

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

53rd Legislative Day

May 26, 1983

Speaker McPike: "The House will come to order. Members will be in their seats. The Chaplain for today will be Father Anthony Tzortzis, Pastor of St. Anthony's Church of Springfield. Father Tzortzis is a guest of Representative Steve Nash. Will the guests in the balcony please rise and join us in the invocation?"

Father Tzortzis: "In the name of the Father, and of the Son, and of the Holy Spirit. Amen. O Lord, our God, we beseech Thee to look upon our State Representatives and send into their souls and their hearts and their minds, the spirit of wisdom, of understanding, and of piety. Illumine them with the light of Thy knowledge. Teach them in Thy Commandments and preserve them in the Christian faith. In the name of our Lord, Jesus Christ, with whom Thou art blessed, together with Thy most holy and good and life giving Spirit. Always now and ever, and unto ages of ages. Amen."

Speaker McPike: "We'll be led in the Pledge of Allegiance by Representative Ropp."

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

Speaker McPike: "Roll Call for Attendance. Take the Roll. 1... 112 Members answering the Roll Call, a quorum is present. Senate Bills First Reading."

Clerk O'Brien: "Senate Bill 216, O'Connell, a Bill for an Act relating to interest in real estate. First Reading of the Bill. Senate Bill 616, Terzich, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. Senate Bill 644, Brummer, a Bill for an Act concerning public utilities. First Reading of the Bill. Senate Bill

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645, Brummer, a Bill for an Act concerning public utilities. First Reading of the Bill. Senate Bill 674, Matijevich, a Bill for an Act to make an appropriation to the Department of Mental Health and Developmental Disabilities and the State Board of Education. First Reading of the Bill. Senate Bill 726, Terzich - O'Connell, a Bill for an Act to amend an Act to provide for the Illinois-Michigan Canal National Corridor Civic Center Authority of Cook County. First Reading of the Bill. Senate Bill 736, Homer, a Bill for an Act to amend an Act in regard to Attorney Generals and State's Attorneys. First Reading of the Bill. Senate Bill 749, Wolf, a Bill for an Act to amend Tri-City Regional Port District Act. First Reading of the Bill. Senate Bill 677, Matijevich, a Bill for an Act to amend Sections of the State Comptroller Act. First Reading of the Bill. No further."

Speaker McPike: "Yes, Representative Greiman, excused absences."

Greiman: "Yes, Representative Christensen is excused today for... by reason of illness in the family and the record should so reflect."

Speaker McPike: "Page eight of the Calendar, House Bills Third Reading next Bill appears House Bill 1102. Representative Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1102, a Bill for an Act to amend an Act to establish a Military and Naval Code. Third Reading of the Bill."

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

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Approximately two months ago, there was an incident which was headlined in the news media for several days involving a shoot-out in South Dakota between the FBI and a terrorist organization, an organization that was trained in the use of explosives and other weaponry, and in effect,

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was its own private army, and was trained to cause civil disturbances. The result of this unfortunate incident, this violent incident, was that two FBI men were killed. Unfortunately, similar such terrorist and clan-like groups exist not only in the State of South Dakota, but in other states, particularly in our own state. House Bill 1102 will give the law enforcement officials of this state a new tool in fighting these type of terrorist organizations. It will fill a loophole in the current law that requires these terrorist groups to actually commit their act of violence before they may be prosecuted. It is aimed at the situations where these groups train, instruct people in the use of explosives and other weaponry intending and expecting that that training will be used to create a civil disturbance. There has been some misunderstanding about House Bill 1102, but it is supported by various law enforcement officials including the Department of Law Enforcement. And let me just very briefly indicate the key sections of 1102. It... on page two of the Bill, b(1), it makes, '... the teaching or demonstrating to any other person of the use, application, or making of any firearm, explosive, incendiary device or technique capable of causing injury or death to persons, knowing or having reason to know and intending that same will be unlawfully employed for use in or in furtherance of a civil disorder.' This language is taken from a federal statute which has been upheld in two separate court decisions as being constitutional and narrowly drawn. As a matter of fact, this particular language is more narrowly drawn and more difficult of proof than the federal statute. The second key provision in this Bill deals with where these techniques, these teaching, training are intended to be employed for unlawfully... in creating a civil disorder.

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This is very narrowly drawn legislation. Right now, you have to wait for the explosive to be thrown for the civil order to take place in order to go after these groups. The burden of proof that this legislation would require is very substantial, and I recognize that it should be in order for it to be constitutional. It will probably take an infiltration of the particular groups in order to be able to come up with the evidence to prove that the training in these weaponry was... was as a result of knowing and intending that the same be used. Let me indicate further that this legislation has been introduced in various other states around the country, and it has been cleared with the National Rifle Association, contains language that makes... that makes clear that hunting clubs, rifle clubs, and so on are not covered by this legislation. We have an unfortunate situation where the climate has become more and more violent. We are seeing these terrorist groups. We are seeing these clan-like groups that spread their hatred, that want to create civil disorders, that want to create violence, and this tool will give the De... law enforcement officials the opportunity to be able to more effectively go after these kind of groups. We, as I said earlier, have in this... this state one such organization that is being monitored by the Attorney General's Office and by the Department of Law Enforcement. And I'd just like to very briefly read a description of one of the meetings of this group. This is an organization, it's a... which gives instruction under the aegis of the quote, 'Citizen Emergency Defense System.' In a recent gathering, between four and five hundred people gathered from various mid-western states where they received courses in guns, reloading, camouflage, demolition, and chemical warfare, survival weaponry, combat medicine, marksmanship, guard dog

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training, SWAT, personal home and community defense, knife fighting, archery, crossbow, black powder guns, and street action. The paramilitary instructions were interspersed with lectures on such topics as racial problems and solutions, health and natural foods, women's responsibility to God and country, the real enemy Zionism, Communism, Socialism, et cetera. The final day there was a demonstration of guerrilla warfare maneuvers by a team dressed in camouflage uniform with their faces blackened. Let me finally just say, this is very narrowly drawn legislation. It will require a substantial burden of proof in order to be able to gain a conviction, as it should be, but I think it's..."

Speaker McPike: "Representative Levin, could you bring your remarks to a close?"

Levin: "Yes, and I'd be happy to answer questions there might be in connection with this legislation."

Speaker McPike: "The Chair would remind everyone that if we spend three-and-a-half minutes on every Bill we may get through the Calendar. We have about six people that would like to talk on this Bill. Representative Cullerton, the Gentleman from Cook, on the Bill."

Cullerton: "Thank you, Mr. Speaker. I'll try to be brief. I am in opposition to this Bill. I, once again, it's like most Bills down here. They're well intentioned. People see a problem. They try to draft legislation to solve the problem, but in this case, the language that has been used is so broad that it would, I think, cause some very serious problems. Representative Levin indicates that there is already a federal statute on point. That federal statute has not been used against the people who he tries to say he's trying to get at, the clan-like groups, or the Christian Patriots Defense League, but rather, it's used to

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curb civil rights protest. The language that he says is so narrowly drafted, Section b(2), my information is that this is not... has not had any judicial scrutiny, that it is not included in the federal statute, and it uses the term such as making it illegal to assemble with one or more people if you in... intend to involve yourself in a civil disorder. When you read civil disorder, the definition of civil disorder it means, 'Any public disturbance involving acts of violence by assemblages of three or more persons.' I don't think it would be very hard for one to realize that this could be applied to strikes by labor organizations. This is a very dangerous type of a statute to put on the books, because it will simply be used to harass people, people who are trying to, perhaps, carry out really lawful activities. It's a... it's interesting when a Bill can bring together the ACLU and right wing organizations in their opposition, and that is what Representative Levin's Bill has done. So I would ask for you, please, to look carefully at this Bill and to vote 'no' on the Bill."

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

Vinson: "In the interest of keeping it short, Mr. Speaker, we're against the Bill, too."

Speaker McPike: "Representative Piel."

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

Speaker McPike: "The Gentleman moves the previous question. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Gentleman from Cook, Representative Levin, to close."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think this is a badly needed piece of legislation. It has been adopted in a number of other states. Just to briefly respond to the two points that the

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previous speaker, Representative Cullerton, raised. As far as b(2), it requires a clear showing of intent, use of the word 'intending', and so in that respect, it is substantially more re... narrow than the language in b(1), and we sure that it... it's very constitutional. As far as the comment about strikes, I could just point to the definition of civil disorder that requires violence to occur, be caused, does not affect any lawful demonstrations, and I would ask for a favorable Roll Call."

Speaker McPike: "The Gentleman moves for the passage of House Bill 1102. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 9 'ayes', 98 'nos', 3 voting 'present'. House Bill 1102, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill 1104, Representative Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1104, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

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

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, I believe this Bill is a little less controversial than the last one. What... all that this Bill does is to provide statutory authority for the Department of Public Aid to establish Recipient Advisory Councils. A number of these exist, and there's a question as to authority. There was no opposition to the Bill in Committee, you know, and I would ask for a favorable Roll Call."

Speaker McPike: "The Gentleman moves for the passage of House Bill 1104. On that, the Gentleman from Macon, Representative Dunn. John Dunn."

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

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Speaker McPike: "He will."

John Dunn: "... for a question? Every public aid recipient has a caseworker that supposedly tells him what to do, and from what I know, where I come from, it seems like the recipients know the system equally as well as the caseworkers. What do we need this Bill for?"

Speaker McPike: "Well, you're on, Representative Levin."

Levin: "Thank you. In response to the question, there are a numb... number of offices around the state that do, in fact, have such a mechanism. It provides an opportunity for the staff of the department to work with the recipients in terms of facilitating procedures and dealing with problems in an informal way. It is purely advisory, and all... we're not mandating anything here. We're just putting into the statute the authority for these to exist. I, you know, the department is... is, you know, is not opposed. They have no problem with this, and, you know, it helps facilitate the... the procedures in the offices."

John Dunn: "Mr... Mr. Speaker, to the Bill."

Speaker McPike: "Proceed."

John Dunn: "At a time when we're talking about elimination of general assistance, when we're talking about public aid recipients bearing the brunt of our failure to adopt another income tax, the last thing we need is... is some advisory council to create another layer of bureaucracy, to spread all around the State of Illinois where it's not needed. Every public aid recipient has a caseworker. They know where the office is. They know how to get in there, and I bet I'm typical. When they have a problem that they can't solve in the Public Aid Department, they call my office. They call the Representative's office and we... we jump in there and go to bat for them. We don't need this Bill. It's a bad Bill. It's wasteful of taxpayer dollars,

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and I would urge a 'no' vote."

Speaker McPike: "Mr. Vinson."

Vinson: "Mr. Speaker, in the interest of brevity, we agree with Mr. Dunn, and we're against this Bill, too."

Speaker McPike: "The Gentleman from Cook to close, Representative Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, there is no cost to this legislation. It... people are not to be paid, not even to be paid expenses. But, you know, we do have a rather substantial bureaucracy in the Department of Public Aid, and the experience with these advisory councils has been that they actually have been able to facilitate procedures and save money by dealing with problems, avoiding a need for appeals, for example, where there are misunderstandings. I think it's a very simple Bill and a very good Bill, and there was no opposition in Committee."

Speaker McPike: "The Gentleman has moved for the passage of House Bill 1104. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 12 'ayes', 96 'nos', none voting 'present'. House Bill 1104, having failed to receive a Constitutional Majority, is hereby declared lost. House Bill 1105. Representative Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1105, a Bill for an Act to amend the School Code. Third Reading of the Bill."

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

Levin: "Some times you get off on... get up on the wrong side of a bed. I'm very wary to go with this Bill. I didn't know... I knew the first one had opposition. The second one surprised me. I guess we'll give this one a try. The... this Bill amends the School Code to clarify provisions with respect to special education. We have a

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situation right now where there are a number of physically and emotionally handicapped children who are placed in special ed placements outside of the state. And there is... the State Board is in the process of reassessing the placements of these children, and there are about eighty of these kids. They may be coming back to the state. House Bill 1105, let me make one thing very clear about it. The Amendment #1 is the Bill. The original Bill is no longer. The Amendment #1 struck everything after the enacting clause. The original Bill contained a tax levy. The Bill, as amended, has absolutely nothing to do with tax levies. What this Bill does is to clarify that a due process appeal is available to children where there is a possibility of a change of placement. This Bill was supported in Committee by the State Board of Education. It came as a result of negotiations with them. I, again, know of no opposition, but I didn't think there was opposition on the last Bill either. I'd be happy to answer questions if there are some."

Speaker McPike: "The Gentleman moves for the passage of House Bill 1105. On that, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker. I just wanted to emphasize what Representative Levin has just stated. The original Bill is probably one that would receive about the same number of votes as the last two Bills, because it was, indeed, a tax increase. House Amendment #1 struck everything after the enacting clause. This is not in any way a tax increase. It amends the School Code regarding due process hearings on the identification, the evaluation and placement of handicapped children. I don't see how there could be any problem with this particular Bill, and I would ask for you to support Representative Levin on this

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third in a series of Bills."

Speaker McPike: "The Gentleman from Winnebago, Representative Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. As hard as it may seem, the original Bill was actually worse than his last two Bills, but as amended, I think the Bill is a lot better, and I'd like to ask one question on that point."

Speaker McPike: "Proceed."

Hallock: "Is there any cost to the state with this Bill as amended?"

Speaker McPike: "Representative Levin."

Levin: "No cost to the state. It just deals with procedures, due process procedures that are currently in place. There has been some legal question as to whether or not, where there is a change of placement, the parents of a child may request due process appeal procedure. This Bill was negotiated out with Superintendent Gill, and as I say, it's purely clarification of procedures. There... there is no cost to the state."

Hallock: "Our analysis indicates that the cost is over forty-five hundred dollars. The State Board of Education must reimburse the difference. Is there a fiscal impact in that?"

Levin: "No, they... this is just procedures. This is nothing to do with who pays or with the actual placement. What this Bill says is that, if a child who is currently placed in a special ed facility, if there is going to be a change in that placement, then... and the parents of that child are not satisfied with that change, then they have the right to request a due process appeal procedure which is a hearing, or they may request... it's a hearing officer and there's an appeal to state level panel of staff of the State Board

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of Education. So it's purely procedural. You know, it's something which is mandated by Public Law 94-0142, the federal law. In fact, we have some communications from the..."

Speaker McPike: "Representative Levin, could you bring your remarks to a close?"

Levin: "Yeah."

Speaker McPike: "Representative Hallock."

Hallock: "Well, thank you, and I would just say that this Bill as amended is a lot better than it was prior to the Amendment, and in fact, deserves an 'aye' vote, and a fair... much better than the last two Bills. Thank you."

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

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

Speaker McPike: "He will."

Hoffman: "Is it... is it true, Representative Levin, that current law already allows either the parent, guardian, or the school district to request a due process hearing?"

Speaker McPike: "Representative Levin."

Levin: "It's my feeling that it does. There has been some question as far as that, and there have, over the last year or so, been some communications from a legal staff of the State Board to hearing officers that have thrown into question that issue. This is an attempt to clarify it. It's my view it really doesn't change the law that that right exists at present time."

Hoffman: "So in... in reality, what you're doing then is mandating what is already current law?"

Levin: "We're clarifying what is the current law."

Hoffman: "Thank you very much."

Speaker McPike: "Representative Piel."

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

Speaker McPike: "The Gentleman moved the previous question. All those in favor of the Motion say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. Representative Levin to close."

Levin: "I just ask for a favorable Roll Call. Thank you."

Speaker McPike: "The Gentleman moves for the passage of House Bill 1105. All those in favor signify by voting 'aye', opposed vote 'no'. Representative Nelson, did you want to explain your vote?"

Nelson: "No, Sir."

Speaker McPike: "Okay. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 94 'ayes', 17 'nos', 1 voting 'present'. House Bill 1105, having received a Constitutional Majority, is hereby declared passed. House Bill 1108. Out of the record. House Bill 1116. Representative Mulcahey. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1116, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker McPike: "The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Thank you... thank you, Mr. Speaker, Members of the House. Illinois currently is required to pay the board and room costs of handicapped children. This is already in the statute. And of those kids that are served in residential facilities, no child can be placed in a special education residential program unless the tuition costs for that particular program have been approved by the Governor's Purchase Care Review Board. Excuse me. This Bill simply allows the school districts to pay tuition for pupils in these private special education facilities in excess of the amounts that have been approved by the Governor's Purchase

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Care Review Board. It's a very simple thing. It only affects about thirty kids in the State of Illinois, and I would move for the passage of this Bill."

Speaker McPike: "The Gentleman has moved for the passage of House Bill 1116. On that question, the Lady from DuPage, Representative Nelson."

Nelson: "Thank you, Mr. Speaker, Members of the House. May I question the Sponsor?"

Speaker McPike: "Yes, yes, he will yield."

Nelson: "Representative Mulcahey, this is permissive legislation?"

Mulcahey: "Definitely permissive."

Nelson: "Will this do anything to help us bring back from out of state those children who are presently placed in special facilities such as the Brown School in Texas?"

Mulcahey: "Well, it will. Sure. It certainly will, because it will allow... allow the... the school districts within the State of Illinois to put these kids in institutions in the State of Illinois they're choosing, assuming that the local district wants to pick up the tab."

Nelson: "Thank you very much. I would just urge 'aye' votes on this Bill."

Speaker McPike: "The Lady from Cook, Representative Pullen, on the Bill."

Pullen: "I'd like to ask a couple questions, please."

Speaker McPike: "Proceed."

Pullen: "We... we all know that the Purchase Care Review Board is somewhat notorious in its strange decisions on rates, and I'm wondering, are there any criteria that the Purchase Care Review Board must use to determine approved rates?"

Mulcahey: "I can't answer that, Penny. I have no idea of what they use as a criteria to determine these rates. It's set by them, and along with the Illinois Office of Education, I

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don't know what that criteria is."

Pullen: "Don't you think that if the local school boards were given the authority to pay a supplemental tuition, if you will, over and above what is approved by the Purchase Care Review Board, that this would create a greater tendency on the part of the Purchase Care Review Board to push the costs down to the local level by being even more arbitrary and unfair in what they determine to be the rates they will approve?"

Mulcahey: "I think you're probably right."

Pullen: "So this Bill could end up costing a fair amount of money for the local schools."

Mulcahey: "Well, I... I... I see no... no... no possibility in that the way... the way it is right now. I don't see... I don't foresee that at all. No. I can't agree with that."

