-home owner Amendment and I urge its defeat."

Speaker Redmond: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I heartily support this Amendment. I think this puts this Bill into a posture where it can be signed by the Governor if passed by the General Assembly. We've all had a great deal of comments or many of us have concerning the in-



ability to .. of our retailers to cope with the multi-tax level that we have now when we're taking one cent off at a time. This would allow for the retailer to actually pass this tax relief on to the consumer. I'm afraid many times now our tax relief is really being lost because they have to increase the price to pay for the administration. I would heartily support this Amendment. It gives us both options. We've taken another cent off of sales tax in another Bill. This puts this Bill into the posture where we can have a choice of taking it off categorically or taking it off one-cent at a time. And I would therefore, urge its support. If we don't put this Amendment on, this Bill will either be changed or killed. It has no chance of passage otherwise."

Speaker Redmond: "Representative Brummer."

Brummer: "Yes, will the Sponsor yield?"

Speaker Redmond: "He will."

Brummer: "Representative Skinner, on the first page, line 19, I see you delete the language which reads as follows: 'Which is to be consumed off the premises.' Now, I haven't compared that with the original Bill, does that mean that we will be taking the sales tax off of those products that are then consumed on the premises, i.e. in restaurants or other areas?"

Skinner: "I can't answer your question without a more thorough study of the Bill which I'm attempting to..."

Brummer: "I'm sorry. I cannot hear."

Skinner: "I can't answer the question off the top of my head."

Brummer: "Well, I think it's very significant. I don't think it's the intention of anyone here to remove the sales tax on items consumed in restaurants and I think the language is generally used is the products which are consumed off the premises, the products... The exemption only applies to products consumed off the premises."



On the first page you strike that language and it would appear to me that the affect of that is to provide that there be no sales tax on these items when they are consumed on premises or.. which I would take to mean restaurants. And I, for the life of me, don't understand why you want to take the sales tax off of food consumed in restaurants which may be very expensive and I suppose if we are really trying to help the people who need the help the most, we ought not to be excluding the sales tax on the food products that are consumed, for example at Baur's or Southern Air or something like that."

Skinner: "Excuse me. I've figured it out, Representative.

If you'll look on page 15 of the original Bill as it was reported out of Committee, line 25, the... 'which is to be consumed off the premises,' is taken out in the original Bill and the same elimination of that authority is continued. There is no change in the original Bill from that matter."

Brummer: "That's all with this Amendment, the sales tax would be also excluded on products consumed in restaurants."

Skinner: "Same as it is under the original Bill." You wouldn't get a tax break at Wendy's."

Brummer: "Well, in the Amendment line one.. I mean page one, line 19 you're specifically striking that language, I suppose."

Skinner: "No, we're not striking it. We're leaving it in. There are quote marks around that."

Brummer: "You're inserting in lieu thereof the following and putting stricken language."

Skinner: "All right, but you have to look at the Bill, Representative. In the Bill, line 25 of page 15 reads, quote, 'Such certification', underline period. And then the following, 'which is to be consumed off the premises' is lined out. So we're taking out the first.. We're eliminating the first part of the line which has to do I believe with the reimbursement of local govern-



ments and we're not eliminating the last part of the line. So your fear is unjustified."

Brummer: "Okay. Well, you indicated that.. that this Amendment would not change that concept, but I understood your prior comments you indicated that you felt this was a Bill that you had some indication with the Amendment that the Governor would sign. Are you indicating then that the Governor wants to remove the sales tax on food products consumed in a restaurant?"

Skinner: "No, and the Bill does not do that. It does exactly the same as the Democratic task force suggested with regard to the question you're asking."

Brummer: "Well, I'm not sure what that was. Maybe it was to abolish the sales tax on food consumed in restaurants."

Skinner: "Well, I'm sure some Member of the Democratic task force can stand up and ... If you're get a.. send a page for the original Bill I think you'll see what..."

Brummer: "I have the original Bill."

Skinner: "Well, look on page 15 line 25. I'm just leaving in the last one, two, three, four, five, six, seven, eight, words. Exactly as they are."

Speaker Redmond: "Representative Hoffman."

Hoffman: "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? Representative Hallstrom?'"

Hallstrom: "Thank you, Mr. Speaker. I'm sorry, but I did have my hand up for some time and there's quite a bit of noise in the chamber. I wanted to ask the Sponsor just one question please."

Speaker Redmond: "Will you answer?"

Skinner: "I'm sorry. My seatmate was speaking to me and I did not hear the question."

Speaker Redmond: "She wants to know if you will answer a question."



Skinner: "Yes, Sir."

Hallstrom: "Thank you."

Skinner: "If you'll allow it."

Hallstrom: "Representative Skinner, I apologize if you have covered this already. But as I said, there's a lot of noise in the chamber and everybody's talking about different concepts of this legislation. Could you please tell me what it exactly does as far as local municipalities are concerned?"

Skinner: "Yes. It abolishes the sales tax on prescription and nonprescription medicines, prescription drugs, medical appliances and insulin, urine testing equipment, syringes and needles used by diabetics, meat and meat products, poultry and poultry products, fish and fish products. However, it allows local governments to reimpose the sales tax on those items if those local governments dare to do so."

Hallstrom: "All right. So then this has nothing to do with the situation as it is now where the local government does keep one percent of the amount that is taxed on the various items within that community?"

Skinner: "They will still keep one percent on everything but this. Actually it's not one percent. It's 20%, one percentage point."

Hallstrom: "Thank you."

Skinner: "You wish me to close now, Sir?"

Speaker Redmond: "Yeah, Representative Skinner to close."

Skinner: "Yes, I bless Representative Hoffman for his.. for his expeditious motion. I think virtually everyone knows what the Amendment is attempting to do. It has been designed to spend approximately the amount of money that the Governor has in his budget for sales tax relief this year. If you want a Bill the Governor is certain to veto, you want to defeat this Amendment. Or if you prefer Representative Darrow's approach, which is



taking off an additional penny. You probably want to defeat this Amendment and the Bill. But if you want to take the categorical approach, and you want to spend about the same amount of money and you want to have a chance to have the Governor sign this Bill and approve this approach, this is the Amendment I believe you should support. "

Speaker Redmond: "The question's on the Gentleman's motion for the adoption of Amendment 2. Those in favor vote 'aye'; opposed vote 'no'. Representative Cullerton."

Cullerton: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I just wanted to tell Representative Skinner that I was one of those cautious nonreckless persons last year and I think that I'm starting to change my mind. I think the only way for us to not spend money is perhaps take it away from ourselves in the first place. And that's why I'm going to vote 'no' on your Amendment."

Speaker Redmond: "Have all voted who wish? Clerk will take the record. On this question there's 41 'aye' and 70 'no' and the motion failed. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Schuneman, amends Senate Bill 1457 by deleting the title and so forth."

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

McBroom: "Yes, Mr. Speaker, Members of the House, I rise for the purpose of an introduction. My wife and I have a guest here from Montego Bay, Jamaica, and some of his friends that he knows here have asked him if this is his first trip. Just to save the questioning, it's his fourth trip to the United States. It's the first time that he's been in Springfield while we've been in Session. I'd like Osburn Macintosh to stand and be acknowledged. Osburn?"

Speaker Redmond: "Representative Schuneman."



Schuneman: "Yes, thank you, Mr. Speaker. First of all, I'd like to ask leave of the House, Mr. Speaker, to change the name of the Sponsor on this Bill. Representative Mautino's name should have been shown along with my name as the Sponsor of the Amendment, so I'd ask leave of the House to add his name."

Speaker Redmond: "Any objection? Hearing no objection, leave is granted."

Schuneman: "Mr. Speaker and Ladies and Gentlemen of the House, this Amendment simply changes this Bill to adopt the same sales tax reduction language which this House has already approved when we passed Representative Darrow's Bill to take another penny from the sales tax on food and drugs. That Bill has the approval of the Governor. And it will be signed. The state cannot afford the amount of tax relief that's balled for in this Bill. We can't afford the Bill in its present form. Another problem with the Bill in its present form is that last year we told retailers that let us reduce the sales tax on food and drugs, effective January 1 in 1980. But the Department of Revenue was unable to get the final rules to retailers until just several months ago. So retailers have been trying to cope with this state program which called for a one cent reduction in taxes. Many retailers were forced to buy new equipment in order to keep track of the sales at the various tax rates. Now, after the retailers and their employees are getting familiar with the Department of Revenue guidelines, this Bill proposes to change the system entirely. And, in fact, increase the sales tax on certain items while eliminating the tax on other items. If this Bill passes, how long do you think it will take the state to promulgate rules and regulations for retailers to retrain their employees? I think it's a bad concept, one that we should reject. This House has on several



occasions passed the sales... the one cent reduction in sales tax. We should stick to that one idea and I would urge the adoption of Amendment #3."

Speaker Redmond: "Representative Pierce."

Pierce: "Mr. Speaker, the Sponsor of this Amendment poses somewhat convincingly as a friend of the retailer. But he failed to say that the retailers oppose his Amendment and support Senate Bill 1457. The reason is Senate Bill 1457 removes the two levels of sales tax that presently exist on food and make it almost impossible for most cash registers to handle the sales. The Bill would revert to one tax rate and to nontaxable, categorical items to be increased each year. It's a good concept. The Chicago Tribune endorsed it strongly.

in their editorial, even they did. In addition, the retailers have supported it. Senator Sangmeister, the Sponsor of this Bill is opposed to this Amendment. It's an attempt by the administration to kill the Bill through a hostile Amendment. I ask you to reject this Amendment and to support Senate Bill 1457 on Third Reading. Today our issue is only adoption of a hostile Amendment that the Gentleman intends to place on a Bill which the retailers want which your senior citizens want, which your purchasers of drugs and medicine want and put on this one cent pittance that the House should have rejected last year. And I ask that we reject Amendment 3 to Senate Bill 1457 and keep the concept of categorical sales tax relief as Senator Sangmeister introduced it and as it passed out of the House Rules Committee in good form. And I ask you to vote 'no'."

Speaker Redmond: "Anything further? Representative Mautino."

Mautino: "Thank you... Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I had intended to close unless there were some other questions on this Amendment."

Speaker Redmond: "Will you repeat that please?"



Mautino: "I said, I had intended to close.."

Speaker Redmond: "Oh, I see. Okay. Representative..."

Mautino: "Unless there were some other questions."

Speaker Redmond: "Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen.

I rise in opposition to this Amendment to Senate Bill 1457. What this Amendment does is simply destroy the Bill as presented. It doesn't add any new legislation. We now have a one penny sales tax reduction in the form of a Bill introduced by Representative Darrow. We have another Bill with a one penny sales tax reduction on a Bill that I introduced and that passes over in the Senate. To do the same thing with this is just killing another piece of legislation. This gives a viable alternative to that type of tax relief. This categorical exemption Bill is the type that people from throughout the state have already testified on saying they favor this. This gives not only sales tax reduction, but at the same time it also gives you the ability to have well balanced meals three times a day and at the same time immediately not have to pay tax on that. I urge to reject this Amendment and let's vote on the regul.. on the Bill as it stands."

Speaker Redmond: "Anything further? Representative Schuneman to close. Telcser, do you want... Representative Telcser."

Telcser: "Well, Mr. Speaker, Members of the House, I rise to support Representative Schuneman's Amendment. And in doing so, I'd like to take the Members back just a few short months ago when this debate began. Members of the House, most Members of the House, took the position that we wanted sales tax relief for those necessities of life. But we wanted to do it in a responsible fashion. We wanted to do it in a manner that would keep this state in a fiscally sound position. And I say to you, Mr. Speaker, Members of the House, today Representative Schuneman on behalf of those Members is fighting to keep



our word. We promised the people of Illinois tax relief, sales tax relief on the necessities of life and we promised to do so in a responsible manner. Now I'd like to remind the Members of the House, that so far this Session, we have voted out Bills which will cost far in excess of what monies are available from the state's general revenue fund. We have additionally passed Bills out which offer tax relief that will cut down severely on the state's tax revenue yields. My friends, we can't have it both ways. And I want you to know and remind you that the people of Illinois are not going to be fooled easy. It's not going to be a simple task to go back home to our districts and stand for reelection and explain how we vote to spend more money, reduce our tax yields, and to give more tax relief. It simply does not work. I don't have to remind the Members also of the deepening recession we find ourselves in. And the terrific impact that's going to have on tax yields in the state. Additionally, federal revenue sharing is going to be a thing of the past that will further impact on the state's general revenue fund and just yesterday, the House passed a Bill which will create general revenue funds under certain circumstances to be used for road fund needs. Now, Mr. Speaker and Members of the House, there's no such thing as a free lunch and sometime we have to pay the piper. I say to you, Mr. Speaker and Members of the House, this is the only responsible, rational way to approach the subject of sales tax relief on the necessities of life. Representative Schuneman is absolutely correct. His Amendment #3 makes a great deal of sense. It fulfills a promise that we made some months ago and I sincerely urge the Members of the House to vote 'yes' on Representative Schuneman's motion to adopt Amendment #3 to Senate Bill 1457."



Speaker Redmond: "Anything further? Representative Schuneman to close." Mautino to close."

Schuneman: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I stand in support of this legislation and I'd like to point out a few discrepancies to the Sponsor which I think have to be made at this time. Number one, there have been retailers who are in favor of this particular amendment. Number one, the Kroger and Jewel Companies, since they've already made those changes at the cash register site. But I would like to point out from a rational point of view that the Governor does not support 1457 without this Amendment on it. I think what we are doing at this point in time is probably saving 56 million dollars. Still offering an additional penny off of the sales tax and making it easier for the retailers that I've discussed this particular posture with in central Illinois. If, in fact, we do not put this Amendment on, I doubt very much whether there would be support totally for 1457. So I stand. I stand here in support and would hope that the Members on my side of the aisle would realize that all of the retailers are not opposed to this particular provision and many of the retailers, both large and small, are supportive to make things easier and a flat rate across the board and I ask for your support on Amendment #3 to 1457."

Speaker Redmond: "The question's on the Gentleman's motion for the adoption of Amendment #3 to Senate Bill 1457. Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Representative Pierce."

Pierce: "Mr. Speaker, to explain my vote, this is a hostile Amendment aimed at killing this Bill. The Senate Sponsor, George Sangmeister, is opposed to this Amendment. They are out to kill the Bill, not to get it signed by the



Governor. It's a cynical attempt by the Majority by Minority party here and the Governor's Office to thwart the retailers and force them into buying a new cash registers. I don't know whether the cash registers are made in Japan. That doesn't seem to bother them. They still want to force the retailers to buy cash registers that will record two different taxable prices. And I don't know why they should be fighting so hard to help Japanese cash register manufacturers and I urge everyone to vote 'no' on this and I will say that should this Amendment appear to have a majority of 'ayes', I will ask for verification of the Affirmative Roll Call."

Speaker Redmond: "Representative Stuffle."

Stuffle : "Yes, Mr. Speaker and Members of the House. Representative Pierce is absolutely right. This is not an attempt to help the Bill, although there are some well-meaning people who think it will. What it will do is put the Governor in the best position possible. If it gets there, he can sign it with this ridiculous, lousy Amendment that continues the two tier system. If it doesn't get there, he can say we killed the Bill. Either way, he is absolutely wrong and the Amendment should go down to a blazing defeat. Support for the taxpayer means a vote 'no' on this particular Amendment."

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

Schuneman: "Well, thank you, Mr. Speaker. I'm really surprised at the language used by the last speaker. This is the Democrat tax relief program that was so highly touted last Session. And I'm really surprised at some of the language that was used. This is the same Bill that was passed by Representative Darrow here in the House and it is now in the Senate. This is the same Bill that the Governor has agreed to sign. This is the same Bill that the Legislature is in agreement on. I think



that we're doing the right thing by adopting this Amendment and passing this Bill out as amended. I think that we ought to point out the fact that retailers are just now becoming accustomed to the one cent reduction in sales tax. Now, if we're going to wipe out that system and give them an entirely new system to work with, I don't want to go back home in my district and have to explain that to all my retailers. The statement was made earlier that retailers support this Bill in its original form. Well, I went home and talked to my retailers and I didn't find any of them that were in support. They were forced to buy new machinery last year. They don't want us to be changing this system every year we come down here and meet. This is a good Amendment. It should go on the Bill. I urge an 'aye' vote."

Speaker Redmond: "Representative O'Brien."

O'Brien: "Well, Mr. Speaker and Members, I'd just like to point out that the new Sponsor of House Bill (sic) 1457 in the House is Representative Pierce."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 89 'aye' and 80 'no'. Representative Pierce has requested a verification of the Affirmative Roll Call. Representative Schuneman. "

Schuneman: "Poll the absentees, Mr. Speaker."

Speaker Redmond: "Poll the absentees, Mr. Clerk."

Clerk O'Brien: "Poll of the absentees: Breslin. Burnidge. Ewell. Gaines. Laurino. Oblinger. Sandquist. No further."

Speaker Redmond: "Verify the Affirmative Roll Call. Representative Pierce, we're going to start verifying the Affirmative Roll Call. Representative Stuffle, will you please stop bothering Representative Pierce? You going to help him? Okay. "



Clerk O'Brien: "Abramson.."

Speaker Redmond: "How about Donovan? You want him to sit down..."

Clerk O'Brien: "Anderson. Barnes. Bell. Bianco. Birchler.
Birkinbine. Bluthardt. Borchers. Boucek. Bower.
Brummer. Campbell. Capuzi..."

Speaker Redmond: "Is John Castle in the chamber? No, where is
John Castle? Will you raise your hand? Representative
Karpel is looking for you. Proceed." Representative
Ebbesen."

Ebbesen: "Well, Mr. Speaker, may I have leave to be verified
please?"

Speaker Redmond: "Representative Pierce, leave to be verified?
Proceed with the verification."

Clerk O'Brien: "Casey. Collins. .."

Speaker Redmond: "Representative Epton requests permission
to be verified? Representative Pierce, Epton?"

Clerk O'Brien: "Conti. Daniels. Darrow. Davis. Deuster.
John Dunn. Ralph Dunn. Dyer. Ebbesen. Epton.
Ewing. Flinn. Virginia Frederick. Dwight Friedrich.
Griesheimer. Grossi. Hallock."

Speaker Redmond: "Representative Lechowicz desires to be
verified, Mr. Pierce. I don't think that you were... I
don't think... Go ahead."

Clerk O'Brien: "Harris. Hoffman."

Speaker Redmond: "Representative Abramson desires to be
verified. Representative Pierce, Abramson? Okay."

Clerk O'Brien: "Hoxsey. Hudson. Huskey. Johnson. Dave
Jones. Kane. Karpel. Klosak. Kucharski. Leinenweber.
Leverenz. Mahar. Margalus. Matula. Mautino.
McAuliffe. McBroom. McCourt. McMaster. Meyer. Molloy.
Mulcahey. Neff. Peters..."

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

Neff: "I'd like to change my 'aye' vote to a 'no' vote
please."



Speaker Redmond: "Representative Neff changes from 'aye' to 'no'. Representative Birchler?"

Birchler: "Mr. Speaker, change my 'aye' vote to a 'no'."

Speaker Redmond: "Change Birchler from 'aye' to 'no'. Proceed."

Clerk O'Brien: "Peters. Piel. Polk. Rea..."

Speaker Redmond: "Representative Birkinbine? Birkinbine, 'no'."

Clerk O'Brien: "Reed. Reilly. Richmond. Rigney. Robbins. Ropp. Ryan. Satterthwaite. Schisler. Schoeberlein. Schuneman. Simms. Skinner. Stanley. ..."

Speaker Redmond: "Representative Piel?"

Piel: "Yes, Mr. Speaker, would you change my 'aye' to 'no' please?"

Speaker Redmond: "Change Piel from 'aye' to 'no'."

Clerk O'Brien: "E.G. Steele. C.M. Stiehl. Sumner..."

Speaker Redmond: "Representative Macdonald. Change Representative Macdonald from 'no' to 'aye'. Proceed."

Clerk O'Brien: "Swanstrom. Telcser. Tuerk. Vinson. Walsh. Watson. Wikoff. Winchester. J.J. Wolf. And, Woodyard."

Speaker Redmond: "Representative Pierce, any questions?"

Pierce: "Mr. Speaker, what's the count we're starting with?"

Speaker Redmond: "What is the count, Mr. Clerk? And will you please break up the Republican caucus in the aisle there? 86 'aye', 83 'no'. Any questions?"

Pierce: "Yes, Representative Bianco?"

Speaker Redmond: "Bianco? He's back there."

Pierce: "He here?"

Speaker Redmond: "He's here."

Pierce: "Okay. Representative Boucek?"

Speaker Redmond: "Boucek? How is Representative Boucek recorded?"

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

Speaker Redmond: "Remove him."

Pierce: "Representative... Representative Daniels."

Speaker Redmond: "Daniels? He's sitting in his seat. He's



surrounded."

Pierce: "All right. Representative.. She went walking in there. Representative Deuster."

Speaker Redmond: "Deuster? Is Deuster here? That's not Deuster. Here, he is, right here. Representative Boucek has returned. Put him back on."

Pierce: "Representative Flinn."

Speaker Redmond: "Representative Flinn. He's in the aisle there. Representative Rea? Rea record as 'no'."

Pierce: "Representative Griesheimer."

Speaker Redmond: "Griesheimer? How is he recorded?"

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

Speaker Redmond: "Remove him." Representative Harris? Harris, 'no'."

Pierce: "Representative Grossi."

Speaker Redmond: "Who?"

Pierce: "Oh, he's here. He's here. Representative Hallock."

Speaker Redmond: "Hallock, where is Hallock? Representative Hallock on the floor? How is he recorded?"

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

Speaker Redmond: "Remove him."

Pierce: "Representative Klosak."

Speaker Redmond: "Klosak. He's back there."

Pierce: "Representative Mahar. Oh, he's here. I see him. All right. Representative McBroom."

Speaker Redmond: "He's here."

Pierce: "Representative Piel."

Speaker Redmond: "Piel..."

Pierce: "Switched to 'no'? Oh, he's 'no' now. He came in. Representative Satterthwaite."

Speaker Redmond: "She's there."

Pierce: "Not in her seat..."

Speaker Redmond: "... back of Darrow."

Pierce: "Representative Schisler."

Speaker Redmond: "Schisler's back there."



Pierce: "Representative Tuerk."

Speaker Redmond: "Tuerk? He's there."

Pierce: "That's all."

Speaker Redmond: "Representative Breslin, 'no'. Anything further? Representative Schuneman?"

Schuneman: "Mr. Speaker, could we have the count and then I'd like, if necessary, I'd like to ask for a verification of the Negative?"

Speaker Redmond: "Yeah. Now, anyone else desire to be recorded? Representative Burnidge, 'aye'. Anything else? Anyone else? What's the count, Mr. Clerk? Representative Hallock, put him back on the Roll Call. 84 'aye', 86 'no'."

Schuneman: "Mr. Speaker..."

Speaker Redmond: "Representative Schuneman."

Schuneman: "Yes, Mr. Speaker, the.. Is that a verified affirmative vote, Mr. Speaker?"

Speaker Redmond: "What did you say?"

Schuneman: "Is that a verified affirmative vote?"

Speaker Redmond: "84 to 86. I would... Do you want to verify the Negative?"

Schuneman: "Yes, Sir. I'd like to verify the Negative vote."

Speaker Redmond: "Okay. Representative Leon requests permission to be verified. Representative Schuneman.

Schuneman? Representative Leon desires permission to be verified."

Schuneman: "Yes."

Speaker Redmond: "Okay. Representative Balanoff, may she be verified? Balanoff? "

Clerk O'Brien: "Poll of the Negative vote: Alexander. Balanoff. Beatty. Birchler. Birkinbine. Bowman. Bradley. Braun. Breslin. Bullock. Capparelli. Catania. Chapman. Christensen. Cullerton. Currie..."

Speaker Redmond: "Representative Collins desires to be informed as to how he has voted."

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



Speaker Redmond: Representative Karpziel."

Clerk O'Brien: Karpziel, aye."

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Speaker Redmond: "Representative

McClain desires leave to be verified. Proceed."

Clerk O'Brien: "Continuing with the poll of the Negative;

Dawson. DiPrima. Domico. Donovan. Doyle. Farley.

Garmisa. Getty. Giorgi. Goodwin. Greiman. Hallstrom.

Hanahan. Hannig..."

Speaker Redmond: "Representative Piel requests leave to be
verified. Piel. Leave granted."

Schuneman: "Mr. Speaker. Mr. Speaker. Mr. Speaker."

Speaker Redmond: "Yes?"

Schuneman: "Where is Representative Piel in the chamber?"

Speaker Redmond: "He was right here at the time. I
thought leave was granted. Here he is, right here.
They want you to go back and sit in your seat. Proceed."

Clerk O'Brien: "Harris. Henry. Huff. Jaffe. Emil Jones.
Katz. Keane. Kelly. Kent. Kornowicz. Kosinski.
Krska."

Speaker Redmond: "Representative Griesheimer?"

Griesheimer: "Just note that I'm back, Mr. Speaker. I
understand I was verified off."

Speaker Redmond: "I don't think you were. Was he? Yeah,
he was. Okay. Put him back on."

Clerk O'Brien: "Kulas. Lechowicz. Leon. Madigan. Marovitz.
Matijeovich. McClain. McGrew. McPike. Mugalian.
Murphy. Neff. O'Brien. Patrick. Pechous. Piel.
Pierce. Pouncey. Preston. Pullen. Rea."

Speaker Redmond: "Representative Penny Pullen?"

Pullen: "Please change my vote from 'no' to 'aye'."

Speaker Redmond: "Change the Lady from 'no' to 'aye'."

Clerk O'Brien: "Ronan. Schlickman. Schneider. Schraeder.
Sharp. Slape. Stearney. Steczo. Stuffle. Taylor.
Terzich. Totten. Van Duyn. Vitek. VonBoeckman.,
White. Willer. Williams. Williamson. Sam Wolf.
Younge. Yourell. Mr. Speaker."

Speaker Redmond: "Now, before we announce the results, is there



anyone that desires to be added to the Roll Call?

Either 'yes' or 'no'. 'Present' or 'absent'. Okay.

What's the count, Mr. Clerk? Representative Schuneman."

Schuneman: "I want to know what the count is, Mr. Speaker."

Speaker Redmond: "86 'aye', 85 'no'. Motion prevails.

Amendment is adopted. Any further Amendment?"

Clerk O'Brien: "Amendment #4..."

Speaker Redmond: "Representative Matijevecich."

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

before we go on to that Amendment, could I make this

announcement because I understand that the Speaker and

the Minority Leader have ordered some chicken. The

Members of the Appropriations I and II Committee, our

annual get-together which was scheduled for tonight

due to the forecast, we may not be out of here by

midnight, has been changed till Thursday evening.

Thursday evening, the Appropriations I and II Committee

annual get-together. Thank you."

Speaker Redmond: "Representative Collins."

Collins: "Mr. Speaker, having voted on the prevailing side

by which Amendment #3 to Senate Bill 1457 was adopted, I move

that that vote be reconsidered."

Speaker Redmond: "Representative Conti."

Conti: "I move that motion lie on the table."

Speaker Redmond: "Representative Collins is.. having voted on

the prevailing side moves that.. moves that the vote

be reconsidered. Representative Conti moves that that

motion lie on the table. Representative Pierce."

Pierce: "Mr. Speaker, I'd like a.. I'd like a Roll Call on

that."

Speaker Redmond: "Okay. The question's on the motion to table.

Those in favor vote 'aye'; opposed vote 'no'. Have all

voted who wish? Representative Collins, you seeking

recognition? Have all voted who wish? Clerk will take

the record. On this question there's 87 'aye' and



73 'no'. The motion prevails. Representative Conti's motion to table Representative Collins' motion prevails.

Any further Amendments?"

Clerk O'Brien: "Amendment #4, Friedrich, amends Senate Bill 1457 on page one by deleting lines 30, 31, 32 and so forth."

Speaker Redmond: "Who's the Sponsor of the Amendment? Representative Friedrich."

Friedrich: "Mr. Speaker, I'd like to table that Amendment."

Speaker Redmond: "Representative Friedrich?"

Friedrich: "I want to table that Amendment, Mr. Speaker."

Speaker Redmond: "Amendment 4 is withdrawn. Any further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. On page six, Senate Bill 1666."

Clerk O'Brien: "Senate Bill 1666, a Bill for an Act to amend Sections of the Capital Development Bond Act. Second Reading of the Bill. Amendment #1, 2, 3, and 4 were adopted previously."

Speaker Redmond: "Any motions with respect to the Committee Amendments?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendments from... Representative Leinenweber."

Leinenweber: "I filed motions with respect to House Amendments #1 and 2."

Clerk O'Brien: "Chaulky, you got...motions on this?"

Speaker Redmond: "Where did you file them?"

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

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Amendment #1, House Amendment #1 which I filed a motion was adopted in Executive Committee when the Bill was heard. Amendment #1 is vernacular of the last Bill, a dead fish that we voted on several times



during my tenure down here and seeks to authorize the Capital Development Board to issue bonds for \$100,000 for site selection, acquisition, planning and construction of a state office building in downtown urban renewal area of Rockford. We killed this Bill time and again and since we're not removing the sales tax from dead fish, I think we ought to kill it again. I urge you to vote 'aye' on the motion to table."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, this is just the authorization. This doesn't expend any funds. The authorization has been signed by the Governor once previously. It's in the Governor's budget book. We're not asking for the expending of any funds. This is just to retain the authorization in the program inasmuch as the Governor wants to spend \$100,000,000 in downtown Chicago, I think the second largest city ought to be considered in the future for some type of a state office building. We're paying now in excess of three to four hundred thousand dollars rent for 25 state supported agencies and this is not an expenditure of funds. I think it's a play by the Governor's lackey. Representative Leinenweber and I want you to resist this Amendment."

Speaker Redmond: "Representative Collins."

Giorgi: "Help, I need all these votes, you guys."

Collins: "Mr. Speaker, I believe the last speaker said this was in the Governor's budget. I just was curious either if he or Representative Leinenweber could tell me where it's in the Governor's budget?"

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "I'm not sure what Governor, perhaps the Governor of Wisconsin. But not in the Governor of Illinois's budget."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Well, I beg to differ with both the Gentlemen on



the other side. It is in the budget book. So it has been budgeted for and therefore, this is a reasonable, not only reasonable, but is necessary. When monies are budgeted, and appropriated, you need an authorization Bill also or the money cannot be expended. So there is nothing wrong with this. I was going to say from a practical matter. If you've ever been to Winnebago County, if you've ever been to Rockford and been in Zeke Giorgi's office, his office is busier than any state office building in Chicago. I mean, there's traffic running in and out of there like Grand Central Station. We need... We need.. You know, many of us, I think lose sight of the fact because Rockford sits up there in the western.. northwestern part of our great state, that we often neglect it and it is the second largest city in the State of Illinois. But the real reason we ought to approve this is because it is budgeted. The Governor budgeted for it and we should also have the accompanying authorization Bill with it and I urge your support."

Speaker Redmond: "Representative Skinner."

Skinner: "I guess Representative Collins had the floor, Mr.

Speaker. Mr. Speaker? Representative Collins apparently wants the floor back and I graciously yield to him."

Speaker Redmond: "Representative Collins."

Collins: "Well, Mr. Speaker, I asked a question. I got two answers completely different. Now, I understand... I'm told that yes, it's in the budget Bill because somebody put an Amendment on the Governor's... on the budget Bill. But it's not in his budget. So, Representative Leinenweber is absolutely right. This Amendment... And the Amendment should be tabled."

Speaker Redmond: "Representative Totten."

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

The Gentleman from Rockford referred to Representative



Leinenweber as the Governor's lackey. That's not true. That is my job."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, I didn't hear President Reagan's.. or President... .. Reagan's man on the floor. What did you say? What did you say Totten? What did Reagan say to you to tell..."

Speaker Redmond: "Representative Giorgi, you were recognized for another purpose."

Giorgi: "Mr. Speaker, in the Governor's budget book of 1981, on page 315, in bold print, 'Rockford office building, \$100,000 authorization.' Now, I didn't print the book. None of my friends are in any printing business in Springfield. So I resist this move by Representative Leinenweber, who I'm told has a direct pipeline to the Governor's Office and Totten has a direct pipeline to Reagan's office and I don't know why they're both trying to fight me on this state office building."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Speaker, I received a letter from a constituent of mine who had some investment in the downtown area of Rockford, complaining that I have suggested or characterized downtown Rockford as dying. Well, maybe it's not dying. I'm not sure. But I do know that if it's alive, it has to be because of public investment in projects which could not justify themselves otherwise. Now, a prime example is the civic center, which I personally believe will never make money in the city of Rockford. It will be continually a drain on something or other. And here is the second instance of where we're going to put state money into downtown Rockford purportedly to save downtown Rockford. I am in favor of private money saving downtown Rockford. If downtown Rockford is worthy of saving, I believe the private investment will come to downtown Rockford. I wish that



the Gentleman were more interested in attracting private enterprise to improve downtown Rockford than he is in attracting public dollars to saving downtown Rockford. Now, I think that there should be a study done of where in the Rockford an office building should be built. It is highly conceivable to me that downtown Rockford is not the place to put it. Perhaps it should be put at the commercial center of the Rockford metropolitan area, which happens to be in the 33rd Legislative District near 'Cherryvale Mall'. I would find that quite appropriate."

Speaker Redmond: "Representative Dunn."

Dunn, J.: "Will the Sponsor yield for a question?"

Speaker Redmond: "He will."

Dunn, J.: "I wonder if the Sponsor would hold this Bill just long enough for me to get an Amendment prepared to authorize the state office building in each of the 59 Legislative Districts in the State of Illinois, especially including mine, the 51st District."

Speaker Redmond: "Representative... Who wants to respond to that? "

Dunn, J.: "Will you hold it long enough to do that? Who's Bill is this? I want to know if the Sponsor will hold the Bill."

Speaker Redmond: "It's Representative Telcser's Bill. Representative Dunn wants to know if you'll hold the Bill to permit him to prepare an Amendment to put a state office building in each of the Legislative Districts."

Telcser: "Well, I wish I could hold the Bill, Representative. Nothing would delight me more. But if you hurry and get the Amendment printed and distributed, we may yet have enough time to adopt this."

Speaker Redmond: "Anything further? Representative Dunn? Yeah, Representative Leinenweber to close."

Leinenweber: "Well, Mr. Speaker, there is some question,



apparently, whether or not by mistake this thing got on the Governor's budget. It really... Any right thinking person would agree that it shouldn't be there, if it was. And we had the good sense to kill the previous authorization when it came through here by its own Bill and really we shouldn't be putting this on Second Reading, although.. And I would suggest that we support the motion to table."

Speaker Redmond: "The question's on the Gentleman's motion to table Amendment 1. Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Clerk will take the record. On this question there's 48 'aye', 94 'no'. And the motion fails. Any motions with respect to any of the other Committee Amendments?"

Clerk O'Brien: "Motion to table Amendment #2 by Representative Leinenweber."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Well, the last one, there was any question whether it was in the budget... I can tell you this next one isn't. This is a mere eight million authorization for libraries. Now this was House Bill 1854 which we did absolutely, without any question, kill when it appeared on Third Reading. This is eight million dollars for basically for the city of Chicago and I think one or two other underprivileged libraries in the state. As has been pointed out many times that many of you have libraries in your districts and you didn't have to go hat in hand to the state to try to get these matching funds. You built your own taxpayers' built libraries with their own tax money. I would suggest to you that if you give the city of Chicago eight million dollars to build a library, that your taxpayers back home who are going to pay for that library, will wonder why they had to pay for their own and probably look to you to justify it. So I certainly urge the adoption of the motion to



table Amendment #2."

Speaker Redmond: "Representative Telcser, on the motion to table."

Telcser: "Well, Mr. Speaker, Members of the House, the Amendment was adopted in Committee. It was not part of the original Bill. The Gentleman does make some good points and I'm going to vote with him."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Well, Mr. Speaker, Members of the House, Amendment #2 is living evidence that bad Bills and bad Amendments are like cats with nine lives. We have defeated this concept previously, particularly in House Bill 3560 which was an appropriation of eight million dollars to the Secretary of State for grants to libraries. That Bill was killed by this House on May 29th. Mr. Speaker, Members of the House, as one who comes from a Legislative District in which the people, themselves, by referendum elected to tax themselves by the issuance of GO bonds for the construction of new library facilities, I personally resent the concept within this Bill that there would be money from the State Treasury contributed to by all residents of the state for the construction of library buildings in other districts when those in the 4th District in particular, assumed that individual responsibility at the local level. That's a basic concept in Illinois. It's a tradition in Illinois. It's right that local improvements be funded by local referenda by the issuance of GO bonds, approved by the people. And I respectfully suggest that we consider this the ninth life of a bad Amendment and vote 'aye' to table and to kill it."

Speaker Redmond: "Representative Madigan."

Madigan: "Mr. Speaker, I rise in opposition to the Gentleman's motion. The House has already fully debated the concept that's embodied in another Bill and also embodied in the Amendment which is currently under discussion."



The House previously approved the basic authorization which would provide for the Capital Development Board to become involved in the construction of local library facilities. There is nothing more worthwhile to a community than a library building and a good functioning library service. We do all of ourselves a disservice by supporting this motion and I would urge opposition to the Gentleman's motion."

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

Leinenweber: "Well, Mr. Speaker, you've heard from many Members on this particular Amendment. I will just add and particularly for the benefit of those on the other side of the aisle, that your taxpaying constituents who you are going to ask to vote for you in the fall, will look askance at a vote to spend eight million to build libraries in other districts when your people have voted by referendum to tax themselves to build their library district. So I certainly urge support of the motion to table."

Speaker Redmond: "The question's on the Gentleman's motion to table Amendment 2 to Senate Bill 1666. Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Clerk will take the record. On this question there's 58 'aye' and 79 'no'. And the motion fails. Any further motions with respect to Committee Amendments?"

Clerk O'Brien: "No further motions."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #7, Barnes-McClain-Matijeich, amends Senate Bill 1666 as amended in the first sentence of Section III and so forth."

Speaker Redmond: "Representative Barnes."