Pullen: "Well, I think that conclusion follows from the question that you said 'yes' to. Does this apply only on out-of-state placements, or is it also private placements in Illinois?"

Mulcahey: "Private placements as well, everywhere."

Pullen: "How many children, then, would be involved in this?"

Mulcahey: "Thirty."

Pullen: "Does that mean that there are thirty children whose schools charge higher tuitions than the Purchase Care Review Board approves? Does that mean that there are thirty children who's schools charge more tuition than the Purchase Care Review Board approves?"

Mulcahey: "That's correct."

Pullen: "Ifs the Purchase Care Review Board, though, took advantage of this Bill to prove lower tuition rates and stick it to the local schools, it would affect more than thirty children, wouldn't it?"

Mulcahey: "Well, then it would. Yes."

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Pullen: "Do you have any idea how many private placements there are of children in Illinois, or out of state?"

Mulcahey: "There... there are hundreds of them, Representative Pullen, I... I don't know the exact amount."

Pullen: "If I may speak to the Bill, please. I'm sure this is not the worst Bill of the Session, Mr. Speaker and Ladies and Gentlemen of the Assembly,. and I understand the frustration from which it springs. And I agree with the principle of it in a sense, but I'm concerned that it could have a very harmful effect on local school districts of the Purchase Care Review Board, which already makes rather strange arbitrary rulings on tuition rates, pushing tuition costs down to the local level, and thereby, cutting state expenditures for something that, perhaps, should not be cut because the state has taken on this responsibility of services for these children. And I think that it would end up affecting all the school districts of children in Illinois who are placed in private placements either in or out of state, because I can see the temptation for the state to use this for a, shall we say, trickle down effect, on causing local districts to have to pay more of the cost. So I can't support the Bill."

Speaker McPike: "The Lady from Champaign, Representative Satterthwaite. On... Representative Satterthwaite, on the Bill."

Satterthwaite: "Will the Sponsor yield again to ... questions?"

Speaker McPike: "He... yes, he will."

Satterthwaite: "Representative Mulcahey, I've not been able to find a copy of the actual Amendment that was adopted in Committee. Can you indicate to me how the Amendment language differs from the language in the original Bill?"

Mulcahey: "Representative Satterthwaite, there was language in the existing Bill that on page three, line one twenty-five,

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that said that the children simply could not be placed, period, no matter what. And this Amendment #1 says that... it clarifies that."

Satterthwaite: "On pa... I'm sorry. We seem to have different copies of the Bill so the reference is not the same."

Mulcahey: "Page three, line thirteen and fourteen."

Satterthwaite: "Page three, line what?"

Mulcahey: "Thirteen and fourteen."

Satterthwaite: "Thirteen and fourteen. Okay. I think, then, we still have the same problem that some of the Members on the other side of aisle were talking about. That, in fact, even though it may affect only a very limited number of children at the current time, for whom the rates are in excess of what the Purchase Care Review Board has asked, there may, in fact, be many, many more children who need special education programs who will be, under this provision, paid for by the local school district. We have a rather complicated formula now, and would this not intervene with that formula that has been established for how the student costs are reimbursed? Would this not intervene with the current formula for the distribution of the cost between the state and the local school district?"

Mulcahey: "Yes, in that case it would. Yes."

Satterthwaite: "Well, to the Bill then. Mr. Speaker and Members of the House, while this may seem like an inconsequential little Bill that the Sponsor says will effect only thirty children in the State of Illinois, I think it is a very dangerous precedent for us to be setting. We will, in fact, be declaring that your local school districts will have to pick up a much larger share of the cost for special education children if this Bill goes through. And it will apply not only to the thirty children who may currently be placed in out-of-state facilities where these costs are in

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excess of the Purchase Care Review Board's rate, but it will, in fact, encourage many, many more placements to be made, and your local school district will end up bearing more of the cost for special education than they have in the past. If you want your local school district to have to bear a greater cost, then pass the Bill, but if you don't want them to bear a greater cost, you should defeat the Bill."

Speaker McPike: "The Gentleman from Lake, Representative Peterson, on the Bill."

Peterson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I speak in opposition to this Bill. I think Representative Satterthwaite was very clear in her comments that this will bring a financial burden to local districts, even though it is permissive. In our county, we just had a case where an individual, the cost would have been over a hundred thousand dollars. Had to go all the way to the Supreme Court of this state. I think that this is certainly well intentioned, and I know the Sponsor certainly has the welfare of special ed students and their parents at heart, but I think for the local taxpayer and for the citizens of this state, this is a bad Bill, and I urge your opposition to it. Thank you."

Speaker McPike: "The Gentleman from Sangamon, Representative Curran."

Curran: "Mr. Speaker, I rise in support of this legislation. It's permissive. It is the best Bill of the day. It's the fourth Bill of the day. And I encourage you to vote for it, because it's permissive legislation which allows a school district, does not force a school district to do anything."

Speaker McPike: "The Gentleman from Cook, Representative Piel."

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

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

All those in favor of the Motion say 'aye', opposed 'no'.
The 'ayes' have it. The Motion carries. The Gentleman
from Winnebago, Representative Mulcahey, to close."

Mulcahey: "Well, thank you, Mr. Speaker and Members of the House.

We're presupposing an awful lot here in this particular
Bill, and we're splitting hairs over this. This is only
going to effect thirty kids in the State of Illinois. It
is permissive. It's up to the local districts. If they
want to pick up the additional tab, above and beyond what
the Governor's Purchase Care Review Board wants to pay, to
play... place these kids in other... other institutions,
they're allowed to do so. For God's sake, we finally got
an education Bill here that affects kids, handicapped kids,
not teachers, not administrators, not taxes, but kids.
Let's take care of the kids and vote 'aye'."

Speaker McPike: "The Gentleman moves for the passage of House
Bill 1116. All those in favor signify by voting 'aye',
opposed vote 'no'. Representative Neff, did you wish to
explain your vote?"

Neff: "Just one second. Thank you, Mr. Speaker. I think this is
good legislation. We're taking care of a group of young
people, giving them opportunities that have been neglected
for many years. And it's been brought out here that this
is only permissive, and I think every... everyone of us can
vote for it. Thank you."

Speaker McPike: "Have all voted who wish? Have all voted who
wish? The Clerk will take the record. On this Bill, there
are 92 'ayes', 23 'nos', none voting present. House Bill
1116, having received a Constitutional Majority, is hereby
declared passed. House Bill 1119, Representative Kirkland.
Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1119, a Bill for an Act to amend

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Sections of the School Code. Third Reading of the Bill."

Speaker McPike: "The Gentleman from Kane, Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker and Members of the House. This is a third Bill in a series of Bills that I received from the State Board of Education that is a package intended to equalize local taxing authority between downstate school districts and the Chicago School District #299. This involves the twelve cent levy for property tax levy for transportation. That twelve cents authority now exists for all downstate districts, but does not exist for the City of Chicago. This Bill would give that authority to the City of Chicago. Now, the Chicago Board of Education currently spends approximately eleven million dollars per year for regular transportation costs, and in the range of thirty million dollars for special education transportation costs, for a total of approximately forty-one million dollars. However, only about twenty million of that is reimbursed by the sta... State of Illinois, which leaves about a twenty million dollar gap. This tax, if used by the Chicago Board, would raise about fourteen million and help close that gap. As with the two other Bills I presented, one of the theories behind this approach is simply that the State Board of Educ... is that the Chicago Board will only... will be the only school district that will come to the state, probably, and ask for some kind of subsidies that may be necessary to open their schools in September. This is a self-help Bill for Chicago. And also, as I said before, a tax equity Bill for Chicago as compared to downstate. Now, I think the timing is right with only two days left to pass this legislation, and I would say that I agree with Doris Gar... Doris Karpel, as she stated yesterday, that tax equity makes sense. And I ask that you

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support this Bill, and I will answer any questions."

Speaker McPike: "The Gentleman moves for the passage of House Bill 1119. On that, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Will the Gentleman yield for a question?"

Speaker McPike: "He will."

Vinson: "Is the tax rate increase predicated on a referendum?"

Kirkland: "It is not. I'm sorry that I didn't state that. It is not."

Vinson: "There's no referendum requirement?"

Kirkland: "That's correct."

Vinson: "Thank you."

Speaker McPike: "The Gentleman from Cook, Representa... Representative McGann."

McGann: "Thank you, Mr. Speaker. Would the Honorable Representative Kirkland from Kane County allow me a question?"

Kirkland: "Yes."

McGann: "Representative, what is this going to cost taxpayers of the City of Chicago?"

Kirkland: "What would it cost them? If the total authority was used, it would raise about fourteen million dollars the first year."

McGann: "You have no idea what it's going to cost the individual taxpayers in the City of Chicago?"

Kirkland: "No, I'm sorry. I don't have that figure."

McGann: "Well, to the Bill."

Speaker McPike: "Proceed."

McGann: "Mr. Speaker and Members of this Assembly, I would draw your attention to this fine Gentleman from Kane County that is going to levy taxes in the City of Chicago without referendum. That's very thoughtful of you, Representative Kirkland, but no thanks. Please vote 'no'."

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Speaker McPike: "The Lady from Cook, Representative Braun, on the Bill."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill. I've heard, and we've all heard time and time again, the people in Chicago should support their schools. They should support their schools with local money. They should not have to come to this Legislature looking to import money from Kane County, and Effingham County, and Alexander County to run the Chicago schools. This Bill will allow Chicago to... to one, get on equal footing with the rest of the state in terms of pupil transportation. Number two, it will help us begin to start making up some of the money that is not available for education in our city because it's going now to pay the bankers. You will recall, those of you who served in the last General Assembly, that a school finance authority was set up and the bankers get the first fifty cents out of our school education levy. We have to find some way to put that money back. This Bill does not put it all back, but it certainly, certainly begins to make a start. If we are going to have education for our children, which has got to be a first priority, if we are going to begin to bring the Chicago public schools back up to a level so that they can begin to stay open without regard to whether or not a subsidy, a further subsidy comes from this General Assembly, I believe that this Bill would require an 'aye' vote. I encourage your support for this legislation."

Speaker McPike: "The Gentleman from Cook, Representative Harris."

Harris: "Thank you, Mr. Speaker. Why my distinguished colleague from Kane County is carrying this Bill, perhaps, is beyond me, but I think we ought to vote for this Bill. I voted for his two previous Bills, and I'm going to vote for this

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one. If the people in the City of Chicago, if the schools in the City of Chicago need money, well, let's let them raise as much tax as they want. Let's let them tax themselves out of existence, if they want to tax themselves out of existence. Give them that authority. Every Republican should vote for this Bill, especially in the suburbs, because when they tax themselves out of existence, and all those... all those businesses in the City of Chicago look at their property taxes and see them going up, time after time after time without a referendum, you know what they're going to do? They're going to move out to the suburbs, and they're going to raise our tax base. The problem here is it's going to... if you... if you view taxes as a disincentive to... to progress, which indeed they are, we are... we are stifling progress in the great City of Chicago with this Bill, but if that's what they want to do, we ought to vote for it. I urge an 'aye' vote."

Speaker McPike: "Representative Kirkland to close."

Kirkland: "Thank you."

Speaker McPike: "Excuse me. Representative Matijevich in the Chair. Proceed."

Kirkland: "I would just add a couple of things in closing. This legislation is supported by the Chicago... part of Superintendent Ruth Love's tax package. It's supported and given to me by the State Board of Education, and it is supported and promoted by the School Problems Commission. Now, I'd just add, I served on the city council for five years back in Elgin, and we had occasions to have to make some tough decisions about funding our own services, and... and this Bill would simply place on the Board in Chicago a responsibility that local boards should be willing to handle and that the state should not always have to

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undertake. So I would urge the passage of this legislation."

Speaker Matijevich: "Representative Kirkland has moved for the passage of House Bill 1119. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question, there are 40 voting 'aye', 67 voting 'no', 2 voting 'present', and this Bill, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill 1131, McAuliffe. Clerk will read the Bill."

Clerk O'Brien: "House Bill 1131, a Bill for an Act concerning the Commission on Gang Crime Activity. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 1131 would repeal the repeater date and oppose an annual August 30th reporting date for the Commission on Gang Crime Activity and Suburban Problems Task Force. Move for favorable consideration."

Speaker Matijevich: "Representative McAuliffe has moved for the passage of House Bill 1131. There being no opposition, those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question, there are 98 voting 'aye', 14 'nays', and House Bill... Hastert voting 'ay...' 'no'. Is that... is that 'no'? His switch doesn't work. 98 voting 'aye', 14 voting 'no', and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1138. Out of the record. That's on a Special Order. House Bill 1139, Cowlshaw. Read the Bill."

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Clerk O'Brien: "House Bill 1139, a Bill for an Act concerning public assistance recipients. Third Reading of the Bill."

Speaker Matijevich: "Repre... Representative Cowlshaw on House Bill 1139."

Cowlshaw: "Mr... Mr. Speaker, Ladies and Gentlemen of the House, this Bill prov... the Amendment which was adopted to this Bill yesterday is, in fact, the Bill. What this measure provides is that the Illinois Department of Revenue will now be entitled to share with the Department of Public Aid certain facts regarding the income of... as reported on the Illinois Income Tax Forms. It is my understanding in my negotiations with both of these departments in arriving at the Amendment which became the Bill that under existing provisions in this state, it is impossible for the Department of Revenue to share with the Department of Public Aid information about persons who are self-employed and who are public aid recipients. Consequently, this is all that this Bill provides, is that that kind of information might be provided as regards those persons who are presently recipients of public aid, and I move for the Bill's adoption."

Speaker Matijevich: "Representative Cowlshaw has moved for the passage of House Bill 1139. On that, the Lady from Cook, Representative Braun."

Braun: "Representative Cowlshaw, people who are on public aid, general assistance, right now get a hundred and twenty-two dollars a month to live on. I want to ask you, how does a person generate interest or dividend income off of a hundred and forty-four dollars a month?"

Cowlshaw: "This Bill... Representative Braun, this Bill does not address that. As amended this Bill address only the income which is reported on Illinois income tax reports, not interest or dividends, only income."

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Braun: "You took the interest and dividends out."

Cowlshaw: "That is correct. Yes. As I mentioned before, the Amendment is, in fact, the Bill."

Braun: "All right. I have no further questions. Thank you."

Cowlshaw: "You're welcome."

Speaker Matijevich: "The Gent... Gentleman from Macon, Representative Dunn."

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

Speaker Matijevich: "She indicates she will."

John Dunn: "Would you please explain how this coordination between the two departments will work without creating additional bureaucracy? I think we all want to catch anyone who cheats when they're receiving general assistance or public aid, but I don't know that we want to swat the gnat with a baseball bat. How... how are you going to do this without great expense to the taxpayers?"

Cowlshaw: "Mr. Speaker..."

Speaker Matijevich: "Proceed."

Cowlshaw: "I'm very sorry, but I am unable to hear what the question is."

John Dunn: "The question is how... how can this Bill be implemented without great expense to the taxpayers?"

Cowlshaw: "Representative, it is my understanding in... in my discussions with both of these departments that what is involved is a computer cross match."

John Dunn: "And... and who does that, and what does it cost? I... wasn't there a fiscal note filed? What is the impact?"

Cowlshaw: "It's my understanding that the business of this kind of computer cross match, which is of course...not...does not involve a lot of labor of individuals, is something which the department estimates would be very cost effective."

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John Dunn: "Well, what... we hear a lot about 'cost effective'.

What does it cost?"

Cowlshaw: "I believe if you would... "

John Dunn: "The Calendar says a fiscal note was filed. What does the fiscal note say?"

Cowlshaw: "Yes, I have a copy of the fiscal note here, Representative. As the fiscal note.. not... note points out, this legislation does not mandate that the this must done. It only... it is only something which we say may be done. Consequently, as the fiscal note mentions, as long as the process were cost effective, that is the savings exceeding the cost, the state would use the access to this financial data afforded by this legislation."

John Dunn: "Well, that's my question. If you take everyone who files an income tax and cross match with everyone who receives public aid, and... and there are, I don't know, fifty thousand people or whatever, and twenty of them match up with the problem, that's nice that you catch them, but I don't know that it's cost effective to start up a program. So, how do you do that? How does it work?"

Cowlshaw: "It is my understanding that the Department of Public Aid and the Department of Revenue in... in having, you know, worked with this proposal, have decided that what they would do at the outset is to do a kind of sample that can be done very quickly through the computer cross match, that I mentioned before, to see whether, in fact, there is any likelihood that this will be cost effective. If it appears to be cost effective, they will then proceed with it. As I say, they are not mandated by this legislation to do this. They are enabled to."

John Dunn: "Who has reason to believe now that there's widespread... there's a widespread problem out there of people who are foolish enough to report income when they're

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cheating on welfare? I think people who cheat on welfare are not going to file an income tax return and lay the facts out to convict themselves. They... they generally don't operate that way. That's why I really question whether we have... we're going to do any good here."

Cowlshaw: "Representative, I would like to mention to you that the idea for this legislation was certainly not my own. I didn't just suddenly, you know, create this idea. I did, in fact, adopt it from a piece of legislation which was enacted in the State of Massachusetts. It is not... this is not exactly the same provision, because in the State of Massachusetts, I want you to understand that there was more access provided between these two departments than this rather limited measure here in Illinois. But I would like to point out to you, Sir, that in Massachusetts, within the first year that that legislation was in effect, there was discovered six thousand cases of ineligible welfare recipients with a total of, I believe, somewhere in the neighborhood of several million dollars of undisclosed income and assets. Now, you know, if other states have followed these provisions and found them to be cost effective, it seems likely that would happen here, too."

John Dunn: "Thank you."

Speaker Matijevich: "The Gentleman from Cook, Representative White."

White: "Representative Cowlshaw, I think the Department of Public Aid needs this kind of legislation in order to get a handle on welfare fraud, and if that is the intent of this Bill, I'm in sole support of it."

Cowlshaw: "Representative White, that is, in fact, correct. That is the intention of this Bill. We certainly want to make certain that those people who need public aid, receive it, and that those people who are not eligible, do not. It

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is as simple as that."

Speaker Matijevich: "Representative Cowlshaw to close."

Cowlshaw: "Mr. Speaker, Ladies and Gentlemen of the House, I believe this is a good piece of legislation. It is endorsed by both the Department of Revenue and the Department of Public Aid. I know of no opposition to it. I move for its adoption."

Speaker Matijevich: "Representative Cowlshaw has moved for the passage of House Bill 1139. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 9... 101 'ayes', 2 'nays', 9 voting 'present'. House Bill 1139, having received the Constitutional Majority, is hereby declared passed. House Bill 1149, Giorgi. Read the Bill."

Clerk O'Brien: "House Bill 1149, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, this Bill has to do with restricted driver's permits. What this Bill attempts to do is say and do, that if everything's in order, you've got a hardship letter from your employer, you've complied with all the re... requisites of the Secretary of State's Office, and you don't get any relief in thirty days, you can go into your local courts and ask for relief and ask for a restricted driver permit. And I envision the courts saying to the person, 'Everything's in order. It seems to be you're from our community. We're the judges of our community. We're going to give you a license to go to work, or we're going to give you a license to go to school, or we're going to give you a license to shop or whatever.

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You might have parents in a nursing home. We'll give you a license, and that's all you better be doing, otherwise we'll revoke that license.' This is a... this is going to cause the Secretary of State's Office to sharpen up their issuances of... restricted driving permit, and it's going to cause them to... to watch the arbitrary denials. Now, they are denying you capriciously. When everything's in order, they still deny you. This says to the Secretary of State, we're going back in our own communities and we're going to ask our Judges, who are up for retentions every so often, to allow us to allow our people to drive to maintain their jobs. Are there any questions?"

Speaker Matijeovich: "The Gentleman from Marion, Representative Friedrich."

Friedrich: "Well, I just want to support Representative Giorgi. I don't get a chance to do that very often. But it's been my experience at the Secretary of State's Office, they're bogged down with red tape over there, and even after you meet all the requirements, it takes a month. And they can give you fifteen excuses why it didn't get out. So if this will speed up the Secretary of State and... and continue these things, I'm for it a hundred percent."

Speaker Matijeovich: "The Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I would have to rise in opposition to Zeke's Bill. I hate to oppose him. I have some figures here that are interesting. As far as drunk driving arrests were concerned, Zeke is right, Secretary Edgar has been a little stricter than Secretary Dixon. They've issued last year four hundred and sixty-eight restricted driving permits for people convicted of drunk driving which is two percent, and it used to be seven percent under Alan Dixon. But as far

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as the total amount of restricted drivers' licenses which takes in drunk driving and people who have got their license revoked for three tickets, Secretary Edgar has been a little more generous than Secretary Dixon. In 1982, six point eight percent of the people who applied got restricted drivers' permits, and under Alan Dixon, it was six point two percent. So... so I would say that the Secretary of State Edgar has been extremely fair in issuance of restricted drivers' permits. What they're worried about is keeping the drunk drivers back off the road. We don't want to give it back to the Judges."

Speaker Matijevich: "The Gentleman from Morgan, Representative Reilly."

Reilly: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in opposition to the Gentleman's Bill, and I find it doubly ironic. I'm a lawyer, so I'm certainly not anti-lawyer in any sense. But here is somebody who, all the time, entertains us with stories about how horrible lawyers are, and how Bills are designed to make work for lawyers. Well, if there is ever a classic Bill that will make work for lawyers and for the court system, this is it. As a practical matter, the... within thirty days from the application date, the paper work, I'm not talking about the paper work done by the Secretary of State, but the paper work to the Secretary of State, simply isn't there. For example, you apply for a restricted driving permit after a drunk driving conviction. Well, several pieces of paper the Secretary has nothing to do with, have to come to the office. You have to get a report from the Alcoholism Council, or you have to get all kinds of references and... and things like that. Within thirty days, in most cases, those pieces of paper that the office has no control over, simply aren't there. So to put into statute a law that

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says that you've got to issue them within thirty days or the court decides whether they get issued, my God, think of the delay there, but if you put that into statute, what you're saying is, as a practical matter is, that the Secretary of State will have nothing to do with whether they're issued. All of those cases will go into court. Last year there was potentially in terms of... of convictions and suspensions some seventy-nine thousand of them. What you're saying is that if any significant percentage, and a good percentage of those convictions every year will apply for a restricted permit, what you're saying with this Bill is that every one of those cases goes into court. And if you think that speeds things up, I think you better think again. Now, if we wanted to amend the Bill to ninety days or some reasonable time, or if you want to make the time thirty days after the paper needed to make the decision comes to the Secretary's Office, that might make sense. But the Bill, as it stands, not only would not speed things up, it would transfer the entire practical responsibility to the courts. Anybody who thinks the courts act quickly haven't been in court lately. And it would just make a mockery of the DUI statute that we passed last year. It's an impractical Bill. There are ways to make it practical so that we could speed up the operation. I would be the first to say that the operation isn't fast enough. It's gotten faster since this Secretary of State's taken office, but it's still not fast enough, and I complain about that as much as anybody does. There are ways that we could address that, but this Bill doesn't do it. All this Bill does is put about seventy thousand new cases in an already overburdened court system, and abrogate as a practical matter the DUI statutes that we passed last year. It's a bad Bill and should be defeated."

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

John Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of
the House. I rise in support of this Bill. It's a good
Bill in spite of what the previous speaker said. If
there's a problem with drunken driving, that's something
that can be taken care of. This Bill has nothing to do
with drunken driving. One of the other speakers said that
under one Secretary of State six point eight of the...
percent of the requests were granted for restricted
permits, and under another Secretary of State from the
other party, six point two percent of the requests for
restricted driver's permits were granted. That is proof
that we need this Bill. If someone hits three tickets for
going forty miles an hour in a thirty mile an hour speed
zone, under the current law, their license is suspended,
and if they want to drive to get to work, they must apply
for a restricted permit. And if there is anyone in this
room who hasn't has an employer call and say, 'One of my
trusted employees, who's not a drunk, who's not a menace on
the road, happened to get the third ticket for a minor
speeding accident, had his or her license suspended, and
now they're coming to me and saying they have to walk to
work. They can't get a ride. They don't know how they're
going to get there. And I'm the employer and I only have
two choices. One is to carry them on the payroll until
they can finally get to work an hour or two late, or let
them go.' The employer says, 'Can't you do something?
Can't you tell the Secretary of State that these people
have to get to work? They're lucky enough to have a job in
these tough times. They have a wife to feed, children to
feed, people to get to school.' All they want is the right
to drive to work, and the Secretary of State says, 'Wait

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ninety days, wait a hundred and twenty days. Send your paper in. Mail it back. Send it in again.' All this Bill says is 'Wait thirty days.' My God, it shouldn't have to wait one day when your first conviction comes along. If you're a bad actor or repeater, take their license away. Tear it up. Throw it away. Keep it, but for God's sake, when employment is twenty percent don't keep the people from working. If they can get to work, give them a chance. Vote for this Bill."

Speaker Matijeich: "The Gentle... Gentleman from Lee, Representative Olson."

Olson: "Thank... thank you, thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This debate is becoming impassioned. I'd like to address this as a former circuit clerk. We talk loosely here about the courts. The administrative arm of the courts is the circuit clerk's office. They're already tremendously overburdened. This would reflect a massive change in the law. I suggest to you that we keep the issuance of licenses where it belongs, in the Secretary of State's Office. I now have a Constitutional Amendment floating around here which we'll act on next year to unburden the courts of some of their caseload by doing away with jury demands in fallacious traffic cases. So I recommend that we keep this in place and vote against this Bill."

Speaker Matijeich: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. I totally agree with the Sponsor of this Bill; however, I certainly think in his wisdom of efficiency of State Government, it would totally be impractical to fragment the process of license control in the State of Illinois. Let me give you a practical example. Suppose we have a person who's lost their license because they may or may not have

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been drunk, and here the... under this Bill, the courts would reissue him a license, and this person would be picked up by a state policeman. To verify that license from the Secretary of State's Office, there would be no guarantee that that individual has a license, when in fact he'd be holding one in his hand. You could not, and I don't think you want to cause any confusion, as this Bill would certainly do under the passage. I urge a 'no' vote, so that the proper control can be maintained in the Secretary of State's Office, and I also urge the Secretary of State to speed up that process."

Speaker Matijevich: "The Gentleman from St. Clair, Representative Flinn."

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

Speaker Matijevich: "Representative Flinn moves the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', those opposed 'no', and the main question is put. The Gentleman from Winnebago, Representative Giorgi, to close."

Giorgi: "Mr. Speaker, this has nothing to do with the drunk driving revocations. If this Bill gets out of the House, I hope the Senate amends the Bill to get into that phase of it, because that's... that's very much abused by the Secretary of State. We never intended the Secretary of State to be the judge, the jury, the rehabilitation officer, the revocation officer, the arresting officer. He's become the entire judge of driving license infractions. I say that drivers should be judged in the community. Now, Representative Reilly talks about... about the courts and the law. The Supreme Court - I have a clipping in my hand - the Supreme Court is finally going to take up the issue of quotas by police officers. There... these are people that have had three tickets in the year

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and an officer has to make a quota, he gives them a disobeying a right turn signal. The guy is suspended from his license, can't get a license to get to work, and that's because an officer had to fill a quota. It has nothing to do with the driver's ability to drive, or what kind of an accident he's going to cause. This should be in the courts where it belongs. I... we trust the courts, and their... you know that I've been generally anti-lawyer, but we trust our courts better than I trust Edgar. Edgar's got too many hang-ups on issuing restricted driving permits. I'll trust that the guy'll get a different judge every week. The judge will have his record before him, and the judge'll say, 'I'm going to let you drive to work and back. I'm going to let you go to church, but if I catch you driving anywhere else, I'm going to revoke your license.' This is a good Bill. This puts it back in the community where it belongs. Edgar hides behind a facade... a facade of people that are reformed alcoholics who won't give a driving permit to a guy that's been convicted of drinking. It's a terrible situation that we've let occur. We let him be Judge, jury, rehabilitation officer, and everything else. Let's put it back in the courts. They're up for retention. They're not going to let reckless drivers drive in the community. This is a very good Bill, and you ought to be ashamed of yourselves for not voting for it."

Speaker Matijevich: "Repre... Representative Giorgi has moved for the passage of House Bill 1149. Those in favor signify by voting 'aye', those opposed by voting 'no'. The Gentleman from Hardin, Representative Winchester, one minute to explain his vote."

Winchester: "Thank you. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is ludicrous. This is ridiculous. Last year alone in 1982 there were four

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thousand two hundred and ninety three restricted driving permits issued by the Secretary of State. Now he wants to turn it over to the courts. The courts have such a tremendous workload now, a backlog, that there's no way that they're going to get to... to the point to issue any kind of rulings or any kind of permits on this kind of legislation. I would ask for a 'no' vote."

Speaker Matijevich: "Have all voted? Have all voted who wish? Clerk will take the record. On this question, there are 57 voting 'aye', 52 voting 'no', and 3 voting... Representative Giorgi, what do you want? And this Bill, having failed to receive the Constitutional Majority is... Poll the Absentees for Representative Giorgi. Poll the Absentees."

Clerk O'Brien: "Poll of the Absentees. Christensen, DiPrima, Giglio, Winchester, Wolf, and Mr. Speaker."

Speaker Matijevich: "Representative Winchester."

Winchester: "Yes, Mr. Speaker, I was so busy talking I forgot to vote. Would you please vote me 'no'?"

Speaker Matijevich: "And this Bill, having 57 'ayes', 53 'nos'... Representative White. White 'aye'. There's going to be a verification, I understand, so be careful. White 'aye'. Wolf 'aye'. Keane... Keane from 'no' to 'aye'. Representative Younge, your light is on. Give me the count. 60 'ayes', 52 'nos', 2 voting 'present'. And Representative Reilly, for what purpose do you seek recognition?"

Reilly: "Mr. Speaker, I would request a verification of the affirmative vote."

Speaker Matijevich: "Representative Reilly requests a verification. The Clerk will call out the affirmative vote. Members stay in their seat. Representative Harris, for what purpose do you rise?"

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Harris: "Thank you, Mr. Speaker. How am I recorded?"

Speaker Matijevich: "How's Harris recorded?"

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

Harris: "I'd like that 'no' please."

Speaker Matijevich: "I didn't hear you, Representative Harris.
You want changed to 'no'?"

Harris: "Please vote me 'no'."

Speaker Matijevich: "Change Harris from 'aye' to 'no'.
Representative Bar... Barger, for what purpose do you
rise?"

Barger: "Would you change my 'aye' to 'no', please?"

Speaker Matijevich: "Change Barger from 'aye' to 'no'. There are
now 58 'ayes', 54 'nos', 2 'present'. Representative
Terzich, for what purpose do you rise? Terzich 'aye'.
We... we start at what count? LeFlore 'aye'. 60 'ayes',
53 'nos', 1 'present', and the Clerk will call out the
Affirmative Roll."

Clerk O'Brien: "Alexander, Barnes, Bowman, Braun, Breslin,
Brookins, Brummer, Brunsvold, Bullock, Cullerton, Curran,
Currie, DeJaegher, Domico, Doyle, John Dunn, Ralph Dunn,
Farley..."

Speaker Matijevich: "McMasters... McMaster, for what purpose do
you rise?"

McMaster: "Mr. Speaker, will you change my vote from 'aye' to
'no', please?"

Speaker Matijevich: "Change McMaster from 'aye' to 'no'."

Clerk O'Brien: "Flinn, Dwight Friedrich, Giorgi, Greiman..."

Speaker Matijevich: "One moment. Carol Braun, for what purpose
do you rise?"

Braun: "To be verified, Mr. Speaker."

Speaker Matijevich: "Leave to be verified."

Clerk O'Brien: "Hannig, Hicks, Huff, Hutchins, Jaffe..."

Speaker Matijevich: "One moment. Representative Giorgi, for what

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purpose do you rise?"

Giorgi: "Mr. Speaker, has it fallen below 60?"

Speaker Matijevich: "I don't know yet. I'll let you know. 59."

Giorgi: "All right, Mr. Speaker, because..."

Speaker Matijevich: "Because of the press of business."

Giorgi: "No. Because... I've been here a few years, and I know everyone wants their Bill heard, and I've got another controversial Bill coming up, and I don't want to get the House bogged down. I feel... I feel strongly about this Bill..."

Speaker Matijevich: "But more strongly about the other one."

Giorgi: "No. No. It isn't that. It's just that I'm concerned that I don't want to hold the House up, because everyone wants their Bills called. I'm getting a shot at my Bill. I'm happy with that, but I'll let it go on Postponed Consideration."

Speaker Matijevich: "Because you're that kind of guy. Okay."

Giorgi: "No. I just wanted to go on Post... because I don't want to tie the House up. I have another tough Bill coming up, so put it on Postponed Consideration."

Speaker Matijevich: "Leave to place this Bill on Postponed..."

Giorgi: "I'll tell the House now that..."

Speaker Matijevich: "Consideration."

Giorgi: "... I'll have this as an Amendment on another Bill. In the meantime, I'm going to notify the Judges that the red lights don't trust them."

Speaker Matijevich: "Postponed Consideration. House Bill 1153, Giorgi. Clerk will read the Bill."

Clerk O'Brien: "House Bill 1153, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Winnebago, Representative Giorgi."

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Giorgi: "This is another Bill, just as controversial as the last one. All I... and this is because of the abuses that have arisen again in the issuances of drivers' licenses. What's happening now is, there are six huge insurance companies that have got terminals plugged into the Secretary of State's Office, and they're buying over two million motor vehicle reports a year. Every three years they've got everybody's motor vehicle report. And what they're doing is... And what they're doing is, they're taking the people that are unwary, the insurance companies are calling them in and saying, 'Look you've gain... you've had a driver's infraction last year. You get five points. Your insurance premium goes up ten dollars a month.' You get a couple of other knocks on your license, and you haven't lost your license yet. They tell you that, 'We can't keep you in the... in our regular coverage. We've got to put you in the assigned risk pool. We conveniently have an assigned risk pool in our own company, so your premium's up twenty-five dollars a month.' All this Bill does is, says that when an insurance company or anyone wants your driver's record, you have to sign to allow them to get their hands on it. Now, if you're interested in insurance, you'll sign their form. Now this is one of the crassest invasions of privacy that we've let occur here. This has been on the books for about forty years. But someone's going to bring up that we're going to lose four million dollars. Well, I supported the motor fuel tax increase which is going to glean about eight hundred million dollars a year, and we could find four million dollars in that pot to pay back the monies lost. This is the crassest invasion of privacy. Now he's asking on some Secretary of State forms for your driver's license, so he can sell them, for your telephone number. So he can sell them to people that

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are going to huckster you for something. This is a good Bill. All this does is says that you'll sign a statement to the insurance company that, yes, they can get your motor vehicle report. It's a very good Bill. I urge your support."

Speaker Matijevich: "Representative Giorgi has moved for the passage of House Bill 1153. The Gentleman from Marion, Representative Friedrich."

Friedrich: "Well, I told you, Mr. Speaker, Members of the House, that Representative Giorgi and I didn't get together very often. Well, it just lasted one Bill. The reason it's important the insurance companies get this information is that the safe driver gets the lower rate, and the guy that causes all the problems gets the increase. That's what he's trying to undo here. If... if you pass this Bill, all of you will be paying the higher rate, even though you have no accidents or anything else."

Speaker Matijevich: "The Gentleman from Cook, Representative Terzich."

Terzich: "Representative Giorgi, on this Bill, are you trying to protect the poor drivers or violators that, you know, have traffic violations?"

Speaker Matijevich: "Representative Giorgi."

Giorgi: "Anyone... when an insurance company calls a person in and tells them I've got to have a copy of your motor vehicle report before I can issue an insurance, that guy will grant them... he'll sign a waiver getting them his report. But what is... what's happening now is, six of your major companies have terminals right in the Secretary of State's Office, and they're buying two million copies a year. And they're just using them to raise premium rates. They're not causing drivers to become better drivers. They are not preventing accidents. They are not preventing

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drunk drivers. All they're doing is using it as an excuse to increase your insurance premiums."

Terzich: "How does a person's driving record, which may be a poor driving record, increase? Don't you believe that poor drivers should be charged additional premium? You know, they are traffic violators in the first place. Don't you think that they should be...their premiums should be adjusted?"

Giorgi: "If he's going to want insurance, he'll grant permission to that company to get his record. I'm saying they shouldn't discriminate get everybody's record whenever they feel like it. Now they're using telephone numbers on those applications, so you're hustled by other kinds of businesses."