Barnes: "Mr. Speaker, there was a technical error in this particular Amendment so I'd like to table it and we have another Amendment, Amendment #9."



Speaker Redmond: "You're withdrawing 7 is that right?"

Barnes: "Yes, Sir."

Speaker Redmond: "Seven is withdrawn. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #8, Daniels-Redmond-Hoffman, amends Senate Bill 1666 as amended in the first sentence of Section III by deleting the underscored amount and inserting in lieu thereof the following .."

Speaker Redmond: "Representative Daniels."

Daniels: "I think we have an Amendment #10. Is that right, Mr. Clerk? Amendment #10 I think, is also ours? I believe that was the..."

Clerk O'Brien: "No, there's no Amendment #10 filed."

Daniels: "This is the right one. We had a previous one.

This Amendment, Amendment #8, appropriates or authorizes the sum of ten million dollars for the purchase of structure fifteen and the flood plain management control commonly referred to as 'The Elmhurst Chicago Storm Quarry.' This is the long-range plans of the flood management control of northern Illinois. We had previously through House action passed the appropriation which is now in the Senate and this is the authorization part of it and I would ask the House to add its approval to this Amendment."

Speaker Redmond: "Is there any discussion? Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, I don't think there's any time of the Session other than this point where we hear these various CDB Bills that the deep concern for the Members and their districts becomes more apparent. Their devotion and loyalty to their constituents really stands out at this time of the Session. They're sensitivity to the needs of their district, their quest for brick and mortar, their desire to satisfy the needs of their constituents is really apparent on days like today. And for that reason, Mr.



Speaker, I would like to rise as Sponsor of this Bill and support everyone's Amendment. I've proofed the Amendments and frankly, I can't see one that really doesn't have some noteworthy and just cause contained in the language of the Amendment. So, Mr. Speaker, if you can ascertain some method in which to get a Roll Call we can use for all the Amendments, we could save the time of the House and move on to the next order of business. However, I caution all those who sponsor the Amendments.

I do not guarantee the outcome of the Conference Committee."

Speaker Redmond: "Representative Totten?"

Totten: "Well, thank you, Mr. Speaker. I just wanted to rise on a point of order cause that's a new speech for Representative Telcser and I thought we ought to have order. That's speech number 23 which is new to his repertoire."

Speaker Redmond: "Anything further? Representative Ebbesen. Ebbesen? Representative Daniels to close."

Daniels: "I would seek your favorable approval."

Speaker Redmond: "The question's on the Gentleman's motion for the adoption of Amendment #8. Those in favor vote 'aye' and opposed vote 'no'. Have all voted who wish? Clerk will take the record. On this question there's 78 'aye' and 28 'no'. The motion prevails and the Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "Amendment #9, Barnes-Matijevich-McClain, amends Senate Bill 1666 as amended in the first sentence of Section III and so forth."

Speaker Redmond: "Who's the Sponsor? Representative Barnes."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #9 provides the bond category for Capital Development funds for private colleges and universities and the authorized level is ten million dollars."

Speaker Redmond: "Any discussion? The question's on the Lady's motion for the adoption of Amendment 9. Those in favor



say 'aye', 'aye'; opposed 'no'. 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 69 'aye' and 42 'no' and the motion prevails and the Amendment's adopted. McGrew, 'aye'. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 1706."

Clerk O'Brien: "Senate Bill 1706, a Bill for an Act to amend Sections of the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motion with respect to Amendment 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #2, Grossi-Johnson, amends Senate Bill 1706 as amended on page one, by inserting in line 14."

Speaker Redmond: "Representative Grossi."

Grossi: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 to Senate Bill 1706 simply corrects a problem that occurred in Committee. In Committee there was an Amendment that was offered that deleted the Class 2 felony provision of this Bill. This Amendment simply restores that provision to the Bill."

Speaker Redmond: "Any discussion? The question's on the Gentleman's motion for the adoption of Amendment 2. Those in favor say 'aye', 'aye'; opposed 'no'. The 'ayes' have it. The motion carried. The Amendment is adopted. Any further Amendment?"

Clerk O'Brien: "Floor Amendment #3, Grossi, amends Senate Bill 1706 as amended on page one by inserting in line 14 and so forth."

Speaker Redmond: "Representative Grossi."

Grossi: "Mr. Speaker, I would like to withdraw Amendment #3."



Speaker Redmond: "Amendment 3 is withdrawn. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Marovitz, amends Senate Bill 1706 by deleting the title and inserting in lieu thereof the following and so forth."

Speaker Redmond: "Who's the Sponsor?"

Clerk O'Brien: "Representative Marovitz."

Speaker Redmond: "Representative Marovitz."

Marovitz: "Thank you very much, Mr. Speaker. Reluctantly I would request that Amendment #4 be withdrawn."

Speaker Redmond: "Amendment #4 is withdrawn. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 1739."



Clenk O'Brien: "Senate Bill 1739. A Bill for an Act in relation to the compensation of workers for job related injuries and diseases. amending certain Acts therein named. Second Reading of the Bill. Amendments #1, 2, 3, 4, 5, 6, 7, and 8 were adopted in Committee."

Speaker Redmond: "Any motions with respect to the Committee Amendments?"

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

Speaker Redmond: "Just wait a minute here. We'll stand at ease for a few minutes. Representative Hanahan."

Hanahan: "Mr. Speaker. I believe I have a written motion on the Clerk's desk pertaining to the movement of Senate Bill 1739."

Speaker Redmond: "Read the motion, Mr. Clerk."

Clerk O'Brien: "Motion; 'I move to strike the enacting clause of Senate Bill 1739'. Representative Tom Hanahan."

Speaker Redmond: "Representative Hanahan."

Hanahan: "Mr. Speaker and Members of the House, I thought for awhile that possibly we could sit in long debate; we could sit here for the rest of the evening and debate the Amendments; that will be offered to Senate Bill 1739. But it came to me that there is no reason, no logical reason why we have to even pass or consider Senate Bill 1739, because those of you who really would like to see a reduction in premiums on workmen's compensation, which is what the real issue is back home among your business constituencies, if that's what you're really after, there's no way that Senate Bill 1739 is ever going to make it to the Governor that's going to give your small businessman any break in his premium. Mr. Speaker and Members of the House, all I see in the future on Senate Bill 1739 is taking away benefits, hard-earned benefits, benefits that are owed injured



workers, men who lose their lives, women who lose their fingers, people who have broken backs laboring for some concern, giving of themselves and then to have the General Assembly here debate today the reduction in the amount of money, the amount of insurance that they would receive for a position of not even being able to sue their employer on a basis of fault. Mr. Speaker and Members of the House, we can easily end this charade that's going to take place this afternoon on whether or not all the posturing in the political hullabaloo that's going to be raised and all the newspaper rhetoric about whether workmen's compensation needs reform or not by a simple little aye vote on this motion. This motion will end the charade of those who want to posture themselves as friends of labor and as friends of the businessmen and of friends of nobody. The fact is the State of Illinois has a great workmen's compensation system that's adequate for an injured worker and his family to receive adequate funds and certainly, Mr. Speaker, it does not need any change in that form. But if changes that are needed and the changes that are demanded, demanded by our conservatives, by our working ... the people who create the business community of this state, the small businessmen, those changes are not going to be acquired through 1739. You will not see anywhere in this Bill or in any of the Amendments any predictable amount of reduction in premiums. And Mr. Speaker and Members of the House, the business community that I speak to consistently has said to me that the problem that workmen's compensation in Illinois is the damn greed of the insurance companies, not the amount of... of... the awards to the injured workers."

Speaker Redmond: "Let me remind the... Let me remind the visitors in the gallery that you are our guests and no



demonstrations are permitted. I will clear the gallery if there's a repetition of that demonstration. Proceed, Mr. Hanahan."

Hanahan: "The small businessman, whether it be a gas station owner, or a restaurant owner, or a small construction company, a small manufacturer, will not receive a nickel reduction in his premium by passage of 1739 and all your Amendments that are on it. And that's the issue here. If you want to take away from injured workers' family a decent amount of money that the family receives to subsist to exist in our society, is that what you want to do? I think it would be a real easy thing to end the charade and vote yes on the motion to strike the enacting clause. Let's get back in a reasonable posture. Let's quit kidding ourselves about what we're going to do on workmen's compensation..."

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

Dunn J.: "For parliamentary inquiry, Mr. Speaker. I don't find this motion on my Calendar anyplace. Is this motion on the Calendar #1 or #2? Does it have to be?"

Speaker Redmond: "The answer to both questions is no."

Dunn J.: "Thank you Mr. Speaker."

Speaker Redmond: "Proceed, Representative Hanahan."

Hanahan: "Well, Mr. Speaker and Members of the House, the small businessman, and if any of you want to take the time to figure out what has happened, is that the public relations war was won by the Chamber of Commerce and the Manufacturer's Association, but the facts aren't on their side. Take a look at their own propaganda when they use examples of a construction worker's premiums on his construction cost of workmen's compensation as a reason to change the workmen's compensation system. Ladies and Gentlemen of the House,



you can't build a house in Iowa and move it into Illinois and say that the workmen's compensation was the reason why they built it in Iowa. Contractors members of the... of the architectural... any architectural firm, members that are in non-competitive industries that can't be transferred aren't interested. Our utilities OUR major manufacturing are not going to leave Illinois because of workmen's compensation costs. But what does happen is some small business man, who's being fleeced by the greed of an insurance company and charge exorbitant rates to cover themselves with insurance, yes, they may want to leave Illinois. But you want to know something, Ladies and Gentlemen, they're not going to do it, because you can't find anyplace where there's either decent taxes or there's decent other kinds of legislation calling for, either unemployment insurance or workmen's comp. in any state that, today, is reasonable. The fact is in an inflationary time, costs are up. Businessmen understand it, but they don't understand why we go around talking about reducing a benefit to an injured worker and we're not talking about reducing the premiums. If you were to attach Amendment after Amendment on your Bill that says that if this Amendment is adopted that we will reduce the premiums 10%, or 15%, or 20%, then I could see a valid argument being made on this kind of legislation. But as long as you allow just a charade to take place, just an absolute charade taking place that somehow we're going to reform workmen's compensation and we're going to save Illinois from its exodus of its business community, shame on you, because you know it ain't true. All you're going to do is take away from a family a decent amount of income that they need while the husband or the wife is injured to pay for the milk, to pay for the rent, to



pay for the mortgage payments, to pay for the doctor bills, and you and I know that in this day and age it's pretty damn hard to live on the amount of money any workmen's compensation case is awarded. I say to you, what would a leg be worth to you? What would an eye be worth to you? How much would you sell it for? Would you sell your leg for 60,000 dollars? According to this Bill, it's going to be amended by you. You want to reduce it down to 37,000. Would anyone here want to step forward and sell their leg for that price? Shame on you for wanting to take away from families the amounts of money... when they give their blood, their limbs, for some greedy employer and then they say that the workmen's comp. insurance is too much. There is no question that the majority of employers of Illinois, decent employers, do not give a damn on how much the awards are. But they do care about how much the premiums are. And if you want to save a lot of charade, join with us change the system, take away the incentive for greed of the insurance companies and move workmen's compensation into the public fund like Ohio or many other enlightened states have so that you take away all this gimickry where not only legal fees but investigator fees and all sorts of other contractual relation fees are built in to the system of charging high premiums for workmen's compensation. Mr. Speaker and Members of the House, we could save a lot of time today if we get enough votes on the motion to strike the enacting clause on Senate Bill 1739, and I ask for a favorable Roll Call."

Speaker Redmond: "Representative Simms."

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this motion to strike the enacting clause on this legislation that has had a great deal of time and effort spent by the Labor



Committee in the House of Representatives as well as his own party's Democratic Task Force. Either the Representative is extremely naive, which I doubt, or he chooses to fool himself. If one would just pick up the newspaper, beginning yesterday in the State of Illinois and today and will continue, a story by the associated press... an in depth investigation by the associated press with the Better Government Association and other newspapers throughout the state indicates that the workmen's compensation system is a troubled system indeed. It's a one billion dollar a year abuse of the system. I could go into lengthy details, Ladies and Gentlemen of the House, about the abuses of the workmen's compensation system, but to quote from the article by the associated press, 'The Illinois Worker's Compensation System, a program designed to help injured workers financially, is a mess. Rifled with abuses, loosely administered, expensive, often open to cheating'. Yes, Ladies and Gentlemen of the House, the legislation which was passed in 1975, which was passed by the Democratic Party which was in charge of the Illinois House at that time by a large plurality, where their pluralities have been diminishing every election since, passed the extensive legislation which we're now about to consider. This is a problem that will not go away. It is a problem that has caused many industries in the state to have their premiums increased up to 1600% since 1975 levels. It has caused business and industry to leave the State of Illinois to go to other states, adjoining states, not let alone those that have gone to the sun belt because of a more economic climate that's more beneficial. I say to the Members of the Illinois General Assembly, there is no more pressing issue facing the taxpayers, the citizens of the State of Illinois than workmen's compensation reform. And this is the only legislative



vehicle that has been addressed by both political parties and there are substantive Amendments offered by Legislators on both sides of the aisle to address the problems of workmen's compensation. And I think we owe it to the citizens of Illinois to consider this legislation and to have the spokesman for organized labor and a leader of the Democratic Party try to kill this important legislative Act as a serious and diminishing thing upon the taxpayers of Illinois that have, so long, paid the price of these premiums, directly or indirectly, through services or other expenses entitled to their way of life. So I urge each and everyone of you to search your soul, to search your conscience, and most importantly, to represent your constituency. Let's consider this legislation and pass meaningful reform measures to improve the workmen's compensation system in this state, and rid it of the fraud and the abuses, the doctor shopping, and exorbitant legal fees that a small group of select workman's compensation attorneys have pilfered and profitted from those injured employees in the state. And I urge that we defeat the motion to table this Bill, to strike the enacting clause from this legislation. As the people of the State of Illinois deserve that this legislation should be debated by the entire General Assembly and not be sent to a fate which the Gentlemen from McHenry wishes to bestow upon it. I urge a no vote."

Speaker Redmond: "Representative Flinn."

Flinn: "Well, Mr. Speaker, in the time I've been in this House, I have never voted to overule the Chairman and only once did I ever vote to remove the enacting clause of a Bill. And that's about 10 years ago, and I've been ashamed of that ever since. This is the coward's way out. Let's all stand up and be counted. Let's defeat the motion, once and for all, and everybody



be counted to where they stand. I think the motion should be defeated for that purpose alone."

Speaker Redmond: "Representative Huskey."

Huskey: "Well, here we go again, Represent... Mr. Speaker. The fancy soothsayers that have brought the great State of Illinois down on its knees with the workmen's compensation laws are at it again. They're afraid to stand up in honest debate when the... when the count is much more even. They're afraid of this so they take, as Representative Flinn said, they take the cowards' way out, and they want to keep destroying the State of Illinois for selfish gains. Vote against striking this enacting clause."

Speaker Redmond: "Representative Brummer."

Brummer: "I move the previous question."

Speaker Redmond: "Gentleman's moved the previous question. The question is shall the main question be put? Those in favor say 'aye'. Aye. Oppose 'no'. The ayes have it. The motion carries. Representative Hanahan to close."

Hanahan: "Mr. Speaker and Members of the House, I carefully listened to anyone that would debate the issue of whether they were going to stand here and say that they want to vote on the Bill and they want to vote on Amendments so they could reduce premiums. Everyone has avoided the issue. The fact is, I had Illinois Bell Telephone give me their figures for the last five years. And let me tell you, Ladies and Gentlemen, they have 39,000 employees, taxpayers, citizens of this state. Of the 39,000, many of them work on poles, many of them work in tunnels many of them work driving trucks and they work in all sorts of capacities. And do you know what, Ladies and Gentlemen, I found out that if you repeal the whole 1975 Act, the only difference would be 12 cents a day for each employee. Twelve cents a day to reduce down your death benefit from 250,000



down to 34,000. To reduce down the loss of an eye from 60 or 70,000 back down to about 12 or 13,000. Ladies and Gentlemen, for 12 cents a day you're talking about. My son received an increase in wages as an apprentice carpenter of a dollar forty an hour. And you're talking about 12 cents a day you're concerned about. Who's kidding who? Who are you trying to make a charade? Representative Simms, you talk about the immorality of the Act. I join with you and charge that there's immoral actions in it, but there's nothing in Senate Bill 1739 or all the Amendments that have been offered that's going to stop the immoralities. Nothing in that Bill, nothing that's been proposed is going to stop the illegal action of some people who want to conspire and hoodwink and defraud insurance companies or employers. If you have such Amendments, I'd like to read them. But I do see, in this Bill, and I see in the Amendments proposed the taking away of an economic benefit of people who lose an eye, break a back, lose a leg, or lose their life. I see an economic disadvantage trying to be perpetrated on them and then in the name of some sort of guise that were going to save Illinois from employers leaving this state. Well, I challenge you. You have the Department of Business and Economic Opportunity in this state telling us what a great job you're doing, telling us how much business has been moved into this state. You live along the same corridor I do where they're building factory upon factory like mushrooms in a fact... in a forest that you can't find your way in a farm land anymore northern Illinois with the business expansion that's going on in the state. Who's kidding who of who's leaving the state? Anyone that wants to leave for South Carolina or Alabama, they should get the hell out of this state. We don't need them. They're probably non-union, scab employers that don't



pay a decent wage anyway and cheat and hire illegal aliens. We don't need them kind of people here. Let them get the hell out of Illinois. What we need in Illinois is decent employers that care about their employees when they get injured. That care enough that they get decent award, not some kind of scam operation that seem to fleece and cheat and bankrupt and re-open everytime. What we need here is an end to the charade. If you have a motion to make that you somehow will know how to clean up the mess the industrial commission is in, I'll join you. But don't take away benefits from an injured worker and his family. That's what you're trying to do and that's why I took this motion and put it on the desk. So that we stop the charade. Quit the political B.S. and let's get down to business and protect the people that elected us. And quit worrying about some phonies that do nothing but try and scheme and get away without paying their fair share of our costs of our society. Workmen's compensation is not a great cost. As much as a bugaboo is made about it, you talk to the average employer and find out what he pays. Thirty, forty dollars a month... thirty, forty dollars a month for a couple of employees is a big deal. But Ladies and Gentlemen of this House, I know what a big deal is and it doesn't smell very good when I see the insurance companies build their reserves up to a billion dollars and I can see the phonies that are claiming their piece of the action, their little pieces of the cost of doing business in the state in the insurance industry. That's the problem. But the real truth is, business is expanding. We're in a recession throughout the country and just not in Illinois, and yet, Illinois' growing. We have more employees today then we have ever had. We have more corporations, more individual income tax returns than ever before since 1975. And all I can see is the ledgers of the insurance



companies in their greed for profit is that they continue to pay bigger and bigger dividends that keep making bigger and bigger millionaires out of the people that own these insurance companies that sell workmen's compensation while some poor barber or some poor salesman have to pay a high price premium. I think if we're going to do something for the people of Illinois, we'd cut out the greed in the insurance industry, and I renew my motion, Mr. Speaker, and ask for a favorable Roll Call."

Speaker Redmond: "The question... the question is on the Gentleman's motion to strike the enacting clause on Senate Bill 1739. Those in favor vote aye, oppose vote no. Representative Deuster. One minute to explain his vote."

Deuster: "Well, Mr. Speaker, several times during this Session Representative Hanahan has accused Representative Yourell of smoking pot, but I think right now if there's anybody that's been smoking pot it's Representative Hanahan."

Speaker Redmond: "Please, Mr. Deuster."

Deuster: "And this is the sort of speech that should be given on the..."

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

Yourell: "Point of personal privilege. The Gentlemen did mention my name. Representative Hanahan has said many things to me and about me regarding me during our long-time careers in the House of Representatives. But if Representative Deuster can, on any occasion checking the record, show this Member or any other Member of this House that Representative Hanahan accused me of smoking pot, then I'll resign in the next five minutes. Representative Deuster, you're lying, You're telling a lie. You're not telling the truth. He has never, ever accused me of smoking pot."



He accused me or asked me a question one day, or asked the House, he said, 'I don't know what the Gentleman is smoking' but he didn't say pot."

Speaker Redmond: "Representative... Representative Deuster. He has one minute to explain his vote."

Deuster: "I would simply say, I wonder where the Gentleman offering this motion was on Second Reading. We all, under the rules, have an opportunity to offer Amendments to improve Bills if we don't think they're..."

Speaker Redmond: "This is Second Reading, Representative Deuster."

Deuster: "Mr. Speaker,..."

Speaker Redmond: "Okay. It's going to be a long night. Hurry up."

Deuster: "I'll try to hurry up. The Gentleman could offer some substantive Amendments to improve this Bill if he wanted to. He's tried to destroy it. I think that he's afraid to face the issue. Many Members of his party, many members of organized labor realize something substantive should be done, and I urge more no votes. Thank you."

Speaker Redmond: "Representative Schuneman. Forgot to mention earlier that we're having food brought in at the... Representative Ryan is the host. Representative Schuneman."

Schuneman: "Thank you Mr. Speaker. I'm not going to take a lot of time of the House to explain my vote, but there is one issue that I think we may as well get up front right now. The Sponsor of this motion loves to stand on the floor of the House and rant and rave about certain things but not about the issues that we are here to discuss. The issue that he likes to discuss best is the increase in insurance premiums. Well, one fact I'd like to lay out before the Members of the House at this time is that since 1975 the average increases granted insurance companies by the Department of



Insurance is 126%. Now that's a great increase. But an even more important fact is that those people, those employers who are self-insured have had even greater increases in worker's compensation. For example, International Harvester costs are up 162%. Caterpillar Tractor who is building plants in other states is up 186% in Illinois. And our own State of Illinois, which is not insured, which is self-insured has had an increase in worker compensation costs of 182%. You can't refute those arguments. You can't lay those off to some insurance company. You can't rant and rave and try to get out of the fact that the same people who are now opposing all these Amendments are the ones that gave us this Act in 1975. And I hope you'll bear these facts in mind."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 10 aye and 159 no and evidently Representative Hanahan has replaced Representative Maro... Marovitz rather and Representative Ropp. Motion fails. Representative Collins. We're back on the Order of Amendments to Senate Bill 1739. Representative..."

Collins: "I was just going to say that I think, perhaps, Representative Hanahan has acquired permanent possession of the Brian B. Duff Traveling Award."

Speaker Redmond: "Representative... Mr. Clerk, what is..."

Clerk O'Brien: "A motion to table Committee Amendment #1 to Senate Bill 1739 by Representative Darrow."

Speaker Redmond: "Representative Darrow."

Darrow: "Thank you Mr. Speaker. I'm not going to debate this motion. I would just ask for a favorable Roll Call to table Amendment #1."

Speaker Redmond: "Any discussion? Representative Simms."

Simms: "Mr. Speaker, Ladies and Gentlemen of the House, I would be in opposition to tabling Amendment #1 to House Bill(sic) 1739. This Amendment was offered



by Representative McPike and it had a great deal of debate in Committee. And the Committee process determined as the package that this would be part of the consideration, and I would be in opposition to tabling this Amendment."

Speaker Redmond: "Any further discussion? The question's on Representative Darrow's motion. Representative Tuerk."

Tuerk: "Well, Mr. Speaker, Members of the House, the Gentleman from Rock Island may as well join the Gentleman from McHenry in striking the enacting clause, because he knows very well that if this first Amendment is tabled it tables the subsequent Amendments which already have been adopted. Now I would submit that we're here to consider the serious business of workmen's comp. and we may as well get at it. I agree with the maker of this motion that the Amendment is no good. It's a terrible Amendment, but the fact remains that all subsequent Amendments are contingent upon the adoption of this Amendment. And, therefore; I would support the adoption of the Amendment and, therefore; urge the defeat of his motion to table this Amendment. Even though I object to the Amendment in its entirety."

Speaker Redmond: "Representative McPike."

McPike: "Thank you Mr. Speaker. I rise in opposition to this motion. I think we better get about the debating... the substantive Amendments here and quit wasting time."

Speaker Redmond: "Representative Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, I happen to agree with Representative Darrow. By tabling Amendment #1, we would simply be returning the position to the Bill as it came out of the Senate. As I understand it, it came out of the Senate as an agreed Bill. Everybody was happy. All the Republicans voted for it. All the Democrats voted for it with few exceptions. It was a



Bill that satisfied everyone as we understood it at that time. I think that our efforts at improvement are for naught. This Bill will go into a Conference Committee and about six people will determine exactly what the Bill looks like. There's nothing wrong with this Bill as it came out of the Senate. I think it's something that everyone here in this House could live with. If we were willing to table these Amendments, Amendments #1 and all subsequent Amendments, we would have solved the problem of workmen's compensation. We have a Bill, as passed out of the Senate, that was agreed upon by both parties. Something reasonable that all of us could live by. I think we ought to very seriously consider what we're doing at this particular point. Mr. Darrow's motion is a good posture and I think it deserves the support of this House."

Speaker Redmond: "You ready for the question? Representative Darrow, to close."

Darrow: "Well, thank... thank you Mr. Speaker, Ladies and Gentlemen of the House. Some people have questioned my sincerity about this motion. Let me point out that Deere and Company is one of the biggest plants in my district. They have written me concerning the cumulative injury fund and how they object to that. Also, in the Springfield scene, Illinois State Chamber of Commerce, according to their view, this Amendment in total would make Illinois Workmen's Compensation Program more costly than it is at the present time. I just can't understand why the Representatives from the other side of the aisle are now in favor of such a Bill, in favor of such an Amendment, and will not vote to table it. I would agree with Representative Ewell and ask that other people vote in favor of this motion and that we table it. Thank you."

Speaker Redmond: "Question on the Gentleman's motion to table Amendment #1. Those in favor vote aye, oppose vote no."



Representative Schuneman, one minute to explain his vote."

Schuneman: "Well, I simply want to respond to the Member from the other side of the aisle who pointed out that this was an agreed Bill as it came over from the Senate. But as I remember the scenario, the Democrats refused to let this Bill out of the Rules Committee. What happens to the agreement there? When we got into... When the Bill finally was discharged, as I remember the scenario, the Democrats wouldn't allow this Bill to be heard unless Representative Ryan gave up Sponsorship of the Bill. Where is the bipartisan support for this Bill? I think we're going to see it coming along pretty soon now."

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

Borchers: "One of the things that interests me in this motion is it says, 'Provides specific limits for attorney's fees', and that's part of our trouble. This Bill... this motion should be kept because of that one fact alone. Edward III, I hate to mention this, but Edward III and Henry V who's names, I'm sure, have never been mentioned on this floor before, both refused attorneys in their reins because it said they were the greatest trouble-makers in the realm and the greatest partakes of peoples' money. So I think we should think about that."

Speaker Redmond: "Have all voted who wish? Clerk will take the record. On this question there's 17 aye and 147 no. The motion fails. Any further Amendments?"



Clerk O'Brien: "A motion...I move to table Amendment #2 to Senate Bill 1739, Representative McPike."

Speaker Redmond: "Representative Borchers, didn't you convince yourself? Representative Borchers asks leave to be recorded as 'no'. Does he have leave? Objection has been raised. Who's the Sponsor of the motion? Representative McPike."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 requires the Industrial Commission to establish medical guidelines and standards within one year after the effective date of this amendatory Act. 1739, as it came across from the Senate and Amendment #1 to this Bill, requires that the Industrial Commission publish, on all the cases that they hear, their reasons for their decisions, including the findings, and facts, and conclusions of law. It is our firm belief that over a period of time that this will lead to those standards that we, in Illinois, should abide by. It is not a standard that we pull out of the air or a standard that we pull out of a medical textbook, but it is a standard that we learn to live with week by week, month by month as the Commission and the courts, in turn, set precedent. The courts setting precedent for the Commission and the Commission setting precedent for the arbitrators. Why anyone would wish the Commission to arbitrarily adopt standards is beyond me. If it's to reduce costs, it doesn't make sense. The average cost of worker's compensation in this country is \$2.62 per hundred dollars. The cheapest state in the Union is Indiana. Their cost in Indiana is 92¢ per one hundred dollars. The cheapest in the Union, probably because they haven't modernized their law in over a hundred years. But, nonetheless, the cheapest state in the Union. They have no standards...no standards in Indiana. Contrast to this is California. They have very, very



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extensive standards established...extensive standards that lead to litigation upon litigation upon litigation, and, consequently, the cost of worker's comp in California is \$3.17. In California, it's roughly 25¢...25% higher than it is in Illinois. California has standards and they're very expensive, and Indiana has standards, and they're very cheap. So, why, I ask myself, would anyone want standards? Well, perhaps someone else in the state that knows something about this issue is in favor of standards. The Chairman of the Industrial Commission, I quote, 'Standards is, in my view, not a helpful reform. Standards will not necessarily lower costs, increase efficiency, or reduce unfairness.' That's the Chairman of the Industrial Commission. Recently, the Department of Insurance held hearings to determine if there were abuses of the system and what could be done to correct it. Doctor 'Tannenbaum', who was in charge of the hearings, who was well-known for his knowledge in the area of workmen's comp, concluded in regards to the AMA guidelines, 'They are so broad in scope that reliance upon them will not reduce subjectivity, litigation, or costs.' So, here are two experts in the field saying that they are against standards. Here are two examples of states where one state has no standards. One does, and the cost is exceptionally higher in the state that does. For all of these reasons, I can see no earthly reason why we, in Illinois, would want to adopt some arbitrary standards instead of allowing the Industrial Commission to slowly and deliberately establish, through precedent, the guidelines that we should follow in Illinois. For that reason, I would ask for a favorable Roll Call on the motion to table."

Speaker Redmond: "Representative Watson."

Watson: "Thank you, Mr. Speaker. I stand in opposition to



this motion. I feel that requiring the Industrial Commission to establish standards is just common sense. The previous speaker mentioned that over a period of time the Commission will be establishing some type of standards through the summaries that are going to be written. That terminology, over a period of time, we don't know how long a time...five, ten, how many years we don't know...if I was an arbitrator on the Industrial Commission, I would want standards. Why? To develop some kind of consistency for guidelines to be working off of some sort of a base. Also, this would be good for the employee, because quicker decisions could be made. I think this would be a fair system, and, hopefully, limit needless litigation by establishing standards. I feel the Industrial Commission has its capabilities to go out, hear testimonies, establish hearings, have input from the public, the people, industry and labor alike, to develop these standards. Under the Administrative Procedures Act, the Illinois Industrial Commission will have to do so. In a recent report on testimony by the Illinois Economic Development Commission heard before the Steczo Committee, and this Commission is comprised of Members of our...of the General Assembly right here and public input during the second week of April, this Commission testified that standards in Wisconsin actually reduced costs by 40%. As I mentioned at the outset, I think standards are only common sense, and we need to have this in the Workmen's Compensation Act, and I stand in opposition to Representative McPike's motion."

Speaker Redmond: "Representative McClain."

McClain: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I stand in support of the motion by Representative McPike. One of the things that I'd like to point out that I was not going to say anything, but



Mr. Watson's comment, and I quote from the Chairperson of the Industrial Commission, Rebecca Schneiderman, when she said, preceding or after Mr. McPike's quote, it...she said, 'Merely because one state, Wisconsin, has standards and low workmen's compensation costs, does not mean standards would lower costs in Illinois.' Actually, Ladies and Gentlemen of the House, there are a couple of good reasons why you ought to consider not including standards in this piece of legislation. One, in terms of if you want to see the end product as being the house works you ought to know that this is one item that the Senate is violently opposed to. So, if this is on the Bill, the Senate is not going to concur with the Amendment, and, therefore, it's for sure going to a Conference Committee. So, those of you that are supporting this proviso, will see it in a Conference Committee and will probably not see it as part of the Conference Committee report. The second item is that now with the Commission...the Commission, I am told, by the workmen's compensation lawyers, is starting to reduce awards. And, in fact, denying claims. In February and March they denied a significant amount of claims, and I, for one, think that the Commission ought to do its work. If it's a Republican appointee, the Governor's appointed Rebecca Schneiderman, and I think that you ought to uphold what the Governor's position is. The last item is that when the Commission had hearing loss studies, and they made recommendations on those hearing loss standards, they made that recommendation, but it was never formally adopted, mainly because the business community believes those standards are too high. So, I think you ought...for those three reasons, especially on your side of the aisle, you ought to consider not supporting this Amendment and supporting Mr. McPike's motion."



Speaker Redmond: "Representative Tuerk. Tuerk." 163.

Tuerk: "Mr. Speaker and Members of the House, I stand in opposition to the motion. I think when the Gentleman from McHenry made his motion to strike the enacting clause and then it was followed by the Gentleman from Rock Island to table Amendment #1 it began to show a little bit of the color of what the Democrat side of the aisle was attempting to do. However, in the motion to table Amendment #2 to this Bill really shows the colors, because this is a very meaningful Amendment as Amendment #3 is a very meaningful Amendment. You'll see the motion to table that Amendment, also. I think what we need to do is to really debate the Bill on Third Reading, allow these Amendments to ride through Second Reading, and debate the merits of the Bill, the merits of the system, the merits of reform, of workmen's comp on Third Reading. Therefore, I would...I would urge all the Membership to oppose this motion to table Amendment #2 and we get some meaningful Amendments onto this Bill so that we don't necessarily get locked up in a Conference Committee at some late hour towards the end of the week. We can do something well-intentioned, well-meaning and really make some reforms in this Act that was devastated back in 1975 with over a hundred changes in the Workmen's Comp and Occupational Disease Act. I would urge your opposition to this motion."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Well, Mr. Speaker, it's quite obvious that the employers in the State of Illinois are split on the issue of standards. But, I don't think they need to be split. I think the records will show very clearly that we do have standards now existing by the adjudication of the cases that have pended in many years past. The arbitrators set their decisions, and if they're not satisfactory to the parties involved, they go to the



Commission, and the Commission themselves, in their wisdom, either confirm or reject the arbitrators' decision, and so on through the process until it gets to the Supreme Court. And, I don't know what better standards you can have that in the process of law these cases have been adjudicated all through the system to the Supreme Court, and you very well know when the Supreme Court speaks rightly or wrongly, that is the rule...that is what's followed in the hearings that follow from that point on. And, since management is not really acceptable to the matter of standards, because it was obvious when the Industrial Commission attempted to set the hearing law standard, that the employer was up in arms, and, perhaps, rightly so, because we had existing...at that time, many things to follow, and it just seems to me on this one issue there shouldn't be a division. We should all be, in effect, saying the case law is now there. Standards have already been set. Why should we arbitrarily, at this point in time, give in to changing Industrial Commission commissioners so that from one term to another we have different standards? I say that we can't afford that situation. We have to exist as the law is now presently written by court interpretation, and I would say we ought to support the motion."

Speaker Redmond: "Representative Anderson."

Anderson: "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 indicate by saying 'aye'. 'Aye'. Opposed, 'no'. The 'ayes' have it. The motion carried. Representative McPike to close."

McPike: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think what we should recognize here is that the only standards that anyone is really for are



those standards that they can write themselves. When Rebecca Schneiderman was prepared to issue standards on hearing loss, the Chamber of Commerce and the IMA went up in arms, and they said, you know you can't let her adopt standards. Not those standards. We're not for those standards. We're for our standards.' And, in the law right now we have standards. We have some standards, and the Governor has asked us to take them out of the law, and we did in Amendment #1. There was a standard on a fractured vertebrae, a standard for a fractured skull, a standard for a loss of spleen, and the Chamber of Commerce, and the Governor, and the Chicago Tribune said, 'Take those standards out of the law. We don't want those standards. They're not fair. They don't treat an individual as an individual.' And, that's what our law does. It says that every individual is a unique person, and if they're hurt, we take into consideration the injury, the education, their future, everything before we give them that award. We don't pick an arbitrary medical standard and say, 'Here's your award.' No. We say, 'You're an individual person. You need to be judged on the basis of your case.' This would deprive us of doing it. It's a wrong way to treat people...the wrong way to approach the law. I ask for an 'aye' vote."

Speaker Redmond: "The question's on the Gentleman's motion to table Amendment #2 on Senate Bill 1739. Those in favor vote 'aye'. Opposed vote 'no'. Have all voted who wish? Representative Simms."

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, explaining my 'no' vote, standards is the very substance to any type of major reform in workmen's compensation insurance in Illinois. What this requires the Commission to do is to hold public hearings, to have the input from the citizens of the State of Illinois, those that are



involved in the process, both labor and management, Legislators, and other interested parties to develop medical standards in which to apply those principles which the Commission must deal with and place them in writing. Based on this in case law that can be developed from this, standards is a very desirable thing if we are to have any type of meaningful reform in the area of worker's compensation insurance, and, for this reason, I am voting 'no' against the Amendment to table."

Speaker Redmond: "Have all voted who wish? Representative Hanahan. One minute to explain his vote."

Hanahan: "Mr. Speaker, I carefully wanted to ask a question prior to the casting of vote, because if this...if the negatives are in the Majority, the Amendment automatically goes on, and then I cannot ask any questions on the Amendment as to what it will do for reducing the premiums of the business community that they must pay the insurance companies if this Amendment becomes part of the law. I think that's an important and serious consideration that each and every Member should be questioning right now. If this Amendment goes on, does it reduce the premiums one cent? That's the question all of us should be asking, and we should not be voting 'no' until there is a proof positive given to us that somehow we're going to reform the cost of workmen's compensation or not."

Speaker Redmond: "Have all voted who wish? Representative Deuster. One minute to explain his vote."

Deuster: "The importance of standards, Mr. Speaker and Ladies and Gentlemen of the House, is it provides predictability and fairness. This is fair to...this will improve the fairness for the injured worker, instead of the present system. You're almost like jumping into a black hole. Nobody knows what...what your compensation is going to be. You have, really, no choice but to go get a lawyer and litigate, and if you want to have



arbitrators, and Commissions, and cases going to the Supreme Court, fine, but if we have standards, we allow the individual worker to see what he's...his compensation is likely to be. It will encourage settlements. It will really reduce the cost of government. It'll reduce the number of cases that have to be litigated all the way up. I think this is fair to the individual worker, and we ought to leave this standard provision in and vote 'no'. Thank you."

Speaker Redmond: "Representative Schuneman. One minute to explain his vote."