Terzich: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I oppose this legislation. The insurance industry certainly wants to charge the proper premium and to also charge the people that have poor driving records. Maybe they shouldn't even be on the road in the first place. This would cause an undue burden. I assume that they have to send written permission to the Secretary of State's Office. Otherwise, the insurance company would not issue the policy. I think it would be a detriment to the people who are looking for insurance that they couldn't get it, because they couldn't get the driving information, and I certainly wouldn't blame the insurance industry that wouldn't want to insure a poor driver as well. So I would oppose this Bill."

Speaker Matijevich: "The Gentleman from Hardin, Representative Winchester."

Winchester: "Thank you, Mr. Speaker. Would the Gentleman yield to a question?"

Speaker Matijevich: "He indicates he will."

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Winchester: "Representative Giorgi, is it possible that you have recently lost your driver's license?"

Giorgi: "Never in my life."

Winchester: "Well have...are you on your third moving violation?"

Giorgi: "No, Sir."

Winchester: "Okay."

Giorgi: "I've been able to talk myself out of it."

Winchester: "Well, would this...would the enactment of this legislation result in any dollar losses to the Road Fund?"

Giorgi: "Insurance? I don't know if any insurance dollar goes to the Road Fund."

Winchester: "Well, it's my understanding, Representative Giorgi, that the Secretary of State charges a fee of \$2 for this information, and it totals up to somewhere in the neighborhood of \$5,000,000 that's generated for the Road Fund."

Giorgi: "You're correct, but we just...I just voted to increase the..."

Winchester: "Okay, thank you, Representative. May I speak to the Bill?"

Speaker Matijevich: "Proceed."

Giorgi: "...Which is going to...\$800,000,000."

Winchester: "Well, over 70 of us, Mr. Speaker, yesterday, put our necks on the line to vote for a gas tax increase. It seems rather strange that we would be coming back with a piece of legislation today that would be taking it...that would be causing the Road Fund to lose additional dollars that we so desperately need. And for that reason, I would think that we ought to vote 'no' on this Bill."

Speaker Matijevich: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. I stand with some easiness in opposition to my Leader's Bill. But I think

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that every individual here has discussed at some length, at some time, the provision called the 'experience factor', as it pertains to insurance. That is...the experience factor is used in workers' compensation. It is used in liability insurance, and it certainly is used in automotive insurance. It seems to me that from a business standpoint, this provision that allows the evaluation of the motor vehicle record is an important one, not only to the main street businessperson, but to the person involved in transportation, truckers, et cetera, that equally sets forth what their premium should be, based on the experience rating of their drivers. It is also, I think, as Representative Friedrich stated, a...a guarantee that the person paying the premium will not be paying undue high premiums for drivers who do not have any accidents, do not have any tickets, et cetera. I am sorry to stand in opposition to 1153, but I don't think it's in the best interest of the drivers of the state to have this provision eliminated from the availability for the rate structure."

Speaker Matijevich: "The Gentleman from Macon, Representative Tate."

Tate: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, the issue here is one that is directly related to a piece of legislation that this chamber passed out recently. As many of you realize, we recently voted on a compulsory insurance Bill in this chamber. And what that compulsory insurance Bill did is, it will require every registered motor...every registered motorist, every licensed motorist in the State of Illinois, to have insurance. Now we're going to turn right around and not allow people to have the information to see what those motorists are doing. And if we're going to have any rates in this, if we're going to expect some fair, equitable rates in this state for motorists, we

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should vote 'no'. Thank you."

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

Brummer: "Yes, very briefly in opposition to this. This type of information is available in all 50 states in the United States. It generates from five to seven million dollars for the Road Fund. It is not free information that the insurance companies do not pay for. It results...that type of information results in lower insurance costs for the good driver. I think that's...the good driver should receive the lower insurance benefits. One other issue that has not been discussed is that that information is also purchased by attorneys at times with regard to litigation to determine if the plaintiff or defendants have a prior accident history, whether the plaintiff has potentially been involved in other accidents that he has not disclosed and may have pre-existing injuries. It is a legitimate discovery item to prevent fraud in the trial of lawsuits. It is a legitimate item to prevent fraud with regard to insurance applications, and we ought to defeat this Bill."

Speaker Matijevich: "Representative Giorgi to close."

Giorgi: "Mr. Speaker, this doesn't deny the record to people that want the record. They just ask the driver to sign a waiver telling them that they can... access to the record. This doesn't deny the records to the law enforcement people, people that are interested. This is just a sham by the insurance company to raise your premiums. They'll take people that aren't sophisticated and tell them a driving infraction that occurred last year caused them a six or nine point increase. They tell them, 'We're going to have to drop you out of our major...regular coverage, but we've got a high risk company we can drop you into'. They pay another \$25 a month, 300 a year. They pay that for good,

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because the insurance companies scare them with the record that they have in front of them. Many times the insurance companies don't even read the numbers correctly that the Secretary of State uses to identify infractions or to identify good causes on their driver's record. This is a terrible Bill. It's only at the...it's only on the books because of the request of the insurance companies. They use it as a ploy to raise insurance rates, and any driver that wants insurance will allow an insurance company to get at his driver's record. This is a very bad invasion of your privacy, and I urge your support of the Bill."

Speaker Matijevich: "Representative Giorgi has moved for the passage of House Bill 1153. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. You're not up to 40 on this one, Zeke. This Bill...31 'ayes', 75 'nays', and this Bill, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill 1154, Giorgi. You're tied with Ellis Levin so far. Read the Bill."

Clerk O'Brien: "House Bill 1154, a Bill for an Act to amend Sections of the Regional Transportation Authority Act. Third Reading of the Bill."

Speaker Matijevich: "Representative Giorgi."

Giorgi: "Mr. Speaker, inasmuch as you made a statement from the podium, I was on a Commission for eight years to study the compensation of the innocent victims of crime. Eight years it took. We introduced legislation for eight straight years. Got defeated seven years out of the eight. On the eighth year, we passed the compensation to the innocent victims of crime. So the mentality of Illinois does have a problem reaching a certain epitome. In House Bill 1154, this provides that the Illinois Commerce Commission, as

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opposed to the RTA, shall have exclusive authority over safety and health standards of the RTA and its carriers. I urge your support of this Bill."

Speaker Matijevich: "Representative Giorgi moves for the passage of House Bill 1154. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this, there are 101 'ayes', 2 'nays', 2 voting 'present', and House Bill 1154, having received the Const...Representative Frederick 'aye'. Karpziel 'aye'. 103 'ayes', 2 'nays', 2 'present', and this...1154, having received the Constitutional Majority, is hereby declared passed. 1156, Steczo. The Clerk will read the Bill."

Clerk Leone: "House Bill 115..."

Speaker Matijevich: "One moment. On page 27, we are going to the Order of Motions. There's some Motions that have to be picked up. On the Order of Motions appears House Bill 637, Ebbesen. He's not here right now. We'll have to return to that. House Bill 739, Rhem. Sylvester Rhem. Yes, Sir. Out of the record. House Bill 1012, Younge. Out of the record. House Bill 1095, 1096, 1098, 1660, Taylor. Out of the record. 1199, John Vitek. The Gentleman from Cook, Representative Vitek."

Vitek: "Mr. Speaker, thank you, Ladies and Gentlemen of the House. Pursuant to Rule 74(A), I move to take Bill 1199 from the table. I need 71 votes. I had a good hearing the first time, but due to the fact that we have a system here that we don't allow proxy voting anymore - back in the 60s we did. One of my House Members who is a Cosponsor was called from our Agriculture Committee meeting by Mike Madigan's Office to vote on a Bill that Mike was very interested in. And I asked this fellow, I says, 'Look, the Bill is coming to a head. I'm going to need your vote.'

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He says, 'John, I'll be back'. But we held the Bill over in the Stratton Building, and he had to come over here to the House. By the time he got back, it was too late. I lost that vote that day by one vote. The next Tuesday, I could not afford to be at the meeting. I had an appointment with my doctor at the hospital, and I had Winchester, one of my Cosponsors, handle it. And due to some strong lobbying by a former Member of the Agricultural Department, six of my Democrat voters voted either 'present' or voted against the Bill. A little harassment, I think, and misunderstanding, because since then, the Illinois thoroughbred people have approved the Bill, and I'm working with the Township Committee people that it is a good Bill. And I'm sure that now that all the Members have had a chance to read, that they will support my Motion to take from the table. I need your support. Thank you."

Speaker Matijevich: "Representative Vitek has moved to take House Bill 1199 from the table. On that, the Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker. Just in further comment to this Bill, actually I think we had nearly two hours plus of debate. Much of the information, at least in regards to who is supporting the Bill, was in error. Those who were proposed on the analysis of being supporters were, if anything, violently against the Bill, and there was some attempt on behalf of some people to state that those people were in support when, in fact, they were opposed to the Bill, certainly misleading the Committee to think that there was a vast ground swell of support for this kind of legislation. There was not. There is not a grand swell of support for this kind of legislation, and because it received two hearings, substantial in nature, long in debate, I urge a 'no' vote on this Motion."

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Speaker Matijevich: "Representative Vitek to close."

Vitek: "Well, Mr. Ropp is a pretty sharp guy. The Members that were listed as eight associations know they did not testify against the Bill, but their recommendation was, on the Bill, that one member from each of these associations would be picked on the Racing Board, and that's what led to misinterpretation of the various people. So, I need 71 votes, and I hope you'll give them to me. Thank you."

Speaker Matijevich: "Representative John Vitek has moved to take House Bill 1199 from the table. Those in favor of that Motion signify by voting 'aye', those opposed by voting 'no'. It requires 70 votes. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. Representative...Representative Vitek wants a Poll of the Absentees. Wojcik, for what purpose do you rise? Record Kay Wojcik as 'aye'. Woods Bowman 'aye'. Mays 'aye'. 'Aye'. Wait 'aye'. Jane Barnes 'aye'. Barger 'aye'. Barger 'aye'. Barger. Clerk, give me the count. Koehler, for what purpose do you rise? 'Aye'. Koehler 'aye'. Wait, you can turn off your button now. Thank you. The Motion to take House Bill 1199 from the table, the...the vote is 75 'ayes', 17 'nays', 4 voting 'present', and House Bill 1199 has been taken from the table. Representative Vitek, for what purpose do you rise?"

Vitek: "Just want to thank you for that vote, but now I would move..."

Speaker Matijevich: "Go ahead. You're on. Wait one second. Go ahead. You're on the right track."

Vitek: "Thank you. I would now move, Ladies and Gentlemen of the House - thank you for your vote - that this Bill...we move to take the thing...the appropriate rule to move this to Second Legislative...Day and Second..."

Speaker Matijevich: "Representative Vitek has moved that House

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Bill 1199 be moved to the Order of Second Reading..."

Vitek: "Second Legislative Day."

Speaker Matijevich: "...Second Legislative Day. Does he have leave to use the Attendance Roll Call?"

Vitek: "Otherwise, my Bill will die."

Speaker Matijevich: "Alright, we'll...those in favor signify by voting 'aye', those opposed by voting 'no'. Have...those that are going to vote, let's do it right and get on board this time, so we don't have to go through that again. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 64 voting 'aye', 29 voting 'nay', 9 voting 'present', and the Motion carries. On the Or...On the Order of Motions, 1277. Out of the record. Representative DiPrima."

DiPrima: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I just want to inform the participants in today's Poppy Day program that due to the business at hand - we want to make sure that everybody gets their Bills heard between today and tomorrow - we're going to call off the poppy day program off until next Thursday. But in the meantime, you know, anybody wants to make any cash donations or a check or what have you, so far without me asking, Lynn Sherman from the pharmacists gave me 10. Pete Miller from the union gave me 20. Jeff 'Holman' gave me 10."

Speaker Matijevich: "That's alright. We'll hold that..."

DiPrima: "...'Swanson' gave me 50. Anybody else wants to make out a check..."

Speaker Matijevich: "Alright, the next Bill is House Bill 1277, the Motion. Out of the record. On the Order of Motions page 28 is House Bill 1668, Keane. The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker. I move, pursuant to Rule 74(A), to take House Bill 1668 from the table. I have discussed

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this Bill with almost all of the Members of the House and my reasons for taking it from the table. I was not able to get to Education Committees. And when the Motion...the day of the Motions to bring them up...the day after we finished our deadline on the Committee, I blew it. I made a mistake and didn't file my Motion at that time, and I hope you'll be able to support my Motion on House Bill 1668, which deals with private school busing."

Speaker Matijevich: "Representative Keane has moved to take House Bill 1668 from the table. The Gentleman from DuPage, Representative Hoffman. Oh, no. The Lady from DuPage, Representative Nelson."

Nelson: "Thank you, Mr. Speaker and Members of the House. I rise in strong opposition to this Motion to take from the table House Bill 1668 for a number of reasons. I believe that it is inappropriate at this time for the State of Illinois to even consider a Bill that would cost between 12 and 20 million dollars in pupil transportation reimbursements to school districts for Fiscal Year 1984. The state would be reimbursing school districts for transporting private school students. Although we do that to some extent at the present time, this Bill is a vast expansion of that power and that cost, and I believe, would be an unmitigated mistake for the General Assembly to move toward. Pupil transportation for private school students need not be provided if public school students are transported by public mass transit or if the public school district does not provide transportation services to public school students. However, the state reimbursement is to be for 100% of these new transportation costs. Any pupil who lives within the district, who live along established public school bus routes, would become eligible. Transportation would be required from the point on the

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route nearest their home to the nearest point on the route to their school attended. This is a extreme expansion of present law, and I repeat, would cost between 12 and 20 million at a time when we have to prorate not only our state aid to our local school districts, but we also have to prorate our categoricals. And I would urge you not to vote for the Motion to take 1668 from the table. There are many arguments against using public school money for private school reimbursements. And the fiscal argument suggests that the state should not give aid to private schools at a time when public schools are not fully funded, nor should the state mandate funding of a program that it may not be able to fully fund in the foreseeable future. You know and I know that those taxpayers out there are fed up with further state mandates. And this is an entirely unacceptable one, and I hope you will reject this Motion."

Speaker Matijevich: "The Gentleman from Cook, Representative Greiman."

Greiman: "I wonder if the Chair could advise me as to how many Motions we now have to take from the table. Are there a number of them?"

Speaker Matijevich: "There's only one more, Ebbesen's."

Greiman: "Well, thank you. I don't...on this Bill, 1668, I don't want to go into the merits of it. I don't care about the merits of it. I voted for this on occasion. I voted against it on occasion on the concept, depending on what the Bill is. So I'm not married to, you know, say, oh no, we can't have transportation for nonpublic schools. I voted for that on occasion. But I am married to the orderly process of this House, and I tell you, I've had Bills that I've screwed up on that haven't gotten on the floor. I had a Bill this year that the Chairman of a Committee said it was on an agreed list, and somehow it got

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lost in the shuffle and never got on the floor. And it got tabled. And I said, well, okay, the state's lived with it. We'll live with it...without it. We'll live without it a little bit longer. And I am offended that Members, 48 hours from now when these Bills die, and you'll remember that we spent time on 1668. We spent time on a racing Bill that revises the whole Racing Code that we already lockstepped and voted out. Those Bills are dead. There are enough vehicles coming over from the Senate, you could put this Bill and any other concept you every dreamed of on. Now why in the world do we have to put a Bill on Second Reading without any opportunity to really spend time to think about, to amend it?. We should defeat this Motion, if we have any sense. Whatever the bonafides...of it are, whatever's involved, we should have beaten Mr. Vitek's Motion, and we should have beat whoever the next one is. Even if it's mine, we should beat it."

Speaker Matijevich: "The Gentleman from Winnebago, Representative Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. I rise in support of the Motion. For those of you who have been around before, you're aware that this issue has also been here before us in the previous Sessions. As a matter of fact, the House, two years ago, passed this very same Bill. The issue on this Motion itself though is not so much the merits of the Bill or even some of the flaws within the measure, but the idea of whether the House should hear this issue. This issue did not have a hearing in Committee, and the full House deserves to debate this very important issue. Let's hear it on the merits, vote for this Motion, bring it onto the floor and decide at that time whether you're for or against the Bill. I urge a 'do pass' Motion...a 'do support Motion' on this Motion."

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

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

Speaker Matijevich: "Representative Richmond has moved the previous question. The question is, 'Shall the main question be put?'. Those in favor say 'aye', opposed 'nay'. The main question is put. Representative Keane to close."

Keane: "Thank you, Mr. Speaker. I agree with one of the Representatives who said we should stick with the Motion. But since the previous speaker did not and gave out some faulty information, maybe I could clarify some things for the Members of the Body. We passed this Bill on two different occasions, and the last time the Governor vetoed it, he said, 'I do...this is Governor Thompson. 'I do not oppose in principle the provision of the additional transportation service required by this legislation; however, the benefits associated with these services must be balanced against the financial costs and administrative burdens imposed.' He said, and this is, I quote, 'I have always been careful to say publicly and privately, I would sign a Bill if, in my opinion, it was affordable. For FY '82, it is not.' And that was the reason that he vetoed it last year. I agree with him. Without a tax increase, this is not affordable this year. We are not looking, I am not looking, as Sponsor of this Bill, to dip into any existing transportation funding that the public schools have. And for that reason, I ask you to support my Motion and take this from the table."

Speaker Matijevich: "Representative Keane has moved, pursuant to Rule 74(A), to take House Bill 1668 from the table. Those in favor signify by voting 'aye', those opposed by voting

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'no'. The Gentleman from DuPage, Representative Hoffman, to explain his vote."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I intended to speak in debate in opposition to this Motion. I would make two points. One, the money that's involved here would have to be taken from some other sources. We've already cut the teachers' pension fund back to practically nothing, and the Committee met 8 to 12 every time they were scheduled, and there were many times when the Bill could have been heard. And so I rise in opposition to this and so indicate on the board."

Speaker Matijevich: "Jesse, could you vote me 'aye'? Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 54 voting 'aye', 46 voting 'nay', 5 voting 'present', and the Motion fails. The...the Majority Leader, Jim McPike, for what purpose do you seek recognition?"

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. On a Motion, Mr. Speaker."

Speaker Matijevich: "Proceed."

McPike: "We are continuing to receive Senate Bills and will continue to do so until the Senate deadline tomorrow night. For that reason, we have problems with our posting requirements for next week. As the House knows, we come into Session next week Wednesday, Thursday and Friday. It would be our desire to suspend the appropriate rules so that the deadline for posting will be noon on Tuesday of next week. It would be our intent to post all Bills that come across from the Senate up to our 50 Bill limit with one understanding, and that is if a Senate Bill is here and has no House Sponsor, no one signs up for that Bill - and you will note on today's Calendar that there are a number of Bills in that category - if a Senate Bill does not have

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a House Sponsor, we do not intend to post it. So with that said, I would move, Mr. Speaker, to suspend the appropriate rules, to waive the posting requirements, to set the posting requirements for next Tuesday at the hour of 12 noon as the deadline."

Speaker Matijevich: "The Gentleman has moved to suspend the posting requirements. On that, the Gentleman from DuPage, the Minority Leader, Representative Lee Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I support the Motion by the Majority Leader and would like to also remind all Members that only those Bills that have Sponsors attached to them from the Senate will be posted for hearing next week before noon on Tuesday. So as a reminder to all the Members, please make sure you get your Senate Bills signed up and signed up with Sponsors on them, so they can be posted. Support the Gentleman's Motion."

Speaker Matijevich: "Representative McPike."

McPike: "So that the Motion is clear, Mr. Speaker, I'll read it into the record. I move to suspend House Rule 20 so as to allow the posting of notice to be made as of Friday, May 27, 1983, at 12 noon, for the appropriate Committee meetings to be held on Wednesday, June 1, 1983, for the consideration of appropriate Senate Bills so as to allow the posting notice to be made as of Tuesday, May 31, 1983, at 12 noon, for the appropriate Committee meetings to be held on Thursday, June 2, 1983, and on Friday, June 3, 1983, for the consideration of the appropriate Senate Bills so as to allow the posting of notice for such Committee meetings prior to the printing of such Senate Bills. This Motion does not in any way affect the requirement for the printing of Senate Bills prior to the calling of the Bills by the appropriate Committees. I so move."

Speaker Matijevich: "You've heard the Motion. Does the Gentleman

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have leave to use the Attendance Roll Call in support of that Motion? Leave...You've heard the Motion. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Take the record. On this question, there are 103 'ayes', 1 'nay', and this Motion prevails. On the Order of Motions on page 27, House Bill 637, Ebbesen. The Gentleman from DeKalb, Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker, having voted on the prevailing side of House Bill 637, I move to reconsider the vote by which House Bill 637 failed."

Speaker Matijevich: "Representative Ebbesen moves that, having voted on the prevailing side on which House Bill 637 fails, he moves to reconsider the vote. Is there any discussion? Those in...the Gentleman from Effingham, Representative Brummer."

Brummer: "I wonder if the movant might briefly tell us what the substance of that is."

Speaker Matijevich: "Representative Ebbesen."

Ebbesen: "Well, just one moment. It's been several days since I said I would do that...what the Bill is."

Brummer: "I withdraw my question."

Ebbesen: "Thank you."

Speaker Matijevich: "Representative Ebbesen has moved to reconsider the vote by which 637 failed. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 80 voting 'aye', 20 'nays', and the Motion prevails. Now on the Or...page nine on the Order of Third Reading appears House Bill 1156, Steczo. The Clerk will read the Bill. 1156."

Clerk Leone: "House Bill 1156, a Bill for an Act to amend an Act concerning public utilities. Third Reading of the Bill."

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Speaker Matijevich: "The Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I'd ask leave to bring House Bill 1156 back to the Order of Second Reading for the purposes of a technical Amendment, please."

Speaker Matijevich: "The Gentleman asks leave to return House Bill 1156 back to the Order of Second Reading for an Amendment. Does he have leave? Leave. The Bill is on Second Reading. Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #4, Steczo, amends House Bill 1156 on page one and so forth."

Speaker Matijevich: "Representative Steczo on Amendment #4."

Steczko: "Thank...thank you, Mr. Speaker, Members of the House. Amendment #4 to House Bill 1166 (sic - 1156) is simply a technical Amendment proposed by the Legislative Reference Bureau that changes the words 'way or way' to 'way or ways'. And I would offer the adoption of Amendment #4."

Speaker Matijevich: "Representative Steczo has moved for the adoption of Amendment #4. All in favor say 'aye', opposed 'no'. Amendment #4 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. The Gentleman from Cook asks leave for the immediate consideration of House Bill 1156. Does he have leave? Leave. The Clerk will read the Bill."

Clerk Leone: "House Bill 1156, a Bill for an Act to amend an Act concerning public utilities. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 1156 amends the Public Utilities Act to address a problem and a difficulty which is currently being experienced by cable television companies throughout the State of Illinois. In order to build a cable TV system,

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the operator usually has to attach his cable to existing utility poles on those utility easements. And although there's no additional burden created on the land that they're attaching to, periodically there's a complaint by a landowner and a challenge by the cable TV...of the cable TV system of the right to use these utility easements. House Bill 1156 would indicate that on any easements granted under the Plat Act, and that would mean that it would not cover any negotiated agreements between public utilities and private landowners, that the utility companies would have access to those easements and would pay a proportionate share of the cost of obtaining those easements additionally, because most of the work is done on pole attachments. We have amended the Bill to exclude various oil and gas pipelines to lessen any potential danger of any dire thing happening. I would answer any questions and would appreciate the support of the House in the passage of House Bill 1156."

Speaker Matijevich: "Representative Steczo has moved for the passage of House Bill 1156. If there's no discussion, the question is, 'Shall House Bill 1156 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 98 'ayes', 4 'nays', 3 voting 'present', and House Bill 1156, having received the Constitutional Majority, is hereby declared passed. With leave of the House, we're going to back up to House Bill 637. When Representative Ebbesen's Motion prevailed, I had failed to recognize...Representative Krska had his button and was trying to make a Motion, and I didn't see his button. The Gentleman from Cook, Representative Krska."

Krska: "Mr. Speaker, I'd like to suspend the appropriate rules to have House Bill 637 read today on Third Reading."

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Speaker Matijevich: "The Gentleman asks leave for the immediate consideration of House Bill 637. Leave. Do we have leave? Leave. House Bill 637, would the Clerk read the Bill? There was objection. The Gentleman moves for the immediate consideration of House Bill 637. Those in favor signify by voting 'aye', those opposed by voting 'no'. This is the same Bill that we reconsidered the vote on, Representative Ebbesen's Bill. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are...there are 72 'ayes', 23 'nays', and the Motion prevails. The Gentleman from...Read the Bill."

Clerk Leone: "House Bill 637, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Krska."

Krska: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 637 amends the Article of the Pension Code concerning park and retirement board employees of cities of more than 500,000 population. It specifies that ordinary disability benefits for employees under 70 years of age are based on salary at the date the disability commences rather than occurs. It provides that an active Member of the General Assembly that could have been a participant under the Chicago Municipal Employees' Pension Fund or Cook County Employees' Pension Fund, but chose not to participate, may now establish such credits...service with funds by paying the required employees' contribution plus 6% interest. Further, an active Member of the General Assembly may transfer such creditable service from Chicago Municipality Employees' or Cook County Employees' Pension Funds to Chicago Park District Pension Funds. Each of the funds must transfer to the Chicago Park Employees' Pension Fund the employees' and employers' contribution plus

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accumulated interest. I would greatly appreciate a favorable vote."

Speaker Matijevich: "Representative Krska has moved for the passage of House Bill 637. On that, the Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, I would rise in support of Representative Krska. I think this is a good Bill, and it wouldn't cost the taxpayers any extra money."

Speaker Matijevich: "The Gentleman from Cook, Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would advise all Members of the General Assembly to look at this, make your own decision, but this is a Bill that we voted on a couple of days ago and got 38 'yes' votes. We've just brought back a Bill that, you know, would change your pension. You can increase your pension as far as transferring time and one thing and another. Do what you want, but just remember that we had 38 'yes' votes before under a lengthy discussion of this Bill the other day."

Speaker Matijevich: "Representative Krska to close."

Krska: "All I'd greatly appreciate would be an 'aye' vote. Thank you."

Speaker Matijevich: "Representative Krska has moved for the passage of House Bill 637. Those in favor signify by voting 'aye', those opposed by voting 'no'. Vote me 'aye', Jess. Have all...Have all voted? Have all voted? Have all voted who...Have all voted who wish? No? Have all voted? Have all voted who wish? The Clerk will take the record. Representative Krska asks a Poll of the Absentees. ...'aye'. Just in time. Capparelli 'aye', Tony."

Clerk Leone: "Poll of the Absentees. Christensen. Flinn. Dwight Friedrich. Giglio. Jaffe. McMaster. Nash and

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Winchester."

Speaker Matijevich: "There are 60 voting 'aye', 49 'nays', 1 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. Be at ease for one second. On the Order of Third Reading page nine appears House Bill 1159, Woodyard. Read the Bill."

Clerk Leone: "House Bill 1159, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Matijevich: "Representative Woodyard on House Bill 1159."

Woodyard: "Thank you, Mr. Speaker, Members of the House. House Bill 1159 was introduced at the request of the Retired Teachers' Association and would authorize the election of one annuitant to the Downstate Teachers' Retirement System Board. As originally introduced, we had the Bill drafted to appoint two Members by the Governor. But we had some problems with that, and we have amended it to where now this requires the election of one annuitant by the annuitants, and it will begin in 1985 for a four year term. At this time, I know of no opposition."

Speaker Matijevich: "Representative Woodyard has moved for the passage of House Bill 1159. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 109 'ayes', no 'nays', and House Bill 1159, having received the Constitutional Majority, is hereby declared...Rice 'aye'. Having received...Rice 'aye'...110 'ayes'. Having received the Constitutional Majority, is hereby declared passed. The hour of eleven having arrived, we are now on the Order of Special Order of Business, Subject Matter - Environmental Protection. The first Bill is House Bill 1054. The Clerk will read the Bill."

Clerk Leone: "House Bill 1054, a Bill for an Act to amend

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Sections of the Environmental Protection Act. Third Reading of the Bill."

Speaker Matijevich: "Who's handling that Bill? Christensen isn't here. Get Representative Yourell on House Bill 1054. Did you read the Bill, Clerk?"

Clerk Leone: "The Bill has been read a third time."

Speaker Matijevich: "Alright. The Gentleman from Cook, Representative Yourell."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 20...1054 had Amendment #3 adopted to the Bill which, in reality, became the Bill. It's very important legislation. It's part of the Speaker's...Mr. Speaker, I made a mistake here. May I have leave to return this Bill to Second Reading for the purpose of an Amendment?"

Speaker Matijevich: "The Gentleman asks leave to return House Bill 1054 back to the Order of Second Reading for the purpose of Amendment. He has leave? Leave. The Bill is now on Second Reading. Amendments to the Bill, Mr. Clerk?"

Clerk Leone: "Amendment #5, Currie, amends House Bill 1054 as amended."

Speaker Matijevich: "The Lady from Cook, Representative Currie, on Amendment #5."

Currie: "Thank you, Mr. Speaker, Members of the House. Amendment 5 to House Bill 1054 is a technical clarifying Amendment, which has been agreed to by all the people who have been involved in developing the hazardous waste legislation. I move its adoption."

Speaker Matijevich: "Representative Currie moves the adoption of Amendment #5. Those in favor say 'aye', opposed 'nay', and Amendment #5 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "No further Amendments. Third Reading. The

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Gentleman from Cook, Representative Yourell, asks leave to...for the immediate consideration of House Bill 1054. Does he have leave? Leave. The Clerk will read the Bill in."

Clerk Leone: "House Bill 1054, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Matijevich: "Representative Yourell."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1054 as amended provides that commencing on January 1st, 1985, no person may dispose of any liquid, solid or liquid hazardous waste unless specific authorization is obtained from the Environmental Protection Agency by the generator and the disposal site owner and operator. Included in the legislation is facilities for bonding, which should take care of any problems that might arise for the financing of the hazardous waste treatment facilities. Makes certain definitions relative to those facilities as land structure, improvement equipment and so forth or the primary purpose of which is to recycle, incinerate or physically, chemically, biologically or otherwise treat hazardous wastes or reduce the production of those wastes. It requires the Department of Energy and Natural Resources to submit to the Board a study of the types and amounts of such waste, the industries and industrial processes which produce them, the manner in which such wastes are stored, recycled and so forth. I think this is very, very important legislation, in light of what has recently taken place in the State of Illinois with regard to the disposition of liquid hazardous waste. And I would be happy to answer any questions you might have and ask for your affirmative response."

Speaker Matijevich: "Representative Yourell has moved for the passage of House Bill 1054. On that, the Gentleman from

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Bureau, Representative Mautino."

Mautino: "Thank you very much. I, once again, am sorry that I have to stand in opposition to one of my Leader's proposals. House Bill 1054 was heard in Committee, and I'd like to point out a few problems that are embodied in this proposal. Number one, last year...last Session, we passed Senate Bill 171 that eliminated the landfill...it basically eliminated the opportunities for liquid hazardous waste to be buried in the landfill, commencing in 1987. That provision has been taken out of the law with this Amendment. What this Amendment also does is allow the bonding authority to sell bonds for the hazardous waste producers and site operators to then build and expand and use technology. In other words, the state is going to fund the particular programs that are embodied in this Amendment. Nowhere in this Amendment is there any mention of consideration for public health and safety or water protection and aquifer coverage. Also in this legislation with the last Amendment, #5 by Representative Currie, we are basing liquified disposal and landfills, in my estimation, only on the economic reasonableness that is built into every Section of this Amendment. I don't think that watering down Senate Bill 171, which is now law, with this Amendment, is beneficial to the people of the State of Illinois. It certainly leaves a lot to be desired. I think we did an excellent job last Session in passing and enacting Senate Bill 171. This waters it down and basically says to those people who are producing and disposing of liquified hazardous waste, 'You can continue to do it if you can basically say that it is too costly to incinerate, use high technology, et cetera.' Also in this legislation is the mandate that the Illinois Geological Survey do evaluations on hydrological and geological

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studies. Ladies and Gentlemen, they do it now. They've got all this completed. This is very, very unusual to have another piece of legislation addressing what's already being done by the U.S. Geological Survey. I stand in opposition. The other provisions of the package are acceptable and movement in the right direction. This one waters down what we already have in the law, and I recommend a 'no' vote."

Speaker Matijevich: "The Lady from Marshall, Representative Koehler."

Koehler: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this piece of legislation. This piece of legislation is in answer to many citizens and industry, and everyone who is concerned about the problem of disposal of liquid hazardous waste. There is a movement throughout the country to ban the disposal of liquid hazardous waste. What this particular piece of legislation does is apply a common sense approach to the banning of liquid hazardous waste. It allows for a phased in approach - a phased in approach that will approach this problem in a manner that can be complied with within a certain period of time that is very specifically laid out within the piece of legislation and also allows for those exceptions where the technology is not available for either recycling or disposing of this in a manner other than in a liquid form. Furthermore, this piece of legislation does offer some help to our units of local government who are charged with the responsibility of siting of local landfills. What it does, it provides that the Illinois Geological and Water Survey would make a study of the technical considerations relating to the siting of new regional pollution control landfills. And it is important that these people have the technology available

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to them, and it does make them have that availability. In answer to one of the...one of the previous speakers, we find that this piece of legislation, in all reality, is stronger than Senate Bill 171. The ban has not been taken out of this particular piece of legislation. It has simply phased it in, and it is being phased in rather quickly so we do not find that there is a problem with that. And the generator also must prove to the Agency, if they are asking for an exception, they must prove that an alternative is not feasible and is not available. I would caution the Members that this is a piece of legislation that has been worked on very...very hard by staff of both the Majority...of both the Speaker and the Minority Leader and has been worked on by industry, and we would urge your 'yes' vote."

Speaker Matijevich: "Let the record show that Representative Giglio, having been absent on the Attendance Roll Call, is now in attendance and has signed the appropriate form and received his key. Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. House Bill 1054, with the adoptions of Amendments 4 and 5, in no way weakens the siting provisions under what's been referred to as Senate Bill 171. The environmental community, with the adoption of Amendments 4 and 5, agrees with the estimation that there's no weakening of the current requirements of 171. My own view is that the Bill before us substantially strengthens the siting requirements under Senate Bill 171. Not only is the Agency permitted to deny a landfill permit if the generator does not prove no economically feasible or technologically reasonable alternative, but in addition, if the Agency has available to it, the surer, sounder ground of a Board regulation prohibiting or limiting that waste stream in a landfill,

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the Agency, on that ground, can make the denial with or without the proof of a generator. In no way does this Bill change the burden of proof, which rests squarely on the generator's shoulders under Senate Bill 171 in our current statute, that burden of proof remains with the generator with these changes in House Bill 1054. In addition to retaining that burden of proof with a generator, we've added the potential ground that when the Board says no, that, too, is reason for the Agency to say no. In addition, we've brought liquids in landfills under those restrictive provisions two years ahead of the present schedule. Right now, liquid hazardous wastes can go in landfills. They do not come under the requirements of Senate Bill 171 until January 1st, 1987. I consider it improving to say that they will be required to meet specially difficult burdens of proof on January 1st, 1985. There is no question, ban or no ban. A semantic scuffle can happen around a word like 'ban', but there is no question we are improving our capacity to say no to hazardous liquid wastes in landfills by moving the schedule up two years. And it is my strong view that we are improving the present statute by providing greater restrictions when it comes to any kind of hazardous wastes in landfills, liquids or solids, both January 1st, 1985 and January 1st, 1987. Other provisions of House Bill 1054 would add 'siting criteria for Agency use' when it comes to present activities about siting hazardous waste landfills. In effect, we are requiring the Agency to take into account the relationship between hazardous waste landfills and aquifers. I think that's a substantial improvement. On the question of the environmental facilities financing program, the Members of this House know that that program does not use state general revenue funds. What we're

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talking about in that program are advantages, tax advantages, that are available under the federal law. We're not talking about state dollars at all. This is a good Bill. It's an improving Bill. It's a Bill that has been worked on with environmentalists, with people from affected industries, and I think there...I know of no opposition to this Bill, and I certainly hope that everybody in this House will be voting 'yes'."

Speaker Matijevich: "There being no...Van Dwyne, you're not seeking recognition, are you? No, because your light's off now. The Gentleman from Cook, Representative Yourell, to close."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I think the proponents of this legislation did an excellent job in pinpointing the strengthening provisions of 1054 as it relates not only to Senate Bill 171, but to Senate Bill 172 that deals with siting provisions. I think it's important that this Bill contains the bonding procedure that will take care of the financial problems that might have been created if that bonding procedure was not placed in the Bill. What it does is really strengthen everything that we've done prior to this time by moving up the provisions of that other legislation by mandating that this take place January 1st commencing in 1985. I think it's excellent legislation. It's supported by the Illinois Wildlife Federation, the industry and everybody else that I know of that's contacted the Sponsors regarding this legislation. I would hope that you would give it your affirmative approval."