Schuneman: "Thank you, Mr. Speaker. I think the previous speaker has adequately described the reason to vote 'no' on this Amendment. The opponents to this idea like to point out that the standards would be arbitrary and inflexible, and I'd like to make the point that there's nothing in the Amendment that says that standards have to be arbitrary or inflexible. The fact of the matter is the Amendment requires that the...that the Industrial Commission develop standards. These are not the AMA standards or any other set of inflexible standards. California has standards in their law, and they take into consideration and account differences in peoples' ages, their health, their response to healing, and all that sort of thing. There's no reason that Illinois standards could not do the same. I think that standards will introduce predictability, and it's something that our workmen's compensation system needs very badly."

Speaker Redmond: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the...reference was made to the California law by the previous speaker. It was also made reference to by previous speakers as they compared it to other states. Wisconsin also has a provision. I'd like to point out that in the case of the California standards,



they also have the highest rate in the nation with those existing standards. My concern in this regard happens to be the provisions that are in the Wisconsin law that allows a decision in writing to be the condition precedent for injuries other than broken limbs and movement. I'd like to point out that what was originally presented as standards would be the movement of a limb. It doesn't take into consideration lacerations, or muscles, or back injuries, or discs, etc. I would think that if, in fact, we do put this Amendment on the Bill, I would bet you anything today that within a year or a year and a half, the Chamber of Commerce and the Manufacturing Association would probably be coming back here and saying, 'Please take those standards out and let us use the decisions on each individual case as a means of lowering the overall cost of workmen's compensation.' The same standards that are being proposed and alluded to by Representative Schuneman are those same standards that are in California, which is the highest rate and the highest cost in the nation."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there's 86 'aye' and 86 'no'. Representative McPike."

McPike: "Poll the absentees."

Speaker Redmond: "Poll the absentees, Mr. Clerk."

Clerk O'Brien: "Poll of the absentees. Ewell. Laurino. Lechowicz. Terzich. And, Williams."

Speaker Redmond: "Representative Lechowicz desires to be recorded as 'aye'. Representative Schuneman."

Schuneman: "Mr. Speaker, has anyone called for a verification if this Amendment should be...or this motion should be...?"

Speaker Redmond: "Proceed."

Schuneman: "I'd like to call for that, Mr. Speaker."

Speaker Redmond: "Now, what's the count, Mr. Clerk? Eighty-



seven 'aye' and 86 'no'. Representative Schuneman has requested a verification of the Affirmative Roll Call. I'd like to remind you that according to Hanahan's Rules, the Members have to be in their seats. Don't go wandering around. Call the Affirmative Roll Call, Mr. Clerk."

Clerk O'Brien: "Abramson. Alexander. Balanoff. Beatty. Birchler. Bowman. Bradley. Braun. Breslin. Brummer. Bullock. Capparelli. Catania. Chapman. Christensen. Cullerton. Currie. Darrow. Dawson. DiPrima. Domico. Doyle. Epton. Farley. Gaines. Garmisa. Getty. Giorgi. Goodwin. Greiman. Hanahan. Hannig. Henry. Huff. Jaffe. Emil Jones. Kane. Katz. Keane. Kelly. Kornowicz. Kosinski. Krska. Kucharski. Kulas. Lechowicz. Leon. Leverenz. Madigan. Marovitz. Matijevich. Mautino. McClain. McPike. Molloy. Mugalian. Mulcahey. Murphy. Patrick. Pechous. Pierce. Pouncey. Preston. Rea. Richmond. Ronan. Satterthwaite. Schisler. Schlickman. Schneider. Schraeder. Sharp. Slape. Stearney. Steczo. Stuffle. Taylor. Van Duynes. Vitek. VonBoeckman. White. Willer. Williamson. Sam Wolf. Younge. Yourell. Mr. Speaker."

Speaker Redmond: "Any questions? Who requested that? Schuneman? Representative Schuneman, are there any questions?"

Schuneman: "Yes, Mr. Speaker. Representative Alexander."

Speaker Redmond: "She's here."

Schuneman: "Representative Bullock."

Speaker Redmond: "Is Representative Bullock here? How's he recorded?"

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

Speaker Redmond: "Remove him."

Schuneman: "Mr. Speaker, what was the count when we started? Was it 86?"

Speaker Redmond: "It was 87 to 86. Representative Bullock has



returned. Put him back on. Representative Bullock, do you suppose you can stay here till we get this thing done?"

Schuneman: "Mr. Speaker, what did you say the count was?"

Speaker Redmond: "Eighty-seven to eighty-six. Is that right, Mr. Clerk? Eighty-seven to eighty-six."

Schuneman: "Eighty-seven affirmative; eighty-six negative? Representative Brummer. Oh, he's there. I see him. Representative Dawson."

Speaker Redmond: "Representative...is it all right for Representative Bullock have leave to be verified?"

Schuneman: "Yes, yes."

Speaker Redmond: "Representative...what was this last one?"

Schuneman: "Dawson."

Speaker Redmond: "Representative Dawson's here."

Schuneman: "Garmisa. Oh, he's here."

Speaker Redmond: "He's here."

Schuneman: "Okay. Representative Goodwin."

Speaker Redmond: "Goodwin? He's in the back."

Schuneman: "Hannig."

Speaker Redmond: "He's here."

Schuneman: "Representative Krska."

Speaker Redmond: "He's here."

Schuneman: "Representative Marovitz."

Speaker Redmond: "He's here. Wrong seat, but he's here."

Schuneman: "Representative Mulcahey."

Speaker Redmond: "Is Mulcahey here?"

Unknown: "Right here in the aisle."

Speaker Redmond: "He's in the aisle."

Schuneman: "Representative Rea."

Speaker Redmond: "He's here."

Schuneman: "Representative Schneider."

Speaker Redmond: "Is Representative Schneider here? Schneider. How's he recorded?"

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



Speaker Redmond: "Remove him."

Schuneman: "Representative Slape."

Speaker Redmond: "Slape? He's back there."

Schuneman: "Representative Stearney."

Speaker Redmond: "Stearney? He's in the middle aisle. Side aisle here."

Schuneman: "Did you find him, Mr. Speaker?"

Speaker Redmond: "Stearney? Yeah, he's in the aisle. He's almost next to you."

Schuneman: "I thought I smelled his cigar."

Speaker Redmond: "That wasn't his cigar."

Schuneman: "Representative VonBoeckman."

Speaker Redmond: "He's here."

Schuneman: "Representative Darrow."

Speaker Redmond: "Darrow's here...next to Harris."

Schuneman: "Oh. No further questions, Mr. Speaker."

Speaker Redmond: "What's the count, Mr. Clerk? Representative Epton."

Epton: "Mr. Speaker, Ladies and Gentlemen of the House, I initially have been in favor of standards. I found it difficult to see exactly how they can be applied, but since this doesn't go into effect until 1981, I would like to be recorded as voting 'no'."

Speaker Redmond: "Record Representative Epton as 'no'. Representative Schneider has returned. Put him back on. Representative Terzich."

Terzich: "Vote me 'aye'."

Speaker Redmond: "What...Representative Terzich is 'aye'. What's the count, Mr. Clerk? Eighty-seven 'aye'... what? Eighty-seven 'aye'; eighty-seven 'no'. Representative Madigan."

Madigan: "My count was 88, Mr. Speaker."

Speaker Redmond: "Count again, Mr. Clerk. Eighty-seven. Eighty-seven. Representative Madigan."

Madigan: "Mr. Speaker, Epton switched."



Speaker Redmond: "Representative Madigan, Representative Epton went from 'aye' to 'no'. Don't forget that."

Madigan: "Mr. Speaker, I question, on the negative Roll Call, Mr. Sandquist."

Speaker Redmond: "Is Mr. Sandquist here? How's he recorded? He's asking to verify a negative vote. He does not. Is Representative Sandquist here?"

Madigan: "Mr. Speaker..."

Speaker Redmond: "State your point. Sandquist has not been here all day. Now, I don't know what point of order is going to straighten that out. Representative Simms."

Simms: "Well, Mr. Speaker, I think in order to verify the Roll...the Negative Roll Call would take calling of the entire Roll."

Speaker Redmond: "I don't know any such rule as that."

Simms: "Well, I'm pleased that you're observant. You've been sitting in the Chair all day, and other people have been voting that periodically have not been here, so I think that if you're going to take someone off the whole Negative Roll Call and..."

Speaker Redmond: "Does somebody want to say who punched Representative Sandquist's switch? Who did that? It had to be a ghost. Well, Sandquist is not here, so he will be removed from the Roll Call. Anyone else? Representative Epton."

Epton: "Just to...just to clarify the record. I spoke to Representative Sandquist, who was on his way, and I pushed his switch. Obviously, I was in error, but let there be no doubt that its fault is no one's but mine."

Speaker Redmond: "Okay. Now, what's the count? Eighty-seven 'aye' and eighty-six 'no', and the motion carries. Representative Vinson."

Vinson: "Well, I may be misreading the rule..."

Speaker Redmond: "You're misreading it. As I...as I...any further motions? Representative Madigan. Representative McPike."



Madigan: "Mr. Speaker, having voted on the prevailing side, I now move that we reconsider the vote by which that motion carried."

Speaker Redmond: "Representative Stuffle. Representative Madigan moves that the vote by which it carried... Representative Stuffle moves that it lie on the table. Those in favor say 'aye'. 'Aye'. Opposed, 'no'. The 'ayes' have it. The motion carried. Any further Amendments?"



Clerk O'Brien: "A motion to table Amendment #3 to Senate Bill 1739 by Representative McPike."

Speaker Redmond: "Representative McPike on his motion. We're going to have a Verified Oral Roll Call on this motion. So everybody be in their seats. Representative Deuster."

Clenk O'Brien: "Deuster."

Deuster: "Mr. Speaker, the Minority Leader and half a dozen Members were seeking recognition to request a Roll Call on Representative Stuffle's motion to table. We're entitled, under the rules, to that."

Speaker Redmond: "That motion, in my judgment was dilatory. Representative Ryan."

Ryan: "Well, Mr. Speaker, this is no more than I expected from you."

Speaker Redmond: "Thank you."

Ryan: "We all sat in the Governor's Office a week ago, Mr. Speaker, and had a pledge from your Majority Leader that we would have a fair shake from the podium. I should have known better than that when you took the podium. Now you knew that there were Members here trying to get your attention to speak, and if you're so afraid of the issue that you can't let it be heard, then I suppose you might just as well go ahead and ram the rest of these down our throats, Mr. Speaker, and you ought to keep them under control."

Speaker Redmond: "I can't even keep you under control."

Ryan: "I'll tell you one more thing, Mr. Speaker. I would like to have a Republican Conference now, and I request a Republican Conference at this time."

Speaker Redmond: "He's entitled to a Republican Conference if he wants it. Representative Brummer."

Brummer: "Yes, while they're conferencing, I wonder what time the chicken is arriving that Representative Ryan is providing."

Speaker Redmond: "I'm not so sure it won't still have the



feathers on it now. How long do you want Representative Ryan?"

Ryan: "Probably about 45 minutes, Mr. Speaker."

Speaker Redmond: "Okay. That'll get you back here at about 6:15. Representative Johnson."

Johnson: "Well, just briefly off the subject. I just wonder if we could complete, with Representative Jaffe's consent, what I'd asked for earlier with respect to Senate Bill 1728?"

Speaker Redmond: "We'll take care of it as soon as we get back Representative. First order of business. This isn't a good time."

RECESS



Speaker Redmond: "Attention Members of the House. Representative Waddell, former Representative Waddell, lousy tennis ball player, but pretty good paddle ball player. Walters, oh, pardon me. Bob Walters..Bob Walters. Former Representative Bill Kempiners. That was a terrible poll..Representative Johnson?"

Johnson: "I've heard of.."

Speaker Redmond: " Well, we don't have enough people here. I said I'd get to that..."

Johnson: "No. I know. I was going to be funny, but I don't think I will."

Speaker Redmond: "Representative Cullerton, do you want to address the podium? Got anything to say?"

Cullerton: "Mr. Speaker, last week someone came into my office and removed a pocket recorder that I was leasing from Lanier Company, was stolen. And on it I had the transcribed tapes of my performance at the Mr. Wonderful Contest. So I'd like to ask anyone who may have stolen this recorder that they can keep the recorder, but I would like the tape so that I can refresh my memory as to what I'm going to do at the Mr. Wonderful Contest. Also, I understand we're going to have next Monday, the Order of Impersonations and Representative Matijevich will begin and I believe that will be on the last day or the day after the Mr. Wonderful Contest and I'd like to invite everyone to participate."

Speaker Redmond: "Is Monday the last day? Egads, that looks like Collins. He looks like Collins. Does anybody have a birthday today? Representative Conti, is today your birthday? "

Conti: "No, Mr. Speaker and Ladies and Gentlemen of the House. It's not my birthday, but there's a couple of fellows that ran with me back there in the 18th District and I forget what their names are. It slips me at this time. I think it's DiPrima, Larry DiPrima. Larry DiPrima's birthday today."



Speaker Redmond: "Not again. Representative Borchers,"
 . . . desires to be recorded."

Borchers: "For the edification of all. I'm sure they're going to be deeply interested cause we all have been affected here one way or another. But 1914 on this day, the Arch Duke, Francis Ferdinand, and his paramour were assassinated in Sarajèvo and started World War I."

Speaker Redmond: "Was that the one you were in?"

Borchers: "Mr. Speaker? Do you wish to remain in your position as Speaker of the House? I would ask you to retract that villany and that statement. You know damn well it's not true."

Speaker Redmond: "Representative.."

Borchers: "World War II but not World War I."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Not on that subject, but I did hear Mr. Cullerton mention the Mr. Wonderful Contest. And I'd like to call on Tim Johnson. I think he's very serious about entering into a swimming contest with Eugenia Chapman and I think they've laid out the ground work and the details and if any of you didn't attend Mr. Wonderful last year, you missed it. I was going to enter the contest until I found out Adeline Geo-Karis had a photographer from my area all set to take some pictures of me. And he came to me and said, 'I hear you're going to enter the contest.' So, because of that, I didn't. Well, she can bring all the photographers she wants to. I'm going to enter it anyhow. But, Tim Johnson's going to be in it, and would he give the details of the contest between him and Adeline... between him and Representative Chapman? Tim Johnson, Mr. Speaker."

Speaker Redmond: "Representative Johnson."

Johnson: "I don't know how many of you recall a few years ago when Bobby Riggs went over the hill like I am. Decided that in keeping with the battle of the sexes,



and the alleged superiority of the male gender, challenged a number of female tennis players to a tennis match. So I thought this year in light of.. in light of the events of the last month and also in light of the fact that I have no other talent whatever, that I would challenge a female Legislator of the choice of the House to a swimming competition where this event is to take place. In the breast stroke, and also we have conceded, since I got to be the heavy favorite, that Eugenia only has to swim 3/5ths as many laps as I do. So we're going to .. We're going to have a ten lap race. I have to swim ten and she's going to swim six and we really expect the audience and the other Members of the House to choose their respective favorites and .. and root us onto victory or defeat. So, that's.. that's going to be my talent, limited as it is and it should be a lot of fun. So, assuming Eugenia doesn't back out, we're going to do that on Sunday."

Speaker Redmond: "Representative Conti."

Conti: "Well, Mr. Speaker and Ladies and Gentlemen of the House, seriously speaking, well you know, you really want to know who's birthday it was. It's also our colleague Phil Collins', Phil Collins' birthday is today also. "

Speaker Redmond: "How old is he?"

Conti: "I don't know. But a few years back I was about eight years older than he is, but I think he's caught up to me now."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Well, several weeks ago my seatmate commented on the wine crop of 1937. I can only say that the wine crop in 1931 was absolutely abominable and they uprooted them all and replanted in 1932. So that would put any.. You can figure that out from..."

Speaker Redmond: "Representative White."



White: "Mr. Speaker, Ladies and Gentlemen of the House, I was fortunate in celebrating a birthday yesterday and strangely enough, I was 29 years old."

Speaker Redmond: "Representative DiPrima, will you share your birthday gifts with Representative White? Representative Deuster, you were seeking recognition a while ago. It used to be before Ebbesen got here, that we used to recognize the birthdays appropriately. But, Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker, in the event that I am successful in my campaign for reelection, I want you to know that House Resolution #1 will again be, if I have anything to do with it and with the cooperation of the Legislative Reference Bureau, that for the next Session of the General Assembly, for two years, that there shall be no singing or that type of conduct related to birthdays. Not that... I think the Resolution is self-explanatory. It's always been a good one. And I think we probably save, not only a lot of money but multitudes of dollars to the taxpayers in the process."

Speaker Redmond: "He didn't put that in until after he heard Deuster sing. Or was it Representative Geo-Karis? (sic)."

Ebbesen: "Mr. Speaker, you said that. I didn't."

Speaker Redmond: "Representative Cullerton."

Cullerton: "Mr. Speaker, I wanted to acknowledge another birthday. There's a Republican staff person whose birthday is today. Her name is Gretchen Winters and she's up in the audience. Want to stand up Gretchen? Wish you happy birthday."

Speaker Redmond: "What's that? Good idea. Scrooge Ebbesen."

Ebbesen: "Mr. Speaker, would you, as long as there's a lull here, would you phone the Minority Leader's office and ask if the chicken is ready?"

Speaker Redmond: "Would you repeat that?"

Ebbesen: "Thank you. I'm sorry."



Speaker Redmond: "I didn't hear.."

Ebbesen: "I said, would you, as long as there's a lull in the Session here, would you phone the Minority Leader's office and ask him if dinner is ready?"

Speaker Redmond: "I'm afraid. He was angry the last time I saw him. And he doesn't quiet down very quickly.

Representative Huskey."

Huskey: "You should be, Mr. Speaker."

Speaker Redmond: "Representative Peters."

Peters: "Mr. Speaker, while we are at ease on the other issue, I wondered whether the Chair might consider going through at least five of the appropriation measures we have on Second Reading which are pretty much agreed to on both sides of the aisle?"

Speaker Redmond: "You tell me the ones and I'll go to them."

Peters: "1572, 73, 74, 75..."

Speaker Redmond: "Okay. Senate Bills, Second Reading on page four, Senate Bill 1572. Representative... Will you read the Bill?"

Clerk O'Brien: "Senate Bill 1572, a Bill for an Act making certain appropriations to the Board of Trustees of the University of Illinois. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendment 1?"

Clerk O'Brien: "A motion to table Amendment #1 by Representative Wikoff."

Speaker Redmond: "Representative Wikoff."

Wikoff: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I have filed a motion to table Amendment #1 for the following reasons. A critical issue involved in this appropriation is simply whether or not 28,000 employees in the University of Illinois will receive adequate compensation or meet the competition. Faculty members, the issue is whether we will provide adequate dollars to make the university more competitive with



other Big Ten institutions. While the University of Illinois ranks among the top three in the big ten in terms of academic quality, it ranks near the bottom or in eighth place in average faculty compensation. The universities detract and keep the faculty of giving the university its national reputation must become more competitive in terms of faculty compensation and that's the reason I filed this motion."

Speaker Redmond: "Representative Bradley."

Bradley: "Yeah, Mr. Speaker and Ladies and Gentlemen of the House, I rise to support the Gentleman's motion on .. to table Amendment #1 to 1572 and the Chairman of the Appropriations Committee is not on the floor right now. But I talked with her earlier in the day. She is in support. She was in support of the.. She..."

"In opposition..."

...to the Amendment that was placed on the Bill in the Appropriations Committee and I think this solves and resolves a problem that we had at that time when we were in the Committee with all of the Bills relating to the universities throughout the State of Illinois, whether it be the Board of Regents, the Board of Governors, Southern. And I think that the Minority Spokesman I hope will concur in the Gentleman's motion to table Amendment #1 which in effect, does not grant as many dollars in line item personal services to the University of Illinois as we think is necessary and I urge the Members of the Democratic side to support the Gentleman's motion on tabling Amendment #1."

Speaker Redmond: "Anything further? Representative Peters."

Peters: "Mr. Speaker and Ladies and Gentlemen of the House, one of the problems that we all have is attempting to really distribute the resources of state we have among the very needy kinds of causes that we have that are presented for us. There's absolutely no doubt in my mind

was said
by
Bradley



that this General Assembly and this Governor have been extremely generous these last years in the resources we may have made available to higher education. It also is very apparent to me and I think apparent to you, that what we have appropriated in terms of faculty increases has really not been sufficient in order to maintain the kind of standards that the faculties of our great universities and colleges in this state, that we would want. One thing, however, I think must be made clear. That we do have an apparatus and a machinery set up for resolving of these issues. We have the administrators of the various colleges and universities coming before the Board of Higher Education to work out those kinds of problems. I think and I think many of you feel that that is where this ought to be resolved. I do not feel that the General Assembly should be the place where every faculty member, every state employee, every county clerk, every local sheriff, every everybody, comes to look for a pay increase. We have mechanisms set up for that. I would hope that next year the administration of the various universities, the faculty associations, make use of the system and the mechanism that we have put in effect in order to insure that our faculties do receive a proper salary increase next year. I cannot speak on this issue for the administration. I am sure that as the months go by and as the summer goes by and we get a clearer picture of what the fiscal situation is, we will then be able to determine whether the administration, in fact, will attempt to veto back or approve this. But that's for some time to come. I think, for now, we show the interest of the General Assembly and the good will of the General Assembly in seeing the needs of our faculty, by voting for the motion as brought by Representative Wikoff. I know that he has worked hard on it as has had Representative Keane and Representative



Bradley and others for those various university systems. I would ask that the Members on our side of the aisle join Representative Wikoff in supporting his motion to table my own Amendment. But I would also hope that next year the members of the faculty and the administration come to us not with a package that separates us, but which in fact a package that answers the faculty and other problems of higher education so that we can continue to be one of the best states in providing resources to education in the State of Illinois. And I thank Representative Leverenz for his advice and I am going to conclude by just once again asking for approval of the motion made by Representative Wikoff and also in the approval of the motions made later by Representative Bradley and Keane on their university systems. Thank... And Representative Richmond on his. Thank you."

Speaker Redmond: "Ready for the question? The question is the motion to table Amendment #1 to Senate Bill 1572. 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 120 'aye' and five 'no' and the motion carried. Any further Amendments?"

Clerk O'Brien: "Amendment #2 and 3 failed in Committee. Floor Amendment #4, Wikoff.."

Speaker Redmond: "Representative Wikoff."

Wikoff: "Mr. Speaker, I'd like to have leave to table that.. withdraw that Amendment."

Speaker Redmond: "Amendment 4 is withdrawn. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 1573."

Clerk O'Brien: "Senate Bill 1573, a Bill for an Act to provide for the ordinary and contingent expense of



Southern Illinois University. Second Reading of the Bill. Amendments #1,3, and 4 were adopted in Committee."
 Speaker Redmond: "Any motions with respect to Amendments 1 , 3 and 4?"

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

Speaker Redmond: "Richmond?"

Clerk O'Brien: "Richmond."

Speaker Redmond: "Representative Richmond."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. For the same reasons that have been put forward on the preceding Bill, I would ask that you support me in this motion to .. to strike Amendment #1."

Speaker Redmond: "Any discussion? The question's on the Gentleman's motion to table Amendment #1. Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Clerk will take the record. On this question there's 117 'aye' and three 'no' and the motion carried. Amendment 1 is tabled. Any motions with respect to 3 and 4?"

Clerk O'Brien: "A motion to table Amendment #3, by Representative Vinson."

Speaker Redmond: "Representative Vinson."

Vinson: "Yes. What is it now, Mr. Speaker? It's a motion to table an Amendment? And this is the Amendment I believe that deals with prevailing wage. Yes, I would urge adoption of the motion to table this Amendment so this Bill can be put in proper form and moved out of the House. This will save the money of the State of Illinois and it's supported by the institution."

Speaker Redmond: "What was your motion? Motion to table 3?"

Vinson: "Yes, Sir, Mr. Speaker."

Speaker Redmond: "Representative Richmond?"

Richmond: "Thank you, Mr. Speaker. I would yield to the Sponsor of the Amendment to defend his position that he has on that. Representative Rea."



Speaker Redmond: "Representative Rea."

Rea: "Mr. Speaker, Members of the House, I would oppose a motion to table this Amendment. This provides for the prevailing wage for the labor, maintenance group at Southern Illinois University. There have been the salary increases over the number of years for the administration, for teachers, but this is a group that has been neglected and it is a group that even the administration has realized that this is one that has been overlooked as well as some of the other areas. And I would ask that you would oppose and vote 'no' on the tabling of this Amendment."

Speaker Redmond: "Anything further? Representative Peters."

Peters: "Mr. Speaker, I reluctantly rise to oppose Representative Rea. What this Amendment does is it does add a \$200,000 in order for a prevailing wage for laborers in Carbondale. And it's not that I'm opposed to a prevailing wage, but we don't have that as some of the other places in the state and I think until we can end up developing a comprehensive policy for all of our state employees at all our universities and institutions, that we should not do this at a piecemeal measure. It's not that I disagree with the intent of what is being done here, I'm not... I, however, object to the method in which this is being done on a piecemeal basis rather than through either our collective bargaining process or for all the institutions. And I would ask the Members on our side of the aisle to join Representative Vinson in a 'yes' vote."

Speaker Redmond: "Anything further? Representative Rea?"

Rea: "I'd like to... This is very important that we do take care of this group of employees. They've been left by the way-side over the last few years. These people are doing their work that they deserve the prevailing wage. I think that they should be treated equally and as a result



I would ask that you would vote 'no' on this Amendment."
 Speaker Redmond: "Representative Vinson to close."

Vinson: "Thank you, Mr. Speaker. The prevailing wage the Gentleman seeks to impose on the university against the university's will, is the construction prevailing wage. Not the prevailing wage for maintenance work, full time maintenance work. It is naturally higher for construction work because in construction work you only work part of the year. These people work all of the year and he seeks a construction rate for them nevertheless. I might add that on a number of Amendments and motions on this Bill, after lengthy meetings with officials from SIU I have chosen to back off positions that I felt very strongly about in order that the institution might function this year the way they believe they can and improve the way they can. And I believe it appropriate for this General Assembly to back the university's position on this Amendment as well and you do that by voting 'yes' on this motion to table. I would urge a 'yes' vote."

Speaker Redmond: "The question's on the Gentleman's motion to table Amendment #3 to Senate Bill 1573. Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? All voted who wish? The Clerk will take the record. On this question there's 77 'aye' and 75 'no'. Representative Rea."

Rea: "For a polling of the absentees."

Speaker Redmond: "The Gentleman has requested a poll of the absentees. Representative Peters told me that all five would go the same way. And I've got a witness. "

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

Speaker Redmond: "Representative Marovitz?"

Marovitz: "Did the rules indicate that noncontroversial Bills are not allowed a verification?"

Clerk O'Brien: "Poll of the absentees: Bowman. Breslin. Conti."



Dawson. Deuster. DiPrima...."

Speaker Redmond: "What did you say, Mr. Clerk? Representative DiPrima, 'no'."

Clerk O'Brien: "Domico..."

Speaker Redmond: "Representative Wikoff?"

Wikoff: "Thankyou, Mr. Speaker. I hit the wrong button. I'd like to be voted 'aye'."

Speaker Redmond: "Record Representative Wikoff as 'aye'.

Proceed with the verifi.. I mean the poll of the absentees."

Clerk O'Brien: "Domico. Epton. Ewell. Virginia Frederick.

Getty. Grossi. Huff. Dave Jones. Kosinski. Kulas.

Laurino. Lechowicz. Mahar. Schraeder. C.M. Stiehl.

Stuffle. Watson. Williams. And Yourell."

Speaker Redmond: "Representative Stiehl. Cissy Stiehl, 'no'.

Conti, 'aye'. Kulas, 'no'. Roman Kosinski, 'no'.

Representative Leverenz, 'aye'. Representative Mulcahey,

'no'. What's the count? Representative Getty, 'aye'.

81 'aye' and 77 'no'. Representative Rea."

Rea: "Mr. Speaker, would you poll the affirmative vote please?"

Speaker Redmond: "Representative Getty. Getty?"

Getty: "We've got our signals crossed I'd like to be voted 'no' please."

Speaker Redmond: "Representative Getty desires to be recorded

as 'no'. That's 80 and 78. Verification of the Af-

firmative Roll Call."

Clerk O'Brien: "Abramson. Ackerman. Anderson. Barnes.

Bell. Bianco. Birkinbine. Bluthardt. Borchers.

Boucek. Bower. Burnidge. Campbell. Capuzi. Casey.

Catania. Collins. Conti. Daniels. Davis. Dyer.

Ebbesen. Ewing. Dwight Friedrich. Griesheimer.

Hallock. Hallstrom. Hoffman. Hoxsey. Hudson.

Huskey. Johnson."

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

Davis: "Could I be verified Sir?"



Speaker Redmond: "May he be verified? Representative Ropp desires to be... Where are you going? Proceed."

Clerk O'Brien: "Kane. Karpel..."

Speaker Redmond: "Representative Lechowicz?"

Lechowicz: "Kindly vote me 'aye' please."

Speaker Redmond: "Record Lechowicz as 'aye'."

Clerk O'Brien: "Kent. Klosak..."

Speaker Redmond: "Representative Leinenweber desires to be verified. Is that all right?"

Clerk O'Brien: "Kucharski. Lechowicz. Leinenweber. Leverenz. Macdonald. Margalus. Matula. Mautino. McAuliffe. McBroom. McCourt. McMaster.. Meyer. Molloy. Neff. Oblinger. Peters. Piel...."

Speaker Redmond: "Representative Darrow?"

Darrow: "Please vote me 'aye', Mr. Speaker."

Speaker Redmond: "Record the Gentleman as 'aye'. Capparelli? Capparelli desires to be recorded as 'aye'. Proceed."

Clerk O'Brien: "Polk. Pullen..."

Speaker Redmond : "Representative Vitek, for what purpose do you arise? Vitek desires that we change his vote from 'no' to 'aye'. Representative Mahar, 'aye'. Marco, 'aye'. Bullock, 'aye'. Keane, 'aye'. Schraeder 'aye'. Proceed. Representative Goodwin, 'aye'. Representative Ewell, 'aye'. Representative Dawson, 'no'. Schneider? Representative Schneider."

Schneider: "Where is the chicken, Mr. Speaker? I see these people coming down the center aisle and I..."

Speaker Redmond: "Supposed to be in the Speaker's Office."

Schneider: "Is that right?"

Speaker Redmond: "I don't know whether it's there yet."

Schneider: "On the order of chickens, I'll take two legs.."

Speaker Redmond: "Representative Dunn."

Dunn, J: "Mr. Speaker, will you please change my vote from 'no' to 'aye'?"

Speaker Redmond: "Change him from 'no' to 'aye'. Representative



Grossi, 'aye'. Representative Robbins desires to be verified. He's afraid he'll miss a meal. Representative Collins, may he be verified? Representative Flinn, 'aye'. Don't know. "

Clerk O'Brien: "Continuing the poll of the affirmative; Reed. Reilly. Rigney. Robbins. Ropp. Ryan. Sandquist.. "

Speaker Redmond: "Representative Watson desires to be recorded as 'aye'. "

Clerk O'Brien; "Continuing the poll of the affirmative: Schlickman. Schoeberlein. Schraeder. Schuneman. Simms. Skinner. Stanley. Stearney. E.G. Steele. Sumner. Swanstrom. Telcser. Totten. Tuerk. Vinson. Vitek. Walsh. Watson. Wikoff. J.J. Wolf. And, Woodyard."

Speaker Redmond: "95 'ayes' and 71 'nos'. Representative Bowman, 'no'. Breslin, 'aye'. Kosinski, 'aye'. Wait a minute now. Wait a minute. Which was the last one you got? Bowman, 'no'. Breslin... Representative Ronan, you leave Peg Breslin alone. How do you want to vote, Representative Breslin? We've got Bowman. Are you going to change again, Bowman? Okay. No? I thought you voted 'aye'. Representative Breslin. Representative Breslin, 'no'. Kosinski, 'aye'. Stuffle, 'no'. Terzich, 'aye'. Representative Farley. Farley, 'aye'. Is everybody.. Have all voted who wish? Representative Rea."

Rea: "What's the count at the present time?"

Speaker Redmond: "What's the count, Mr. Clerk? 98 'aye', 71 'no'. Representative Rea."

Rea: "Mr. Speaker, I would like to pursue this, but it's apparent that we do not have the necessary votes to keep this Amendment on, so I will give up the verification at this time."

Speaker Redmond: "He withdraws his request for a verification of the Affirmative Roll Call. The motion carries and



Amendment #3 is tabled. A motion with respect to Amendment 4?"

Clerk O'Brien: "Motion to table Amendment #4, by Representative Birkinbine."

Speaker Redmond: "Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment 4 that I seek to table adds \$600,000 from the general revenue fund for planning, design, land acquisition and construction of an ether-coal demonstration facility at SIU. Now, the primary reason for this is that the people at SIU have said, they don't want it and they're not capable of using the money if it were given to them for such a project. Now, I know the Sponsor of the Amendment has circulated a letter that he received or Senator Johns received rather, from the Dean at SIU. But this is simply reporting on a conference that they had there and in no way indicates that they either need the money or knew what to do with it. We might as well appropriate half a million dollars for a new space facility at SIU for all the good it would do. They do not have the capability of putting it to good work and I suggest we should chop \$600,000 off the list of monies that were recorded as having spent by tabling Amendment #4."

Speaker Redmond: "Representative Rea."

Rea: "Mr. Speaker, Members of the House, in all due respect to the Representative that has the motion filed, in terms of this ethi-coal project, ethi-coal is one of the most promising processes for the burning of Illinois coal that has come forth. In fact, this is a process that is a blend of 60% coal, 40% alcohol. There is an exhibit on right now over at the State House Inn. There has been extensive research that has been done. In fact, last year, last year when we introduced and when we appropriated monies to SIU to do a feasibility study, SIU at that time, even



though they were very high on coal research, and they had the capability, they said, 'We are not sure that we can do this.' But they did do it and they did a very effective job. The report that you are referring to was a report that was made back in May and this.. the university... I have just come from the State House Inn meeting with some of the people from SIU and with the 'Keller Corporation' which has first come about with the etho-coal project. And as a result, this is one of the best processes for utilitization, not only of Illinois coal, but in terms of corn. Because we.. And Milo where ethanol is produced from. And here we have a combination of two of the most important ingredients and resources here in this State of Illinois. Ladies and Gentlemen of the House, if you really want to do something about the burning of Illinois coal, and if you want to promote the agricultural produce of this state, you will vote 'no' on tabling this Amendment. Now I can tell you the reason why. I can tell you the reason why that these people are opposing it. They just do not want this Amendment to go back to the Senate for concurrence. That's the only reason. They want to knock all these Amendments off. And are you going to sit here and let this occur? We've got... We need this project. It's one of the most valuable projects that we could have in terms of burning of the coal and in terms of industry, I project that within the next year that we will have tremendous industrial use of this system. So I would encourage you to look at this carefully and don't yield in to the temptation of the administration there. But to vote 'no' on this Amendment."

Speaker Redmond: "Representative Borchers."

Borchers: "Well, I represent Macon County along with a couple of other Democrats over there. One of them I see walking up the aisle. I hope he's not hungry. Anyway, we raise a



lot of corn in our part of the country and in my district particularly, 51st? We raise a lot of corn. We have as we all know, some of the greatest coal deposits in the world under us. Joining these two together, I can see only one thing that can come out of it and that is great economic good. Therefore, it seems to me only logical that we should support the Amendment and defeat this motion to table. And I would certainly suggest it for the interest of the State of Illinois and the farmers and the coal miners and coal owners. "

Speaker Redmond: "Anything... Representative Winchester."

Winchester: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Several weeks ago we had two or three different concepts that were put in the form of legislation that would do various things to help improve the coal mining situation that we have in the State of Illinois. This is another one and probably the best idea of all, ethi-coal. We need the money, \$600,000, for the Southern Illinois University to make this study so that, you know, we can start future plans for ethi-coal operations in the State of Illinois. I think this is a very important Amendment that Representative Rea has put on this Bill and I would urge that we support his efforts in keeping it on."

Speaker Redmond: "Anything further? Representative Birkinbine to close." Representative Brummer, pardon me. "Birkinbine to close."

Birkinbine: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The people at Southern Illinois University agree with the Sponsor of the Amendment and my colleague here on my right that this is a really super idea. They're in full agreement. But they also say they don't have the capability or the expertise to work on such a project. I say again, this is \$600,000 for planning, design, land acquisition and construction of



demonstration ethi-coal facility. They love the idea. But you might as well appropriate the money and send it up to Northfield where I live. We'd be able to do just as much with it as they're going to be able to do. They just don't have the capability to put it to use. They've testified to that in Committee. So, you're just shooting money down in the direction of someplace that won't know what to do with it when it's there. I recommend that we table this Amendment #4. Thank you."

Speaker Redmond: "The question's on the Gentleman's motion to table Amendment #4. Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this question there's 82 'aye' and 77 'no'. Representative Rea. Poll the absentees. Representative Brummer."

Brummer: "Yes, I just looked at the Board and was surprised to see myself as voted 'present'. I wanted to be recorded 'no'."

Speaker Redmond: "Record Representative Brummer as 'no'."

Clerk O'Brien: "Poll of the absentees: Beatty. Deuster. Greiman. Laurino. McClain. McGrew. Peters. Robbins. Sandquist..."

Speaker Redmond: "Representative Sandquist, 'aye'."

Clerk O'Brien: "Schuneman. Sharp. Simms. E.G. Steele. VonBoeckman. Williams. Sam Wolf. And, Yourell."

Speaker Redmond: "83 'aye', 78 'no'. Representative Rea."

Rea: "Mr. Speaker, this is a very important Amendment, very important to the State of Illinois. I hate to take the time for verification of the Affirmative Roll Call, but at this time, I do request a verification."

Speaker Redmond: "Representative Simms desires to be recorded as 'aye'. Representative Rea has requested a verification of the Affirmative Roll Call. Mr. Clerk?"



Clerk O'Brien: "Abramson. Ackerman. Anderson. Barnes. Bell. Bianco. Birkinbine. Bluthardt. Boucek. Bullock. Burnidge. Campbell. Capparelli. Capuzi. Casey. Collins. Conti. Daniels. Darrow. Davis. Dawson. DiPrima. Domico. Dyer. Ebbesen. Epton. Ewing. Virginia Frederick. Dwight Friedrich. Griesheimer. Hallock. Hallstrom. Hoffman. Hudson. Huskey. Johnson. Emil Jones. Kane. Karpiel. Kent. Klosak. Kosinski. Kucharski. Kulas. Lechowicz. Leinenweber. Leverenz. Macdonald. Mahar. Margalus. Matula. Mautino. McBroom..."

Speaker Redmond: "Representative Piel desires to be verified."

Clerk O'Brien: "McCourt. McMaster. Meyer. Molloy. Neff. O'Brien. Piel. Polk. Pullen. Reed. Reilly. Rigney. Ropp. Ryan. Sandquist. Schlickman. Schoeberlein. Schraeder. Simms. Stanley. C.M. Stiehl. Sumner. Swanstrom. Taylor. Telcser. Totten. Tuerk. Vitek. Walsh. Wikoff. J.J. Wolf. No further."

Speaker Redmond: "Representative Mike McClain desires to be recorded as 'no'. Representative Wolf, 'no'. Now, what is the count? 84 'aye', 80 'no'. Representative Rea, any questions of the Affirmative Roll Call?"

Rea: "Representative Anderson."

Speaker Redmond: "Who?"

Rea: "Anderson."

Speaker Redmond: "He's here."

Rea: "Representative Barnes."

Speaker Redmond: "She's here."

Rea: "Bianco."

Speaker Redmond: "Bianco's here."

Rea: "Birkinbine."

Speaker Redmond: "He's here."

Rea: "Borchers."

Speaker Redmond: "He's here."

Rea: "Representative Davis?"



Speaker Redmond: "Jack Davis is here."

Rea: "Dawson?"

Speaker Redmond: "Dawson here? Representative Dawson?

How is he recorded?"

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

Speaker Redmond: "Remove him. Wait a minute. Representative

Doyle, 'aye'. Representative Sharp, 'no'. Terzich

'aye'. Leon, 'aye'. "

Rea: "Representative Frederick, Virginia?"

Speaker Redmond: "She's here."

Rea: "Griesheimer."

Speaker Redmond: "He's in the back."

Rea: "Hudson."

Speaker Redmond: "Hudson here? He's here."

Rea: "Johnson?"

Speaker Redmond: "Johnson here? Johnson here? How is he recorded?"

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

Speaker Redmond: "Remove him. Representative Goodwin, 'aye'."

Rea: "Kent."

Speaker Redmond: "McGrew, 'aye'. Now, what was the last one?"

Rea: "Kent."

Speaker Redmond: "Kent? Dawson has returned. Put Dawson back on the Roll Call. Who did you say was the last one?"

Rea: "Representative Kent." Mary Lou Kent."

Speaker Redmond: "Kent. How is Kent recorded? Who? Oh, Kent.

Pardon me. She's here."

Rea: "Representative Katz."

Speaker Redmond: "Katz did you say?"

Rea: "Yes."

Speaker Redmond: "How is Representative Katz recorded?"

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

Speaker Redmond: "Remove him."

Rea: "Representative Klosak."



Speaker Redmond: "Klosak's in the back. The Mayor."

Rea: "Representative Leverenz."

Speaker Redmond: "Who?"

Rea: "Leverenz."

Speaker Redmond: "Leverenz here? How is he recorded?"

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

Speaker Redmond: "Remove him."

Rea: "Mautino?"

Speaker Redmond: "Mautino here? How is he recorded?"

Clerk O'Brien: "Mautino, the Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Remove him."

Rea: "McCourt."

Speaker Redmond: "McCourt here? There he is."

Rea: "O'Brien,"

Speaker Redmond: "O'Brien here? How is he recorded?"

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

Speaker Redmond: "Remove him. Wait a minute. Representative
O'Brien is here. Put him back on."

Rea: "Pullen?"

Speaker Redmond: "Johnson is back. Put him back on. Who was
that?"

Rea: "Pullen?"

Speaker Redmond: "Representative Pullen? Representative Pullen?
Cullerton: "I'm not here, Mr. Speaker."

Speaker Redmond: "Representative Pullen; she's here."

Rea: "Representative Reilly."

Speaker Redmond: "Reilly is here."

Rea: "Schlickman."

Speaker Redmond: "He's here."

Rea: "Schraeder."

Speaker Redmond: "Schraeder, is he here? Schraeder is here."

Rea: "Stanley."

Speaker Redmond: "Stanley? How is he recorded?"

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

Speaker Redmond: "Remove him." Representative Robbins desires
to be recorded as 'no'."



Rea: "Emil Jones."

Speaker Redmond: "He's here."

Rea: "Representative Taylor."

Speaker Redmond: "Taylor is here."

Rea: "Totten."

Speaker Redmond: "Totten here? How is he recorded?"

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

Speaker Redmond: "Remove him." Stanley is back. Put him back on."

Rea: "Hallstrom?"

Speaker Redmond: "Who?"

Rea: "I see her. Okay. What's the count?"

Speaker Redmond: "What's the count, Mr. Clerk? 86 'aye',
78 'no'. Any more questions? Representative Taylor
Pouncey."

Pouncey: "Mr. Speaker, I would like to be recorded as 'aye'
please."

Speaker Redmond: "Record Taylor Pouncey as 'aye'. 87. Any
further questions, Mr. Rea?"

Rea: "Mr. Speaker, I have no..."

Speaker Redmond: "87 'aye', 78 'no' and the motion prevails.
And the Amendment is tabled. Any Amendments from the
floor?"

Clerk O'Brien: "Amendment #5, Vinson, amends Senate Bill 1573
on page one, line eleven and so forth."

Speaker Redmond: "Representative Vinson."

Vinson: "Yes, Mr. Speaker, at various times I have filed
Amendments 5 through 19 because of some substantial
concerns about the university. Some very responsible
people as opposed to some of those we normally see stepped
forward have resolved my concerns about the future of
their program. For those reasons, I would like to with-
draw Amendments 5 through 19."

Speaker Redmond: "5 through 19 withdrawn. Any
further Amendments?"

Clerk O'Brien: "Amendment #20, Ryan, amends Senate Bill 7....."



Oh, this is to a different Bill.... No further Amendments."

Speaker Redmond: "Third Reading. Representative Ryan?"

Ryan: "Mr. Speaker, when are we going to go back to the business that we departed on, 1739?"

Speaker Redmond: "My intention is to go there right now."

Ryan: "Marvelous."

Speaker Redmond: "Let's put 1739... Representative Daniels."

Daniels: "Well, Mr. Speaker, many of the Members of your side of the aisle came over and ate our food. And we noticed that you have food in the back of your place there and Representative Hoffman for one didn't get an opportunity to have Republican chicken. But, on Mr. Cullerton's behest, I wanted to notify you that those of you that ate the Republican chicken will soon when the votes come up on the important issues, be terminated."

Speaker Redmond: "In case you haven't noticed it, the Democrats have been eating out of your hands since the entire 81st Session. 17... Representative Chapman."

Chapman: "Mr. Speaker, I understand that when I stepped out for just a moment, Representative Johnson issued a challenge to me and is Mr. Johnson here now? Oh, Mr. Johnson. I'm giving some deliberative thought to Mr. Johnson's challenge. If I thought for one minute that I'd be able to sell tickets and I still have ten to sell, I would accept his challenge. But I really do not believe that a swimming contest with Mr. Johnson is going to sell tickets. So possibly, we will have to think of some other reason. It's been suggested that if Mr. Johnson and I do have a race, breast stroke I understand, we won't comment on Mr. Johnson's merits or my merits in that particular field. But.. or area, but it's been suggested that if I accept Mr. Johnson's challenge, it will be the first time that I have ever been in the tank with Representative Johnson."

Speaker Redmond: "Representative Slape."



Slape: "Yes, Mr. Speaker. If Representative Chapman's serious about selling those tickets, I suggest that she recline the challenge."

Speaker Redmond: "Representative Catania. Just want to call your attention to the fact that we've got a lot of work to do and this has to be... we have to stay here until we finish. Representative Catania."

Catania: "Mr. Speaker, last year, Representative Johnson was terribly impressive during the talent display. He blew a giant bubble. And I would just like to know if he's going to also blow giant bubbles while he's doing his breast stroke."

Speaker Redmond: "He declines to answer. 1739. What Amendment are we on, Mr. Clerk? Representative Maragos (sic)."

Clerk O'Brien: "A motion.."

Speaker Redmond: "Marovitz?"

Marovitz: "Mr. Speaker, before we begin the more serious part of the evening, I would just like to reiterate something that has been passed out to the Membership. The Legislators night at Chicago White Sox Park is July 29th, against the Milwaukee Brewers. There's a buffet dinner of chicken and ribs and hamburgers and hot dogs and all the soft drinks you can drink and all the beer you can drink and the White Sox players will be joining us for dinner. That's the 29th of July. Tickets are \$15.00 apiece. On a first come, first serve basis, we have 100 seats reserved right at the first base.. dug out. So please contact me or my secretary. Checks should be made out to the Chicago White Sox and please get your orders in as soon as possible. July 29th against the Milwaukee Brewers. Six o'clock."

Speaker Redmond: "Representative... Representative Deuster."

Deuster: "Mr. Speaker, before we get back into this harmonious subject, I did want to make an announcement that the



Fellowship Dinner was still scheduled for tomorrow night and no matter how the Amendments go on the next order of business, we all expect to have a good time at the Fellowship Dinner. I have a Roll Call here so if there are any Members who are attending.. intending to attend, it's free. It's at the Sangamo Club tomorrow night at 7:00 o'clock assuming we do our business tonight and are able to get out by 7:00 o'clock. And if you would please indicate to us, we would appreciate any Member of the prayer breakfast group or myself, so that we can make a proper reservation for your dinner and that invitation includes spouses and guests, although you would have to pay for them. Thank you for the time, Mr. Speaker."



Speaker Redmond: "Is there any motion with respect to Amendment 3?"

Clerk O'Brien: "A motion to table Amendment #3 to Senate Bill 1739 by Representative McPike."

Speaker Redmond: "Who filed the motion? Representative McPike."

McPike: "Thank you Mr. Speaker. There's a slight protest here. I ordered... order lunch this afternoon, we called a caucus to discuss workman's comp. and I get dinner tonight and we immediately go to this Bill. I think you're picking on me. Amendment #3, before we go to the motion to table, I would like to point out to Representative Schuneman that I believe Amendment #3 is out of order. It requires inserting between lines 34 and 35 on page one and there are no lines 34 and 35. I would not object if wants to change it on its face to correct that."

Speaker Redmond: "Representative Schuneman."

Schuneman: "Yes, Mr. Speaker, Representative McPike is absolutely correct. That error was discovered in the Clerk's Office and has already been corrected. That Amendment as it reads shows page one and should be page 13 and that error has already been corrected."

Speaker Redmond: "Is there leave to correct it on the face? I don't quite understand how it can be corrected anyplace except for leave.."

Schuneman: "The Amendment was adopted in Committee, Mr. Speaker, and it's my understanding that we checked with the Clerk's Office and find that they have already made the correction, but certainly we have... if you think it's necessary, would again ask leave that that be corrected on its face."

Speaker Redmond: "Did the Committee grant leave?"

Schuneman: "I beg your pardon?"

Speaker Redmond: "Did the Committee grant leave?"

Schuneman: "No sir. Not to my knowledge."



Speaker Redmond: "It's just a clerical change? Shame on people. Gentleman asks leave..."

Schuneman: "We had a very efficient Clerk, Mr. Speaker."

Speaker Redmond: "Representative McPike."

McPike: "Would you read the corrected version of that change that you want to make so that we're clear as to how you want to change this?"

Schuneman: "Well the change that was made..."

McPike: "There can be no change made until we're on the floor. The Amendment adopted in Committee is right here and it says line 34 and 35 and that's the Amendment before us. If you'd like to change it on its face, I'd like to know the change that you'd like to make."

Schuneman: "The problem... the problem. Alright. The problem is in line two where the reference is made to page one. That should read page 13. We would ask leave to correct the Amendment on its face."

McPike: "Mr. Speaker, I have no objection to that if they would like to change that on the face at this time."

Speaker Redmond: "Any objection? Is leave granted? Representative Balanoff."

Balanoff: "... to that correction on its face."

Schuneman: "Mr. Speaker."

Speaker Redmond: "Representative Schuneman."

Schuneman: "Could we ask the Clerk to read the official version of Amendment #3?"

Speaker Redmond: "Read it Mr. Clerk. Get the one in the Committee Report. Objection is valid. As of now, we're trying to figure out where we are. You know, the practice of going to the Clerk's Office and having changes made that aren't made before this Body or before the Committee is pretty dangerous business. I remember a district in Lake County where that happened and there was hell to pay. Representative Schuneman."

Schuneman: "Yes, I don't want anybody to get the idea that, their inference from that, Mr. Speaker."



Speaker Redmond: "Well I don't..."

Schuneman: "We made the request of the Clerk's Office.

It's my understanding that our staff person went to the Clerk's Office to see if that Amendment had been corrected or changed and found that it had been changed. I don't think there was any intent that..."

Speaker Redmond: "Well, I don't say that there was. I mean, sometimes... sometimes Members come to the Clerks down here to the well and ask them to do certain things and sometimes it's pretty difficult for a Clerk to say no to a Member, but... And the same thing would be true. I was amazed to find out that after we got through casting votes here the last, not this Session, the one before, that the Clerk's Office, because of Members' requests to go over each and every Roll Call, so what we printed out here really didn't mean a thing. And I just can't impress upon you that, in my opinion, that's a pretty dangerous business. I don't know what happened and I just don't know, but whatever happened we ought to straighten it out so that there's no... Representative Brummer."

Brummer: "Yes, Mr. Speaker. Some of the farmers from the 54th District, like Clyde and myself, go to bed at 9:00. I want to know what order of business we're on."

Speaker Redmond: "Representative Schuneman."

Schuneman: "Yes, well Mr. Speaker, one more time, I need to ask for unanimous consent to have this Amendment changed on its face. The facts of the matter, in this case, are that this Amendment was adopted in Committee. There was no objection raised in Committee. The page number, shown on the Amendment, was incorrect. Now that's the kind of error that is routinely caught here in the House by either the Clerk's Office or, if not caught there, it's caught in Enrolling and Engrossing. This is not the first time that this kind of an error



has been made in legislation considered by this House, and frankly, I think normally the question would not have been raised at all. And the Chair would have ruled that the, that the Amendment was in order and that the error would be caught in a routine way in Enrolling and Engrossing. As long as the opponents to this Bill or to any change in workmen's compensation have raised this issue, then I must, once again, respectfully ask for the unanimous consent to have this Amendment corrected on its face."

Speaker Redmond: "Representative Balanoff, Representative Schuneman has asked unanimous consent to amend Amendment #3 on its face. Representative Balanoff."

Balanoff: "Mr. Speaker and Members of the House, I just want to follow an orderly, fair process. This could have been corrected in Committee. It could have been corrected before on the floor. Mr. Schuneman can introduce this Amendment again. There is still time to do that. I want to be fair and orderly. A few weeks ago when I wanted to correct on its face one of my Bills, I, too, was told they wanted an orderly process, and that's all I'm asking for now and I still maintain my objection."

Speaker Redmond: "The Lady is within her right."

Schuneman: "Mr. Speaker."

Speaker Redmond: "Representative Schuneman."

Schuneman: "Well, Mr. Speaker, I understand that the Lady has a right to object. On the other hand, we all know what the procedures of this House have been in other instances, and it seems to me, Mr. Speaker, that in this particular instance you could rule along the lines that I have just described to you because errors of this kind have routinely been corrected in Enrolling and Engrossing. And I think everybody, every Member of this House knows that, Mr. Speaker. And what we want to do here tonight is have a discussion, is have a discussion



and a debate and a vote on meaningful changes in worker's compensation. That's all we're asking to do, Mr. Speaker."

Speaker Redmond: "Representative Schuneman, the rules are pretty clear that you have to have unanimous consent and that has been denied. Now I... you don't ask me to rule one way one time and another way another time. I have to obey the rules. Now, there isn't room for latitude here. I didn't make the mistake on the Amendment. Anything further? What's your pleasure on Amendment 3?"

Schuneman: "My pleasure, Mr. Speaker, is to... I guess the only thing I can do is move to suspend the rule."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Mr. Speaker, a point of order. That is not suspendable. He's got to have leave of the House. And as far as I'm concerned, when your enemy is about to shoot you don't provide him with bullets. Now we're following the rules and using every rule we can. You use any one you can."

Speaker Redmond: "Representative... Representative Stuffie."

Stuffie: "Yes, Mr. Speaker and Members, Representative Schuneman has the same rights that we all have. He also has the time to take the recourse that he needs and that's to reintroduce the Amendment as a subsequent Amendment. If he has the bodies here with the ability to pass the Amendment now, I suspect that he could keep them there to pass it then. If he doesn't, the same will hold true."

Speaker Redmond: "Representative Schuneman."

Schuneman: "Well, Mr. Speaker, I think the Gentleman has a good point but the problem is, I think, that this is probably the most substantive Amendment on this particular Bill and that we've all been here a long time today, and if we're going to wait for the House to print another Amendment, we're all going to be here a long, long time."



And I really think that the better course of action here would be for those who are objecting to remove their objection and vote on the issue up and down.

I really don't understand why they're afraid of this issue."

Speaker Redmond: "The Chair has ruled that the unanimous consent having been denied, that we have to go to Amendment #4. Now, Amendment #4. And I would suggest that you take, you refile Amendment #3 and hurry down to the council and get it printed. Representative Schuneman."

Schuneman: "Mr. Speaker, is it your ruling that that Amendment is out of order?"

Speaker Redmond: "It amends page one... 34 and 35 which do not exist."

Schuneman: "And even though... even though the Bill that you had in your possession and that the Clerk had in his possession had already been corrected to show the correct page, your ruling is that that Amendment is out of order, Mr. Speaker?"

Speaker Redmond: "There is nothing in the record, there is nothing in the record to indicate how that correction was made. Now it would seem, it would seem to me that as far as this record is concerned, the report of the Committee showed... and the printing and the Amendment that is on the desks, the printing on the desk shows page one. Now there isn't any power that I have in the Chair that can say that it should not be page one. The procedure would be to get unanimous consent and that has been denied. Now I just want to have the record show, very clearly, that there was a copy of the Amendment ... and where was it, Mr. Clerk? In the envelope? In the Committee envelope that shows page 13, but there is nothing in the procedure before the Committee which are recorded. There is nothing in the procedure before the floor which indicates the authority for changing that from page one to page 13. I want the record to show that



pretty clearly. And the Amendment, as introduced, and the Amendment that's here is not correct. It's in error and unanimous consent has been, has been denied. Now the order of business is Amendment #4."

Schuneman: "But the Amendment with the Bill, Mr. Speaker, did contain the correct page number...."

Speaker Redmond: "There's no record any place to indicate the authority for changing that from one to 13. Amendment #4, Mr. Clerk. Read the Amendment."



Clerk O'Brien: "I move to table Amendment #4 to Senate Bill 1739. Representative McPike."

Speaker Redmond: "Representative McPike."

McPike: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Amendment #4 addresses itself to hearing standards. Mr. Speaker, could I have some order please?"

Speaker Redmond: "Give the Gentleman order."

McPike: "Amendment #4 addresses itself to hearing standards. The Illinois Industrial Commission held hearings on this subject in November and December, and they were prepared to issue standards ... they were prepared to issue standards earlier this year setting up 85 decibels as a causal level of noise and 82 decibels for total deafness. The IMA and the Chamber of Commerce immediately ran to the Governor prevailed upon him to stop the Industrial Commission from issuing those standards. So Amendment #4 is a legislative attempt to set up our own standards. In fact, the Chicago Tribune even editorialized that this is the type of Amendment that we need. These are the type of changes we need in Illinois to make our law fair and equitable and just. I don't know if anybody on the floor read this Amendment, but I know the Chicago Tribune certainly didn't read the Amendment. Let me point out how fair and equitable this Amendment really is. First, it says that if a hearing loss is established to have existed on the effective date of this Act... Let me repeat that. If a hearing loss is established to have existed on the effective date of this Act, no compensation can be received. Now there are 600 cases pending before the Industrial Commission. They have been pending since 1975. Six hundred cases. And they will be wiped out. Completely, totally wiped out because any hearing loss that existed before



the effective date of this Amendment..."

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

Mugalian: "Mr. Speaker, I'm not an expert on workers compensation, and I would like to hear what the speaker has to say. And I would think a lot of others would but they can't because of the din. I wonder if the Speaker would ask everyone to get in their seats and to be attentive to the speaker."

Speaker Redmond: "Members please be in their seats as required by the rules. And be attentive."

McPike: "Thank you Mr. Speaker. Let me just finish what I was saying. There are 600 cases pending before the Industrial Commission. They are waiting for some guidelines and some standards. And Representative Deuster's Amendment says that if a hearing loss existed before the effective date of this Bill, then they would not be compensable. It will wipe out those 600 cases. That's the first thing it does. The second thing it does, it says that in order to file a claim you have to be separated from your noisy work place for 30 days. Thirty days before you can file a claim. Which for all practical purposes means that you cannot file a claim unless you are retired, fired, or dead. Now you're not going to be separated from a noisy environment for 30 days. So you go year in and year out until you become deaf but you can never file a claim because you have to be separated from that for 30 days. So that eliminates, for all practical purposes, the fact that you can even file a claim. And finally they add one other little clause that says that you have to be subjected to this noise for at least 90 days. Ninety days before you can file a claim. Which means that if there is an explosion in the plant and it breaks both ear drums and you are totally deaf, you cannot



file a claim. Unless, of course, you are in 90 consecutive explosions, then you could file a claim. Now those are only the major portions that... those are only the major reasons why this Amendment is defective. It has a lot of other reasons why it's defective. It says that you're not totally deaf until a level of 90 decibels. Now maybe we ought to understand what 90 decibels means. If you are in a room where the level of noise is 85 decibels and someone is standing next to you and hollering as loud as they can, you can't hear them. You can't hear them holler at 85 decibels. Now the testimo... the testimony before the Industrial Commission by a doctor from labor said that total deafness occurs at 82 decibels. So, the IMA and the Chamber brought their doctors, and they asked him what total deafness was and he said 70. Seventy decibels. No one said 90 decibels. That doesn't even make sense. It's just a lie. So besides being defective, this Bill tries to lie to a totally deaf individual and says at 85 decibels you can't hear if someone's yelling in your ear, but yet you're not deaf. We're going to increase that to 90 decibels. Now I don't know how many of you read this Amendment, but as I would say again, I doubt the newspapers did. It's probably the worst Amendment in the area of workmen's comp. that I have ever read. I hope that you will defeat it.

I would move to table Amendment #4."

Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker, Ladies and Gentlemen of the House, I rise as Sponsor of Amendment #4 both to explain why this is important and also to comment in a way that does not cause hearing damage to those who are in this chamber, if at all possible. First of all, ... Amendment #4 adopts the law that exists in the State



of Wisconsin and works very well. Amendment #4 also adopts the national standards promulgated by the Occupational Health and Safety Administration. Then one of our problems that all of us on both sides of this aisle are experiencing is that business enterprises are leaving Illinois because there's a disparity at least in the eyes of the businessmen and women who make decisions, that the laws are too severe and costly in Illinois. If we adopt the Wisconsin law and the national standards, we will be adopting uniformity and fairness. I think the Chicago Tribune is correct that this Amendment does provide for fairness and equity, not only for the business community but for the individual workers. There's nothing better than to have fair standards that have been functioning very well and effectively in another state like Wisconsin. Now, I would say this, there are... it is true that this is a technical Amendment, but this Amendment deals with two subjects. It defines how many decibels and the technical way of measuring those decibels that the individual worker needs to establish in order to get compensation. It also, on page three of the Amendment, establishes the environment to which the plants and industries have to be engineered for a worker to establish that he has been exposed to improper and excessive noise. And, you'll notice on line 13, it says that you have to be exposed to 90 decibels for eight hours. What would happen if we did not have this standard, for example, just to cite one company in Bellville, they would have to retool their plant and spend two million dollars, twice as much as they now spend, in order to establish acceptable decibel levels. The 90 decibel level is a fair and reasonable one, and again, what we will have if we adopt this standard, is predictability, fairness, and uniformity which benefits the



individual worker as well as the business. I would say this is a national standard. It's the Wisconsin standard. It's technical, but it's been worked out and it works and it's fair for everybody as the Chicago Tribune suggested. I would urge that you reject this motion by Representative McPike to dump and destroy a good Amendment that was adopted in Committee. I think our Committee action, in this case, was very good and very fair, and I urge you to vote no on this motion to strike Amendment 4 from the Bill."

Speaker Redmond: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members. I rise in support of Representative McPike. I find it interesting that he made a number of points that the Sponsor of Amendment 4 apparently chose not to speak to or even attempt to refute. Representative McPike indicated that the Amendment was too restrictive. I did not hear any substantial argument against that. In fact, Representative McPike pointed out that the manufacturers' own medical experts indicated that total deafness is reached long before this standard is applied. Secondly, I heard no answer to the position that the 500 cycle test was, indeed, an attempt, in effect, to eliminate detection of hearing loss. I believe that to be the case. I heard no one, Representative Deuster or otherwise, today or in his speech tonight, refer to the fact that there is an Amendment that does recognize hearing loss, that does set up some standards for hearing loss by Representative Mautino. I heard no refutation of the argument that the Manufacturers' Association that cried long and hard for a standard, when one was proposed different than this by the Industrial Commission, ran to the Governor and ran to their cronies and said, 'Oh my God, no, we don't want it. We don't want it. We're stepping on the rights



of potentially injured workers, potentially deaf workers'. Ladies and Gentlemen, the Amendment is ridiculous, obviously so. The suggestion Representative McPike made is absolutely true. They're going to wipe out those cases now before the agency that handles this situation. It's like telling the man that's already been convicted of a crime that has a 20 year term that the Legislature just passed a law and retroactively you're going to serve 40 years. This is ridiculous, absolutely so. If you want a fair Amendment, there in one coming along subsequently. It is not Amendment #4. Amendment #4 should be tabled without question. This flies directly in the face of anyone's argument who supports any benefit in this situation for working people. It's not a question of pitting workers against business. It's not a question of benefits. It's a question of benefits or no benefits, not as to amount. This Amendment eliminates any ability as well to file for this type of compensation or benefit unless you've been removed from the job for 30 days. That's ridiculous. We all know that, and if we all vote our consciences, we will oppose the Amendment. We will vote to table and we will look to Representative Mautino's constructive Amendment that proposes a realistic hearing loss standard. I rise in support and urge a vote on behalf of Representative McPike's motion to table."

Speaker Redmond: "Representative Willer."

Willer: "Yes, thank you Mr. Speaker. The Sponsor of this Amendment is not a cruel man, but I deem this a very cruel Amendment. I do not know that much about workmen's compensation either. I had an interesting phone call yesterday from a gentleman who is an audiologist with a Masters Degree who lives in the 6th District, lives in LaGrange. He gave me permission



to use his name. His name is Connally. He has testified before business and labor in these cases. His is not partial to either side. If ever I heard an impassioned speech, it was from this Gentleman who said, 'Please help to defeat that Amendment'. Ninety decibels is too high. The reason why I know something about decibels is that a parent of a teenager, some years ago, we were all concerned about rock bands and the effect upon amplification upon their hearing. Rock bands come in at about 105 to 110 decibels. The musicians themselves are now suffering hearing impairment, and they have not been at these jobs for as long as many people at the work place will be, in effect, resubjected eight hours a day to noises which Republicans, it seems, want to put it 90 decibels. I think it is cruel because what you are doing is you are physically impairing someone in an area, taking their hearing away. Many pilots of the second World War, my husband was one of them, suffered hearing impairment just from the short time they flew in airplanes. Now, I think, to be on the safe side, if you really have any concern for workers, you're going to stay with the 85 decibels that the industrial commission recommended but you fled from...didn't want any standards set them by the Industrial Commission. You can't be this cruel to workers in order to think you're saving money for employers. It's unconscionable.

Speaker Redmond: "Representative Mautino."

Mautino: "Thank you Mr. Speaker. Ladies and Gentlemen of the House, I'd like to..."

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

Terzich: "Yes Mr. Speaker, what does that red light signify..."

Speaker Redmond: "It means that the television camera is



working."

Terzich: "It's working or it's not working?"

Speaker Redmond: "It is working. It means the light...

Representative Mautino."

Mautino: "Thank you, once again, Mr. Speaker. Ladies and Gentlemen, I want everybody to understand that this Amendment is in two phases. The most important phase to the employer community of the State of Illinois is the 90 decibel causation level where they may have to retool their manufacturing plant. I originally came to Representative Deuster and Representative Hudson and broke their Amendment into two provisions. That appears before you as Amendment 16. That is the provision I think that will save the employers of the State of Illinois approximately 1.7 billion dollars or about 95,000 per manufacturing plant. I think that is the provision that Mr. Deuster wants to have implemented. And in the process of implementation, I think he, inadvertently, went above the 82 decibel level for hearing disability. Two different provisions. Number one, the 90 decibel for hearing disability may be unconstitutional and cannot be acted on anyway since you're wiping out those cases that have been previously filed. Most importantly, Amendment 16 does exactly what you want to do. It allows the employer not to retool his plant until it's at that 90 decibel level for eight hours or more. And if you're looking for a causation for saving money, that's the Amendment to do it with, and I recommend it most highly to you. At the same time, not eliminating those four or five hundred applications and claims that have already been put in. That's Amendment 16. For that reason only, Don, and I ask... you must admit I came to you and asked you about splitting that Amendment out and Ray Hudson. I would hope that this Amendment which is totally unfair gets defeated and Amendment 16,



it saves the employers money, gets accepted."

Speaker Redmond: "Representative Robbins."

Robbins: "Mr. Speaker and Ladies and Gentlemen of the House, one of the things that was brought out by Representative McPike is that in five years we have... we have a bunch of cases that are going... that would be wiped out by this Amendment. There is absolutely no reason that these workers should be denied, and this is the reason why we have... why we are... why we are trying to set standards. When a man has a claim for five years that cannot be settled under our jurisdiction, then it is time that we try to make workmen's compensation that is fair for the workman too. Now this is... this is something for you to think about. We need to set standards so that you will know, and if we're setting standards within the federal level... Now, it's very seldom that the federal level goes beyond what most of us would consider right."

Speaker Redmond: "Representative Taylor."

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

Speaker Redmond: "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 McPike, to close."

McPike: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. First, I apologize for speaking so loudly earlier. I think it should be pointed out that, regardless of how loud anyone speaks on this floor, we seldom if ever reach the 85 decibel level. We probably never have enough noise on this floor to pass the 75 decibels. The point I'm trying to make is this. Representative Mautino's Amendment that we intend to support addresses itself to the real problem. The real problem is that business doesn't want to retool. They want to have a 90 decibel level for causation. And we don't object to that. We have no objection to that



at all. Representative Mautino has an Amendment to that effect that we will support. We'll save the manufacturing community from retooling, from changing anything that they have now. But what we do object to, is an Amendment that goes way beyond that. An Amendment that says to an individual, 'You are deaf not at 82 decibels but at 90 decibels'. And that's not correct. That's a lie. We object when an Amendment wipes out 600 pending cases. We object when an Amendment says it makes it an impossibility to file a claim because you have to be separated from your place of employment. We object when you're in an explosion and can't file a claim. Those are not the way to address ourselves to the problems in the area of worker's comp.. We can address ourselves to legitimate employer concern. I think Representative Mautino's Amendment does that. I see no reason, no need to come forth with this type of language and try to deny injured workers legitimate claims. I would ask support in the motion to table this Amendment."

Speaker Redmond: "Representative McPike. Question's on Representative McPike's motion to table Amendment #4. Those in favor vote aye, oppose vote no. Representative Schuneman."

Schuneman: "Mr. Speaker, in explaining my no vote, there's been a lot said about the decibel rating and hearing loss here, but according to an article that was recently written about the Wisconsin OSHA standards. The comment was made that the decibel level in a back seat of a compact car going 70 mile an hour was 78 decibels. Now Representataive Mautino's Amendment that they've been touting is only 82 decibels. I suggest to you that if you reject this Amendment and accept his Amendment, you're going to have another expansion in the cost of worker's compensation in Illinois."



And I thought they were here to try to address the problem of reducing worker's compensation costs and not increasing worker compensation costs. I urge a no vote."

Speaker Redmond: "Representative Hanahan. One minute to explain his vote."

Hanahan: "Mr. Speaker and Members of the House, I've carefully listened again to the proponents of this measure. Not once did they say that the premiums of the State of Illinois employers for workmen's compensation would be reduced one penny, not one dollar, not 15 dollars, not 15,000, not 150,000, not a million, not five million, not a hundred million. They haven't said one damn thing about what it's going to do to reduce the cost of workmen's compensation. If you want to talk about phony issues, this is the kind phony standards that are made when people get in a field that they don't know their elbow from their earlobe on in workmen's compensation. Nobody has got the guts the stand up and say this is not going to reduce the premiums to the small employers one penny. They have five years of experience. They have plenty of actuary reports, but if you and I want to know the truth, it won't..."

Speaker Redmond: "Anyone else? Clerk will take the record. On this question there's 86 aye and 82 no. Representative Simms... Deuster. Pardon me."

Deuster: "Mr. Speaker, I would request a poll of the absentees."

Speaker Redmond: "Poll the absentees."

Clerk Leone: "Poll of the absentees. Capparelli. Dyer. Ewell. Griesheimer."

Speaker Redmond: "Representative Griesheimer. no."

"Representative Dyer, no. Representative Yourell, aye."

Clerk Leone: "Continuing with the poll of the absentees. Laurino. Schlickman. Skinner. And Williams."



Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker, I... would you tell me what the count is first before I make my request."

Speaker Redmond: "Representative Skinner desires to be recorded as no. What was it? 87 aye. How many no? 85 no. Representative Capparelli, no. That's 86. 87 aye, 86 no. Representative Deuster."

Deuster: "Mr. Speaker, I would respectfully request a verification of the affirmative vote."

Speaker Redmond: "Representative Deuster's requested a verification of the affirmative vote. Proceed, Mr. Clerk."

Clerk Leone: "Poll of the affirmative. Alexander. Balanoff. Beatty. Birchler. Bowman. Bradley. Braun. Breslin. Brummer. Bullock."

Speaker Redmond: "Representative Deuster."

Deuster: "I want to apologize. I think the Clerk's going a little fast. I'm only able to write down the names. I can't look around and see if they're here. Could we have them either in their seats or waving a hand or something." I think it'll save time."

Speaker Redmond: "Members please be in your seats. See how well they obey? You're one of the worst offenders when you're not on the firing line. Look at Skinner. Proceed, Mr. Deuster."

Clerk Leone: "Continuing with the poll of the affirmative. Catania. Chapman. Christensen. Cullerton. Currie. Darrow. Dawson. DiPrima. Donovan. Doyle. John Dunn. Epton. Farley. Flinn. Gaines. Garmisa. Getty. Giorgi. Goodwin. Greiman. Hanahan. Hannig. Harris. Henry. Huff. Jaffe. Emil Jones. Kane. Katz. Keane. Kelly. Kornowicz. Kosinski. Krska. Kucharski. Kulas. Leon. Leverenz. Madigan. Marovitz. Matijevich. Mautino. McClain. McGrew. McPike. Molloy. Mugalian. Mulcahey. Murphy. O'Brien. Patrick. Pechous. Pierce. Pouncey. Preston. Rea.



Richmond. Ronan. Satterthwaite. Schisler. Schneider. Schraeder. Sharp. Slape. Steczo. Stuffle. Taylor. VanDuyne. Vitek. VonBoeckman. White. Willer. Williamson. Sam Wolf. Younge. Yourell. And Mr. Speaker."

Speaker Redmond: "87 to 86. The motion carries. Representative... Wait a minute. Representative Deuster. Did I give you the chance to... I didn't. Okay. I'm wrong on that. 87-86. Any questions of the Affirmative Roll Call?"

Deuster: "Yes, sir. Mrs. Alexander."

Speaker Redmond: "She's back there."

Deuster: "Mrs. Balanoff."

Speaker Redmond: "Mrs. Balanoff on the floor? How is she recorded?"

Clerk Leone: "The Lady is recorded as voting aye."

Speaker Redmond: "Remove her."

Deuster: "Mr. Beatty. Do I see him back there? John Beatty."

Speaker Redmond: "John Beatty is here."

Deuster: "Birchler."

Speaker Redmond: "Birchler is here."

Deuster: "Bowman's here. Bradley."

Speaker Redmond: "Who?"

Deuster: "Gerry Bradley."

Speaker Redmond: "He's here. Good looking fellow standing up. Representative Bradley."

Deuster: "Mrs. Braun. Mrs. Breslin."

Bradley: "Mr. Speaker, the Gentleman's going right down aye votes. Now, he'll obviously look over here and see who's here and not take up the time of the House. He's called Alexander, Balanoff, Beatty, and Bradley."

Speaker Redmond: "Representative Balanoff has returned. Put her back on the Roll Call. Proceed, Representative Deuster."

Deuster: "I'm trying to look and go as fast as I can.

Brummer, is he back there? At the early part of the Roll



Call the Clerk was going a little fast. Is that
Brummer waving his hand? No. Mr. Brummer."

Speaker Redmond: "Brummer's at his new job. He's a press
corps. Proceed."

Deuster: "Mrs. Chapman."

Speaker Redmond: "Is Representative Chapman on the floor?
Here she comes."

Deuster: "I thought she was off with Mr. Johnson somewhere."

Speaker Redmond: "Any further, Representative Deuster?"

Deuster: "Yes, sir. Mr. Christensen."

Speaker Redmond: "He's here."

Deuster: "Is Mrs. Currie back there? Cullerton I saw.

There's Mrs. Currie. Mr. Darrow."

Speaker Redmond: "He's here."

Deuster: "Mr. DiPrima. Oh. There he is. I see him. I'm
sorry. Mr. Donovan."