Speaker Matijevich: "Representative Yourell has moved for the passage of House Bill 1054. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the

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record. On this question, there are 90...100 'ayes', 8 'nays', 2 voting 'present'. And House Bill 1054, having received the Constitutional Ma...Satterthwaite 'aye'. 101 'ayes'. This Bill, having received the Constitutional Majority, is hereby declared passed. On Special Order, 110...House Bill 1108. The Clerk will read the Bill. Representative Marzuki, for what purpose are you seeking recognition?"

Marzuki: "Explain my vote, Sir."

Speaker Matijevich: "What? Explain your vote?"

Marzuki: "Mr. Speaker, I'd like to explain my vote."

Speaker Matijevich: "Alright, I didn't see his light, so let's allow him one minute to explain his vote."

Marzuki: "I reluctantly voted for this Bill on the theory that something is better than nothing. Both Representative Christensen and Representative Mautino had better Bills in, and I think it would have brought this whole thing to a much quicker head than this present legislation. Thank you."

Speaker Matijevich: "Thank you. The Gentle...read the Bill, House Bill 1108."

Clerk Leone: "House Bill 1108, a Bill for an Act to amend Sections of the Environmental Protection Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Giglio, on House Bill 1108."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1108 is part of the package that we're working on now. My Bill, after the second Amendment, what it does now, it struck the enacting clause. And what Amendment #2 struck the first Amendment, and now Amendment #2 says that the Pollution Control Board is to adopt a schedule of permit and inspection fees for hazardous waste

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disposal facilities by March 1, 1984. Secondly, it provides that such fees shall be sufficient...sufficient to adequately cover the costs to the agencies for its permits, inspections and activities for such facilities. The third thing it does, it prohibits any business from firing or in any way harassing or discriminating against any employee who offers any evidence of any violation of this Act. Fourthly, what it does, it creates the 14 member Board instead of the 12 member Board, so that the Minority Parties from both Houses could have representation on the Agency's Council to help the Board set policies pertaining to hazardous waste. And lastly, it provides that the Council shall review the implementation of Senate Bill 172 for the process of setting new regional pollution control facilities. The Bill, I think, is just what it intended to do now, and hopefully it's ready for passage, Mr. Speaker and Ladies and Gentlemen of the House. If there's any questions, I'd be happy to answer them."

Speaker Matijevich: "Representative Giglio has moved for the passage of House Bill 1108. There being no discussion, the question is, 'Shall House Bill 11...Representative Koehler on House Bill 1108.'"

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I was wondering if the...if the Representative would yield for a question."

Speaker Matijevich: "Indicates he will. Proceed."

Koehler: "Thank you, Representative. I just would like to ask a couple of questions that would establish the legislative intent of this piece of legislation. And as amended, the Bill would allow the Pollution Control Board to impose inspection fees as well as permit fees for other than hazardous waste sites. Does this open the door for the Illinois Environmental Protection Agency to fund their

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field operations from industry fees rather from...rather than from general revenue, as has always been the case? Is this your intent?"

Speaker Matijevich: "Representative Giglio."

Giglio: "Mr. Speaker, no...Representative, no, that's not the intent. The intent is to allow the Board to adopt the regional fees that apply only to the actual cost. We don't intend for the Illinois Environmental Protection Agencies to expand their bureaucracy by the industrial fees."

Koehler: "Thank you very much. And my second question is, is it the intent of this Bill to encourage the Pollution Control Board to adopt fees other than that for hazardous waste sites?"

Giglio: "No, actually it's only...it would only allow the Pollution Control Board to adopt the reasonable fees and only mandate it for the hazardous waste site. In fact, the only draft proposal currently around is one for the permit fee only and does not address the inspection fee. We would expect that the Pollution Control Board would act reasonably if a proposal for inspection fee for air or water were ever advanced."

Koehler: "Well, thank you, Representative. And, Mr. Speaker, to the Bill. This is a..."

Speaker Matijevich: "Proceed."

Koehler: "...Bill that has been worked on again by both sides...staff from both sides of the aisle and has been agreed to by representatives of industry. This is a reasonable permit and inspection fee Bill to cover the cost to the Illinois EPA permit and inspection programs for hazardous waste. It provides a program to protect employees against discrimination for testifying or instituting any proceedings to...that would require enforcement of this Act. I would urge your 'yes' vote."

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Speaker Matijevich: "Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. 1108 is a good Bill. What it says is that the Board will impose, has to impose, inspection fees on landfill disposal sites. We're all aware that there are problems out there. The inspection system is not working adequately to enforce restrictions on the disposal of hazardous waste. This will ensure that there's the money available in the Agency to do the job. In addition, this Bill protects an employee who might be willing to blow the whistle on a problem involving the treatment of the storage or the disposal of hazardous waste. I think this is a very good proposal, and I hope everybody will be supporting it."

Speaker Matijevich: "Representative Giglio has moved for the passage of House Bill 1108. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 112 'ayes', no 'nays'; and House Bill 1108, having received the Constitutional Majority, is hereby declared passed. House Bill 1138. The Clerk will read the Bill."

Clerk Leone: "House Bill 1138, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Morgan, Representative Reilly."

Reilly: "Thank you, Mr. Speaker. This Bill has been worked out between the Environmental Protection Agency or between the Pollution Control Board...excuse me, the Pollution Control Board and the State Chamber of Commerce to deal with a rather rare, but when it occurs, troublesome situation. We require the Pollution Control Board to only make regulations after they have received from the Energy and Natural Resources, an economic study, an economic analysis

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of the effect of the rule. And I strongly support that, and I think everybody agrees that's a worthy thing. The problem arises...has only arisen a couple of times, but it could arise again in the future, where either in state statute or because of some federal law, there's a deadline of whatever...January 1st, 1983, when the regulation has to be made, but at the same time, the Agency simply hasn't received the economic impact statement. The compromise that we agreed to was that in that situation where a law says they have to make the rule by a certain time, they can go ahead if they haven't received the economic analysis from Energy and Natural Resources 180 days beforehand. But as soon as they get it, even though the rule goes into effect on a temporary basis, as soon as they get it, they've got to back up, go through the hearing procedures, consider the statement and do whatever is appropriate after that. I'd be glad to answer questions; otherwise, I'd appreciate a favorable Roll Call on House Bill 1138."

Speaker Matijevich: "Representative Reilly has moved for the passage of House Bill 1138. The Lady from Marshall, Representative Koehler. No? Not this time. Alright. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, Representative Reilly, Amendment #1 was adopted. Is that correct?"

Reilly: "Yes."

Cullerton: "Now, it says that no regulation adopted prior to receiving the EIS approval, shall stay in effect more than one year. Is that right?"

Reilly: "Yes. In other words, what we're saying is that if they adopt regulations pursuant to this extraordinary procedure, they've...it can be in effect no more than one year or 180 days after the study is actually delivered to them."

Cullerton: "Okay, what if, after receiving the EIS approval, the

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EPA concludes that the regulation is fine. Do they have to then readopt it?"

Reilly: "Yes, but the readoption would be pretty much a formality at that point. But yes, they would have to readopt it."

Callerton: "Alright, thank you."

Speaker Matijevich: "Representative Reilly has moved for the passage of House Bill 1138. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 112 'ayes', no 'nays', and House Bill 1138, having received the Constitutional Majority, is hereby declared passed. House Bill 1257, Breslin. The Clerk will read the Bill."

Clerk Leone: "House Bill 1257, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Matijevich: "The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is another part of the package that has been worked on by many environmental groups and by many of the business groups in order to help us to arrive at a solution to how to clean up our environment once hazardous waste has been disposed of on...on land. It primarily increases the fees that will be charged to those people who are involved in land disposal. At the present time, there is a charge for off-site disposal of one cent per gallon and \$2.02 per cubic yard. That has been increased to five cents per gallon and \$10.10 per cubic yard for off-site disposal. Where there is on-site disposal - and this is something completely new - there will be a new fee charged of three cents per gallon and \$6.06 per cubic yard with a cap of \$10,000 so that the fee could never go over the \$10,000 mark. In addition to that, there has been a special

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provision allowed for deep well injection. Where there is 10,000,000 gallons of hazardous waste disposed of through deep well injection, there will be a fee of \$2,000. In the category between 10,000,000 and 50,000,000, the fee shall be \$4,000. And to the extent that there is more than 50,000,000 gallons injected in a year, the fee shall be \$6,000. I want to make it perfectly clear that this special provision for deep well injection is in no way a reflection that previous legislation should treat deep well injection in any different manner than was presently required under the statute. There is pending before the Attorney General, a request for collection of fees for deep well injection that has presently not been paid. This provision to treat deep well injectors differently is not intended to reflect on that collection suit at all. We have made a special provision for them through our negotiations, and that is to be carried forward from this...from the time that this Bill is enacted. And I want to make that perfectly clear. This Bill establishes that to the extent that the funds in the Hazardous Waste Fund reaches \$10,000,000 in unobligated funds, then the fees shall abate until such time as the fund reduces itself to \$8,000,000 in unobligated...in an unobligated balance. The reason for this is that many manufacturers believe that we could raise so much money in this fund, that it could develop into a real boondoggle for the state. I don't happen to think that's a possibility, but we put that cap on to be sure that it doesn't. Seven-eighths of the money will go into the clean-up fund, the Waste Disposal Fund. One-eighth of the money will go into a research fund so that we can develop alternatives to landfilling. In addition to that, to the extent that this fee raises money, 80% of the money must go, at least 80% of the money, must

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go as a superfund match. You know that the superfund for hazardous waste disposal requires that 90% of the money for waste disposal clean up for those items that are on the superfund list can come from the Federal Government; however, we need a match of 10%. So 80% of all this money that is raised must go for the superfund match, leaving, of course, at the option of the EPA, 20% to go to...for state cleanup of sites. The Agency, the Environmental Protection Agency under this Bill has the clear duty to implement all response actions. In addition to that, the Pollution Control Board is required to establish a plan for cleanup. It is not intended that this plan, this requirement that the Board come up with a plan, should slow down response actions or the Agency's duty to implement response actions to clearly protect the environment whenever it is necessary. But the Board must act with all due haste to provide a guideline to the Agency to develop their priorities and to decide how...how cleanup should proceed in the State of Illinois. The last thing that this Bill contains is a liability provision, which is...which tracks the superfund legislation. It allows or requires owners and operators to be liable to the State of Illinois for any cost that the state incurs as a result of a release into the environment that is considered improper. It allows for punitive damages, and it allows for treble damages, just like superfund allows. I'd be happy to answer any questions."

Speaker Matijevich: "The Lady from LaSalle has moved for the passage of House Bill 1257. The Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Representative Breslin, you...I appreciate the very fine explanation that you gave of this piece of

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legislation. In your remarks, you addressed the response plan. We are somewhat concerned, as is the Director of the Environmental Protection Agency, that the provision requiring a detailed response plan to be adopted by the Pollution Control Board..."

Speaker Matijevich: "One moment. Could we have a little order? Mrs. Breslin is having a very difficult time of hearing, and there may be a question posed to her. So let's have order. Proceed, Representative Koehler."

Koehler: "Thank you, Mr. Speaker. As I was going to ask you, Representative Breslin, will this detailed response plan, the writing of it, interfere at all with the cleanup that is now going on in the Waukegan Harbor area?"

Breslin: "It is not intended that it interfere with that cleanup or any other cleanup. It is merely a direction to the Pollution Control Board to start with all due haste to develop a plan to be guidelines for the Environmental Protection Agency in...in pursuing their remedial actions. One of the reasons for this is to...is to keep that whole issue out of the General Assembly in future years. We don't want a situation where individual Legislators are coming back to this...to this Body saying, 'My project should get done before Representative so-and-so's project gets done'. We want to have some guidelines already established, so that the Agency isn't put in that box of choosing between one site over another, and they'll be able to point to these rules and regulations to say, 'This is the plan that we're following, and we're going to proceed with all due haste.'"

Koehler: "Thank you, Representative. Then it is not the intention of this legislation to slow that up. But...and that project can proceed as quickly as possible."

Breslin: "That's correct."

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Koehler: "Well, if...if there is a problem, would you work, perhaps, over in the Senate, in trying to take care of that problem?"

Breslin: "Surely."

Koehler: "Thank you very much. I would like to mention that this is an excellent piece of legislation that will address the very real problem many of us has...have with the...with the cleaning up of the hazardous waste sites. Those of us who have those in and around our areas are very concerned about it and want to see the cleanup expedited as quickly as possible. This will address that, and we would hope for your favorable Roll Call."

Speaker Matijevich: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. Hazardous waste clean-up is a critical issue in Illinois. We know that there are already 27 sites identified as environmental hazards in need of major environmental clean up. The Hazardous Waste Fund presently collects about \$300,000 a year. The \$300,000 will not go very far in terms of meeting the priorities that are already established by the 27 identifications already before us. This package, with a fivefold increase in the hazardous waste fees on the landfill disposal sites and the other fee increases that Representative Breslin has described and other changes that are going along, will increase our capacity to deal with the clean-up problem elevenfold. That's a major step forward, a critical step forward. And I think this Bill, like the others in the package, should get the kind of support from this...from this House that we've seen so far this morning."

Speaker Matijevich: "The Lady from DuPage, Representative Nelson."

Nelson: "Thank you very much, Mr. Speaker. Will the Sponsor

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yield?"

Speaker Matijevich: "She indicates she will."

Nelson: "Representative Breslin, I am in support of House Bill 1257, but I did have just a couple of questions that were raised by our staff analysis. One is about the liability provision that establishes liability with the owner or operator of a facility. What happens when that owner or operator goes bankrupt or goes out of business for some reason?"

Speaker Matijevich: "Representative Breslin."

Breslin: "The same thing happens when anybody else goes bankrupt. The state is a creditor in...in the chain to receive assets, once they are disposed of by the Federal Court bankruptcy suit. If they go out of business, that liability that they had in the first place is still maintained, and the Attorney General is still authorized, under this legislation, and indeed required to...to go after them in legal action and pursue recovery of these funds that the state has incurred."

Nelson: "Well, I think that that should be a concern of this General Assembly, because it is often the case that years after a company has been dissolved, sites begin to leak, or are found to be a problem in a community, or for the underwater sources that are there. And by that time, it is often too late to come back upon, you know, the developer of the site or the generator. My second question has to do with a cap that is placed on the on-site disposal and the deep well injection. It seems to me that any kind of a cap or ceiling like that will then encourage that particular form of disposal, because after a while, once you reach the cap, you stop paying the fee. And I really do not understand why...why that cap was placed there. Could you just explain that to me?"

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Breslin: "I asked the same...Yes, I asked the same question, Representative, and the reason is that we believe that this will not encourage more on-site disposal, because of the liability provisions. Because there are punitive damages allowed, and because there are treble damages required under the legislation, the...that liability will be so strong as to encourage people, rather, to go to off-site disposal or to recycle or to do something else. The...and that was the reason for the provision."

Nelson: "Thank you very much."

Speaker Matijevich: "Representative Breslin has moved for the passage of House Bill 1257. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 106 'ayes', 1 'nay', and House Bill 1257, having received the Constitutional Majority, is hereby declared passed. Shaw, you want to be recorded 'aye'? Shaw 'aye'. House Bill 1290. The Clerk will read the Bill."

Clerk Leone: "House Bill 1290, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from McHenry, Representative Klemm, on House Bill 1290."

Klemm: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1290 would allow local government to work with the state to help stop polluters. As you all know, counties and cities also care about protecting our environment. This Bill would allow them, under an agreement with the EPA, to assist in that task. Last year, the General Assembly overwhelmingly passed a Bill I introduced that would have had the same intent. However, the Governor cautioned that the wording could cause confusion and could possibly create conflicting standards;

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therefore, it was vetoed. To overcome these objections, House Bill 1290 uses the language prepared by the Illinois Pollution...EPA Agency and is supported by the Counties' Association, and the Municipalities' Association, and the Pollution Control Board and the EPA also support the Bill, and I do ask for its adoption."

Speaker Matijevich: "The Gentleman from McHenry, Richard Klemm, has moved for the passage of House Bill 1290. On that, the Gentleman from Cook, Representative O'Connell."

O'Connell: "Question of the Sponsor."

Speaker Matijevich: "He indicates he'll yield."

O'Connell: "Representative, you indicated that this is a way that the counties and municipalities can work with the EPA. Can you give us some specifics with regard to that general statement?"

Klemm: "Well, certainly. What the Bill says is that units of local government can ask the EPA, under a written agreement, that they would like to handle certain tasks within their domain, such as if a municipality has a good water control program, let's say, and there is a river running through their municipality, they could ask the EPA and to prove to them that they could handle water testing, determine if factories or users are polluting that river and could actually then do some investigating and report their findings to the EPA and actually take some action about it. It takes the EPA's approval to do that. So they can't arbitrarily do any of that without the Environmental Protection Agency agreeing with it. What it really does is extend the arm of the state enforcement...our pollution....Environmental Protection Agency's arm to extend it beyond just the state itself. So that's the reason so many people are supporting it."

O'Connell: "Under the site selection procedure, established in

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Senate Bill 172, there was an additional element before a landfill entity could obtain a permit from the EPA. Now the EPA was left with the responsibility - I believe it was a construction permit - and the municipality or the local entity would be issuing the operational permit. Under your proposal, would that local entity also be able to issue the construction permit in lieu of the EPA's issuance of the permit?"

Klemm: "No, they would not."

O'Connell: "Okay, thank you."

Speaker Matijevich: "Representative Klemm has moved for the passage of House Bill 1290. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 91 'ayes', 18 'nays', 2 voting 'present', and House Bill 1290, having received the Constitutional Majority, is hereby declared passed. House Bill 1410, Van Dwyne. Is Van Dwyne back there? There he is. Read the Bill."

Clerk Leone: "House Bill 1410, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Will, Representative Van Dwyne."