Speaker Redmond: "Representative Donovan is down in front
here."

Deuster: "Mr. John Dunn."

Speaker Redmond: "He's in the middle aisle."

Deuster: "Okay. He's not in his chair. I apologize to the
Membership. Mr. Farley. Is he in his chair?"

Speaker Redmond: "Representative Farley's back there."

Deuster: "Mr. Flinn."

Speaker Redmond: "Flinn?"

Deuster: "Flinn. F L I N N."

Speaker Redmond: "Is Representative Flinn on the floor?
How is he recorded?"

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

Speaker Redmond: "Remove him."

Deuster: "Mr. Garmisa."

Speaker Redmond: "Garmisa here? How is he recorded?"

Clerk Leone: "Gentleman's recorded as voting aye."

Speaker Redmond: "Remove him."

Deuster: "Mr. Greiman."

Speaker Redmond: "Greiman is here."



Deuster: "Mr. Richmond."

Speaker Redmond: "Richmond here? How is he recorded?"

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

Speaker Redmond: "Remove him."

Deuster: "Mr. Huff. Oh. I see him. Mr. Jaffe."

Speaker Redmond: "He's here."

Deuster: "Mr. Katz."

Speaker Redmond: "He's here."

Deuster: "Oh. Way over there. Mr. Keane."

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

Huff: "Mr. Speaker, may I have leave to be verified?"

Speaker Redmond: "Representative Deuster."

Deuster: "Yes. Yes."

Speaker Redmond: "Garmisa's returned. Put him back on."

Deuster: "Mr. O'Brien."

Speaker Redmond: "O'Brien here? How is he recorded?"

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

Speaker Redmond: "Remove him."

Deuster: "Mr. Kulas."

Speaker Redmond: "Kulas is here."

Deuster: "Mr. Leverenz."

Speaker Redmond: "He's here."

Deuster: "Someone sees him. Alright. Mautino was here, but I don't see him. There he is. Okay. He's a little low. Mr. McClain."

Speaker Redmond: "McClain is here."

Deuster: "Mr. Pechous."

Speaker Redmond: "He's here."

Deuster: "Mr. Ronan."

Speaker Redmond: "He's back there."

Deuster: "Mr. Schisler."

Speaker Redmond: "Schisler's back there."

Deuster: "Mr. Sharp."

Speaker Speaker: "He's here. I think you're groping."

Deuster: "Mr. Stuffle. Oh. There he is. Mr. Vitek."



Speaker Redmond: "Representative Vitek. Representative Dawson, for what purpose do you rise?"

Dawson: "Mr. Speaker, Representative Vitek is over in the nurses station. If they need to, I'll bring him back here."

Speaker Redmond: "Representative Polk."

Polk: "Mr. Speaker, Mr. Vitek stopped by my desk. He didn't have the attention and asked if he could go to the nurses station..."

Deuster: "Under those circumstances, we'd be happy to verify him. Not happy, but we will in his condition."

Speaker Redmond: "Any further?"

Deuster: "How about... he asked Mr. Flinn. I think he was removed."

Speaker Redmond: "What was that?"

Deuster: "Was Mr. Flinn removed?"

Speaker Redmond: "We removed Flinn."

Deuster: "Was Mr. Richmond removed? I can't remember."

Speaker Redmond: "Yes he was."

Deuster: "Alright."

Speaker Redmond: "Any further?"

Deuster: "I'm just checking further. I think that we've covered everything. Mr. Ronan.... Ronan."

Speaker Redmond: "You want to... You did that once before and I pointed him out."

Deuster: "I guess that'll be adequate. Like to try it again."

Speaker Redmond: "Who have we removed?"

Deuster: "What is the count, Mr. Speaker?"

Speaker Redmond: "We removed Flinn, Richmond, and O'Brien."

What's the count? And O'Brien. 84 aye and 86 no. The question's been made for a verification of the Negative Roll Call, Mr. Clerk. J.J. Wolf. I don't know what that motion means. Are you giving up J.J. Wolf."

Wolf: "I was just going to request leave to be verified, Mr. Speaker."



Speaker Redmond: "May he be verified? J.J. Wolf."

Clerk Leone: "Poll of the negative. Abramson. Ackerman.
Anderson. Barnes. Bell. Bianco. Birkinbine.
Bluthardt. Borchers. Boucek. Bower. Burnidge.
Campbell."

Speaker Redmond: "Members please be in their seats. Re-
presentative Daniels, Conti, Grossi, Mugalian, Polk.
Well, work it out in the ladies room. Representative
Huskey. Huskey, for what purpose do you rise?"

Huskey: "Verified."

Speaker Redmond: "May he be verified? Okay. Representative
Leon. How is Leon recorded?"

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

Speaker Redmond: "Vote Leon no."

Clerk Leone: "Continuing with the poll of the negative.
Capparelli. Capuzi. Casey. Collins. Conti.
Daniels. Davis. Deuster. Domico. Dunn. Dyer.
Ralph Dunn. Dyer. Ebbesen. Ewing. Virginia
Frederick. Dwight Friedrich. Griesheimer. Grossi.
Hallock. Hallstrom. Hoffman. Hoxsey. Hudson.
Huskey. Johnson. Dave Jones. Karpriel. Kent.
Klosak. Lechowicz. Leinenweber. Leon. McDonald.
Mahar. Margalus. Matula. McAuliffe. McBroom.
McCourt. McMaster. Meyer. Neff. Oblinger.
Peters. Piel. Polk. Pullen. Reed. Reilly.
Rigney. Robbins. Ropp. Ryan."

Speaker Redmond: "Representative Capparelli. How is
Capparelli recorded?"

Clerk Leone: "Gentleman is recorded as voting no."

Speaker Redmond: "Vote him aye. Representative Lechowicz."

Lechowicz: "Change me from no to aye."

Speaker Redmond: "Lechowicz, no to aye. Representative Leon.
No to aye. Representative Mulcahey. Mulcahey aye.
Representative Marco... Domico. Domico wants to be
recorded... Domico, how do you want to be recorded?
Aye? Domico. How do you want to be recorded. Aye.



We're getting it."

Clerk Leone: "Continuing with the poll of the negative."

Speaker Redmond: "Representative Terzich, aye. Representative Flinn is returned. Put him back on the Roll Call. What's the count, Mr. Clerk? 89 aye, 82 no. The motion carries and the Amendments tabled. Amendment #4... or 5."

Clerk Leone: "I move to table Amendment #5 to Senate Bill 739 (sic) signed by Representative McPike. 1739."

Speaker Redmond: "Representative McPike."

McPike: "Thank you Mr. Speaker. Ladies and Gentlemen of the House, under current law, an injured worker has free choice of medical. He can go to any medical doctor he desires to see. The employer community has indicated to us that because of this unlimited choice of medical, some injured employees have engaged in doctor shopping, and that is looking from one doctor to another until they can finally find someone that will agree with all their injuries. In the Senate before the Labor Committee, AFLCIO suggested an Amendment, a major concession by the employees of this state. We would limit the free choice of medical to emergency treatment plus one doctor of their choice and any referrals, plus a second doctor of their choice and any referrals. I think that that would be fair, both for the employer and for the employee. It was a major concession by the employees in this state, a major change from free choice of medical. Amendment #5 takes that major concession and pushes it just one step more. It says instead of having a free choice on one doctor and then a free choice of a second doctor if you are unsatisfied with the original opinion, we're going to knock out that second choice and limit it to one doctor. I think that the concession made by the Democratic Party and by the organized labor representing workers in this state was,



indeed, a major concession. I think this is asking to push too far. It simply denies an injured employee an opportunity, if he or she first makes a poor choice, it denies them an opportunity to seek skilled medical advice from a second doctor of their choice. I think it is too restrictive. I would ask for support in tabling Amendment #5."

Speaker Bradley: "Gentleman from Winnebago, Mr. Simms."

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

I rise in opposing the tabling of Amendment #5.

Prior to July first of 1975 when the current Act was passed into law, the employer had the sole right to determine which position or medical institution would provide the medical care for which the employer was liable. Some argued that employees were at the mercy of the employers unqualified physicians, etc... In 1975, the employee was granted the unlimited right to select any physician at the employer's expense. Since that time, we have seen excessive periods of temporary total disability, excessive costs of medical treatment rising out of our either extremely high charges or simply excessive treatment. Doctor shopping and difficulty in obtaining prompt, accurate reports has become an increasingly more severe problem in Illinois. Employees will search about until they find a physician who will authorize time off if they tend to abuse the system. They will remain under his care until he authorizes a return to work. At that point, the employee will select another physician who will authorize time off and the entire process begins all over again. The result; sky rocketing costs of medical care and total temporary disability benefits with it's attendant effect on the awards for permanent partial disability. What this Amendment does, it restricts the individual to selecting one physician of his or her own choice beyond emergency care.



We're not speaking about... it's not even addressed at this particular area in the legislation. That part in the law remains the same of dealing with emergency medical treatment that's rendered to someone. If someone, therefore, is not happy with the medical results, they are allowed to go to a physician of his or her choice, and that physician can refer to as many other physicians as necessary in order to obtain the adequate medical information at the employer's expense. So, for these reasons, in order to reduce the sky rocketing costs of medical care and the abuses of the system where people go on large-scale doctor shopping, I offered Amendment #1... Amendment #5 which was accepted, and I would resist and urge that the House not accept the recommendation of Representative McPike and vote 'no' on the motion to table."

Speaker Bardley: "Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Mr. Speaker and Members of the House, I think everyone here and it's been indicated by Representative McPike that we're all against doctor shopping. But I think it's fair to conclude that if anyone of us had a serious illness or injury and we went to a practitioner or a specialist, as the case might be, that perhaps we wouldn't be satisfied with the results of that first medical treatment. It would seem to me that's indicated by those who suffer so many things in the injury and the illness world, that they are going... end up going to Mayo's or St. Louis or some other doctor for treatment."

Speaker Bradley: "Give the Gentleman some order."

Schraeder: "And I think it's only reasonable that if a man has serious injury and let me talk about back injuries. If you ever had a stiff back or you know someone that's had one and you know of the misery and the pain and what have you, that they suffer. And it seems to me only right that by this Amendment that



Representative Simms has introduced, it would limit the injured man the opportunity or the chance to go to anyone licensed to practice in medicine, such as chiropractors, and I don't think you want to do that. But I dare say the man who's got a back injury probably will go to an osteopath or orthopedists or something like that as a first instance. But bearing the fact that he doesn't get well with those specialist, and believe me there are many hundreds and thousands of cases that go to that orthopedist who gets no relief, and when he goes to the chiropractor, he gets immediate relief whereafter a reasonable period of treatment. And I dare say on that very fact alone we ought to let the man have a second choice. Let him go to a chiropractor if he sees the necessity and give him that choice. I don't think a second doctor is doctor shopping at all. I think it's a reasonable assumption and he ought to have that right, and I would support Representative McPike's Amendment."

Speaker Bradley: "Mr. Parliamentarian, would you please come up here? The Gentleman from Macon, Mr. Borchers."

Borchers: "Mr. Speaker and fellow Members of the House, first of all, will you take that gavel and give it a blow or two in the town right close to Decatur, Illinois. I know a physician who is very well-known for the fellow you want to go see when you want to see about a little bit of help in relation to some injury from your employer and your employer's place of business. Now this will help put that fellow out of business, so I'm thoroughly in favor of tabling this motion."

Speaker Bradley: "The Gentleman from Cook, Mr. Bullock."

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

Speaker Bradley: "Gentleman moves the previous question."

All in favor of the Gentleman's motion signify by saying 'aye', oppose 'no'. In the opinion of the Chair, the ayes have it. Mr. McPike, to close."



McPike: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I think the concession that we made was about as much as you can ask an injured employee to make. We have limited the injured employee to emergency treatment plus two doctors of his or her choice. I don't think that is unreasonable. I do think it's unreasonable to ask us to go back and now eliminate the second choice. I really believe that ... that this is really not the aim of Amendment #5. The aim of Amendment #5 is this year to reduce it to one doctor of their choice and, of course, next year reduce it to no doctors of their choice so that we'll be right back at the company doctor. We've seen that in one Amendment after the other where these are simply trying to take away legitimate rights of injured workers. I would request a favorable roll on this motion to table."

Speaker Bradley: "All in favor of the Gentleman's motion to table signify by voting aye, oppose by voting no. Gentleman from McHenry, Mr. Hanahan, to explain his vote for one minute."

Hanahan: "Mr. Speaker, I noticed that the Sponsor of the Amendment is Representative Simms. And you know, I recall, Representative, that your occupation is an undertaker. And, you know, maybe you're hoping that this would increase your business to have some return to the system where we had all these schlock doctors opening up in store fronts for injured workers, you know, to take care of the injured worker. And I was really surprised to see somebody so blantly want to have a conflict of interest being shown here that you're encouraging your undertaking parlor to be utilized by these poor, unfortunate, injured workers that sometimes get injured on the job and then have... and then there's the old system that you like so much would have to go to these store fronts schlock doctors



that couldn't cure a sick dog. And I hope this isn't your intention, Representative."

Speaker Bradley: "Have all voted who wish? The Gentleman from Lake, Mr. Deuster, to explain his vote for one minute."

Deuster: "Mr. Speaker, this is a free country and a person can shop anywhere they want for doctors. They can have a hundred doctors if they want to. But what the question here is how many doctors are going to be subsidized and paid for by the employers. That's why the employers are leaving the State of Illinois. That's why this cost is so high. Well, we don't take away freedom, we just say that there's a limit on the number of doctors that you can shop around for and get subsidized and paid for by your employer."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? The Gentleman from DuPage, Mr. Hudson, to explain his vote for one minute."

Hudson: "Thank you, Mr. Chairman. I think there has been a wrong impression created here, and that is that under this Amendment an employee has no right, whatsoever, to seek out a second doctor. Well, this simply isn't true. It simply isn't true. All he has to do is just sit down with his employer, explain to his employer that he wants another doctor. That's all he has to do, and I think it's reasonable. I think this Amendment is reasonable. I don't think it's going to foreclose on any reasonable opportunity that an employer has to get the kind of medical treatment that he deserves and desires. And I would urge... urge you to vote no on this Amendment."

Speaker Bradley: "Alright. Have all voted who wish? Clerk will take the record. On this question there are 91 ayes and 82 nos and the Gentleman's motion to table prevails. Further Amendments... motions."

Clerk Leone: "Motion. I move to table Amendment #7 to



Senate Bill 1739. McPike."

Speaker Bradley: "The Gentleman from Madison, Mr. McPike."

McPike: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I don't know what could be worse than an industrial accident except possibly a disease rising out of the course of employment or aggravated by the... aggravated out of the course of employment. Because an injury you'll probably live with. A disease you will probably die from. What this Amendment #7 really does is make it difficult if not impossible to ever receive compensation under the Occupational Disease Law. To begin with, it says that any aggravation of a disease will not be compensated. So that if you have a mild case of emphysema at age 18, that in no way, shape, or form effects your life. And if you go to work for a steel mill and work there for 30 years and breath toxic fumes everyday for 30 years and at age 48 the doctor says you're either going to have to quit or you're going to die right there on the job. What it really says to the employer is, 'Well, you're not responsible for the fact that an employee breathes toxic fumes for 30 years'. That's one thing it eliminates. The second thing it does is that it really makes it impossible to every prove that the occupational disease arose out of the course of work because it sets up numerous conditions that you must prove. You must prove that it's a direct causal connection. You then have to prove that it's a natural incident of the work as a result of the exposure occasions. Then you have to prove that this does not come from a hazard to which workers would have equally been exposed outside of the employment. Not the individual worker who contracted that disease but any worker who may live in that vicinity could have been exposed to some toxic fumes at some time during his or her life. There's no



way of getting around it. If this was the law today, no one... no one would ever receive compensation for black lung or brown lung or any other disease that arises out of the course of employment. In effect, we are wiping out our Occupational Disease Law. I think it is the... I think it really is disgraceful to try to say to an employee who is going to die because of this disease, 'We're not going to compensate you for it. We're not going to compensate you because, under our law, you simply can never, ever prove that we're responsible.' I'd ask for a favorable Roll Call to table."

Speaker Bradley: "Gentleman from Cook, Mr. Birkinbine."

Birkinbine: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. The Sponsor of this Amendment... or this move to table this Amendment poses a dream world in front of you that is in no way relative to Amendment #7. He speaks of a slight cause of emphysema that in no way bothers you then work at a job for 30 years. Well, such a situation or such a cause would never be... become apparent to the person or the company for which he's working in the first place. He's completely forgetting the fact that someone who does have a prior injury still can hold the original employer liable. He does have a case against the prior employer. I urge you to vote against it."

Speaker Bradley: "Yeah. Further discussion? Gentleman from Whiteside, Mr. Schuneman."

Schuneman: "Well, Mr. Speaker, the maker of the motion has completely distorted what this Amendment is all about. What the Amendment speaks to is a situation where an employer is called upon to pick up the disability insurance for an employee who has an illness which in no way was caused by the employer. That's what we're trying to control by this Amendment. The Gentleman has completely distorted this issue here."



If you have any interest at all in reducing the cost of worker's compensation insurance in Illinois, then you should pay careful attention to this Amendment. You should leave the Amendment on the Bill. It's a reasonable approach. It's the kind of approach that the average worker in a plant would expect to have in worker's compensation insurance. He does not expect to be compensated for an illness that he contracted outside the place of employment. When he finds out about it, after going to compensation attorneys and being shipped back and forth to some of the many doctors that they send them to, then it becomes a boondoggle, a bonanza that is available to him and naturally he's going to file a claim... a claim of this kind. But I suggest to you that this is a perfectly reasonable Amendment and it's one that we should leave on the Bill."

Speaker Bradley: "Gentleman from DuPage, Mr. Hoffman."

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

Speaker Bradley: "Gentleman moves the previous question.

All in favor of the Gentleman's motion signify by saying 'aye'. Opposed 'no'. The ayes have it.

The Gentleman from Madison, Mr. McPike, to close the debate."

McPike: "Thank you Mr. Speaker. In the... In the last two years, less than one half... less than one percent of the total number of cases filed with the Industrial Commission involved occupational diseases. We're not, as Representative Schuneman would have you believe, we're not talking about a great number of cases. Less than one percent. But those one percent are not the minor injuries that the... that the employer always likes to refer to when he gets emotional about workman's comp.. These are diseases. These are diseases like asbestosis that's going to kill you; of brown lung or black lung. It's going to kill you. These are diseases



that the employee.... These are diseases that the employee contacted in the work place. Less than one percent, but these employees are in trouble. They're going to die an early death because of the employer and his... and his place of employment. Now all we're saying is that under present law they have a chance of being compensated. Under this Amendment, there is no prayer that they could ever prove that the employer was at all responsible, because they have to prove complete and total responsibility and prove that it could not have been contracted outside the work place. The burden of proof would make it impossible for a sick employee to ever recover. I ask for a favorable Roll Call."

Speaker Bradley: "All in favor of the Gentleman's motion signify by voting aye, oppose by voting no, and the Gentleman from Marion, Mr. Friedrich, to explain his vote for one minute."

Friedrich: "Mr. Speaker and Members of the House, I'm amazed at the explanation that was given. Actually, if you take the 18 year old man or a young man with emphysema, any employer would have to be out of his head to even hire him in the first place, if you're going to kill this Amendment. Because... he could bring this thing up and there you're stuck with it. So the only people that's going to be hired are not the people with emphysema. You're going to have to be a perfect physical specimen or you'll never be hired for anything."

Speaker Bradley: "Have all voted who wish? Gentleman from Coles, Mr. Stuffle, to explain his vote for one minute."

Stuffle: "Yes, Mr. Speaker, Ladies and Gentlemen, you don't have to hire the guy to start with. I don't think that flies in the face of statutes dealing with the handicapped. You're talking about people here who may well die. Representative McPike is absolutely right. We're only



talking about one half of one percent of the cases. There's absolutely no reason to discriminate against these people and put the burden of proof on them.

We ought to support the motion to table Amendment #7."

Speaker Bradley: "Gentleman from Macon, Mr. Borchers, to explain his vote."

Borchers: "In explaining my vote, just last week or maybe two weeks ago there was an article that they found in relation to lung disease only eight percent of those with lung disease were really lung disease. They were caused from smoking, and I think you should think about that in voting."

Speaker Bradley: "Gentleman from Cook, Mr. Mugalian, to explain his vote."

Mugalian: "Thank you Mr. Speaker. If you pass this Amendment, what you will be doing, in effect, is turning back the clock to the day when we first adopted workmen's compensation laws. It's just the same as if you were to reinstate the contributory negligent rule or the assumption of risk rule or the fellow worker doctrine. Let's not kid anybody. This really turns the clock back and just about repeals the whole idea of workmen's compensation which is compensation for injuries or disease in the work place where you don't require the worker to show that he was free from any negligent or pre-existing conditions."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 86 ayes and 86 nos. The Gentleman from Madison, Mr. McPike."

McPike: "Poll the absentees."

Speaker Bradley: "Requests a poll of the absentees."

Clerk Leone: "Poll of the absentees." Ewell. Laurino. Schlickman. Vitek. And Williams."

Speaker Bradley: "On this question there are 86..."

Gentleman from Madison, Mr. McPike."



McPike: "Request a verification of the negative Roll Call."

Speaker Bradley: "Alright. Members will be in their seats. And... Verify the negative vote."

Clerk Leone: "Ackerman. Anderson. Barnes. Bell. Bianco. Birkinbine. Bluthardt. Borchers. Boucek. Bower. Brummer. Burnidge. Campbell. Capparelli. Capuzi. Casey. Collins. Conti. Daniels. Davis. Deuster. Ralph Dunn. Dyer. Ebbesen. Epton. Ewing. Flinn. Virginia Frederick. Dwight Friedrich. Griesheimer. Grossi. Hallock. Hallstrom. Hoffman. Hoxsey. Hudson. Huskey. Johnson. Dave Jones. Karpel. Kent. Klosak. Leinenweber. Mcdonald. Mahar. Margalus. Matula. McAuliffe. McBroom. McCourt. McGrew."

Speaker Bradley: "Mr. Vitek, how do you wish to be recorded? You wish to be recorded as aye. Record Mr. Vitek as aye."

Clerk Leone: "Continuing with the poll of the negative. McGrew. McMaster. Meyer. Neff. Oblinger. Peters. Piel. Polk. Pullen. Reed. Reilly. Rigney. Robbins. Ropp. Ryan."

Speaker Bradley: "Just a minute, Mr. Clerk. Mr. Birkinbine, if you're going to verify the other side, Mr. Vitek is going back to the nurses station. Can he be verified? Fine. Thank you."

Clerk Leone: "Sandquist. Schoeberlein. Schuneman. Simms. Skinner. Stanley. E.G. Steele. C.M. Stiehl. Sumner. Swanstrom. Telcser. Terzich. Totten. Tuerk. Vinson. Walsh. Watson. Wikoff. Winchester. J.J. Wolf. And Woodyard."

Speaker Bradley: "Mr. Clerk. On this motion there are 87 ayes and 86 nays. Mr. Birkinbine."

Birkinbine: "Verify the Affirmative Roll Call please. We might as well keep people here late. We're not doing anything else."

Speaker Bradley: "He requested... Clerk will call the



affirmative roll."

Clerk Leone: "Poll of the affirmative. Abramson. Alexander. Balanoff. Beatty. Birchler. Bowman. Bradley. Braun. Breslin. Bullock. Catania. Chapman. Christensen. Cullerton. Currie. Darrow. Dawson. DiPrima. Domico. Donovan. Doyle. John Dunn. Farley. Gaines. Garmisa. Getty. Giorgi. Goodwin. Greiman. Hanahan. Hannig. Harris. Henry. Huff. Jaffe. Emil Jones. Kane. Katz. Keane. Kelly. Kornowicz. Kosinski. Krska. Kucharski. Kulas. Lechowicz. Leon. Leverenz. Madigan. Marovitz. Matijevich. Mautino. McClain. McPike. Molloy. Mugalian. Mulcahey. Murphy. O'Brien. Patrick. Pechous. Pierce. Pouncey. Preston. Rea. Richmond. Ronan. Satterthwaite. Schisler. Schneider. Schraeder. Sharp. Slape. Stearney. Steczo. Stuffle. Taylor. VanDuyne. Vitek. VonBoeckman. White. Willer. Williamson. Sam Wolf. Younge. Yourell. And Mr. Speaker."

Speaker Bradley: "Mr. Farley. Can he be verified, Mr. Birkinbine? Alright. Any questions?"

Birkinbine: "Representative DiPrima."

Speaker Bradley: "DiPrima? He's in his seat."

Birkinbine: "Representative Jaffe."

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

Birkinbine: "Representative Marovitz."

Speaker Bradley: "Marovitz is in his seat."

Birkinbine: "Representative Greiman."

Speaker Bradley: "Representative Greiman. There he is down here."

Birkinbine: "Representative Catania."

Speaker Bradley: "She's in her seat."

Birkinbine: "Representative O'Brien."

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

Birkinbine: "Representative Garmisa."

Speaker Bradley: "What purpose does Mr. O'Brien rise?"



O'Brien: "Change me from aye to no."

Speaker Bradley: "Record Mr. O'Brien as voting no."

Birkinbine: "Representative Garmisa."

Speaker Bradley: "Garmisa is not in his seat. How is he recorded?"

Clerk Leone: "Gentleman's recorded as voting aye."

Speaker Bradley: "Take him off the roll."

Birkinbine: "Representative Ronan."

Speaker Bradley: "Ronan is not in his seat. How is he recorded?"

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

Speaker Bradley: "Take him off the roll."

Birkinbine: "Representative Richmond."

Speaker Bradley: "He's not in his seat. How is he recorded?"

Clerk Leone: "Gentleman's recorded as voting aye."

Speaker Bradley: "Mr. Ronan has returned. Put him back on the roll."

Birkinbine: "Representative Emil Jones."

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

Birkinbine: "Representative Stearney."

Speaker Bradley: "Stearney is in our Democratic aisle."

Birkinbine: "Mr. Speaker. Representative Redmond."

Speaker Bradley: "Representative Redmond? Right here and put Garmisa back on the roll."

Birkinbine: "Did you take Richmond off?"

Speaker Bradley: "I believe we removed Richmond. We didn't remove him? Alright. Remove Richmond from the roll." Further questions?"

Birkinbine: "Representative Madigan."

Speaker Bradley: "Is in Christensen's chair."

Birkinbine: "That's all, Mr. Speaker. Thank you."

Representative Bradley. I'm sorry. At this hour I'm getting a blank."

Speaker Bradley: "It gets that way. On this question now there are 85 ayes and 87 nos and the Gentleman now wants to... Do you have... we called the roll, I think,



on... Do you have questions on the negative? Alright.

Mr. McPike." Now wait a minute. Mr. Richmond's returned.

Put him back on the roll. Now we have 86 ayes and 87 nos.

Questions of the negative. Mr. McPike."

McPike: "Where are we starting? What's the count?"

Speaker Bradley: "86-87."

McPike: "Representative Wolf."

Speaker Bradley: "Representative Wolf. I... He's there."

McPike: "Representative Vinson."

Speaker Bradley: "Representative Vinson is not in his chair.

How is he recorded?"

Clerk Leone: "Gentleman's recorded as voting no."

Speaker Bradley: "Take him off the roll."

McPike: "Representative Tertzich."

Speaker Bradley: "He's in his... He's here."

McPike: "Representative Telcser."

Speaker Bradley: "Telcser? He's not in his chair. How
is he recorded?"

Clerk Leone: "Gentleman's recorded as voting no."

Speaker Bradley: "Take him off. Put Vinson back on."

McPike: "Representative Sumner."

Speaker Bradley: "Telcser is back in the chamber. Put him
back on the roll."

McPike: "Representative Sumner."

Speaker Bradley: "Representative Sumner's in her seat."

McPike: "Representative Steele."

Speaker Bradley: "He is in his seat."

McPike: "Cissy Stiehl."

Speaker Bradley: "She is in her seat now."

McPike: "Representative Ropp."

Speaker Bradley: "Is in his seat."

McPike: "Robbins."

Speaker Bradley: "Is in his seat."

McPike: "Rigney."

Speaker Bradley: "Is in his seat."

McPike: "Reilly."



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

McPike: "Piel."

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

McPike: "Pierce."

Speaker Bradley: "He's in the center aisle."

McPike: "Representative McMaster."

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

McPike: "Representative McGrew."

Speaker Bradley: "Representative McGrew is in the aisle.

Further questions?"

McPike: "Yes. Representative McBroom."

Speaker Bradley: "McBroom is in his seat."

McPike: "Representative McAuliffe."

Speaker Bradley: "McAuliffe. I don't see him. How is he recorded?"

Clerk Leone: "Gentleman is recorded as voting no."

Speaker Bradley: "Take him off the roll."

McPike: "Representative Leinenweber."

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

McPike: "Representative Klosak."

Speaker Bradley: "Klosak. He's in the rear chamber and McAuliffe is there. Put him back on the roll."

McPike: "Representative Karpziel."

Speaker Bradley: "Karpziel. She's there."

McPike: "Representative Johnson."

Speaker Bradley: "He's down here in the front of the chambers."

McPike: "Representative Hoxsey."

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

McPike: "Representative Hallock."

Speaker Bradley: "He's in the aisle."

McPike: "Representative Grossi."

Speaker Bradley: "Grossi's in his seat."

McPike: "Representative Frederick."

Speaker Bradley: "They're both in their seats."

McPike: "Representative Ewing."

Speaker Bradley: "Representative Ewing is in his seat."



McPike: "Representative Epton."

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

McPike: "Representative Capuzi."

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

McPike: "Representative Capparelli."

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

McPike: "Representative Abramson."

Speaker Bradley: "Abramson. How's...Abramson."

McPike: "Okay. Representative..."

Speaker Bradley: "He's in his seat. He's here. Alright."

Any further questions?"

McPike: "Yeah. Representative Bianco."

Speaker Bradley: "He's here."

McPike: "Representative Winchester."

Speaker Bradley: "He's there. Further questions? On this question... Mr. Schlickman, what purpose do you rise."

Schlickman: "How am I recorded?"

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

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

Schlickman: "Please record me as aye please."

Speaker Bradley: "Anything else? Mr. McGrew."

McGrew: "Change me to aye."

Speaker Bradley: "Any further changes? Any further changes?"

On this question...Alright. On this question there are 88 ayes and 86 nays and the Gentleman's motion prevails.

Further motions?"

Clerk Leone: "Motion to table. I move to table Amendment #8 to Senate Bill 1739. McPike."

Speaker Bradley: "Gentleman from Madison, Mr. McPike."



McPike: "Just a minute, Mr. Speaker."

Speaker Bradley: "Well..."

McPike: "Mr. Speaker, I have a motion to table, but I believe that Representative Hudson has agreed to table Amendment #8."

Speaker Bradley: "The Gentleman from DuPage, Mr. Hudson."

Hudson: "Thank you, Mr. Chairman and Members of the House. That is correct, and I do thereby, and herefore, and hencewith move..."

Speaker Bradley: "Or withdraw?"

Hudson: "...move to table Amendment #8."

Speaker Bradley: "Why don't you withdraw it?"

Hudson: "Withdraw...withdraw."

Speaker Bradley: "All right. It was adopted in Committee. All right. The Gentleman moves to table. All in favor of the Gentleman's motion say 'aye'. Opposed, 'no'. The 'ayes' have it, and the Amendment's tabled. Further Amendments? Or further motions?"

Clerk Leone: "No further motions."

Speaker Bradley: "Okay, further Amendments?"

Clerk Leone: "Floor Amendment #9, Tuerk, amends Senate Bill 1739 and so forth."

Speaker Bradley: "The Gentleman from Peoria, Mr. Tuerk."

Tuerk: "Well, Mr. Speaker and Members of the House, I have two requests to make of the Chair. One...and the Body. One, I ask leave to consider Amendments 9 and 10 together. They deal with the same subject matter. It'll move things right along."

Speaker Bradley: "Does the Gentleman have leave? Hearing no objections..."

Tuerk: "My second request is that on these Amendments I ask for an Oral Verified Roll Call."

Speaker Bradley: "We were going to give it to you anyway, Sir, and we'll take care of the verifying both sides."

Tuerk: "Well, we're thinking about the same thing then."



Speaker Bradley: "Fine."

Tuerk: "All right. I'll proceed with Amendments 9 and 10.

As you recall earlier in the day, I said to this Body that Amendment #1 was really a bad Amendment, and I truly feel it is. It's a bad Amendment, because it's a hoax. It's a hoax, because really what it does is nothing more than a cosmetic change and, in effect, in effect, I want you to listen to this. It will increase the cost of worker's compensation throughout the State of Illinois. Now, if that's what this Body wants to do, you proceed with adopting Amendment #1 to this Bill, and you vote against Amendments 9 and 10. But, if you want to do something to ameliorate the cost of worker's comp in the state, then you'll vote for Amendments 9 and 10 to this Bill. Let me give you an example, for example, about costs in the state. The Gentleman from...on the other side of the aisle who's been filing all the motions to table all our good Amendments, comes from a district in which Granite City Frame, which is a foundry company, in Granite City it is located. In 1975 the cost of workmen's comp was 82 thousand dollars. In 1979, the costs were one million, four hundred thousand."

Speaker Bradley: "Mr. Tuerk, just a minute. Mr. Greiman."

Tuerk: "Which is a 1600% increase over a five year period."

Speaker Bradley: "Mr. Tuerk, just one minute, please. Mr.

Greiman, for what purpose do you..."

Greiman: "Yeah, Mr. Speaker, as...point of order."

Speaker Bradley: "What's your point?"

Greiman: "The Gentleman has been speaking for about four minutes...five minutes. I think I'd like to hear what the Amendment is about, and... rather than a long, rambling dissertation on workmen's compensation. What's the Amendment do? What do these two Amendments do?"

Speaker Bradley: "Well, all right. Mr. Tuerk, present your Amendments. Maybe he..."



Tuerk: "Don't worry about it. You'll hear what these Amendments do in due course. We've got ten minutes of debate here, and we'll probably take all that time. Now, before I was so rudely interrupted, we were talking about Granite City Foundry. Granite City Frame costs have increased 1600% over a period of five years. Now, for all you Democrats from good, old Cook County, let me tell you what the costs up there have...how they've escalated over the last five years. Three hundred and nine thousand dollars in 1975, two million dollars in 1979, which is a 650% increase over 1975. Now, what Amendments #9 and 10 do is try to take care of a problem instituted by Amendment #1, and that was to establish a cumulative injury fund which will spread the cost of worker's compensation across the state. Everybody's going to participate in the extra cost caused by Amendment #1. As an example, take an injured person who goes to work for an employer and was injured. He's not only, under the conditions of Amendment #1, compensated for the injury of the second employer, but he can go back and reclaim all the compensable damage caused by the injury back in the previous employer. Now, that, to me, is not reform. That is going in the wrong direction. Amendment #1, as I've said often on this floor today, is a bad Amendment. It's unfair to disabled or handicapped workers. It's unfairly burdensome to employers. The cumulative injury fund in Amendment #1 is certainly cumbersome, and Amendments #9 and 10 will return some sense to this Bill in the form that it was in Senate Bill 1739 as it was originally introduced and went through the Senate. The subsequent injury fund in Amendments 9 and 10 really protect workers who are totally disabled, and really protects the workers who are... who really die from an injury or are totally disabled. I feel that Amendment #9 and



10 give some credit to employers for pre-existing injuries. I think it's a step in the right direction. It will take care of a lot of unduly, unfair problems throughout the state. It takes care of a lot of the problems that are present with the current law. I would ask for your favorable support of Amendments 9 and 10."

Speaker Bradley: "The Gentleman from Madison, Mr. McPike."

McPike: "Thank you Mr. Speaker. Ladies and Gentlemen of the House, the question presented here is how we wish to deal with handicapped workers in the State of Illinois. Under current law, if a handicapped individual is employed and is injured on the job, the employer is responsible for the resulting disability. That is the cumulative effect of the prior disability and of the injury. The employer is responsible for that. What Amendment #1 says is that if a handicapped individual is injured on a job, the employer will be responsible for that injury only, and the cumulative injury fund that all employers contribute to and the State of Illinois contributes to will pay the difference. Now this... Now this... this way of addressing handicapped individuals assures the employer that he has limited liability, and it also insures the handicapped individual that he's not going to be left out in the cold if he is injured in the work place. Now, in Committee, we had the Illinois Association of Retarded Children, we had the Congress for the Physically Handicapped testify or register in favor of our position of favor of the way that we would like to deal with the handicapped. Since then, the United Cerebral Palsy of Illinois has written to Senator DeAngelis expressing... expressing concern over the way 1739, as it is in Amendment #9, deals with the handicapped. It says, very simply, 'We support any



attempt to eliminate disincentives in hiring the handicapped which we presume is the intent of this proposal, but not when it opens up such a threat of discrimination against handicapped employees'.

I guess that's really the essence of this. It's not going to increase the cost of the employer community, because it's going to be the same cost that they now bear. The exact same liability to the entire employer community is not going to be changed. It's going to shift the burden from one employer to all employers, and it is going to require the State of Illinois, because we recognize the social responsibility we have, it's going to require the State of Illinois to pay for 25% of the cost. So it is going to decrease the cost of the employer community by 25%. It's going to spread the burden of paying the injured handicapped worker across all employers. We can either do it this way or we can do it like you choose to do it in Amendment #9 which says, the employers liability will be limited, but the handicapped worker who gets injured is simply out in the cold and left to defend for himself. It's a matter of whether or not you want to treat handicapped people in a humane, decent way, or rather you want to just put them out in the cold and say, 'Defend for yourself'. I think Amendment #1 is a much more... is a much better approach, and I would ask that Amendment #9 and the accompanying ... the accompanying Amendment #10 to fund it be defeated."

Speaker Bradley: "The Gentleman from Rock Island, Mr. Polk."

Polk: "Mr. Chairman, I move the previous question."

Speaker Bradley: "Gentleman moves the previous question."

All in favor of the Gentleman's motion say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Mr. Tuerk, to close."



Tuerk: "Well, just briefly, I will respond to the previous speaker. He's not telling you all the facts. If you listen to my dissertation, I told you that what this is going to do is spread the cost, but it's also going to spread the liability over a period of many, many years to the extent that an employee can be compensated more than once for the same injury. Now if you think that's fair, I'll put in with you. Actually, what these Amendments do is restore the language relating to deductions for pre-existing injuries which were in the original Senate Bill 1739. As the Bill came to the House, the employers had no liability for pre-existing injuries which are less than total or the cause of a subsequent death. Now, I feel that this is a fair approach. I think that these Amendments ought to be adopted, and I would so move for a favorable vote, and I renew my motion for an Oral Verified Roll Call."

Speaker Bradley: "All right. Would the Members all please be in their seats and those people not entitled to the floor, and would the Pages please come down and sit down, and when your name is called on the Oral Verified Roll Call, press your button negative or affirmative, and call it out loud and clear so the Clerk can hear what way you wish to be recorded? All right. The question is on the adoption of the Amendment #9 to Senate Bill 17...9 and 10 to Senate Bill 1739. On that, the Clerk will call the Roll. Loud and clear and press your buttons and would the...those people not entitled to the floor, let's clear it so we can have some order. All right. Mr. Clerk, call the Roll."

Clerk Leone: "Abramson."

Speaker Bradley: "Abramson passes."

Clerk Leone: "Ackerman."

Speaker Bradley: "Ackerman. Ackerman, 'aye'."



Clerk Leone: "Alexander."

Speaker Bradley: "Call out the...while you're voting, 'aye' or 'no'. Proceed."

Clerk Leone: "Alexander votes 'no'. Anderson. Anderson votes 'aye'. Balanoff. Balanoff votes 'no'. Jane Barnes. Jane Barnes votes 'aye'. Beatty. Beatty votes 'no'. Bell. Bell votes 'aye'. Bianco. Bianco votes 'aye'. Birchler. Birchler votes 'no'."

Speaker Bradley: "The Clerk can't hear these voices up here with all the noise. Proceed."

Clerk Leone: "Birkinbine. Birkinbine votes 'aye'. Bluthardt. Bluthardt votes 'aye'. Borchers. Borchers votes 'aye'. Boucek. Boucek votes 'aye'. Bower. Bower votes 'aye'. Bowman. Bowman votes 'no'. Bradley. Bradley votes 'no'. Braun. Braun votes 'no'. Breslin. Breslin votes 'no'. Brummer. Brummer votes 'no'. Bullock. Bullock votes 'no'. Burnidge. Burnidge votes 'aye'. Campbell. Campbell votes 'aye'. Capparelli. Capparelli votes 'no'. Capuzi. Capuzi votes 'aye'. Casey. Casey votes 'aye'. Catania. Catania votes 'no'. Chapman. Chapman votes 'no'. Christensen. Christensen votes 'no'. Collins. Collins votes 'aye'. Conti. Conti votes 'aye'. Cullerton."

Speaker Bradley: "Cullerton passes."

Clerk Leone: "Currie. Currie votes 'no'. Daniels. Daniels votes 'aye'. Darrow. Darrow passes. Davis. Davis votes 'aye'. Dawson."

Speaker Bradley: "Dawson passes."

Clerk Leone: "Dawson passes. Deuster. Deuster votes 'aye'. DiPrima. DiPrima votes 'no'. Domico. Domico votes 'no'. Donovan. Donovan votes 'no'. Doyle. Doyle votes 'no'. John Dunn."

Speaker Bradley: "John Dunn passes."

Clerk Leone: "Ralph Dunn. Ralph Dunn votes 'aye'. Dyer. Dyer votes 'aye'. Ebbesen. Ebbesen votes 'aye'."



Epton. Epton votes 'aye'. Ewell. Ewell passes.

Ewing. Ewing votes 'aye'. Farley."

Speaker Bradley: "Farley passes."

Clerk Leone: "Flinn."

Speaker Bradley: "Flinn passes."

Clerk Leone: "Virginia Frederick. Virginia Frederick votes 'aye'. Dwight Friedrich. Dwight Friedrich votes 'aye'.

Gaines. Gaines votes 'no'. Garmisa. Garmisa passes."

Speaker Bradley: "Garmisa votes 'no'."

Clerk Leone: "Garmisa votes 'no'. Getty. Getty votes 'aye'.

Giorgi. Giorgi votes 'no'. Goodwin. Goodwin votes

'no'. Greiman. Greiman votes 'no'. Griesheimer.

Griesheimer votes 'aye'. Grossi. Grossi votes 'aye'.

Hallock. Hallock votes 'aye'. Hallstrom. Hallstrom

votes 'aye'. Hanahan. Hanahan votes 'no'. Hannig.

Hannig votes 'no'. Harris."

Speaker Bradley: "Passes."

Clerk Leone: "Harris passes. Henry. Henry votes 'no'.

Hoffman. Hoffman votes 'aye'. Hoxsey. Hoxsey votes

'aye'. Hudson. Hudson votes 'aye'. Huff. Huff

votes 'no'. Huskey. Huskey votes 'aye'. Jaffe.

Jaffe votes 'no'. Johnson. Johnson votes 'aye'.

Dave Jones. Dave Jones votes 'aye'. Emil Jones."

Speaker Bradley: "Passes."

Clerk Leone: "Kane. Kane votes 'no'. Karpziel. Karpziel

votes 'aye'. Katz. Katz votes 'no'. Keane."

Speaker Bradley: "Keane votes 'no'."

Clerk Leone: "Keane votes 'no'. Kelly. Kelly votes 'no'.

Kent. Kent votes 'aye'. Klosak. Klosak votes 'aye'.

Kornowicz. Kornowicz votes 'no'. Kosinski. Kosinski

votes 'no'. Krska. Krska votes 'no'. Kucharski.

Kucharski votes 'no'. Kulas. Kulas votes 'no'.

Laurino."

Speaker Bradley: "Passes."

Clerk Leone: "Lechowicz. Lechowicz passes. Leinenweber.



Leinenweber votes 'aye'. Leon. Leon votes 'no'.
Leverenz."

Speaker Bradley: "Leverenz passes."

Clerk Leone: "Macdonald. Macdonald votes 'aye'. Madigan.
Madigan votes 'no'. Mahar. Mahar votes 'aye'.
Margalus. Margalus votes 'aye'. Marovitz. Marovitz
votes 'no'. Matijevich. Matijevich votes 'no'.
Matula. Matula votes 'aye'. Mautino. Mautino passes.
McAuliffe. McAuliffe votes 'aye'. McBroom."

Speaker Bradley: "McBroom passes."

Clerk Leone: "McClain. McClain votes 'no'. McCourt. McCourt
votes 'aye'. McGrew. McGrew passes. McMaster.
McMaster votes 'aye'. McPike. McPike votes 'no'.
Meyer. Meyer passes. Molloy. Molloy votes 'no'.
Mugalian. Mugalian votes 'no'. Mulcahey."

Speaker Bradley: "Mulcahey passes."

Clerk Leone: "Murphy. Murphy votes 'no'. Neff. Neff votes
'aye'. Oblinger. Oblinger votes 'aye'. O'Brien.
O'Brien passes. Patrick. Patrick passes. Pechous.
Pechous..."

Speaker Bradley: "Pechous passes."

Clerk Leone: "Pechous passes. Peters. Peters passes. Piel.
Piel votes 'aye'. Pierce."

Speaker Bradley: "Pierce votes 'aye'? Pierce votes 'no'."

Clerk Leone: "Pierce votes 'no'. Polk. Polk votes 'aye'.
Pouncey. Pouncey votes 'no'. Preston. Preston votes
'no'. Pullen. Pullen votes 'aye'. Rea. Rea votes
'no'. Reed. Reed votes 'aye'."

Speaker Bradley: "Mr. Rea, push your button. Let's say it
out a little louder, so we can hear. Proceed."

Clerk Leone: "Reed votes 'aye'. Reilly. Reilly votes 'aye'.
Richmond. Richmond votes 'no'. Rigney. Rigney votes
'aye'. Robbins. Robbins votes 'aye'. Ronan."

Speaker Bradley: "Mr. Ronan."

Clerk Leone: "Ronan votes 'no'. Ropp. Ropp votes 'aye'."



Ryan. Ryan votes 'aye'. Sandquist. Sandquist votes 'aye'. Satterthwaite. Satterthwaite votes 'no'. Schisler. I can't see him."

Speaker Bradley: "Mr. Schisler, how did you want to be recorded?"

Clerk Leone: "Schisler votes 'no'?"

Speaker Bradley: "Record him as 'no'."

Clerk Leone: "Schlickman."

Speaker Bradley: "The Gentleman from Cook, Mr. Schlickman."

Schlickman: "Mr. Speaker and Members of the House, in explaining my vote, my understanding of this Amendment is that it would relieve an employer of liability for aggravation of a pre-existing condition. I've asked the Sponsor of the Amendment. He confirms that that's so, and, on that basis, I vote 'no'."

Speaker Bradley: "Schlickman, 'no'. Proceed."

Clerk Leone: "Schlickman votes 'no'. Schneider."

Speaker Bradley: "Schneider passes."

Clerk Leone: "Schneider passes. Schoeberlein. Schoeberlein votes 'aye'. Schraeder."

Speaker Bradley: "Mr. Schraeder, the Gentleman from Peoria."

Clerk Leone: "Schraeder votes 'aye'. Schuneman. Schuneman votes 'aye'."

Speaker Bradley: "Sing out how you're voting, 'aye' or 'no' so we can record you."

Clerk Leone: "Sharp. Sharp votes 'no'. Simms."

Simms: "Aye."

Clerk Leone: "Simms votes 'aye'. Skinner. Skinner votes 'aye'. Slape. Slape votes 'no'. Stanley. Stanley votes 'aye'. Stearney. Stearney votes 'no'. Steczo. Steczo votes 'no'. E. G. Steele. E. G. Steele votes 'aye'. C. M. Stiehl."

Stiehl: "Aye."

Clerk Leone: "C. M. Stiehl votes 'aye'. Stuffle. Stuffle votes 'no'. Sumner. Sumner votes 'aye'. Swanstrom.



Swanstrom votes 'aye'. Taylor. Taylor votes 'no'.
Telcser. Telcser votes 'aye'. Terzich. Terzich passes.
Totten. Totten votes 'aye'. Tuerk. Tuerk votes
'aye'. Van Duyne. Van Duyne votes 'no'. Vinson.
Vinson votes 'aye'. Vitek."

Speaker Bradley: "Passes."

Clerk Leone: "VonBoeckman."

Speaker Bradley: "Passes."

Clerk Leone: "Walsh. Walsh votes 'aye'. Watson. Watson
votes 'aye'. White."

Speaker Bradley: "White, 'no'."

Clerk Leone: "White votes 'no'. Wikoff. Wikoff votes 'aye'.
Willer. Willer votes 'no'. Williams."

Speaker Bradley: "Passes."

Clerk Leone: "Williamson."

Speaker Bradley: "Williamson..."

Clerk Leone: "Passes."

Speaker Bradley: "No. How are you voting, Mr. Williamson?"

Clerk Leone: "Williamson votes 'no'. Winchester. Winchester
votes 'aye'. J. J. Wolf. J. J. Wolf votes 'aye'.
Sam Wolf. Sam Wolf votes 'no'. Woodyard. Woodyard
votes 'aye'. Younge. Younge votes 'no'. Yourell.
Yourell votes 'no'. Mr. Speaker."

Speaker Bradley: "Mr. Speaker votes 'no'. All right. Now,
Mr. Patrick. Mr. Patrick wishes to be recorded as
voting 'no'. Mr. McBroom wishes to be recorded 'aye'.
Mr. VonBoeckman wishes to be recorded 'no'. Yes, push
your buttons now. Mr. Dawson, 'no'. Mr. Schneider,
'no'. Mr. Meyer."

Meyer: "Aye. Aye."

Speaker Bradley: "Mr. Cullerton, 'no'. Mr. Farley, 'no'.
Mr. McGrew, 'aye'. I'm going a little fast here for the
Clerk. All right. Mr. Peters. Peters votes 'aye'.
I thought we had you on there, Pete. All right. Peters,
'aye'. Mr. Getty."



Getty: "No."

Speaker Bradley: "Are you changing your vote from 'aye' to 'no'? Record Mr. Getty..."

Getty: "That's right."

Speaker Bradley: "...as voting 'no'. Mr. Pechous. Pechous, 'no'. Darrow."

Darrow: "No."

Speaker Bradley: "Record him as 'no'. Mr. O'Brien, 'aye'. Are there any further changes, additions, corrections? Mr. Terzich, 'no'. Mr. Flinn. Mr. Vitek, how do you wish to be...? Record Mr. Vitek as 'no'. Now, Emil Jones. Just a minute. All right. Emil Jones, 'no'. John Dunn, 'no'. Mautino, 'aye'. Leverenz, 'no'. I think we're...Mr. Flinn, I think, wished to be recorded as voting 'aye'. Push his...'aye', Mr. Flinn? All right. Any further changes? Mautino...or Mulcahey. Mulcahey votes 'no', and push your switch, Mr. Mulcahey. Okay. Further changes, or additions, or corrections before we announce the Roll? Abramson, 'no'. Any further additions or corrections? Okay. For what purpose do you rise, Mr. Skinner."

Skinner: "To challenge the Speaker's vote. You don't get two votes."

Speaker Bradley: "The Speaker was right here and told me to put him on 'no'."

Skinner: "I did not see the Speaker. The Speaker was not on the floor, to the best of my knowledge. I'll be happy to apologize..."

Speaker Bradley: "The Speaker will come out."

Skinner: "...if he says he was here, or..."

Speaker Bradley: "I'm sure he'll be right here. Do you want him to...? Ray Ewell, 'no'. Harris, 'no'. Okay, on the...what's the Roll Call, Mr. Clerk? On this question there are 86 'ayes' and 88 'nays', and the motion fails. Further Amendments?"



Clerk Leone: "Floor Amendment #11, Simms, amends Senate Bill 1739 and so forth."

Simms: "Mr. Speaker, I'd like to withdraw 11."

Speaker Pierce: "Amendments 9 and 10 are declared lost. Representative Pierce in the Chair. On Amendment #11, the Amendment's been read...What? The Sponsor, Mr. Simms, withdrew Amendment 11. Any further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #12, Schuneman, amends Senate Bill 1739 and so forth."

Speaker Pierce: "Mr. Schuneman is recognized. The Gentleman from Whiteside."

Schuneman: "Mr. Speaker, I request leave to withdraw Amendment #12."

Speaker Pierce: "Does the Gentleman have leave to withdraw Amendment #12? Amendment #12 is withdrawn. Any further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #13, Mautino, amends Senate Bill 1739 and so forth."

Speaker Pierce: "The Gentleman from Bureau, Mr. Mautino."

Mautino: "Yes, I had broken Amendment 13 into two other Amendments, 16 and 17. I'll withdraw it at this time and go to those now."

Speaker Pierce: "All right. The Gentleman has leave to withdraw Amendment 13. Any further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #14, Bradley, amends Senate Bill 1739..."

Speaker Pierce: "The Gentle..."

Clerk Leone: "...and so forth."

Speaker Pierce: "The Gentleman from McLean, Mr. Bradley, is recognized."

Bradley: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #14 addresses itself to, really, a situation that was brought to my attention that



I'm sure was not the intent of the Sponsors of Senate Bill 1739. The State Chamber of Commerce sent out their little flyer telling everybody that buys workmen's comp what a great Bill 1739 was and reprimanded those Members of the Rules Committee and those Members on the Democratic side for not supporting 1739 as it came over from the Senate. Unfortunately, they didn't do their homework as usual to find out that if 1739 would've passed out of here in the form it came over from the Senate, there would've been a sizable increase in premiums, and I don't think those Members on that side of the aisle, and I definitely can speak for the Members on this side of the aisle, they are not going to support something that's going to bring about an increase in premiums on workmen's comp. And, the State Chamber took the...to task, those Members on the Democratic side of the aisle and yet we protected the employers of the State of Illinois, and we're going to offer this Amendment to protect the employers from 1739. I hope that they get their act together from now on, and they ask their insurance companies to give them an actuarial rating and figure as to what would happen if we adopt these...1739. So, the two propositions ...the two propositions that we're going to change would be the proposition or the Amendment...the provision that insures...informed...each...insured of losses incurred in the previous months, followed by a cumulative report of the entire years compensation activities, and the provision providing for an employer challenged before the Industrial Commission of payments made by insurers. We're going to make those two permission...those two provisions will not be mandatory, but they will be permissive, and there should be no increase in premiums to the employers of the State of Illinois, and I'm sure Members on both sides of the aisle will support this Amendment. Thank you."



Speaker Pierce: "The Gentleman from McLean has moved the adoption of Amendment 14. Any further discussion? All those in...all those in favor of Amendment 14 will say 'aye'. All opposed...Amendment 14 is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #15, Griesheimer, amends Senate Bill 1739 as amended."

Speaker Pierce: "The Gentleman from Lake, Mr. Griesheimer, is recognized."

Griesheimer: "Mr. Speaker, the concept that is contained in Amendment 15 is in Senate Bill 1740. I was just trying to make sure that this was carried through in this Bill. It makes the insurance companies report their profits on their reserve income that they make, because it's contained in 1740, and since I'm sure Representative Hanahan won't let these insurance companies get away with skimming this money off, I'll move to withdraw the Amendment at this time."

Speaker Bradley: "The Gentleman withdraws the Amendment. Further Amendments?"

Clerk Leone: "Floor Amendment #16, Mautino, amends Senate Bill 1739 as amended."

Speaker Bradley: "The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment 6...16 was alluded to in previous Amendments. I'd like to tell you exactly what this does. This Amendment includes the 90 decibel provision for causation, one of the parts that was included in Representative Deuster's Amendment. According to Doctor Kantrell, of the American Medical Association, he listed the decibel level at about 70. The industry spokesman, Doctor 'Saddeloff', of the U. S. Steel Company, recommended it also be at 70 as it pertains to hearing loss compensation. What this legislation does is allow the existing 82 decibels for hearing loss



compensation, but increases from 85 to 90 the causation level so that employers in the State of Illinois do not have to retool. According to the financial analysis of the Department of Commerce and Community Affairs, Mr. Carl Aldrich, this particular provision, it was also drafted in Amendment #4, would save the employers of the State of Illinois the differential between 85 decibels and 90 on retooling approximately 1.7 billion dollars. This would amount to 1400 dollars per manufacturing employee or about 95 thousand per manufacturing plant in the state. If you truly want to enact the hearing loss provision at 90 decibels on the retooling aspect, which is called causation, I recommend most highly that you adopt this Amendment, and I recommend an 'aye' vote."

Speaker Bradley: "The Gentleman from Lake, Mr. Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, this Amendment will do one thing and that will increase cost. Now, the whole...the whole central part of the debate why business is leaving Illinois...why the 1975 Amendments have caused embarrassment to many Democrats and many members of the labor organization in Illinois, is because the costs have skyrocketed. What this Amendment does is increase the possibility of hearing loss claims and costs for two reasons. One, we lower the testing of hearing loss down to the measurement known as 500 hertz for frequencies, which is the level of ordinary conversation, and this will increase the number of hearing loss claims. Secondly, as a Representative indicated, for claims it goes down to 82 decibels instead of the 90. This is one Amendment that will do one thing and that will increase costs. If you want to increase costs, vote for it. If you don't want to increase costs, vote 'no'. That's what this is all about. Another aspect of this Amendment



you should know, is this Amendment eliminates the direction that we should take into consideration hearing protection offered by the employer. By this Amendment, we are going to remove the incentive to provide some protective devices to protect the employees from the exposure to noise hazard. I think that's wrong. That's going in the wrong direction, besides the basic Amendment itself which will increase the costs. I urge you to reject this unwise and unsound Amendment in the interest of keeping business costs down and helping to do something to stop the exodus of business enterprise from the State of Illinois."

Speaker Bradley: "The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "I move the previous question."

Speaker Bradley: "The Gentleman moves the previous question."

All in favor of the Gentleman's motion say 'aye'.

Opposed, 'no'. The 'ayes' have it, and the Gentleman from Bureau, Mr. Mautino, to close the debate."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen. I find this subject very important. I do not mislead, never have and never will on the floor of this House say that a Bill does something else than what I say it does. Believe me, this legislation is exactly as the manufacturers wanted it, which is the causation level so they do not have to retool. That is the bottom line. If you've been hearing from your manufacturers, they're telling you, 'We don't want the 85 decibel level, because then I have to retool my plant'. All I'm saying to you in this Amendment, if you really and truly want to do something beneficial to the employers of the state, I recommend most highly you adopt this Amendment, save them large costs, and instituting what the other side of the aisle presented in Amendment #2, the standards. These are the OSHA standards, and they are above the OSHA standard regulation to the benefit of the employers



of the State of Illinois. I ask for an 'aye' vote."

Speaker Bradley: "The Gentleman moves the adoption of Amendment 16 to 1739. All in favor say 'aye'. Opposed, 'no'. All in favor vote 'aye'. Opposed vote 'no'. The Gentleman, Mr. Brummer, to explain his vote."

Brummer: "Yes, I find this rather incomprehensible that anyone other than, really, diehards of organized labor would be opposed to this. Obviously, this is a very protective item with regard to organized business. It adopts the 90 decibel level that they wanted. I think there's a great deal of misunderstanding about this issue. There are two different standards. One, is the standard dealing with causation. On that issue, the Illinois Manufacturer's Association suggested in a letter to, at least to Democrat Leadership, that that be set at 90 decibels for eight hours or its time-weighted equivalent as a pre-condition to filing the claim. That is what this does. That is the exact same thing that a prior Amendment did that was offered and tabled, because the other Amendment dealt with that issue and a different issue with regard to the degree that hearing loss occurs once you pass over the threshold. There is considerable testimony that has been given by a number of experts with regard to this, including Doctor Sadeloff, representing U. S. Steel, indicating that we ought to be at the 90 decibel level rather than 85 which was too strict. For these reasons, we ought to adopt this Amendment and save the tremendous cost of retooling which may occur in industry if we do not adopt this."

Speaker Bradley: "The Gentleman from Madison, Mr. McPike, to explain his vote."

McPike: "Well, thank you, Mr. Speaker. I think there is a misunderstanding on this. I would've expected this would be a Republican offering this Amendment. This is



what business has asked for. The cost for retooling if we go to 85 decibels, which we will probably go to if the Legislature doesn't do anything, the cost of retooling is going to be about one and a half billion dollars. And, so the employer community has asked us to go with 90 decibels for causation. That means if you're exposed by 90 decibels, you have cause to file a complaint or a claim under workmen's comp. This says 82 decibels for deafness, which is correct. But, it... you can't file for a deafness claim or an impairment in hearing unless you were exposed to the 90 decibels and above. This is what the business community is asking for. If we do not adopt this, I would suspect that the Industrial Commission will adopt the 85 decibel standard, because that was how the testimony went in November and December, and that was what the Chairman was going to do in April before the Governor stopped her. We are simply saying to business, 'We're willing to make a concession. We don't want you to retool. We do recognize that employees have hearing problems, but we don't want you to retool. We don't want to drive you out of the state.' It's a major concession, I think. The Republicans should be supporting this."

Speaker Bradley: "The Gentleman from...all right. The Gentleman from Coles, Mr. Stuffle, to explain his vote. For one minute, Sir."

Stuffle: "Yes, Mr. Speaker and Members, I find it incomprehensible that there would be opposition to this Amendment unless people, indeed, don't want anything to go on this particular Bill unless it's so lousy that it obviously sticks it to the worker. This is a good Amendment. It's a fair Amendment. We've worked all week. In fact, for two weeks to come to a compromise. It ought to receive an 'aye' vote."



Speaker Bradley: "Have all voted who wish? The Clerk will take the record. On this question there are 88 'ayes' and 87 'noes', and the Gentleman's motion prevails. Further Amendments?"

Clerk Leone: "Floor Amendment #17, Mautino, amends Senate Bill 1739 as amended."

Speaker Bradley: "The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you very much. This is the other half of the original Amendment #13, which computes the wages according to the same weekly formula as contained in Amendments 8 and 13. Namely, it divided the total income earned by the number of weeks worked during the 52-week period preceding the date of the industrial accident. It does not add the fringe benefits to it, but it does include the vacation pay which is earned if it's in manufacturing, and I ask for an 'aye' vote."

Speaker Bradley: "Discussion? Hearing none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye'. Opposed by voting 'no'. There are...all right. It's late. We're on the adoption of the Amendment. All in favor signify by voting 'aye'. Opposed by voting 'no'. The Clerk will take the record. On this question there are 87 'ayes', 50 'noes', and the Amendment's adopted. Further Amendments? Wait a minute."

Clerk Leone: "Floor Amendment #18..."

Speaker Bradley: "Mr. Boucek wishes to be recorded 'no'. Mr. Boucek, 'no'. Anybody else wants to get on, come on down and get on it at the well. Further Amendments? Uh-oh. We have a new rule. We won't let you do that. All right. Huskey, 'no'. We have a form down here. You can... Do as Mr. Casey's doing and come down and get on the...file it. No, I've already announced the Roll Call. There's a form. All you've got to do is come down and get on the form. Fill it out. Further Amendments?"



Clerk Leone: "Floor Amendment #18, Ewell, amends Senate Bill 1739 as amended."

Speaker Bradley: "The Gentleman from Cook, Mr. Ewell."

Ewell: "Mr. Speaker, there's a misunderstanding. I think that this is the best Amendment, and I'm sure that everybody wants to vote for it. It only reduces attorneys' fees to 10%, which I think is the way to go, but since people feel that we've taken up other time, I'm going to pull it out of the record, and I'm going to pull 18."

Speaker Bradley: "The Gentleman withdraws Amendment #18. Further Amendments?"

Clerk Leone: "Floor Amendment #19, Ewell, amends Senate Bill 1739 as amended."

Speaker Bradley: "The Gentleman from Cook, Mr. Ewell."

Ewell: "Mr. Speaker, this is even a better Amendment, because what it would do is it'll allow 20% up to the first 10 thousand dollars. It would allow them to collect up to...10% up to 50 and nothing after that. It would really protect the workers, but for some reason or another somebody seems to understand that I was going to table it, so, therefore, I'm never going to back out on something that I said, so I will table the Amendment."

Speaker Bradley: "The Gentleman moves...the Gentleman withdraws Amendment #19. Further Amendments?"

Clerk Leone: "Floor Amendment #20, Ryan, amends Senate Bill 1739."

Speaker Bradley: "Mr. Ryan on Amendment #20. Mr. Ryan, are you withdrawing Amendment #20? The Gentleman from Kankakee, Mr. Ryan. Withdraw it. The Gentleman withdraws it. Further Amendments?"

Clerk Leone: "Floor Amendment #21, Simms, amends Senate Bill..."

Speaker Bradley: "Wait. Simms withdraws it. Further Amendments?"

Clerk Leone: "Floor Amendment #22, Watson, amends Senate Bill 1739 as amended."



Speaker Bradley: "Mr...the Gentleman from Bond, Mr. Watson, withdraws it. Further Amendments?"

Clerk Leone: "Floor Amendment #23, Schuneman, amends Senate Bill 1739 as amended."

Speaker Bradley: "Schuneman. The Gentleman from..."

Schuneman: "I request leave to table Amendment 23."

Speaker Bradley: "Withdraw it. The Gentleman withdraws it. Thank you, Sir. Further Amendments?"

Clerk Leone: "Floor Amendment #24, Schuneman, amends Senate Bill 1739 as amended."

Speaker Bradley: "The Gentleman from Whiteside, Mr. Schuneman."

Schuneman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment 24 would reduce the permanent partial benefits from an amount which is computed on 100% of the state-wide average weekly wage to 66 and two-thirds...could you cool it just a minute? To 66 and two-thirds of the state-wide average weekly wage. Mr. Speaker and Ladies and Gentlemen of the House, we've heard a lot of rhetoric here tonight. We've heard a lot of rhetoric over a period of years about worker's compensation insurance in Illinois. If we're ever to do anything about worker's compensation costs, we're going to have to do something about addressing the high level of benefits under the Illinois law. I'd like to point out to you that under Illinois worker's compensation coverage about 60% of the total benefits go to the area of permanent partial. You should understand something about permanent partial. This is a benefit which is available to the worker after he has recovered to the extent that he can recover from his injury. He's still going to receive payment for replacement of his income while he's off work. He's still going to receive all of his medical expenses. This is a lump sum benefit which is available to him after he has reached the full degree of recovery which he can achieve. The



problem is that here in Illinois our level of permanent partial benefits are so much higher than they are in any of our surrounding states. For example, assume the case of an individual who has a 50% loss of use of the second finger. In the State of Michigan that injury would be worth 33 hundred dollars. In Wisconsin that injury is worth 14 hundred and 62 dollars. In Indiana, which is where Caterpillar plans to expand, that same injury is worth one thousand, 312 dollars. But, in Illinois, that injury is worth six thousand, 181 dollars. Now, I'm not standing here trying to tell you how much a person's finger, or leg, or foot is worth. Obviously, there's no way that we can compensate a person for the loss of any member or the restriction of a member, but I'm only here to point out to you that the benefits here in Illinois are way and above greater than they are in any other state. And, if we want to compete with other states, we're going to have to address the area of permanent partial disability. This is the area that's draining 60% of the worker's compensation costs in the State of Illinois. This is the area which, to a great extent, has become the playground for the trial lawyer in Illinois. It's the area where a large cash settlement is available, and that's the method that's being used to bring claims against employers in Illinois that result in awards for such things as scars for people who have never lost a day's work, for a restriction of members which, I think, to a great extent, the Industrial Commission is basing on standards that they have adopted in past years that would be higher than what they might be adopting now under our mandatory standards if we should adopt them here. Mr. Speaker and Ladies and Gentlemen of the House, I think this is the only Amendment that has been offered tonight and will be offered which will have any major effect on worker's



compensation costs in Illinois. If we're ever ^{265.} to
attack this problem, we need to begin here, and I urge
an 'aye' vote on this Amendment."

Speaker Bradley: "The Gentleman from Madison, Mr. McPike."

Schuneman: "Mr. Speaker...Mr. Speaker...Mr. Speaker."

Speaker Bradley: "Yes, Mr. Schuneman."

Schuneman: "Would I be in order, Sir, to request that we have
an Oral Verified..."

Speaker Bradley: "We're..."

Schuneman: "...Roll Call on this particular Amendment?"

Speaker Bradley: "We're going to have an Oral Verified Roll
Call. Yes, Sir. Mr. McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. I think Representative Schuneman and I have
finally found a place that we can agree. I agree that
we can reduce the cost of worker's comp for the employer
community if we're willing to decrease the benefits
to the employees, and I've said that all along. If we
want to roll back the benefits to 1975, we can reduce
the cost to the employers. I do get sick and tired of
hearing...of hearing that in Illinois we are one of the
highest in the country. We rank 24th in the country in
cost to the employer community. We're not driving
business to the south. Arizona, Arkansas, Florida,
Kentucky, Louisiana, New Mexico, Texas, all have higher
costs than we do, and we're not above other industrial
states. California, Michigan, New Jersey, Pennsylvania,
etcetera, etcetera, all have higher costs in workmen's
compensation than we do. We rank 24th in the country.
Now, no government agency puts out these statistics.
These statistics are put out by the National Council
on Compensation Insurance. So, 24th is a very average
place to be. We're five cents below the average,
nationwide in the cost of workmen's comp, but we can
reduce that to the employer community. We can reduce
that very easily. We can reduce it by taking money



out of the pocket of an injured employee. Now, let's examine and see exactly what this Amendment does. Under workmen's comp you get medical benefits, you get payments while you're off work, and you also get a lump sum settlement because of the fact that you have a partial disability for the rest of your life. Now, that partial ...that lump sum settlement has nothing to do with the fact that you may or may not go back to the same job. It's got nothing to do with that fact at all. It's a settlement, because you are now partially disabled for the rest of your life. And, under current law, if a carpenter loses an arm, he gets 78 thousand dollars, and if we go with this, he gets 41 thousand. So, what we're saying to a carpenter with one arm, and that is a mangled arm...a mangled arm that he'll never use again... 100% loss of use of that arm, and he'll never be a carpenter again...what we're saying to him is, 'Forty-one thousand should be enough to compensate you for that disability for the rest of your life.' We're saying to a bricklayer, 'You mangle your hand, and you can never use your hand again. Under current law you get 60 thousand. Under this Amendment you get 35 thousand. You might never be a bricklayer again the rest of your life, but that's tough.' To a steelworker who loses hearing in both ears, he gets 52 thousand dollars. This reduces it to 35 thousand dollars. Thirty-five thousand dollars. He'll never hear his wife and his children talk again. He'll never hear music. He will never be...never hear anything again. He'll be handicapped the rest of his life, and so all we're saying here is that, yes, Representative Schuneman is right. We can cut costs. If that's our aim, we might not just reduce it to 66 and two-thirds. We might reduce it 10% a year for 10 years and just wipe it out. We could take the recommendations of the Nixon



administration in 1972 who said that we should increase these year by year till they come up to a decent level. We haven't done that. We've limited it at 100% state-wide average weekly wage maximum, but never more than two-thirds of your salary times so many weeks for the injury. So, the question is a very simple one. Are we going to save employers money by taking...are we going to save employers expense in workmen's comp by taking the money out of the pocket of an injured worker? If that's what you intend to do, support this Amendment. If you think that an employee, who has a permanent handicap the rest of his life, no matter what it may be, should not be adequately compensated, then vote for this Amendment. If you think he should be adequately compensated, then vote against it."

Speaker Bradley: "The Gentleman from Marion, Mr. Friedrich. The Gentleman from DeKalb, Mr. Ebbesen. You...I didn't see you. I thought..."

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

Speaker Bradley: "All right. The Gentleman moves the previous question. All in favor of the Gentleman's motion signify by saying 'aye'. Opposed, 'no'. The 'ayes' have it. The Gentleman, Mr. Schuneman, to close the debate."

Schuneman: "Well, thank you, Mr. Speaker. The first thing I want everyone here to understand is that we're not reducing benefits for anyone who has already been injured and whose claim is being considered. What we're talking about is reducing benefits for the future. Secondly, the figures that have been put out by the other side about the worker compensation costs and the ranking of Illinois among the states are absolutely phony figures. They have nothing to do with reality, and I think the people that are using the figures know that. If you would compare the rates in Illinois for



the same type of work in other states, you'll find that Illinois is, indeed, higher than most other states. Now, if you want to add up all the rates that are used in Illinois and all the rates that are used in other states, then perhaps the figures may be correct. But, you should not interpret those figures in the manner that the speaker has interpreted them. Another thing I want to point out to you is that this Amendment, in no way, affects people who have a complete amputation. Those people, in fact, not only receive 100% of the state-wide average weekly wage for permanent partial, but actually receive 133% of that figure. So, there's no intent here to take away money from injured employees who may be...who may suffer amputations⁵. The other question I think we need to pose to ourselves when we consider benefits for employees is the question of how many...how much benefit an employee can expect to receive if he has no job. That's really what we're talking about here. We have to come up with some kind of a trade-off for employee benefits on one hand and employer costs on the other hand. We've gone too far down the line of affording employee benefits, and the cost to our employer groups has become entirely too high. We've brought about the loss of jobs in Illinois, and I'm sure both of us on both sides of the aisle recognize that as being a fact. We need to reverse that trend. If we're going to begin the reversal, we need to begin here, and we should adopt this Amendment. I urge its adoption."

Speaker Bradley: "All right. The Members will be in their seats. We'll have an Oral Verified Roll Call. We ask you to sing it out loud and clear 'aye' or 'nay', so the Clerk can hear you and press your button at the same time."

Clerk Leone: "Abramson."



Speaker Bradley: "Just a minute. Let's have some order. Turn Mr. Schuneman off. All right, proceed with the call of the Roll. The question is, 'Shall this Amendment be adopted?' All in favor will vote 'aye'. Opposed will vote 'no'."

Clerk Leone: "Abramson. Abramson passes. Ackerman. Ackerman votes 'aye'. Alexander. Alexander votes 'no'. Anderson. Anderson votes 'aye'. Balanoff."

Speaker Bradley: "Mrs. Balanoff to explain her vote. For one minute."

Balanoff: "I just want to correct an implication made by the Sponsor of this Bill. He quoted a figure that Indiana paid a lower benefit, and in the same breath he said that Caterpillar Tractor moved to Indiana. I would like the Members of the House to know that Caterpillar Tractor bought that land in Indiana in 1975 before the workmen's comp Bill was passed. I vote 'no'."

Clerk Leone: "Balanoff votes 'no'. Barnes. Barnes votes 'aye'. Beatty. Beatty votes 'no'. Bell. Bell votes 'aye'. Bianco. Bianco votes 'aye'. Birchler. Birchler votes 'no'. Birkinbine. Birkinbine votes 'aye'. Bluthardt. Bluthardt votes 'aye'. Borchers."

Speaker Bradley: "Borchers."

Clerk Leone: "Borchers votes 'aye'. Boucek. Boucek votes 'aye'. Bower. Bower votes 'aye'. Bowman. Bowman votes 'no'. Bradley. Bradley votes 'no'. Braun. Braun votes 'no'. Breslin. Breslin votes 'no'. Brummer. Brum..."

Speaker Bradley: "Mr. Brummer to explain his vote for one minute."

Brummer: "Yes, everyone has their own theory about why worker's compensation costs money. I think there's a good deal of consensus that much of it is the lack of organization. Some would call it chaos that has existed over at the Industrial Commission. Those are



some changes that we cannot make. I would hope that we do not...that we do not make the injured employee the scapegoat of the whole system. We are dealing here with a question of whether or not an individual who has received permanent for the rest of his life...permanent partial disability. I do not think we ought to take benefits away from that injured worker."

Clerk Leone: "Brummer votes 'no'."

Brummer: "No."

Clerk Leone: "Bullock. Bullock votes 'no'. Burnidge. Burnidge votes 'aye'. Campbell. Campbell votes 'aye'. Capparelli. Capparelli passes. Capuzi. Capuzi votes 'aye'. Casey. Casey votes 'aye'. Catania. Catania votes 'no'. Chapman. Chapman votes 'no'. Christensen. Christensen votes 'no'. Collins. Collins votes 'aye'. Conti. Conti votes 'aye'. Cullerton. Cullerton votes 'no'. Currie. Currie votes 'no'. Daniels. Daniels votes 'aye'. Darrow."