Van Dwyne: "Thank you, Mr. Speaker, Members of the House. House...House Bill 1410 is another effort to deal with our hazardous waste by creating a Hazardous Waste Investigating Unit and also an Environmental Quality Hazardous Waste Division, along with the provisions of Senate Bill 172 process. House Bill 1410 is part of the Democratic package and governs the activities for enforcing the hazardous waste laws, which are very...which are currently weak and scattered throughout the Environmental Protection Agency, the Department of Law Enforcement, and the State Police and

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the Attorney General's Office. The purpose of creating a Hazardous Waste Investigating Unit is to establish that the trained staff necessary to stringently enforce the hazardous waste laws and regulations. Establishing the Hazardous Waste Division within the Department of Energy and Natural Resources intended to conduct the necessary research on hazardous waste issues to supplement rule making before the Pollution Control Board and to provide technical assistance to the local governments for siting hazardous waste facilities under Senate Bill 172. We feel that this is a good Bill. We feel that it directs itself to the problem. If there's anything wrong with it, it's probably not stringent really enough. I intended originally to bring back the...the appeal to the Pollution Control Board's ruling starting...rather that in...was ruled now in the Appellate Court. I wanted them to start in the Circuit Court where it would be more close to home. But anyway, I think it does address our problem. We have an Amendment #2 put on here, which just clarified the language, and it...also Representative Topinka and O'Connell put on Amendment #3, which addresses used oil. And it provides that commencing July 1st, 1985, no person shall sell any used oil for burning or incineration unless such oil meets the standards based on virgin fuel oil or refined oil as defined by the regulations promulgated under the federal agency policies, et cetera."

Speaker Matijevich: "Representative Van Dwyne has moved for the passage of House Bill 1410."

Van Dwyne: "Thank you."

Speaker Matijevich: "The Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In addition to the things that Representative Van

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Duynne has said that this Bill does, it also provides some technical assistance to our local governments in the siting of their local sanitary and regional pollution control facilities. This is very important, because many of those local units of government have been asking for help that would help them as far as their waste management programs are concerned, and so this Bill certainly does have that effect. This is a Bill that has been worked on by both the Speaker's staff, the Minority Leader's staff and industry. We would urge your approval."

Speaker Matijevich: "Representative Van Duynne has moved for the passage of House Bill 1410. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted? All voted who wish? The Clerk will take the record. On this question, there are 115 'ayes', no 'nays', and House Bill 1410, having received the Constitutional Majority, is hereby declared passed. House Bill 2040. The Clerk will read the Bill."

Clerk Leone: "House Bill 2040, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Matijevich: "The Lady from St. Clair, Representative Youngue. House Bill 2040, Wyvetter Youngue."

Youngue: "May I have leave to take this back to Second Reading for purposes of an Amendment?"

Speaker Matijevich: "Leave to return House Bill 2040 to Second for the purposes of Amendment. Leave. The Bill's on Second Reading. Amendments, Mr. Clerk?"

Clerk Leone: "Amendment #5, Youngue, amends House Bill 2040 on page one and so forth."

Speaker Matijevich: "Representative Youngue on Amendment #5."

Youngue: "Thank you. I move for the adoption of Amendment #5, which would make this Section apply only to counties with populations of less than one million. It would make it

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apply not to Cook County."

Speaker Matijevich: "Representative Younge moves for the adoption of Amendment #5. The Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment is very similar to the Amendment that the House rejected late last night. The...it would require that the provisions of the Bill only apply to the downstate areas of the State of Illinois, and it would make an exception for the City of Chicago. And what this Amendment would do, it would not allow regional pollution control facilities to be located, perhaps, near one of the downstate state parks, but it would allow pollution control facilities to be located near one of the parks in Chicago. Therefore, I do not feel that this is a good Amendment, and it should be soundly rejected."

Speaker Matijevich: "The Lady from DuPage, Representative Karpiel, on the Amendment."

Karpiel: "Yes, will the Sponsor yield, please?"

Speaker Matijevich: "She indicates she will."

Karpiel: "Wyyvetter, did...I don't have a copy of the Amendment in front of me...oh, now I do. It says it shall apply only to counties with populations of less than 1,000 (sic - 1,000,000). Why are you exempting Cook County?"

Younge: "The development pattern in Cook County and the problems of Cook County are entirely different from the problems of every other place in the state, and so therefore, in order to handle some of the horrendous landfill problems of the rest of the state with which I am familiar, I have...I am asking for the adoption of this Amendment to apply to counties with populations of less than one million."

Karpiel: "Well, yeah, but I think your Bill is a fairly good Bill, and I don't know why you would want to exclude Cook

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County. There are portions of Cook County that are very rural and yet have municipalities in them, and they would not want to have a landfill facility right near them. I mean, I don't know why...I don't see the point in why you want to exclude Cook County. If it doesn't apply to the City of Chicago, then the Bill just wouldn't apply."

Younge: "I'm not familiar with the development patterns of Cook County, and we have some urgent situations in areas outside of Cook County which are very urgent, and I wish to proceed on. I would suppose that if a Legislator from Cook County wanted to proceed with landfill problems in Cook County, then that should be a different Bill."

Karpiel: "Well, to the Amendment."

Speaker Matijevich: "Proceed."

Karpiel: "I have no problem with the Bill, and I have no problem with what Representative Younge is trying to do as far as the Bill. But I really don't see the need for exempting Cook County. It seems to me there must be some reason why you have a particular Amendment to exclude the largest county in the state. I would think that what's good for downstate is also good for Cook County, and so I would have to oppose the Amendment."

Speaker Matijevich: "One moment. Let the record show that the Speaker of the House, who missed the quorum call, has been in attendance. The Clerk said he forgot to give me the authorized form that the Speaker did sign. So let the record show that he is in attendance. Representative Currie."

Currie: "Just a parliamentary in...has the Speaker's key been returned to his desk since he is now back in the chamber? I assume it was removed if he wasn't on the Quorum Roll Call."

Speaker Matijevich: "The Speaker's key is there in working order

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according to Mike Pollack."

Currie: "And I assume it was not at his desk when he was not on the quorum call?"

Speaker Matijevich: "He wasn't originally. You're right."

Currie: "Thank you."

Speaker Matijevich: "Thank you. Representative Younge to close."

Younge: "Thank you, Mr. Speaker. I move for the adoption of Amendment #5."

Speaker Matijevich: "Representative Younge moves the adoption of Amendment #5. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. Those in favor vote 'aye', those opposed vote 'no'. Representative Piel, for what purpose do you rise?"

Piel: "Question of the Clerk. Has this been distributed?"

Speaker Matijevich: "I can't hear you, Bob."

Piel: "Has this been distributed?"

Speaker Matijevich: "Yes, it has. How'd you get a copy of it? Have all voted? Have all voted who wish? Representative Terzich."

Terzich: "Yes, Mr. Speaker. If this Bill does not receive the favorable number of votes, I want a verification of the negative vote."

Speaker Matijevich: "You mean if this Amendment..."

Terzich: "Is not adopted. She should be able to have the Bill in her own...the way she wants it."

Speaker Matijevich: "Alright. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On...and the Lady would like a Poll of the Absentees. Representative Vinson."

Vinson: "Just want to make the converse request."

Speaker Matijevich: "We knew that was coming, Sam. Poll of the Absentees. Representative Saltsman 'aye'. Saltsman 'aye'. Rice 'aye'. Here we go. Mulcahey 'aye'. Turner 'aye'.

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Leverenz 'aye'. Mulcahey..."

Clerk Leone: "Mulcahey is voting 'aye'."

Speaker Matijevich: "...Was 'aye'. Okay. Leverenz was 'aye'. Turner was 'aye'. Shaw 'aye'. Alright. Turner, Leverenz, Shaw. Did you catch up? Levin 'aye'. Richmond 'aye'. Steczo, leave to be verified. Is that it? Representative Steczo."

Steczko: "Thank you, Mr. Speaker. May I please change my vote to 'present'?"

Speaker Matijevich: "Steczko 'present'. Richmond, your light's on. You wanted 'aye'? Was that it? Yeah, alright. Alright, would the Clerk tell us where we're at with the count? Yeah, the...on this Amendment, there are...Motion, there are...how many, 60? 60 'aye', 52 'nos', 2 voting 'present' and one more voting 'aye'. Curran 'aye'. 61 voting 'aye'. Now do you persist with your verification, Representative Vinson? I see a lot of bodies over here."

Vinson: "I think under the circumstances, there's a better way of dealing with this, and I withdraw the request for the verification."

Speaker Matijevich: "Alright, the Gentleman withdraws his request, and the Chair appreciates that. 61 'aye', 51 'no', 2 voting 'present', and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. Now Representative Younger, for what purpose do you rise?"

Younger: "I ask for the immediate consideration of this Bill."

Speaker Matijevich: "Representative Younger moves for the immediate consideration of House Bill 2040. And on that...the Gentleman from Livingston, Representative Ewing, did you want to speak to that?"

Ewing: "Yes, Mr. Speaker, I'll speak to the Motion. The other

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side of the aisle certainly has enough votes to stick on any Amendment they want. But in this case, they can't hear it today if they don't have votes from this side of the aisle. I would urge everyone to vote 'no' on this Motion. This Bill should not be heard today after it's been amended."

Speaker Matijevich: "Representative Younge moves for the immediate consideration of House Bill 2040. Those in favor signify by voting 'aye', those opposed by voting 'no'. Requires 60 votes. Have...Representative Vinson, for what purpose do you rise?"

Vinson: "Did you just make an announcement that this Motion requires 60 votes? I believe it requires 71."

Speaker Matijevich: "Yeah, you're right. You are correct, Sam. Have all voted? This is that better way you were looking at. Is that right, Sam? Have all voted who wish? The Clerk will take the record. On this question, there are 61 voting 'aye', 46 voting 'no', 3 voting 'present', and the Motion fails. 'Aye' for O'Connell. The Motion fails. The Bill is on Third Reading. We'll have to come back to it. House Bill...somebody hollering Speaker? Representative Younge, for what purpose do you rise?"

Younge: "Yes, can the Bill stay on Special Order of Business?"

Speaker Matijevich: "We can, except we're going to conclude that pretty soon. One more Bill. Alright, Wvvetter, the bad news is it's...the good news is it's on Special Order. The bad news is we only have one more Bill, and the Special Order expires very soon. Alright, thank you. House Bill 2171, Representative Homer. The Clerk will read the Bill."

Clerk Leone: "House Bill 2171, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Matijevich: "Representative Homer on House Bill 2171."

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

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House. House Bill 2171 is designed to accomplish three basic objectives. First of all, the Bill establishes a new definition of hazardous waste as any substance which is, at the time of treatment, storage, transportation or disposal, identified either by characteristic or listing or both as hazardous, pursuant to the Resource Conservation and Recovery Act of 1976 or pollution...or pursuant to Pollution Control Board regulations. Secondly, the Bill is designed to clarify elements of the various offenses of the criminal disposal of hazardous waste. And it puts the various offenses into a logical, progressive order of seriousness and clearly delineates the elements of the offenses. Under the current statute, there are ambiguities with regard to the mens rea, the mental state required, and it has become very difficult to draft appropriate jury instructions to put the elements into an intelligible manner so that a jury may understand what the issues of a particular lawsuit would be under these provisions. This Act is designed to remedy that deficiency. And thirdly, the third objective would be to substantially increase the fine provisions for violations of the hazardous waste provisions. We also, in this Bill, add certain vehicle forfeiture...property forfeiture provisions similar to what is contained within Article 36 of the Illinois Criminal Code when an offender uses a vehicle to unlawfully dispose of hazardous waste. I would urge your favorable consideration of this Bill and would respond to any questions that you may have."

Speaker Matijevich: "Representative Homer has moved for the passage of House Bill 2171. On that, the Lady from Marshall, Representative Koehler."

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

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Speaker Matijevich: "He indicates he will."

Koehler: "Representative Homer, I would like to speak to your first objective. It seems that this change in the definition of hazardous waste has been the source of a great deal of controversy, because it enlarges and changes the definition of the hazardous waste definition, and I believe the Agency has had some difficulty in working with the Attorney General on the definition of this waste that would go into this legislation. Can you explain to me the need for the change in the definition?"

Homer: "Alright, thank you, Representative Koehler. I'll do the best I can to explain what we actually have in the current form of the Bill as amended with regard to the definition of hazardous waste. Under the original language and the existing language of the statute, the state is required to prove basically two elements in order to have a material categorized as hazardous waste. It, first of all, must...in the definition, we have it described as - it was somewhat of a lengthy definition, but it means a waste or combination of wastes which, because of its quantity, concentration or physical, chemical or infectious characteristics, may cause or significantly contribute to an increase in mortality or increase in serious irreversible or incapacitating illness. And then it goes on to talk about or propose a substantial risk. In addition to that, in addition to being required to prove that definition, under existing law, we must also prove that it is identified by characteristic or listing as hazardous, pursuant to Section 3001 of the RCRA Act of 1976 or pursuant to Pollution Control Board definitions. So in other words, under existing law, it's a twofold process, a two step process. Under the proposal here, the initial language would be stricken, and all that would be required

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is to show that it has, because of its characteristics or listing, been categorized by RCRA or the Illinois Pollution Control Board as being hazardous. If, in fact, it has been so classified, then it would be considered hazardous, and it would be unnecessary to take the additional cumbersome burden of proving that it meant that...or initial language which is in the current statute and which is very difficult, as I read it. You probably may well agree. It's difficult to determine actually what that language says in any intelligible form. So what we're saying is that if it's on the list, it's hazardous. If it's not on the list, then it's not hazardous. And it is...it very much, I think, simplifies the definition of hazardous waste and does it in a responsible way."

Koehler: "Well, thank you, Representative, for explaining that.

It is my understanding that an agreement on this language just has come within the last few moments. Now if problems continue to persist with this language, would you be agreeable to working with the parties to iron out any concerns that might...that might come up?"

Homer: "Thank you, Representative Koehler. Let me just say that the...the concerns that were expressed were not so much to the definition as they were, as I understood them, to the issue of whether we would jeopardize our local control under the RCRA Act. As you know, the states are delegated authority to enforce the provisions of that Act, if they meet certain criteria. And the concern was that by changing the definition, are we jeopardizing our local control, and will the U.S. EPA withdraw our authority to prosecute under these provisions? Obviously, it's very extremely important to us that we retain that local control, so if it becomes apparent that that new definition does, in any way, cause the U.S. EPA difficulty with regard

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to that issue, we would not only be amenable to change, but we would very actively and aggressively seek amendatory language in the Senate which would cure any such concern or rectify any deficiency in that definition. So you can be assured that we would do so."

Koehler: "Well, thank you very much, Representative Homer, for your hard work on this piece of legislation. And this piece of legislation is significant in the fact that this will increase the penalties for those that we call midnight dumpers, those people who are...are not careful in their disposal of hazardous waste and who cause problems for us in our communities and are illegal dumpers. Therefore, I would urge your support of this legislation."

Speaker Matijevich: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This is the fifth and final Bill in the Speaker's hazardous waste package. I think that the explanation has been clear. What we're looking for throughout this package is an attempt to increase, step up enforcement, make a difference to the kinds of problems that we know we have with the disposal of hazardous waste and the cleanup of hazardous waste. I urge support for this Bill."

Speaker Matijevich: "Representative Homer...Representative Van Dwyne. I don't want to ever miss you."

Van Dwyne: "One quick question, Representative."

Speaker Matijevich: "Proceed."

Van Dwyne: "There is no provision in here for a grand...statewide grand jury, is there?"

Homer: "As a matter of fact, thank you for raising that question. Initially, there was some concern that by indirect language that gave the Attorney General the powers generally of the State's Attorneys that it could be implied that there was such authority. We, in an Amendment to this Bill,

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specifically resolved that issue, and now it's very clear that there's absolutely no right to a statewide grand jury in this Bill."

Speaker Matijevich: "Representative Homer moves for the passage of House Bill 2171. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are...Mulcahey 'aye'. On this, there are 112 'ayes', no 'nays', and House Bill 2171, having received the Constitutional Majority, is hereby declared passed. The Clerk will read the...on page 22 begins the Consent Calendar, Third Reading, Second Day. The Clerk will read the Consent Calendar. Representative Ebbesen, for what purpose do you rise?"

Ebbesen: "Well, Mr. Speaker, I'd just like to make an observation for Members of the House. That last Bill is an illustration. I don't think there was a dissenting vote, and we're into an awful lot of dialogue with a large number of Bills to complete before the deadline, and I think we ought to start taking that into consideration."

Speaker Matijevich: "You're right, but the Chair was helpless. So that the Body is aware of what we're doing, we are not going to proceed to vote on the...the agreed list or Consent Calendar. We have a Bill that has to be amended. So we're going down to the line reading the Bills until we come to that Bill. Proceed, Repre...Clerk."

Clerk O'Brien: "Consent Calendar, Third Reading, Second Day. House Bill 554, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill. House Bill 553, Tate, a Bill for an Act to amend the Illinois Municipal Code. Third Reading..."

Speaker Matijevich: "Representative Tate, for what..."

Tate: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I'd

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like to ask leave of the House to table Amendment..."

Speaker Matijevich: "The Gentleman asks leave to return House Bill 553 to the Order of Second Reading for the purpose of Amendment. Leave, and the Bill is on Second Reading. Will the Clerk read the Amendment?"

Clerk O'Brien: "Amendment #4, Tate - Johnson - Vinson."

Speaker Matijevich: "Representative Tate on the Amendment."

Tate: "We'd like to table Amendment 4."

Speaker Matijevich: "Leave to table Amendment...withdraw Amendment 4. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, Tate - Johnson."

Speaker Matijevich: "Representative Tate on Amendment #5."

Tate: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #5 has been an agreed upon Amendment. It worked out...it satisfies Representative Brummer's problems. Our staff worked out the differences, and it's agreed on both sides. And Representative Satterthwaite, too, it satisfied that area. And I move for its adoption."

Speaker Matijevich: "The Gentleman moves for the adoption of Amendment #5. Those in favor say 'aye', opposed 'nay', And Amendment #5 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading."

Tate: "Can I have leave to keep it on Consent Calendar, then?"

Speaker Matijevich: "Leave that this Bill remain on the Consent Calendar, Third Reading. Leave, and the Bill will be there."

Clerk O'Brien: "Continuing Consent Calendar Third Reading Second Day. House Bill 553, Tate, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill. House Bill 1133, a Bill for an Act in relation to occupation taxes and motor fuel. Third Reading of the Bill. House Bill 1134, a Bill for an Act in relation to insurance.