Speaker Bradley: "Darrow passes."

Clerk Leone: "Darrow passes. Davis. Davis votes 'aye'. Dawson."

Speaker Bradley: "Dawson votes..."

Clerk Leone: "Dawson..."

Speaker Bradley: "No."

Clerk Leone: "Dawson votes 'no'. Deuster. Deuster votes 'aye'. DiPrima. DiPrima votes 'no'. Domico. Domico votes 'no'. Donovan. Donovan votes 'no'. Doyle. Doyle votes 'no'. John Dunn."

Speaker Bradley: "Dunn passes."

Clerk Leone: "Dunn passes. Ralph Dunn. Ralph Dunn votes 'aye'. Dyer. Dyer votes 'aye'. Ebbesen."

Speaker Bradley: "Aye."

Clerk Leone: "Ebbesen votes 'aye'. Epton. Epton votes 'aye'. Ewell."

Speaker Bradley: "Passes."



Clerk Leone: "Ewell passes. Ewing."

Speaker Bradley: "Mr. Ewing to explain his vote for one minute."

Ewing: "Mr. Speaker and Ladies and Gentlemen of the House, a to...a permanent partial disability can be as slight as a minor scar on your hand. There is excesses in this program. We all know it, and I vote 'yes'."

Speaker Bradley: "Ewing, 'aye'."

Clerk Leone: "Ewing votes 'aye'. Farley. Farley votes 'no'. Flinn."

Speaker Bradely: "Passes."

Clerk Leone: "Flinn passes. Virginia Frederick. Virginia Frederick votes 'aye'. Dwight Friedrich."

Speaker Bradely: "Fried...Mr. Friedrich to explain his vote."

Friedrich: "We've had a lot of oratory from two or three people on the other side of the aisle. I just want to remind them there won't be any workmen's compensation claims at Wisconsin Steel, because they don't have a job. There's 700 people at North American Rockwell that won't have any compensation claims, because they don't have a job. The company's losing money, and I just want you to remember that. You can put all these things on you want, but if you haven't got a job, you're not going to have a workmen's compensation claim, either. The other thing I want to point out, you're talking about how much money the companies...insurance companies are making. My agency represents 10 companies. We haven't got one that will take a workmen's compensation policy, except under assigned risk. If it's such a big deal, why aren't these companies out getting it. The people that are making these statements just plain don't know what they're talking about."

Speaker Bradley: "How do you vote, Sir?"

Clerk Leone: "Dwight Friedrich votes 'aye'. Gaines."

Speaker Bradley: "Mr. Gaines to explain his vote for one minute."



Gaines: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As a person who was born with a physical handicap, I know what a person who has a physical handicap has to give up. You have to give up all the things that everybody else does as a matter of course. And, you're going to take away from a person who loses the facilities of life of enjoyment as you have it during a time of inflation...you're going to sentence him or her to poverty. All these other Amendments were technical, and a lot of them have to do with people who were not seriously injured. But, here you're going to take persons who no longer would be able to bowl, no longer would be able to dance with their wife or husband, no longer able to do all the things that you take for granted, and I say this, that all of you who claim to be sensitive human beings are not being sensitive when you punish the person who's been injured."

Clerk Leone: "Gaines votes 'no'. Garmisa. Garmisa votes 'no'. Getty. Getty votes 'no'. Giorgi. Giorgi votes 'no'. Goodwin. Goodwin votes 'no'. Greiman. Greiman votes 'no'. Griesheimer."

Griesheimer: "Mr. Speaker, I've sat back tonight and listened to a number of Legislators who otherwise appear to be intelligent beings indicate they don't have the slightest idea what workmen's compensation is all about, and I don't intend to be an educator here, but for God's sakes, our country's based on a theory that you recover from a person when he wrongfully hurts you. A number of years ago we adopted workmen's compensation so an employee could obtain some form of compensation when they were injured...nowhere near the amount they would get through negligence. Now, what you're doing is imposing a different standard upon that employer, and what you're doing is completely turning our system around and in



so doing, you're killing the goose that lays the golden egg, and if you don't think so, ask John Matijevich. We've lost three of our biggest businesses in Lake County, and you're going to lose them throughout the State of Illinois. Get your heads screwed on right and really consider what you're doing here."

Speaker Bradley: "Proceed."

Clerk Leone: "Griesheimer votes 'aye'."

Speaker Bradley: "Mr. Dunn, for what purpose do you rise?"

Dunn J.: "Mr. Speaker, there's a lobbyist for the Illinois State Chamber of Commerce on the floor. I wish he would leave."

Speaker Bradley: "All those...those people not entitled to the floor, please remove themselves. Where is he, Mr. Dunn? All right. Proceed with the Roll Call."

Clerk Leone: "Grossi. Grossi votes 'aye'. Hallock. Hallock votes 'aye'. Hallstrom. Hallstrom votes 'aye'. Hanahan."

Hanahan: "Mr. Speaker and Members of the House, you know, a couple of statements that were made here tonight... just so asinine trying to compare, you know, what the cost of a finger is, or what the cost of a hand, or a leg. I just wonder how many Members of the House would like to sell the finger and at what price to place on that eye or that leg. I wonder how many people would like to go to Indiana and get a thousand dollars to lose a finger and giving it to your employer. You know, to compare some of these things is as silly as a comparison the manufacturers use in their argument that somehow the iron workers in the construction trade are a high level rate. Let's stop and think of that. Why didn't the Illinois Manufacturer's Association stay in their own business? What did they get into construction for? Yeah, why did they use an example that they don't represent? It's silly, because they



can't really take good comparisons between their own system and make it credible. To hear people talk about, you know, it's a scar that you might get an award for. It's also a nub, and it might be also an eye that's left in the socket of your head so it could bleed and fester. The difference between taking it out and putting something in that isn't normal versus keeping the old organ on or in your eye socket. Is that what you want? This is an absolute tragedy to put the whole burden of the workmen's compensation costs on the awards of the injured worker. For shame. That's your attitude. That's your charitable attitude to the injured workers that give so much...that make this the most productive country in the world. You want to take it out on them, not take it out on the greed of the insurance companies. For shame."

Clerk Leone: "Hanahan votes 'no'. Hannig. Hannig, 'no'. Harris."

Speaker Bradley: "Harris. Mr. Harris to explain his vote."

Harris: "Mr. Speaker and Ladies and Gentlemen of the House, how would you vote? Ask yourself how would you vote if you had been injured in a coal mine accident...in an accident in the plant? How would you vote? How would you vote if your father had been injured in a coal mine accident or in an injury in a plant? The answer's plain and simple. You'd vote 'no'."

Clerk Leone: "Harris, 'no'. Henry."

Speaker Bradley: "Mr. Henry to explain his vote."

Henry: "Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I've sit all evening noticing two things, and I would like to bring it. make it very very clear. It appears over this Session that the other side of the aisle has been talking about tax breaks for machines. They have been talking about tax breaks for bricks in water. Well, I'm proud to be on the side of the House that gives tax breaks for people



or give people breaks. It just so happens I believe, Mr. Speaker, is that the working class of people need more help, and we are talking about taking it from them when inflation and the cost of living is rising. You're saying a person loses an arm that might not ever use that arm again. You're saying reduce it. I can't go for that, Mr. Speaker, so record me as 'no'."

Clerk Leone: "Henry, 'no'. Hoffman. Hoffman, 'aye'. Hoxsey. Hoxsey votes 'aye'. Hudson."

Speaker Bradley: "Mr. Hudson to explain his vote."

Hudson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Amendment 24...Amendment 24. It seems abundantly clear by now that the opposition to workmen's comp. reform is disinclined toward any real reform. Is implacably opposed to almost anything that will really reduce costs and bring the beleaguered Illinois businessmen some relief. I have heard a lot of talk tonight about how...how concerned we are about the Illinois working man. It seems to me if we were truly concerned about the Illinois working man, we'll create or help create, in the State of Illinois, a business climate that will keep jobs here...will bring jobs in here. I think that's the way we can help the working man. Give him an opportunity to work. That's the best way to help the working man."

Clerk Leone: "Hudson votes 'aye'."

Speaker Bradley: "Mr. Hudson, how do you vote?"

Hudson: "I am voting 'aye'."

Speaker Bradley: "Record him as 'aye'."

Clerk Leone: "Hudson votes 'aye'. Huff."

Huff: "Yes, Mr. Speaker, in explaining my vote, I would just simply like to make this observation that perhaps the costs of workmen's compensation will go down when we decide to regulate the insurance companies and their free wheeling and thoroughly unsubstantiated rate struc-



ture. I vote 'no'."

Clerk Leone: "Huff votes 'no'. Huskey. Huskey votes 'aye'. Jaffe. Jaffe votes 'no'. Johnson. Johnson passes. Dave Jones. Dave Jones votes 'aye'. Emil Jones. Emil Jones passes. Kane. Kane votes 'no'. Karpziel. Karpziel votes 'aye'. Katz. Katz votes 'no'. Keane. Keane votes 'no'. Kelly. Kelly votes 'no'. Kent. Kent votes 'aye'. Klosak. Klosak votes 'aye'. Kornowicz. Kornowicz passes. Kosinski. Kosinski passes. Krska. Krska votes 'aye'. Kucharski. Pardon me. Krska votes 'no'. Kucharski. Kucharski votes 'no'. Kulas. Kulas votes 'no'. Laurino passes. Lechowicz. Lechowicz passes. Leinenweber. Leinenweber votes 'aye'. Leon. Leon votes 'no'. Leverenz. Leverenz passes. Macdonald. Macdonald votes 'aye'. Madigan. Madigan votes 'no'. Mahar. Mahar votes 'aye'. Margulas. Margulas votes 'aye'. Marovitz. Marovitz votes 'no'. Matijeovich. Matijeovich votes 'no'. Matula. Matula votes 'aye'. Mautino. Mautino passes. McAuliffe. McAuliffe votes 'aye'. McBroom."

Speaker Bradley: "Mr. McBroom to explain his vote."

McBroom: "Well, not to explain my vote, Mr. Speaker and Members of the House. I have heard here for several hours about the travesty on the working man, the travesty on the business man. I think we ought to be concerned maybe about the travesty on the Members and the travesty on the people in the gallery. I can understand my good friend Representative Hanahan's personal concern on this matter. I can understand Representative Gaines' explanation of the vote. But about half of the Members have explained their vote. It is not changing any votes. I would hope that midway in the Roll Call we will not have another 25...30 explanations of votes. I vote 'aye'."

Speaker Bradley: "Your point is well taken. Continue."

Clerk Leone: "McBroom, 'aye'. McClain. McClain votes 'no'."



McCourt. McCourt votes 'aye'. McGrew. McGrew passes. McMaster. McMaster votes 'aye'. McPike. McPike votes 'no'. Meyer. Meyer votes 'aye'. Molloy. Molloy votes 'no'. Mugalian. Mugalian votes 'no'. Mulcahey. Mulcahey votes 'no'. Murphy. Murphy votes 'no'. Neff. Neff votes 'aye'. Oblinger. Oblinger votes 'aye'. O'Brien. O'Brien passes. Patrick. Patrick votes 'no'. Pechous. Pechous votes 'no'. Peters. Peters votes 'aye'. Piel. Piel votes 'aye'. Pierce. Pierce votes 'no'. Polk. Polk votes 'aye'. Pouncey. Pouncey votes 'no'. Preston. Preston passes. Pullen. Pullen votes 'aye'. Rea. Rea votes 'no'. Reed. Reed votes 'aye'. Reilly. Reilly votes 'aye'. Richmond. Richmond votes 'no'. Rigney. Rigney votes 'aye'. Robbins."

Speaker Bradley: "Mr. Robbins to explain his vote for one minute."

Robbins: "McPike a while ago made the point that there was over 500 cases on hearing alone on workmen's compensation that goes back five years. Now when we have a system that a man gets injured and can't collect in five years, there needs to be some bad changes made very badly. This may not be the way to do it, but I am going to vote 'aye' because we have got to start changing something so the man that's hurt can get what he needs."

Clerk Leone: "Robbins votes 'aye'. Ronan. Ronan passes. Ronan votes 'no'. Ropp. Ropp votes 'aye'. Ryan. Ryan votes 'aye'. Sandquist. Sandquist votes 'aye'. Satterthwaite. Satterthwaite votes 'no'. Schisler. Schisler votes 'no'. Schlickman. Schlickman votes 'no'. Schneider. Schneider votes 'no'. Schoeberlein. Schoeberlein votes 'aye'. Schraeder."

Speaker Bradley: "Mr. Schraeder to explain his vote."

Schraeder: "Well, Mr. Speaker, there were two Amendments just prior to this one that would've done something for the injured employee, but the two Amendments were withdrawn, and it was reported by the United Press that one of



these, quote, comp lawyers, whatever that means, and I've got my description of them, talk about abuses of the working man. One of them had 34 cases in one day, and he only got \$49,000. Now, if that's only half correct, that's still a rip-off. And, then there's a Gentleman that serves in the House of Representatives that claims he's an expert on comp, and he didn't do too bad on 12 cases in one single day. It was reported by the press that he got \$7,600. Now, if this the kind of people that are representing the labor movement, and the labor, and the injured worker in the State of Illinois, then we'd better take a good, hard look at it. And, I'm saying one thing, that if we don't keep business in the State of Illinois and make things more profitable or at least a decent profit and keep some of these..."

Speaker Bradley: "How do you vote?"

Schraeder: "A big 'aye'."

Speaker Bradley: "Continue."

Clerk Leone: "Schraeder, 'aye'. Schuneman."

Schuneman: "Mr. Speaker, we have some people with us here today in the gallery, the good people who are employed in industries throughout Illinois, and I'm sure that they're here to lobby against Amendments like this one, but I want to point out to them and to others of my colleagues here that in just a few months I think we're going to hear a different cry in Illinois, and it's going to be...it's going to be a desperate cry, and it's going to have to do with unemployment. There are many people in the gallery who represent...who work for companies who are already laying people off. And, the layoffs are going to get worse, and worse, and worse, and to some extent those layoffs are going to be due to the excesses in workmen's compensation insurance in Illinois. This is a moderate step to roll back some



of those benefits. I vote 'aye'."

Clerk Leone: "Schuneman, 'aye'. Sharp. Sharp votes 'no'.
Simms. Simms votes 'aye'. Skinner. Skinner votes
'aye'. Slape. Slape votes 'no'. Stanley. Stanley
votes 'aye'. Stearney. Stearney passes. Steczo.
Steczko votes 'no'. E. G. Steele. E. G. Steele votes
'aye'. C. M. Stiehl. C. M. Stiehl votes 'aye'.
Stuffle. Stuffle votes 'no'. Sumner. Sumner votes
'aye'. Swanstrom. Swanstrom votes 'aye'. Taylor.
Taylor votes 'no'. Telcser."

Speaker Bradley: "Telcser."

Clerk Leone: "Telcser votes 'aye'. Terzich. Terzich passes.
Totten. Totten passes. Tuerk. Tuerk votes 'aye'.
Van Duyne. Van Duyne votes 'no'. Vinson."

Speaker Bradley: "McBroom's rules."

Vinson: "Mr. Speaker, I thought about Mr. McBroom's admonition,
and I listened very carefully to Mr. Hanahan's speech.
But, after reading the papers this week, I know he's
given very careful consideration to what the value of
a lost organ is, and, therefore, I vote 'aye'."

Clerk Leone: "Vinson votes 'aye'. Vitek. Vitek passes.
VonBoeckman. VonBoeckman votes 'no'. Walsh. Walsh
votes 'aye'. Watson. Watson votes 'aye'. White.
White votes 'no'. Wikoff."

Speaker Bradley: "For one minute to explain his vote."

Wikoff: "Thank you, Mr. Speaker. I very seldom explain my
vote, but as an employer and also one who's been
injured in a construction in...accident, I can attest to
the fact that we all support the premise that the
injured worker should be compensated for his injury,
but the travesty that the permanent partial compensation
portrays on the workmen's compensation system is the
biggest abuse on the system. It's an injustice to the
individual who is injured and deserving of compensation,
and I vote 'aye'."



Clerk Leone: "Wikoff votes 'aye'. Willer. Willer passes.^{280.}
Williams. Williams passes. Williamson. Williamson
votes 'no'. Winchester. Winchester votes 'aye'.
J. J. Wolf. J. J. Wolf votes 'aye'. Sam Wolf.
Sam Wolf votes 'no'. Woodyard. Woodyard votes 'aye'.
Younge. Younge votes 'no'. Yourell. Yourell votes
'no'. Mr. Speaker."

Speaker Bradley: "Mr. Vitek, how do you wish to be recorded,
Sir?"

Vitek: "Aye."

Speaker Bradley: "All right. Mr. Vitek votes 'no', and
the Speaker votes 'no'. All right. Now, poll the...
call the absentees. I think that would be the best
way to do this."

Clerk Leone: "Abramson."

Speaker Bradley: "Passes."

Clerk Leone: "Capparelli. Capparelli votes 'no'. Darrow.
Darrow votes 'no'. John Dunn."

Speaker Bradley: "Passes."

Clerk Leone: "John Dunn passes. Ewell."

Speaker Bradley: "Ewell passes."

Clerk Leone: "Passes. Flinn. Flinn votes 'no'. Johnson.
Johnson votes 'aye'. Emil Jones. Emil Jones votes
'no'. Kornowicz. Kornowicz votes 'no'. Kosinski.
Kosinski votes 'no'. Laurino passes. Lechowicz."

Speaker Bradley: "Passes."

Clerk Leone: "Lechowicz passes. Leverenz. Leverenz votes
'no'. Mautino."

Speaker Bradley: "Mautino to explain his vote for one minute."

Mautino: "Thank you, Mr. Speaker. This is a very interesting
Amendment that my colleague from the 37th has presented
before us. Two years ago, we reduced the benefits from
200% down to the 66 and two-thirds, also taking away
the 166% increase that was included in the original
legislation. For those of you that don't understand
how the 66 and two-thirds in the existing law is arrived



at, almost 80% of the workers in the State of Illinois would be covered by it. By reducing this 100% benefit down, you're affecting about 20% of the workers in the construction industry...those heavy trades. The formula says that in order to...what you're doing here is to have a person making \$450 a week. Cut in benefits is basically what we're talking about."

Speaker Bradley: "How do you wish to be recorded, Mr. Mautino?"

Mautino: "I don't believe in taking benefits from an injured worker. I vote 'no'."

Clerk Leone: "Mautino votes 'no'. McGrew."

Speaker Bradley: "Passes."

Clerk Leone: "McGrew passes. O'Brien."

Speaker Bradley: "Mr. O'Brien to explain his vote for one minute."

O'Brien: "Mr. Speaker and Members, I'm going to vote 'aye' for this Bill, and, in explaining my vote, I think it's time that we faced realities in the State of Illinois in relation to workmen's compensation. I think that everybody's going to have to pay a little bit, and everybody's going to have to give a little bit. That includes the unions, that includes the lawyers, and it also includes business. All of the Amendments and all of the legislation that we've discussed tonight has failed to deal with anything in relation to the policies and the procedures that the Industrial Commission presently operates under. I intend to introduce legislation to study that matter...to come up with some procedures, and I hope I get some support. And, at that time, I think we have some recommendations to stop some of the things that are going on over at the Industrial Commission and take care of those workers that really deserve something and get rid of those false claims that are there. I vote 'aye' on this."

Speaker Bradley: "Continue with the poll of the absentees."



Clerk Leone: "O'Brien votes 'aye'. Preston. Preston passes."

Speaker Bradley: "Mr. Friedrich, for what purpose do you rise?"

Friedrich: "I want to know where in...under the rule on the Oral Roll Call that you find a provision for calling the absentees. I've read it and reread it four times. It's not in there."

Speaker Bradley: "The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker. On page 357, Dwight, it says when the Roll...call of the Roll is complete, the Speaker shall call for any further votes. The Members may be recognized to vote. It's right in the rules."

Speaker Bradley: "And, this was the simplest way, in my opinion, to do it. There was...it's better than bouncing up one at a time. All right. Continue."

Clerk Leone: "Stearney. Stearney passes." Terzich."

Speaker Bradley: "Mr. Terzich."

Terzich: "Yes, Mr. Speaker, Representative Capparelli advised me I'd have to file a workmen's compensation claim if I didn't vote 'no', so vote me 'no'."

Clerk Leone: "Terzich votes 'no'. Totten. Totten votes 'aye' Willer. Willer votes 'no'. Williams. Williams passes."

Speaker Bradley: "On this question there are 83 'ayes' and 85 'noes', and the Gentleman's motion...Mr. Preston, for what purpose do you rise?"

Preston: "Mr. Speaker, would you record me as voting 'no'."

Speaker Bradley: "Record Mr. Preston as 'no'. Mr. Dunn."

Dunn J.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'll vote 'no'."

Speaker Bradley: "Record the Gentleman as 'no'. Mr. McGrew, for what purpose do you rise?"

McGrew: "Record me 'no'."

Speaker Bradley: "Record the Gentleman as 'no'. On this question there are 83 'ayes' and 88 'noes', and the motion fails. Further Amendments?"

Clerk Leone: "Floor Amendment #25, Johnson-et al, amends Senate Bill 1739 as amended."



Speaker Bradley: "The Gentleman from Champaign, Mr. Johnson."

Johnson: "Mr. Speaker and Members of the House, with leave of the House I'd like to open and let Representative Hanahan close. This Amendment has diverse sponsorship from both sides of the aisle, and from labor, and from business, and I think speaks directly to many of the problems of the workmen's compensation system. What the Amendment basically does is to repeal the Workmen's Compensation Act and to restore the common law system of liability, at the same time, eliminating some of the... some of the Nineteenth Century defenses that so often were used in the common law system that denied liability. To those in the business community who say that workmen's compensation is driving business from the state, this Bill says...will eliminate that problem. To those in the labor community who say that recoveries are unduly limited and that \$40,000 is not enough for a leg, this says under the common law system, you have the opportunity with no ceiling. To those who are concerned about providing a quick, certain remedy in return for limited liability, this speaks to that system. The quickness is no longer there because of the way the system operates. We've heard testimony to that effect. The certainty is no longer there, because we don't have standards and, at the same time, the limited recovery isn't there. At least, to the extent that people feel it ought to be because of the 1975 Act. I think Representative Hanahan had this idea and initially tried to attach it onto another Bill. I'm informed that the Illinois manufacturers support it...that at least labor has considered it. Representative Hanahan can speak better than I to that, and I think this touches on many of the problems that are hit, and I think you ought to look at it a lot more closely than an initial glance and consider that this might really solve the problems of workmen's comp."



Speaker Bradley: "The Gentleman from Cook, Mr. Cullerton, the Gentleman who knows those rules very well."

Cullerton: "Will the Sponsor yield?"

Speaker Bradley: "He indicates he will."

Cullerton: "Mr. Johnson, under the present workmen's compensation system, can an injured worker recover for pain and suffering?"

Johnson: "No, he cannot."

Cullerton: "If the workmen's comp was abolished, and he sued and went to civil court, could he then recover compensation for pain and suffering?"

Johnson: "He could. In fact, yes. The answer's yes, he could."

Cullerton: "Thank you."

Speaker Bradley: "Further discussion? The Gentlemen from Will, Mr. Leinenweber."

Leinenweber: "This subject has been discussed a long time, so I move the previous question."

Speaker Bradley: "The question is, 'Shall the main question be put?' All in favor say 'aye'. Opposed, 'no'. The 'ayes' have it. Mr. Hanahan to close the debate."

Hanahan: "Mr. Speaker and Members of the House, you know, I'm always amused sometimes about some people are saying about how bad workmen's compensation is in this state. I'm especially amused by...when I go to Chamber of Commerce meetings, and I can see that the public relations war has been won by the Republicans when they say that workmen's compensation in Illinois is such a bad, bad Bill. It's such a bad law. Look at what we've done to the business community, and curiously, I asked a group of businessmen a couple of months ago if they believe that we should abolish the workmen's compensation, and, you know, almost every man in that audience said, 'Yes'. And, I...it brought to mind when Bob McCarthy served over in the Senate that he used to do



this every now and then to bring about a little education about just who is really benefited by a workmen's compensation law such as the one we have in Illinois. The fact is that the business community needs workmen's compensation a hell of a lot more than the injured worker who has his hand lost or loses his eye or his life. About 95%, I think, the figure is...is...in the cases that are before workmen's comp...the Industrial Commission on workmen's compensation have some faults attached to it, and that's a fact. So, if we removed workmen's compensation from the statute books, we would revert back to the courts, and we'd be able to sue for whatever things or whatever our injuries were worth, including pain and suffering, Representative Cullerton. If I got headaches, maybe I could get an award for that, too, out of a court of law. But, the fact is, workmen's compensation right now limits what your eye is worth, limits what your leg is worth, limits what your life is worth. You know, if an injured worker loses their life, the maximum is a quarter of a million dollars. I wonder how many of you would sell your life for a quarter of a million dollars. So, perhaps, maybe the real issue is let's see how long it would take for the business community to jump in and make sure we protect the workmen's compensation law. Let's see the...let's see how the business community feels if we threaten to abolish it. Who would be the first ones down here to make sure you keep a workmen's compensation law in the books, because they're the ones who are protected by it? Not the poor injured worker. He's been actually penalized under the Workmen's Compensation Act. He's being limited from his awards, and like Representative Dawson did in Committee by allowing all this debate to come out, we have now got an educational process that has taken place. The fat cats of labor that were



too worried about ERA to worry about what was going on down here on workmen's compensation thought, for example, that this was just a charade. We didn't have to worry about the workmen's compensation law, but, you know, somehow they got worried, and we won tonight because they're worried. But, if they did what they were doing the last month, we would've lost tonight. Now, maybe perhaps...maybe the business community ought to realize how good workmen's compensation is in this state..."

Speaker Bradley: "Would the Gentleman bring his remarks to a close, please?"

Hanahan: "...and how good the statute is, and the reason I'm asking and Representative Johnson and others are asking for your vote on this is let's really and truly look at whether or not workmen's compensation in the 80's is as good as it was in 1900 when first adopted. Perhaps maybe we should re-evaluate the whole concept of no-fault workmen's compensation, because that's what we're talking about here. And, a good 'aye' vote would certainly bring about a re-establishing...re-establishment of an understanding of what workmen's compensation is all about."

Speaker Bradley: "The question's on the adoption of the Amendment. All in favor signify by saying 'aye'. Opposed, 'no'. It's the opinion of the Chair the 'noes' have it. All in favor signify by voting 'aye'. Opposed by voting 'no'. Mr. Skinner to explain his vote."

Skinner: "Mr. Speaker, I was going to ask one of the lawyers who are in favor of this, whether the...their...the lawyers' fee would increase from 20% of the workmen's comp to 33 and a third percent under this Bill. Is that a possibility, I wonder? Could some lawyer verify that? And, then after that, could somebody tell me what Hanahan's head would be worth?"

Speaker Bradley: "Have all voted who wish? On this question there are 20...18...the Clerk will take the record."



17 'ayes', 133 'noes'. Not quite a new record, but close. And, the Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #26, Jaffe-Greisheimer..."

Speaker Bradley: "The Gentleman from Cook, Mr. Jaffe."

Jaffe: "Yes, Mr. Speaker, Members of the House, Amendment 26 is really a...a very simple Amendment. You know, if there's ever an inequity under the law, I think it's..."

Speaker Bradley: "Turn Mr. Jaffe on."

Jaffe: "If ever there's an inequity to the law, I think it's to the employee, because under the present law the employee can only have recourse, you know, under workmen's compensation. No matter how negligent the employer is and no matter what action under law the employee might have, he can only proceed under workmen's compensation. And, what this Amendment really does is that it gives the employee the option of either filing under the Workmen's Compensation Act or, in lieu thereof, to seek recovery in accordance with any other provision of the law. In other words, he has a choice. Either he goes under workmen's compensation or he goes under the common law. I think this is a very reasonable approach. I think, as a matter of fact, this will lessen the burden on workmen's comp. It might have a few more negligence cases, but, nonetheless, I think it's a good Amendment, and I would urge an 'aye' vote on Amendment #26."

Speaker Bradley: "The Gentleman from Champaign, Mr. Johnson."

Johnson: "Well, I think...you know, I realize we're late in the Session and we're late in this...in the night and this Amendment, but I really think everybody ought to realize what the law is in respect to workmen's compensation. If you're in a...working in a factory, and you have an employer, who either recklessly or negligently causes your injury, you have no recourse against him. If you're injured in the same factory and



you go in and the doctor leaves a sponge in you or operates on the wrong leg, you have no recourse against the...that employer. We're saying with existing law that the most you can ever get for an amputated leg is \$40,000. That doesn't compensate anybody for an amputated leg. There's no provisions for pain and suffering. There's no provisions in effect for permanent disfigurement. All we're saying by this is that we want to promote safety in Illinois industry, and the way you promote safety is by allowing at least an option. I felt the exclusive remedy that we had under 25 was better, but at least an option. If somebody's reckless, if they...they're negligent, they fail you to use due care, if they're willful and wanton, at least you got the opportunity to roll the dice and choose that as a potential remedy and receive the damages that you ought to receive rather than the limits under workmen's comp. I think it's a reasonable approach. Business and labor ought to both support it, and just because deals have been cut on this Bill in previous Amendments, doesn't mean people shouldn't look to the merits of this issue. I think it's a very reasonable Amendment to a Bill that would put our system in concert with modern practices, and for those reasons I urge a 'yes' vote."

Speaker Bradley: "All right. Then, Mr. Griesheimer want to close the debate on this, Mr. Jaffe? Mr. Griesheimer do you want to close the debate?"

Bluthardt: "Mr. Speaker."

Speaker Bradley: "Mr. Bluthardt, for what purpose do you rise?"

Bluthardt: "If the Sponsor would yield to a question? Either of the Sponsors. We're talking about the old common law action for willful and wanton misconduct. I ask you the question, would the principle of assumption of risks apply as it did prior to workmen's compensation?"



Jaffe: "If he makes that...if he makes that assertion that he wishes to go under the common law, they would have the common law defenses, of course."

Bluthardt: "Well, then I would suggest that if that is the sole reason, in my opinion, we have workmen's compensation today is because it was almost impossible for an employee to recover any damages because of the principle and the defensive assumption of risk by the employee. When he took over that job, he assumed the risk of the job, and, therefore, he was frankly for..."

Jaffe: "No, I don't think you understand that."

Bluthardt: "...opportunity of collecting."

Jaffe: "No, in answer to your question, Ed, he can either go under workmen's comp or he can go under the common law. If he wants to go under common law, he can go under common law. If he wants to go under workmen's comp, the employee can make that choice."

Bluthardt: "But, if he went under common law, he would then have the defense...the employer would have the defense of assumption of the risk."

Jaffe: "That's right. But, that's his election, Ed. He can... it's his election."

Bluthardt: "Well, he wouldn't accept...or he wouldn't choose that option, in my opinion."

Speaker Bradley: "The question's on the Gentleman's motion. All in favor say 'aye'. Opposed 'no'. It's the opinion of the Chair the 'ayes' have it. All right. All in favor vote 'aye'. Opposed by voting 'no'. Have all voted who wish? The Lady from Champaign, Mrs. Satterthwaite, to explain her vote."

Satterthwaite: "Mr. Speaker and Members of the House, while this vote is getting up and so as not to waste the time of the House, not really pertinent to my vote on this particular Amendment, but on the issue in general, I have sat here silent during all these hours of debate



on this issue and have been irritated time and time again by reference to this as the Workmen's Compensation Act. For setting the record straight, I think we should put it on record that the name of this Act was changed several years ago. It is the Worker's Compensation Act, and it shows how much resistance there is to changing attitudes even after we've changed the law."

Speaker Bradley: "Have all voted who wish? The Clerk will take the record. On this question there are 24 'ayes' and 131 'noes', and the motion fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Bradley: "Third Reading. Senate Bill 1740."



Clerk O'Brien: "Senate Bill 1740, a Bill for an Act in relation to insurance and self insurance for work related injuries and diseases. Second Reading of the Bill."

Amendments # 1 and 2 were adopted in Committee."

Speaker Bradley: "Any motions?"

Clerk O'Brien; "No motions filed."

Speaker Bradley: "Floor Amendments?" "Floor Amendment."

Clerk O'Brien: "There is a motion to table Amendment #1 to Senate Bill 1740 by Representative Simms."

Speaker Bradley: "Representative Simms?"

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, filing the motion to table Amendment #1, what this would do is restore the Bill to the exact form in which it came over to the Senate and basically the Amendment that was placed on in Committee was an Amendment that does not have a great deal of foundation. It is more of a harassment type of Amendment to the insurance industry that would not..."

Speaker Bradley: "Mr. Simms, are you going to persist in this motion?"

Simms: "Yeah."

Speaker Bradley: "Okay. Then, we're going to read it a second time. It's been read. We're going to read the next three Bills a second time before midnight and we'll come back to them. All right. Read 1773."

Clerk O'Brien "Senate Bill 1773, a Bill for an Act to amend Sections of the Workers Compensation Act. Second Reading of the Bill."

Speaker Bradley : "Hold it on Second. Read 1828."

Clerk O'Brien: "Senate Bill 1828, a Bill for an Act to amend Sections of the Revenue Act. Second Reading of the Bill."

Speaker Bradley: "Hold it on Second Reading. 2019."

Clerk O'Brien: "Senate Bill 2019, a Bill for an Act to amend Sections of the Workers Compensation Act. Second Reading



of the Bill."

Speaker Bradley: "Leave it on Second. All right, now Representative Hoffman on 569. It's on.. Ask leave to return it to Second Reading. Hearing no objection, we'll return it to Second Reading. All right. Any Amendments on 569? Mr. Hoffman? Or, is there an Amendment?"

Clerk O'Brien: "Amendment #1, Davis-Conti-Kosinski-Capparelli ..."

Speaker Bradley: "Mr. Davis?"

Davis: "Well, thank you, Mr. Speaker and Members of the House. I suppose it's a bit anti-climatic after what we've just been through, however, I think this is a very important Amendment for those of you who have suffered with us through the last four years of the bi-lingual education program. Amendment #1 to Senate Bill 569 removes the mandate from the School Code ..."

Speaker Bradley: "Mr. Davis, it's late in the evening. But I think you want to withdraw 1 and go with 2."

Davis: "Why do I want to do that?"

Speaker Bradley: "The record is here marked that I think you want to.."

Davis: "I don't have it in front of me, Jerry."

Speaker Bradley: "All right. You want to withdraw 1.."

Davis: " That's what I want to do."

Speaker Bradley: "He withdraws 1. All right. Amendment #2, then."

Davis: "I knew I wanted to do that,"



Clerk O'Brien: "Floor Amendment #2 amends Senate Bill 569..."

Speaker Bradley: "Mr. Davis on Amendment #2."

Davis: "Yes, Ladies and Gentlemen, now we're on the right Amendment and the right topic. Bilingual education has been a thorn in many sides for many reasons for a long time. It's a notorious program that really does not work the way it's supposed to work under the School Code. The mandate itself in the School Code is a unique mandate to local government. What it says is that the subject is mandated, but there's no funding that follows the mandate. The effect of removing this mandate from the School Code would simply say this, you are no longer mandated to do it. It will have no force, in effect, on the money flow from the state to bilingual education if this General Assembly chooses to fund it. It will have no force, in effect, or no change in the local governments that are providing the funds except to say that if we don't choose to fund it, you're on your own. Fund it yourself, and it won't disturb the federal chain of match dollars from the local to federal government. Those of you who have agonized over this program are seriously concerned about keeping the message on about reducing the number of state dollars going to bilingual...should support removing this mandate from the School Code. In closing the opening argument, I might point out to you that tonight the Illinois Senate reduced the bilingual appropriation in 3067 to zero. Now, we all know that that will come back in a Conference Committee at some level, but I can only tell you, Ladies and Gentlemen, that the other chamber is just as concerned as we are concerned. I'd be glad to answer any questions, but I think, at this point in time, we'd better keep the message loud and clear that the State of Illinois should remove a mandate that we can't control. I ask for an affirmative vote."



Speaker Bradley: "The Gentleman from Cook, Mr. Bullock."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I stand in opposition to the Gentleman's motion. I don't think we need to throw the baby out with the bath water, so to speak. I'm certain that, at some point in time, our colleagues in the Senate will yield to reason and will see the infinite wisdom that this Legislature asserted when it, in fact, mandated bilingual programs. I further believe that we are all aware that the problem in large urban areas and in many downstate urban areas is quite significant and quite critical at this time. And, we've gone through this again and again, and I'm sure that the argument will continue in subsequent Sessions, but I certainly don't think that we ought to move as hastily as the Gentleman would like for us to do in totally eliminating this worthwhile program. We know that this program has not been all that it should be, but that's no reason for us to totally ameliorate the bilingual mandate at this time, and I certainly would ask the Members on this side of the aisle to join with me in opposing the Gentleman's Amendment."

Speaker Bradley: "Mr. Conti."

Conti: "...my vote. I'll explain my vote."

Speaker Bradley: "All right. He'll explain his vote. Mr. Skinner, do you want to explain your vote?"

Skinner: "No, I'd like to speak in favor of the...the Amendment."

Speaker Bradley: "Proceed."

Skinner: "I don't know which of the editorial cartoon characters that Representative Davis was, whether he was the hick farmer or the swifty city folk...city slicker, this editorial cartoon which was in the Chicago Sun Times. I suspect he was neither. He looks like a rather sedate suburbanite who is tired of having



his taxpayers' money ripped-off to finance a program which does not accomplish the goals which its Sponsor suggests. Am I correct, Representative Davis, that what you're trying to do is eliminate a mandate on the educational system? Could the Representative, who is the Sponsor of this Bill...or a Sponsor of this Amendment...?"

Davis: "Yes, Representative Skinner, for your information, I'm the hick farmer in the cartoon. The...that's precisely what we're trying to do...is just eliminate the mandate. The prior speaker, incidentally, was quite wrong. Eliminating the mandate will have no effect whatsoever...absolutely whatsoever since we only mandate the program in name only. The dollars that fund it can be funded without the mandate. We're simply sending another message..."

Skinner: "Well, then that obviously means that if the City of Chicago, for example, or the Rock Island School Board voluntarily wants to spend part of its hard scrounged tax dollars or state aid for bilingual education, that they can do so voluntarily. I'm in favor of that."

Davis: "That's precise..."

Skinner: "I hope we pass the Amendment."

Speaker Bradley: "All right. Mr...the Gentleman from Effingham, Mr. Brummer."

Brummer: "I move the previous question."

Speaker Bradley: "The Gentleman moves the previous question.

All in favor of the Gentleman's motion say 'aye'.

Opposed, 'no'. The 'ayes' have it. Mr. Davis to close."

Davis: "Well, Mr. Speaker, I defer to Mr. Conti, the Cosponsor of the Amendment, to close."

Speaker Bradley: "The Gentleman asks for a favorable Roll Call on Amendment #2. All in favor say 'aye'. Opposed, 'no'. It's the opinion of the Chair the 'noes' have it, and the motion fails. All right. All in favor vote 'aye'.



Opposed vote 'no'. Have all voted who wish? Have all voted who wish? Mr. Conti to explain his vote."

Conti: "No, Mr. Speaker,...the Amendment. I'm the hyphenated Sponsor of this Bill, and the Sponsor asked me to close, but I won't take the time of this Body tonight, and we've had a long day. In the explanation of my vote and also on a point of personal privilege, I certainly want to take exception to some of the dailies that came out last week, without mentioning names...called us prejudiced, biased, and race bigots. Now, let me tell you something. Those of you who know me and those of you who know what I stood for in the past twenty some odd years know that the last thing I am is a bigot. I've been trying to send a message to a department that's increased this budget some 800% in the last seven years. Certainly, I can't see anything wrong with this Amendment. Those of us who need it...those of us who want to expand on the program, we're leaving it optional to the municipalities. We're just taking the state mandate away from these municipalities that want to continue it, and if we feel that we have a need, and if someone could show me that after going up 800% with this program year after year after year that only three and four percent are going back into the mainstream, then I am a race bigot, and I am prejudiced. But, I want to send my message loud and clear, and until I do I'm going to continue voting for Amendments such as this."

Speaker Bradley: "Have all voted who wish? The Clerk will take the record. On this question there are 75 'ayes' and 85 'noes', and the Gentleman's motion fails. Further Amendments?"



Clerk O'Brien: "Floor Amendment #3, Hoffman, amends Senate Bill 569 on page one, line one."

Speaker Bradley: "The Gentleman from Cook,... The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 to Senate Bill 569 strikes everything after the enacting clause which means it takes the whole Bill out, which was a Bill on current funding for special education and in its place we'll put an Amendment dealing with the topic that I mentioned to you yesterday and that is, the Chicago finance authority and its relationship with the Chicago Board. Amendment #3 provides that we increase the authority of the Chicago school finance authority from 500 million to 500 and 73 million dollars. Amendment #4 will then point out that 28 million dollars of that money is to be used as additional money to loan with the school and 40 million or 45 million of it is to be used for working cash fund. I would ask for your support of Amendment #3."

Speaker Bradley: "Discussion? Hearing none, the question is on the Gentleman's motion. All in favor ... The Gentleman from Cook, Mr. Wolf."

Wolf: "Yes, Mr. Speaker. I rise on a point of order. Now, I don't care how anybody votes. I've always maintained everybody ought to vote the way they want to make their own record. But I take very strong objection when I see switches being voted on people who haven't been here for a long time and they weren't on record on any of those Amendments we sat here all night for. And I wish whoever is doing it would knock it off."

Speaker Bradley: "Let's vote your own switches. Mr. Davis."

Davis: "Well, yes, Mr. Speaker. I would like to speak on this subject. Now, I know it's getting close to midnight and I know how important this Bill is. But let me just tell



you something, Mr. Speaker. Many of us.... The last..the last mandated Bill that went down in the bi-lingual funding, just digress for a moment, contained 16 million dollars for the city of Chicago. Now, they want that money very desperately, like they want this bonding program. I don't know if a deal has been cut or not. I have no idea. Many Republicans sat here last year and held their nose and voted for long-term bonding for a short-term problem for the Chicago School District to bail itself out, on the premise that there was going to be 102 million dollars in cuts in that School District during the year. Now, I know we held our nose philosophically because Republicans don't like to vote for long-term bonds for short-term cash crunches and cash problems. Now, let me tell you this, Mr. Speaker. Many of us at that time said the city of Chicago and the Chicago School District are coterminous and pursuant to the Rockford court decision on libraries and coterminous municipal districts, that the taxes for the city of Chicago relating to School Districts, could be raised to solve a portion of their problem. I know Gene. I know the hour is getting late. But, let me tell you something. That still exists. They didn't come down here and say, even to this Legislator.... Legislature, raise our taxes in Chicago without referendum because we don't have the political courage to do it. We're only funding 37% of our income in the city of Chicago to schools. It's not time yet. We're only doing that, but we'll go back for long-term bonding, for short-term problems. Now the city needs everything it can get, obviously to keep bailing it out. They got caught up in the bond crunch. They need 16 million for bi-lingual that they can divert to other causes. They need money and refuse to make the necessary cuts that were promised. Any Republican that votes for this is out of his mind."



Speaker Bradley : "The Gentleman from Cook, Mr. Conti."

Conti: "Yes, Mr. Speaker, I noticed the same buttons too on on that hyphenated Sponsorship on that last Amendment that I had. And if we want to get over with .. this over with tonight, everybody better push their own button cause this Bill is very important to me and I want to make sure that everybody is pushing their own button on this Bill."

Speaker Bradley: "Mr. Hoffman, to close."

Conti: "I'll ask for a verification if this reaches the 89."

Hoffman: "Mr.... Mr. Speaker, Ladies and Gentlemen of the House, much of the discussion can be handled on Third Reading tomorrow. We're just putting these Amendments on and you can do your thing tomorrow. I would move for the adoption of Amendment #3."

Speaker Bradley: "What purpose does the Gentleman from Will, Mr. Davis, arise?"

Davis: "Well, Mr. Speaker, I believe that this important is equally.. issue is equally as important as some of the workmen's comp. I would request if nine other Members would join me, an Oral Verified Roll Call."

Speaker Bradley: "All right. I don't see anyplace in the rules that provides for ten Members... It's the option of the Chair to call for an Oral Verified Roll Call. All right. Take this out of the record for a minute. Read 1799. "

Clerk O'Brien: "Senate Bill 1799, a Bill for an Act to amend Sections of the State Employees Group Insurance Act. Second Reading of the Bill."

Speaker Bradley: "Leave it on Second Reading. Back to Amendment #3 on 569.. All right. Mr. Hoffman, did you close? " The Gentleman from Marion, Mr. Friedrich."

Friedrich: "I just wanted to refer your Rule 45-D which it says ten Members can ask for an Oral Verified Oral Roll Call."

Speaker Bradley: "All right. Do ten Members persist? All right."



The Gentleman from DuPage, Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I would move to suspend Rule 35-C with respect to this Bill and also with respect to House Bill 1524... Senate Bill 1524."

Speaker Bradley: "That will... What this will allow us to do we'll be able to take the Bill up, both of those Bills, after midnight on Second Reading and still address ourselves to them on Third Reading tomorrow. Mr. Cullerton objects. It takes 107 votes. All in favor of the Gentleman's motion vote 'aye'; opposed vote 'no'. Needs 107. Mr. Cullerton on the motion."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, I believe that the purpose of this motion to suspend the rules is for the purpose of us considering at this late hour a number of Bills which are in the form of Amendments which will have to be considered at a late hour when everyone is tired, Bills which have come up before Committees, which for the most part have died. So therefore, I'm asking you to please vote 'no'." Thank you."

Speaker Bradley: "Have all voted who wish? Clerk will take the record. Motion fails. The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker. I withdraw this Amendment and..."

Speaker Bradley: "Withdraws this Amendment. Further Amendments?"

Clerk O'Brien: "Amendment #4, Hoffman, amends Senate Bill 569 as amended by deleting all of Section 34-A-501..."

Speaker Bradley: "Mr. Hoffman, the Gentleman from..."

Hoffman: "I'd like to take the Bill out of the record at this time."

Speaker Bradley: "Take the Bill out of the record. House Bill...Hold it on Second Reading. 1524."



Speaker Bradley: "1524."

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

Speaker Bradley: "Go to Bills now that were read a second time.

We can still amend and you still.. you don't have a problem with 35-C."

Clerk O'Brien: "Senate Bill 1524, this Bill's taken back from Third Reading and held on Second.."

Speaker Bradley: "The Gentleman..."

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

Speaker Bradley: "Further Amendments."

Clerk O'Brien: "Floor Amendment #2, Beatty, amends Senate Bill 1524 as amended..."

Speaker Bradley: "The Gentleman from Cook, Mr. Beatty."

Beatty: "Well, I've consulted with Monseigneur Kelly and he doesn't give approval of this so I'm going to table Amendment 2."

Speaker Bradley: "Monseigneur who?"

Beatty: "Kelly. Kelly."

Speaker Bradley: "He withdraws it. Further Amendments."

Clerk O'Brien: "Floor Amendment #3, Stearney, amends Senate Bill 1524 as amended.."

Speaker Bradley: "The Gentleman from Cook, Mr. Stearney."

Stearney: "Mr. Speaker and Ladies and Gentlemen of the House, this.. "

Speaker Bradley: "Mr. Cullerton on a point of order. What's your point, Sir?"

Cullerton: "Mr. Speaker, I understood Representative Daniels to make a motion to suspend the rules for this particular Bill.."

Speaker Bradley: "That motion failed. That motion failed.."

Cullerton: "So why are we on it?"

Speaker Bradley: "Because it was next in order. Oh, no. 569 was taken out of the record."

Cullerton: "That was 1524."

Speaker Bradley: "And that was the next order of business. What's wrong



with that?"

302.

Cullerton: "How was this Bill taken back to Second?"

Speaker Bradley: "It was taken back to Second earlier in the day. And it's in order. We went back to 569 and the next order of business is 1524. Look at the Calendar."

Cullerton: "Okay. What was... What was the Gentleman's motion with respect to this Bill?"

Speaker Bradley: "It failed. His motion failed, to suspend 35-C. It failed."

Cullerton: "What would that Bill... What would that motion do if it had passed?"

Speaker Bradley: "It failed. The motion failed. "

Cullerton: "What would that motion have done if it had passed?"

Speaker Bradley: "Your point's not well taken because you're not aware of what took place prior to this point in time. Mr. Cullerton, what's your point now?"

Cullerton: "I just want to know what procedural rule he was trying to suspend with that motion?"

Speaker Bradley: "Oh, well, he was trying to suspend Rule 35-C so that we could.. if the Bill went by, if we were on Second Reading, past the hour of 12:00, that we could call the Bill on Third Reading, tomorrow the same time it was read a second time."

Cullerton: "Okay. Thank you."

Speaker Bradley: "Alright. Now, Mr. Stearney."

Stearney: "Mr. Speaker and Ladies and Gentlemen of the House, the Amendment provides that an individual would not be sentenced to natural life imprisonment for the death of both the fetus and the individual itself... herself. If there are any questions, I'll answer them."

Speaker Bradley: "On the Amendment? Mr. Kelly."

Kelly: "Thank you, Mr. Speaker, Members of the House. I would not support this Amendment. As the wording is included as here in the Amendment it says, 'not including the murder of a human fetus to be in the Section of murder.' We do want the human fetus to be protected and we do want



it included and that's what the intent of the Sponsor was on the legislation, not only with Daniels, but with Senator Sangmeister. So I would oppose the Gentleman's Amendment."

Speaker Bradley: "The question's on the Gentleman's motion. All in favor vote 'aye'; opposed vote 'no'."

Stearney: "Can I close?"

Speaker Bradley: "Yes, Mr. Stearney, to close. I'm sorry."

Stearney: "Considering the power of Mr. Kelly, I accede, and well, therefore withdraw my Amendment."

Speaker Bradley: "Well, I think you've got a chance to win the award I hate to.."

Stearney: "I withdraw the Amendment, Mr. Speaker."

Speaker Bradley: "Aw, listen, I don't think we can do that.."

Stearney: "I withdraw."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's one 'aye'. Mr. Stearney, you didn't vote for it yourself. The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "I wonder if we could poll the absentees. See if we can get up there."

Speaker Bradley: "No, we're going to have an Oral Verified Roll Call. Mr. Yourell."

Yourell: "Yes, I'd like to explain my vote, Mr. Speaker. There's no Member of this House that should suffer such a defeat. There's no reason for it. The Bill.. His Amendment wasn't that bad. As you can see it got one vote and before this Session is over, there may be a worse vote than this. So, I'm always going to vote for the underdog."

Speaker Bradley: "On this question we have.. one 'aye', 159 'no's. And the motion fails. Further Amendments? Mr. Stearney, to explain his vote."

Stearney: "Well, Mr. Speaker, Ladies and Gentlemen of the House, regardless of the vote, let me just explain. What you're



doing here is if this Bill were to pass in the present form, no individual would ever be sentenced to life imprisonment for the rest of his natural life. Because no court, no Judge would ever allow it. What you're doing is allowing an individual to be in prison when he may not even have known the woman was pregnant when in fact, this murder did occur. I was willing to accede to the request of Mr. Kelly rather than explaining my vote. But, so be it.."

Speaker Bradley: "Mr..."

Stearney: "Pass certain things like this, they'll never be enforced. It's an exercise in futility. The House enjoyed stroking itself so be it."

Speaker Bradley: "The Gentleman from Cook, Mr. Meyers."

Meyers: "Point of order, Mr. Speaker. First of all, I'd like to point out the Gentleman isn't entitled to explain his vote. He didn't vote. But in another matter, Representative Ropp, I was sure had a firm grip on the Brian B. Duff traveling award, but I'm sure Representative Stearney is the all-time winner and I think we should proclaim him by acclamation the final beholder of this coveted award."

Speaker Bradley: "The award will be presented on the 30th. Mr. Yourell."

Yourell: "Thank you. The Gentleman convinced me I should change my vote."

Speaker Bradley: "Record Mr. Yourell as voting 'no'. Alright. Mr. Polk wishes to be recorded.. Oh, for what purpose do you arise, Sir?"

Polk: "I would just ask the Chair, what time is it please?"

Speaker Bradley: "What time is it?"

Polk: "Yes. What time is it?"

Speaker Bradley: "I don't even know what day it is."

Polk: "I would agree."

Speaker Bradley: "Further Amendments? It failed.."



Clerk O'Brien: "Amendment #4..."

Speaker Bradley: "Looks like the Roll Call for Attendance."

Clerk O'Brien: "Amendment #4, Kelly. Amends Senate Bill 1524 as amended."

Speaker Bradley: "Mr. Kelly, Gentleman from Cook."

Kelly: "Thank you Mr. Speaker and Members of the House.

Amendment #4 would be an Amendment which is supported and favored by the pro-life organizations in Illinois. There's been a number of lobbying activities taking place not only yesterday but today, and the proponents of this Amendment had asked that you would support it. What it does is it takes out the provision..."

Speaker Bradley: "Alright. The Gentleman... yeah. Mr. Pierce."

Pierce: "Mr. Speaker, it's now after midnight and we believe it's too late for the Gentleman to proceed on Second Reading. It's the 25th of June and I believe under the rules of the House which has not been suspended we can no longer proceed on Second Reading."

Speaker Bradley: "We see no reason why they can't offer the Amendment. The problem would be on Third Reading, Mr. Pierce, if there is a problem. Mr. Pierce. Turn Mr. Pierce on."

Pierce: "Mr. Speaker, you're ruling is, although it is the 25th of June after midnight, 25th of June, he can proceed on Second Reading?"

Speaker Bradley: "There's no rule that said we can't amend it. The question I said will come on Third Reading if there is a problem."

Pierce: "Oh. Whether he can call it on Third Reading on the same day that it was heard on Second Reading."

Speaker Bradley: "That will be the problem, not tonight. Mr. Kelly."

Kelly: "Yes, Mr. Speaker, as I was mentioning, the purpose of this Amendment is to define 'fetus' as being from the moment of fertilization through birth, under the



proposal of Senator Sangmeister and also Representative Daniels, their proposal would have, you might say, covered the stage from viability until birth which would be in the last trimester, the last three months. This Bill, this Amendment if adopted would provide the coverage to be from a moment of fertilization through the birth. Now, it would be very favorable for those of you especially favoring the pro-life, I would say, to support this. There's a problem that comes in the way I see it and a number of others, and maybe I'm talking too much, is that we're not against having the last trimester covered under the murder statutes, because I think that's good but I think even more importantly we don't want to compromise on this position that in a first trimester and second trimester the same type of coverage should be provided. If someone murders an unborn baby in the first trimester or second trimester, that baby should receive the same type of legal approval and someone who actually commits that murder should be just as liable as in the last trimester. So, I think this is an important Amendment and it's a principle that's something that you should not give in on, and I ask for your favorable support."

Speaker Bradley: "Gentleman from Cook, Mr. Beatty."

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

Speaker Bradley: "He indicates he will."

Beatty: "Mr. Sponsor, is the pro-life movement compromising its position here? Aren't they, in fact, accepting abortion by a mother or by a doctor as not being murder?"

Kelly: "Representative Beatty, I'll respond to you and I know that Representative Daniels had made this a point when his legislation passed. It does not do that. The provision in here relating to a mother terminating her own pregnancy, all this does is give, you might say,



it goes along with the U.S. Supreme Court decision. A woman can terminate her pregnancy under the U.S. Supreme Court decision of 1973, and that's why that wording had to be included."

Beatty: "So, now the right to life people have accepted the Supreme Court's decision that abortion is alright because the Supreme Court said it's alright?"

Kelly: "No. They did not compromise on that position and what it says here, in the last provision, is that it is in compliance with the Illinois abortion law of 1975. And I think you know as well as I that that law, to the best of our ability, protects the unborn."

Beatty: "Well, if they're not compromising their position, how is it when a doctor aborts a child in an abortion clinic that it's not murder under the statute? What's the distinction between one person killing an unborn child and another?"

Kelly: "Well, there's a difference between someone actually taking a weapon or some other types of violent behavior and killing an unborn baby though let's say that the mother and the father for that matter may want to bring into this world as compared to a woman that would like to terminate her pregnancy in the first trimester, second trimester, or even in the third trimester legally under the U.S. Supreme Court. It's... abortion has been contrary to what I want and many others has been legalized and this would... this would... this particular provision would even make this Bill stand up more under a constitutional challenge and that's why we want it in here."

Beatty: "Well, isn't it true, Mr. Sponsor, that in any case the child's dead after... whether it's the mother that does it, the doctor does it, or a gunman who shoots a pregnant woman. The child's dead. Isn't that true?"

Kelly: "We are talking about a dead child. Yes we are,



definitely."

Beatty: "And you distinguish..."

Speaker Bradley: "Mr. Skinner, on a point of order."

Skinner: "Yes, Mr. Speaker, do we have a right to have an Amendment on our desks when it's being discussed?"

Speaker Bradley: "Is the Amendment on the desks?"

Skinner: "I can't find it."

Speaker Bradley: "The Amendment's been filed. Hasn't been distributed. Take it out of the record. Further Amendments."

Clerk O'Brien: "Amendment #5."

Speaker Bradley: "Has Amendment #5 been distributed? Alright. Five's been distributed. Mr. Kelly."

Kelly: "Mr. Speaker, Amendment #4 is a much shorter Amendment than Amendment #5."

Speaker Bradley: "I don't know."

Kelly: "And I'd like to know why it isn't distributed."

Speaker Bradley: "I don't know." Number five. I know one thing. We can't go to it if it's not on your desks. Further Amendments."

Clerk O'Brien: "Amendment #5, Daniels. Amends..."

Speaker Bradley: "Daniels on five."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, like you Cal Skinner..."

Speaker Bradley: "Mr. Daniels, pardon the intrusion. Mr. Kelly, what purpose."

Kelly: "Well, Mr. Speaker, I handed this Amendment in early... very early today and I can't believe that... after all these hours, almost eight hours, in fact over that that this Amendment has not gotten on the Members' desks. Now, this is one short paragraph. I'd like to ask leave to have this Bill and I will read it off verbatim. And I'd like to ask leave to have this Amendment/tonight." ^{considered}

Speaker Bradley: "Does he have leave? Are there any objections? Are there objections? There are objections. Take it out of the record. Amendment #5, Mr. Daniels."



Mr. Brummer."

Brummer: "Yes, Mr. Speaker, I move to suspend the appropriate rule that requires that Amendments be distributed. This Amendment #4 was obviously filed prior to Amendment #5. It is shorter than Amendment #5. There is no reason that it should not have been distributed unless somebody is playing games in the Clerk's Office. I think everyone knows very simply what that Amendment does. I move to suspend the rule so at least we can consider Amendment #4."

Speaker Bradley: "Okay. Gentleman moves. It'll take 89 votes. All in favor of the Gentleman's motion vote aye, oppose vote no. Mr. Skinner, to explain his vote."

Skinner: "I absolutely agree with Representative Brummer. There's no reason this Amendment shouldn't have been ... should not have been printed after eight hours."

Speaker Bradley: "Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there are 83 ayes, ... 84 ayes, and 30 nos. Gentleman's motion fails. Alright. Further Amendments. Back to Mr. Daniels. Poll the absentees. Davis aye. Conti aye. Wolf aye. Alexander aye. Hannig aye. Grossi aye. Ackerman aye. Epton up. Bell aye. And the Gentleman's motion prevails. And we're back to Amendment #... Boucek aye. Bower aye. Mr. Ryan."

Ryan: "Well, Mr. Speaker, I am somewhat concerned about why Amendment 4 isn't been printed... hasn't been printed and passed out."

Speaker Bradley: "We're checking..."

Ryan: "I don't care what the Amendment does, but, you know, I can see this coming up down the road. It's happened to me in the past and I think if you don't know that maybe we better form a committee to have a little investigation to find out why Amendment 4 isn't on the floor and Amendment 5 is. Something sure is fishy."



That's all I can tell you."

Speaker Bradley: "Nobody asked me if I didn't know."

Ryan: "Then let's ask the Clerk if he knows."

Speaker Bradley: "He knows."

Ryan: "Let's hear it from him then."

Speaker Bradley: "Mr. Kelly, on Amendment #4."

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

House that supported Representative Brummer on this motion. I would like to read off Amendment #4.

Well, I think I did explain it. We are defining 'fetus' to be from the moment of fertilization through birth. That's the primary intent and I would ask for your favorable support."

Speaker Bradley: "Okay. All in favor... alright. Mr. Preston, on the Amendment."

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

Speaker Bradley: "He indicates he will."

Preston: "He is now asking us to vote for an Amendment are you not, Representative Kelly, that has not been distributed and which you've not read?"

Kelly: "No, I'm going to read this off because it's only one short paragraph. It'll be a lot easier than having a lot of debate over it. Amendment #4 amends Senate Bill 1524 as amended with reference to page and line numbers of House Amendment 1 on page one be deleting line 23, comma, and on page two be deleting lines one through five and inserting in lieu thereof the following. This is new language. Quote, 'fetus', period. Fetus for the purpose of this Section means any Member of the species homo sapiens from fertilization through birth provided, however; that no provision of this Article shall be construed on the basis of this definition to attach any penalty to termination of pregnancy if the pregnant woman terminates her own pregnancy or if she solicits aids, abets, agrees, or attempts to aid in termination of her own pregnancy or if the pregnancy termination



is performed in compliance with the Illinois abortion law of 1975, comma, as amended, period. End of quote."

Preston: "Representative Kelly,.."

Kelly: "And I move for the adoption of Amendment #4."

Preston: "I... Mr. Speaker, I think I was still in the process of asking Representative Kelly some questions."

Speaker Bradley: "I thought he answered it."

Preston: "He answered that one question. I have other questions for him."

Speaker Bradley: "He has other questions, Mr. Kelly."

Preston: "Representative Kelly, Senate Bill 1524 talks about the crime of murder of an unborn fetus. Is that correct?"

Kelly: "Yes it does."

Preston: "And in order to prove that there was a murder of an unborn fetus you have to prove, under the provisions of Senate Bill 1524, that that fetus was capable of independent existence separate from the mother. Isn't that correct?"

Kelly: "I would say no, it is not necessary because, for one thing, with or without life sustaining equipment and determining what is viable or not, this is the terminology is strictly a medical one. Even the Supreme Court did not give a... cannot determine what viability is. So I would say that these terms might mean something today and something entirely different tomorrow after some medical advancement. So, I don't think that has any implication and we can bring that stage back to an earlier point from the last six months..."

Preston: "Do you see anyway at all in which you can prove that a two day old fetus is capable of independent existence separate from the mother?"

Kelly: "Well, it's...yeah. It's, you know... Where are you going to make a cut off. I mean, if you want to go along with the Supreme Court and say that it would occur



in the last month, last three months, well then I say, you know, that's you're opinion and that's the Supreme Court's opinion, and maybe some physicians. But this keeps changing and, you know, we're into some of these new areas and some I don't even possibly approve of where we are advancing in some medical science and it may very well come to be that a two-day old fetus can be sustained with or without life sustaining equipment."

Preston: "Representative, do you indicate that there's some pro-life groups that have asked the House of Representatives to support this?"

Kelly: "Yes, Representative."

Preston: "And do you know if these pro-life groups that have asked the House of Representatives to support have done so to anyone other than yourself?"

Kelly: "Come again."

Preston: "Have they asked us to do that through anyone other than yourself? I have not been contacted by any pro-life group. I'm not.. regarding Amendment #4 to Senate Bill 1524. Has anyone other than Representative Kelly been so contacted?"

Kelly: "One of the... I would say that probably some of the reasons are that we have not had adequate time and I'm sure that every Member in this House has not been lobbied for, or for that matter, even against this issue. And I wish they would have talked to each Member in the House, but I suppose that... I don't know what their system is but I suppose they talked to those that have been favorable to some of the earlier pro-life positions. first and from there then get to others that are not. So I'm not sure, you know, who was lobbied and who was not. I'm not privy to that information."

Preston: "Mr. Speaker, may I speak towards the Amendment? Meaning no disrespect to the Sponsor of this Amendment, I, for one, very greatly, resent being told in a group:



that there is one group or one organization that has, through someone else, wants me to support or to not support some measure. If some group or organization wants my support or wants my opposition to an Amendment or a Bill, I think that organization could at least do me the courtesy of contacting me on it and not speaking to another Representative. In that way we could have not more of the same kind of thing that's done when the Mayor of Chicago, for instance, speaks to the Democratic Majority Leader."

Speaker Bradley: "Mr. Wolf."

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

Speaker Bradley: "Mr. Beatty, on a point of order. What's your point sir?"

Beatty: "Well, Mr. Speaker, in fairness to Representative Kelly this right to life group has been active relative to this Amendment now for a week or so and they had asked me to Sponsor it and I believe if there was no communication it was due to my failure..."

Speaker Bradley: "Alright. All in favor of Mr. Wolf's motion say 'aye', oppose 'no'. The ayes have it. Mr. Kelly, to close."

Kelly: "Yes, I would... I think it's been adequately debated. You know whether you're for or not this Amendment. I ask for your support."

Speaker Bradley: "All in favor of his motion vote aye, oppose no. Mr. Stearney, to explain his vote."

Stearney: "Mr. Speaker and Ladies and Gentlemen of the House, reluctantly I rise against Mr. Kelly. The reason being is that this particular Amendment is obviously an exercise of futility if not unconstitutional because the Criminal Code requires that you intend to kill or do great bodily harm to that individual or another. Now the Code presupposes that you know of the existence of another individual in order to do great bodily harm, to kill them. Without that fact, without that assumption,



without that knowledge you cannot commit murder. So what we're doing here is engaging really an exercise in futility. We should not vote for this Amendment. We should vote no because what you're going to do is kill the entire Act. If this Bill passes now mind you, with this here Amendment on it no individual will ever be prosecuted under it because it's unconstitutional. So why pass an Act attempting to address a problem when you're not going to attain your objective, your ends. It's going to be stricken down because you cannot kill an individual or another unless you know of his existence. And a two day or a one day or a five day old fetus, no one knows of that existence. So why vote for this measure. We should strike it down as we did several weeks ago on Representative Daniels' Bill."

Speaker Bradley: "Have all... Have all voted who wish? Have all voted who wish? Mr. Bor..."

Borchers: "I want to explain my vote. I know it's getting late but I want to point out to you about an individual. When is an individual? Well, I say it's when there's the first brain wave. That becomes an individual. All you got to do is study a little bit about medicine and you'll find this is so. When the brain waves has occurred, then you have an individual. Then you can pass this Bill. But until that time it's a futility."

Speaker Bradley: "Have all voted who wish? The Clerk will take the record. On this question there are 89 ayes and 44 nos and the motion... Gentleman's motion prevails. Further Amendments."

Clerk O'Brien: "Amendment #5, Daniels-Kosinski, amends Senate Bill 1524 in the title by changing Section 9-1 and so forth."

Speaker Bradley: "Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I beg your indulgence. I know it's late. We've all



been here for many hours. It's an extremely important Amendment that you have before you right now, an Amendment that has been triggered by criminal activity within in this particular instance, is the City of Chicago. Amendment #5 guts House.. Senate Bill 1524. And, the previous speaker on the previous Amendment was fully aware of the fact that number five completely guts the Bill and introduces into its stead an Amendment to the Habitual Offender Act of Illinois. Amendment #5 is an Amendment to the Habitual Offender Act and requires the imposition of a mandatory life sentence upon a third conviction of its specified class x felony or murder. Presently, all three convictions must occur in Illinois and all convictions must occur after February 1, 1978. Therein lies the problem and therein lies the reason for the presentation to you of Amendment #5. The Amendment changes the law in the following three ways. One, it expands the lists of triggering offenses, that is, it adds to the Criminal Code the Class X offenses thereby expanding those offenses that trigger the mandatory life imprisonment on the Habitual Offender Act. Number two, it permits reliance upon prior crimes from other jurisdictions if they contain the same elements as an Illinois Class X crime and the third aspect, is it allows retrospective reliance upon convictions which occur before the Act's passage. Now, Ladies and Gentlemen of the House, on June 7th, 1980 the Sun-Times editorialized on the question of multiple rapes being committed in the city of Chicago by three individuals that they named within their editorial. In each of the instances, because of the limitation of the Illinois law on the application after February 1, 1978, we were unable to sentence these people under the Habitual Offender Act. The primary aspect of this Amendment would be to make the law in Illinois retrospective in that as long as the last



Act or the last third Act or felony occurred after the effective date, the individual could be sentenced under the Class X provision under the Habitual Offender Act. I suggest to you it's a necessary Amendment. I suggest to you it's one of the more important Amendments to come before you at this time. And I would urge your favorable consideration. I'd be happy to answer whatever questions that you may have at this time."

Speaker Bradley: "The Gentleman from Cook, Mr. Katz."

Katz: "Mr. Speaker and Ladies and Gentlemen of the House, you're witnessing the razzle-dazzle, a Bill from nothing to a total Bill in 24 hours, no Committee hearings; no nothing. Between now and the end of today, this matter is going to be on Third Reading. Is it a Bill that involves nothing? It only involves the question of whether or not a person is going to have to spend the rest of their natural life in prison. Don't you think that's the kind of Bill that maybe ought to have some Committee attention, that it shouldn't be razzle-dazzle in here on the last 24 hours? That's no way to handle matters of this kind of importance. Let it wait until next year, be filed in time, have a Committee hearing, and then take it up next year. This is not a matter that ought to be taken up in this 24 hour span. It violates the Constitutional intention that Bills would be heard on three days. It is truly a terrible legislative practice involving the most serious possible kind of criminal offense and I think this ought to be rejected wholeheartedly."

Speaker Bradley: "Would the Parliamentarian please come to the podium? The Gentleman from Cook, Mr. Stearney."

Stearney: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to this measure. If you will notice, that it provides that if the second conviction were 19 and a half years ago, and this individual



were to be convicted of the third offense after the effective date of this Act, he would be sentenced to the penitentiary for the na.. rest of his natural life. What I'm in opposition to is this, if you sentence a man to the penitentiary for the rest of his natural life, you have destroyed all hope for him. You have made him a caged animal. Now, mind you, several years ago I did vote for the death penalty. I have voted for it and I think that's.. that is the more appropriate thing. It's better to execute a man than to say, 'You're going to spend the rest of your life in the penitentiary' . Because then he's an animal. He will do anything to escape. He will kill. He will maim. There's no justification, no reason, for this. And then to say that if he were to commit his act 19 and a half years ago when he was a young man and then get involved in some trouble, an aggravated battery, in which he's in a tavern fight mind you, and he uses a bottle that's considered a dangerous weapon under the Act. That is armed violence. That is a class x offense, class x offense and for that, for that, mind you, if he were to get in a bar room fight, which many, many people have, probably including Members of this Legislature, that would constitute a class x offense for which he would go to the penitentiary for the rest of his natural life. That, I submit, is much too onerous, much too draconian. We need not go to that. As a matter of fact, there's not been any testimony this would do anything to deter crime. Furthermore, we don't have room in our penitentiaries. As a matter of fact, two weeks ago they released 300 prisoners just two months early because they couldn't keep them any longer. You've got no room to put them into the penitentiary and there's no reason for imprisoning people for the rest of their natural life for offenses as I just enumerated.



I urge you to vote 'no'. As a matter of fact, this Bill has come up numerous times over the years, continued to be killed and this time again, it should deserve its just desserts. Thank you."

Speaker Bradley: "The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to this Amendment. One of the things that this Amendment does is to broaden the area that is applicable to habitual offenders to include the offense of armed violence. Now, what armed violence can be is a shoplifter stealing \$150.00 coat with a three inch knife in the back of his pocket or her purse when she doesn't even know it's there or doesn't even use it. That's what... That's what a Class X felony could be. And this says that if you're convicted of that a third time, you get your entire natural life without any discretion. That's really what this Bill does. It takes away the Judge's discretion. Therefore the Judge says to himself, 'If I find a person guilty of a third offense, then I have no discretion. He gets natural life.' If a Judge doesn't want to give natural life, and if it's a bench trial the Judge will simply find the person not guilty. Now what can the Judge give this person right now? 60 years. A person who has been charged with a Class X felony, found guilty, who has previous convictions, can get 60 years in jail. So that if he's 25 years old, the Judge can put him in jail till he's 85 years old. Now, but that... What we're saying with this is, that's not enough. That's not enough. And besides that, we're going to take away the Judge's discretion. The result of this Bill is going to have fewer convictions. We're going to have fewer convictions cause Judges are just simply going to say, 'I don't want to have the General Assembly to take away my discretion and therefore I'm going to find them not guilty'. It's a very bad Amend-



ment. I'd appreciate a 'no' vote."

Speaker Bradley: "The Gentleman from Champaign, Mr. Johnson."

Johnson: "Representative Greiman said about a week ago that what he wanted to be in his next life was a Bill in the Illinois General Assembly. And if there is ever a Bill that this was true on, it's this Bill. This Bill has come back in every form, in a regular Bill, in a Senate Bill, in an Amendment, in a First Conference Committee report. It's come in every conceivable form you could... I'm surprised it hasn't been brought in a Resolution. But it hasn't and it's here again for the 10th or 12th time with no Committee hearing, going .. gone through none of the procedure and it changes the Criminal Code ... You mind if I finish, Representative Daniels? Is that all right? "

Speaker Bradley: "Mr. Daniels, for what purpose do you arise?"

Daniels: "Take it out of the record..."

Speaker Bradley: "Take it out of the record. Mr. Keane?"

The Gentleman from Cook, Mr. Keane, on a motion."



Keane: "Yes, thank you, Mr. Speaker. On the Bills remaining on Second Reading on the Calendar, my Bill, 1828, is the only one that has been returned from Third Reading to Second Reading for purposes of an Amendment. It's my understanding that I have to move to suspend the Rule 35 C so that we can consider it tomorrow."

Speaker Bradley: "All in favor of the Gentleman's motion vote 'aye'; opposed will vote 'no'. The Gentleman from DeWitt, Mr. Vinson, to explain his vote. "

Vinson: "Yes, Mr. Speaker, I would urge an 'aye' vote."

Speaker Bradley: "Mr. Vinson urges an 'aye' vote. Mr. Ryan."

Ryan: "Mr. Speaker, I rise in support of the Gentleman's motion and he doesn't even need my support."

Speaker Bradley: "But he'd like to have it though and he's gratified and tickled to death. Have all voted who wish? Clerk will take the record. 133 'ayes' and no.. one 'no'. And his motion prevails. The Gentleman from Cook, Mr. Madigan."

Madigan: "We are preparing to adjourn. Are there any announcements?"

Speaker Bradley: "Any announcements? Mr. Marovitz would like to announce the White Sox baseball game. Oh."

Marovitz: "Mr. Speaker, there are more Amendments on this Bill."

Speaker Bradley: "It was taken out of the record at the request of the Sponsor. Any other announcement? Requests? Bequests? Mr. Marovitz."

Marovitz: "I believe it was the Amendment that was taken out of the record."

Speaker Bradley: "No, he took the Bill out of the record. No other announcements? Questions? Yes, Mr. Greiman."

Greiman: "I have a Bill on.. on Second Reading.."

Speaker Bradley: "It's been..."

Greiman: "It was Short Debate.."

Speaker Bradley: "It's been read..."



Greiman: "Tomorrow an Amendment can be put on and it can be moved to Third Reading and heard tomorrow. Is that right?"

Speaker Bradley: "Right. Mr. Slape, an announcement?"

Slape: "I just wanted to ask Mr. Greiman what life is that Bill in right now?"

Speaker Bradley: "Anything else? Anybody want to stay here any longer? All right. Mr. Madigan."

Madigan: "I move that we adjourn till 10:00 a.m. tomorrow morning.."

Speaker Bradley: "All.. No, we're to recess till... He moves to recess till 10:00 a.m. tomorrow. All in favor say 'aye'; opposed 'no'. The 'ayes' have it. The House stands in recess till 10:00 a.m. tomorrow morning. 10:00 a.m. this morning."



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