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Third Reading of the Bill. House Bill 1148, a Bill for an Act to amend the Rockford Civic Center Act. Third Reading of the Bill. House Bill 1157, a Bill for an Act in relation to community antenna television systems. Third Reading of the Bill. House Bill 1166, a Bill for an Act concerning decedent's safe deposit boxes. Third Reading of the Bill. House Bill 1182, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 1204, a Bill for an Act to amend the Election Code. Third Reading of the Bill. House Bill 1255, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 1288, a Bill for an Act to amend the Regional Transportation Authority Act. Third Reading of the Bill. House Bill 1340, a Bill for an Act to amend an Act to revise the law in relation to counties. Third Reading of the Bill. House Bill 1344, a Bill for an Act to revise the law in relation to veterinary medicine and surgery in Illinois. Third Reading of the Bill. House Bill 1363, a Bill for an Act to amend the Crime Victims Compensation Act. Third Reading of the Bill. House Bill 1374, a Bill for an Act to amend the Illinois Pension Code and the State Mandates Act. Third Reading of the Bill. House Bill 1378, a Bill for an Act in relation to pyramid sales systems schemes. Third Reading of the Bill. House Bill 1383, a Bill for an Act to amend the Illinois Anti-Trust Act. Third Reading of the Bill. House Bill 1386, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 1388, a Bill for an Act authorizing the Department of Transportation to convey certain described land. Third Reading of the Bill. House Bill 1412, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill. House Bill 1426, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House

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Bill 1437, a Bill for an Act to amend the Illinois Beauty Culture Act. Third Reading of the Bill. House Bill 1454 has been removed from the Consent Calendar. House Bill 1497, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill. House Bill 1507, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 1527, a Bill for an Act to amend an Act relating to leasing of mineral interests. Third Reading of the Bill. House Bill 1564, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 1579, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 1597, a Bill for an Act to amend the Animal Control Act. Third Reading of the Bill. House Bill 1762, a Bill for an Act to amend the Bingo License and Tax Act. Third Reading of the Bill. House Bill 1825, a Bill for an Act regarding trust companies. Third Reading of the Bill. House Bill 1835, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill. House Bill 1864, a Bill for an Act to amend the Cigarette Tax Act and Cigarette Use Tax Act. Third Reading of the Bill. House Bill 1880, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill. House Bill 1882, a Bill for an Act to amend the Civic Administrative Code. Third Reading of the Bill. House Bill 1883, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill. House Bill 1888, a Bill for an Act to amend an Act in relation to fire protection districts. Third Reading of the Bill. House Bill 1889, a Bill for an Act to amend an Act in relation to criminal identification and investigation. Third Reading of the Bill. House Bill 1914, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill. House Bill 1921, a Bill for an Act to

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amend the Intergovernmental Law Enforcement Officers' In-Service Training Act. Third Reading of the Bill. House Bill 1923, a Bill for an Act to amend the Lobbyists Registration Act. Third Reading of the Bill. House Bill 1928, a Bill for an Act to amend the Illinois Fertilizer Act. Third Reading of the Bill. House Bill 1950, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill. House Bill 1978, a Bill for an Act in relation to state finance. Third Reading of the Bill. House Bill 2003, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill. House Bill 2006, a Bill for an Act to amend the Metropolitan Civic Center Support Act. Third Reading of the Bill. House Bill 2055, a Bill for an Act to amend the Election Code. Third Reading of the Bill. House Bill 2062, a Bill for an Act to amend the State Property Control Act. Third Reading of the Bill. House Bill 2072, a Bill for an Act to amend an Act concerning public utilities. Third Reading of the Bill. House Bill 2080, a Bill for an Act in relation to milk and milk products. Third Reading of the Bill. House Bill 2081, a Bill for an Act to amend the Structural Pest Control Act. Third Reading of the Bill. House Bill 2092, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill. House Bill 2094, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 2097, a Bill for an Act in relation to borrowing. Third Reading of the Bill. House Bill 2102, a Bill for an Act to amend an Act regarding service use and service occupation taxes. Third Reading of the Bill. House Bill 2108, a Bill for an Act to amend the State Employees' group insurance. Third Reading of the Bill. House Bill 2110, a Bill for an Act to amend the Civic Administrative Code. Third Reading of the Bill. House

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Bill 2111, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill. House Bill 2115, a Bill for an Act in relation to Department of Central Management Services. Third Reading of the Bill. House Bill 2116, a Bill for an Act to amend an Act in relation to insurance. Third Reading of the Bill. House Bill 2117, a Bill for an Act to amend the Regency Universities Act. Third Reading of the Bill. House Bill 2123, a Bill for an Act in relation to state colleges and university systems. Third Reading of the Bill. House Bill 2144 has been removed from the Consent Calendar. House Bill 2182, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill. House Bill 2201, a Bill for an Act concerning Child and Adolescent Office. Third Reading of the Bill. House Bill 2203, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill. House Bill 2212, a Bill for an Act to amend an Act in relation to high risk childbirth. Third Reading of the Bill. House Bill 2220, a Bill for an Act concerning cities, villages and incorporated towns. Third Reading of the Bill. House Bill 2230, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. House Bill 2249 has been removed from the Consent Calendar. House Bill 2251, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill. House Bill 2267, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill. House Bill 2277, a Bill for an Act relating to copies of Committee material. Third Reading of the Bill. House Bill 2283, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. House Bill 2284, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

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Speaker Matijevich: "The Bills have been read a third time. Some Members have asked the Chair what Bills have been removed. When we get that information from the Clerk, we will announce to you prior to the...when the Bills are going to be called for a vote, we will give you a notice on what Bills have been removed. The Bills will appear on the Supplemental Calendar, those Bills. Mr. Clerk, are there any Bills left on the Order of Special Order of Business, Subject Matter - Environmental Protection?"

Clerk O'Brien: "The only Bill left on Special Order of Business, Subject Matter - Environmental Protection, is House Bill 2040."

Speaker Matijevich: "House Bill 2040. Representative Cullerton on the floor? Representative Cullerton, there on the Order of Special Order of Business, Subject Matter - Environmental Protection, there is one Bill, House Bill 2040, remaining on that Order of Business. And I understand you have a Motion with regards to the Special Order. Am I right? I think. John Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker. Mr. Speaker, on the Calendar on page two set...is a Special Order of Business, Subject Matter - Environmental Protection, appears House Bill 2040. Now I would move that this Special Order of Business, Subject Matter - Environmental Protection, be continued until tomorrow at the hour of ten a.m. That would be May 27th, Friday, May 27th, at the hour of ten a.m., so that we can consider House Bill 2040 tomorrow at the hour of ten a.m."

Speaker Matijevich: "Representative Cullerton has moved that the Special Order of Business, Environmental Protection, be extended until tomorrow at the hour of 10:30. On that, Representative Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, I think

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the Gentleman's Motion is particularly inappropriate. To continue for this one Bill, a Special Order, setting aside a time on the Calendar, is not something we need to do at this point. And I think Members ought to review the history of this Bill in considering their vote on this issue. This Bill has been given special consideration all week, Third to Second today, Third to Second yesterday, now a Special Order tomorrow. No Bill, no Bill that we have dealt with this week has been treated this way, given this kind of special consideration. As a matter of fact, the Third to Second today and the Third to Second yesterday were for the same Amendment. The Lady loses the Amendment one day and wants to come back, consider the Amendment the next day. I don't think that this House has any obligation to give a Sponsor this kind of special consideration every day of the week. You know, if we continue giving that kind of special consideration to an individual Sponsor, to an individual Bill, every day of the week on the week when the deadline occurs, what's going to happen is that we're not going to get to a number of other Members' Bills on Third Reading. There's no reason the Lady can't have her Bill included on the Third Reading Calendar. It's there. When we come to that Bill in the normal course of Third Readings, it can be considered. But I don't see why we have to go with every other particular...why we have to destroy the rights of every other Member to have their Bill given a fair chance of hearing on Third Reading, when the Lady can't get her Bill in shape, and when she can't act with it. And for those reasons, because of what it does to every other Member of this chamber and their ability to have their Bills heard, I would oppose this Motion."

Speaker Matijevich: "Representative Johnson."

Johnson: "Parliamentary inquiry."

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Speaker Matijevich: "Proceed."

Johnson: "Inquiring as to the application and the Chair's and the Parliamentarian's interpretation of Rule 12(A), which provides that a Special Order of the day or a Special Order of Business may be set by the Rules Committee or by the Speaker. And further, that a Special Order shall fix the day to which it applies and the matters to be included. My point...I'll wait till Ms...Okay, my point would be that it seems that a logical interpretation of that Rule is just the way the Chair has interpreted it so far, and that is that the Special Order applies to today, as it was set and as it's appeared on the Calendar for three days as is required under 12(B), and further that even with a vote of the 60 Members of the House, that we don't have the authority under Rule 12(A), (B) or (C) to...what amounts to continue a Special Order until tomorrow. And I would inquire of the Chair as to his interpretation of that rule and its applicability here."

Parliamentarian Getty: "On behalf of the Speaker, we would rule that this has been the custom within the House. Previous Motions similar to this have prevailed, and that the Motion is in order."

Speaker Matijevich: "The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, had we not had to listen to Representative Vinson and Johnson's speeches, we probably could have debated the Bill, and we wouldn't have wasted any time at all. I would just like to have a...have this Motion voted on right now, if we could."

Speaker Matijevich: "Alright, you've heard the Motion. Those in favor of Representative Cullerton's Motion signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the

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record. On this question, there are 46 'ayes', 55 'nays', and the Motion fails. On page two of the Calendar, House Bills, Second Reading, Short Debate Calendar. House Bill 1611. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 1611, a Bill for an Act to amend Sections of the Illinois Insurance Code. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the Floor?"

Clerk O'Brien: "Floor Amendment #1, Levin."

Speaker Matijevich: "Levin, was it? Representative Levin on Amendment #1."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We'll see if I do better on Amendments than I did on Bills. House...Amendment #1 to House Bill 1611 deals with a problem faced by many senior citizens across the state. Up until last December, Blue Cross was subject to a review of their rates by the Illinois Department of Insurance. And this was particularly important to the senior citizens of the state that have the Blue Cross supplemental Medicare. Blue Cross being the largest provider of the supplemental Medicare. And those rates have been subject to review for 40 years, under a trade-off which gave Blue Cross a tax exempt, not-for-profit status..."

Speaker Matijevich: "One moment. Representative Birkinbine, are you seeking recognition?"

Birkinbine: "Yes, Mr. Speaker. Thank you. I asked a question of the Parliamentarian as to the..."

Speaker Matijevich: "Proceed."

Birkinbine: "...as to the germaneness of this Amendment. The Bill, although amending the Insurance Code, deals with licensee test scores in the Agents and Brokers Article of the Code. This Amendment deals with a completely different

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Article, the Accident and Health Article. I would question its germaneness."

Speaker Matijevich: "The Chair rules that the Amendment is germane. Proceed, Representative Levin."

Levin: "Thank you, Mr. Speaker. The senior citizens felt very strongly about the regulation of the Blue Cross supplemental rates, and at the hearings that took place, many, many senior citizens would show up. In the City of Chicago, there are currently about 225,000 senior citizens that have the Blue Cross direct pay supplemental Medicare. And outside of the City of Chicago, there are approximately another 175,000 senior citizens who have the Blue Cross supplemental coverage through the health improvement associations. This Amendment would reestablish review of those rates and those rates only, the Blue Cross supplemental Medicare direct pay rates and the supplemental Medicare Blue Cross rates through the health improvement associations. As I said, they were subject to rate review. Blue Cross acted last December under the Health Care Service Plan Act to remove themselves from rate review, and this simply reestablishes for the Blue Cross senior citizen subscriber what the status quo was last November. The senior citizens, as we've heard in other discussions this week, are facing a tremendous financial problem in paying for their cost of health care. And the insurance is a very, very major..."

Speaker Matijevich: "One moment. Representative Yourell in the Chair."

Levin: "...aspect of that. And this is why this Amendment is supported by the Illinois State Council of Senior Citizens and the 600 member organizations, as well as by the Chicago Area Metropolitan Senior Senate, and there are approximately 300 member organizations. It's a very

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important Amendment to the seniors. It would put them back in the position they were last year with respect to Blue Cross. It has no effect on any other insurance company. There is no intent to go beyond Blue Cross, just that Blue Cross has enjoyed, for the last 40 years, a tax exempt status. They have benefitted from an indirect subsidy from the state. And what we're saying here is, 'let's give back to the senior citizen some of the protections that they had up to last year. Give them the opportunity to go before the Department of Insurance in order to see that the rates that they are charged on their Blue Cross supplemental Medicare policies are fair.' I would ask for your favorable consideration of this Amendment."

Speaker Yourell: "Representative Birkinbine."

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

Speaker Yourell: "The Gentleman indicates he'll yield."

Birkinbine: "Mr. Levin, you indicated that this Bill, I'm sorry, this Amendment would apply only to Blue Cross and Blue Shield. How do you see that? In reading the Amendment, it seems to apply to any insurance firm that would be in the group health insurance business."

Speaker Yourell: "Representative Levin."

Levin: "Yes, there are a number of criteria which are intended to define either a) the direct pay supplemental Medicare, or b) what amounts to the supplemental Medicare through the Health Improvement Association. If you look on page two, Paragraph C, there is a further criteria, and that is that the rates for the particular line of coverage were subject to review by the Director of Insurance under any statute at any time during the two year period immediately preceding the effective date of this amendatory Act of 1983. The only coverage which was subject to any form of review of

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rates in terms of supplemental Medicare is the Blue Cross."

Speaker Yourell: "Further questions?"

Birkinbine: "To the...no. I guess if I could speak to the Amendment, Mr. Speaker."

Speaker Yourell: "Proceed."

Birkinbine: "This is not, in my mind, a good idea, first off. One thing that the...we have always resisted here is getting into the idea of rate review, having the Director of the Department of Insurance get into rate review, plus, I would bring the Members' attention to page two, Section 2(A), where he says, 'Rates to be charged to subscribers shall be deemed unreasonable unless the Director of Insurance finds that the insurance company', et cetera, et cetera. In other words, the rates would automatically be considered wrong and unreasonable. It's putting the onus where I don't think it belongs, and frankly, I question whether or not this does indeed apply only to Blue Cross/Blue Shield. And yet the many small firms around the state which would try and deal in this would, in no way, have the power or the percentage of the market to, in any way, influence what hospitals can and cannot do. I think it is an ill-advised Amendment, and I would advise people to vote against it. Thank you."

Speaker Yourell: "Representative Laurino on the Amendment."

Laurino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Although I know what the Sponsor is trying to do for the senior citizens of this great city and state of ours, I don't believe that this Amendment belongs on this Bill. I think it's controversial, and it's taking a decent Bill and turning it into something that I don't think everyone understands. As the Sponsor of the Bill, I oppose the Amendment."

Speaker Yourell: "Representative Terzich."

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

Speaker Yourell: "Excuse me a moment. For what reason do you rise, Sir? Representative Levin."

Levin: "Yeah, if the Sponsor of the Bill....House Bill 1611 does not want this Amendment on his Bill, I would like to withdraw the Amendment."

Speaker Yourell: "The Amendment's withdrawn. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Yourell: "Third Reading. Representative Laurino. Appearing on the Order...Calendar, Second Reading, Short Debate, is House Bill 1939. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1939, a Bill for an Act in relationship to state procurement contracts, authority and procedures. Second Reading of the Bill. No Committee Amendments."

Speaker Yourell: "Representative Olson."

Olson: "...You, Mr. Speaker..."

Speaker Yourell: "Any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Olson, amends House Bill 1939 on page three and so forth."

Speaker Yourell: "Representative Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is in at the request of Central Management Services. It amends various Acts in relation to procurements. In essence, what the Bill does would be to clarify that the Department of Central Management Services is responsible for writing or approving the specifications for the products and services which it is responsible for obtaining. Amendment #1 deals directly with this issue. It deletes proposed changes to Section 5 of the Illinois Purchasing Act dealing with procurement rules. House Bill 1371 will make any necessary changes in this area. I urge the passage of Amendment #1 to House Bill 1939."

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Speaker Yourell: "Is there discussion? Being no discussion, the question is, 'Shall Amendment #1 to House Bill 1939 be adopted?'. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, Olson, amends House Bill 1939 on page seven an so forth."

Speaker Yourell: "Mr. Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 allows another exception to bidding for the delivery, installation and movement of electronic data processing equipment. This is in response to a problem experienced by the Legislative Information System. Again we urge the adoption of Amendment #2 to House Bill 1939."

Speaker Yourell: "Is there discussion? Being no discussion, the Gentleman moves the passage of House Amendment #2 to 1939. All those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment's adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Yourell: "Third Reading. Appearing on the Order of Short Debate, Second Reading, is House Bill 2059. Read the Bill, Mr. Clerk. No. Are...do you have...does the Gentleman have leave to keep the House Bill 1939 on Short Debate? Leave is granted. House Bill 2059. Are there Amendments?"

Clerk Leone: "House Bill...2059, a Bill for an Act to amend an Act concerning the Department of Mental Health and Developmental Disabilities. Second Reading of the Bill."

Speaker Yourell: "Are there any Amendments?"

Clerk Leone: "No Committee Amendments. No Floor Amendments."

Speaker Yourell: "Third Reading. Appearing on the Order of Second Reading, Short Debate, is 2194. Read the Bill, Mr.

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Clerk."

Clerk Leone: "House Bill 2194, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Yourell: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Ewing, amends House Bill 2194 by deleting so forth."

Speaker Yourell: "Representative Ewing. The Gentleman in the chamber? Representative Vinson."

Vinson: "I wonder if we might take this Bill out of the record at this point and come back to it when the Sponsor's on the floor?"

Speaker Yourell: "Out of the record. They are now going back to the Order of Third Reading page nine. House Bill 1162 is on Special Order of Business. Appearing on that Order is House Bill 1178. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1178, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Yourell: "The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Leave to bring this Bill back to Second for the purposes of an Amendment, please."

Speaker Yourell: "The Lady requests leave to return this Bill to the Order of Second Reading for purposes of Amendments. Does she have leave? Leave is granted. Clerk, any Amendments, Floor Amendments?"

Clerk Leone: "Floor Amendment #4, Breslin, amends House Bill 1178 as amended."

Breslin: "Leave to withdraw Amendment #4."

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

Breslin: "Leave to withdraw Amendment #4."

Speaker Yourell: "The Gentleman...the Lady has leave to withdraw Amendment #4. Leave is granted. Are there further

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Amendments?"

Clerk Leone: "Floor Amendment #5, Breslin, amends House Bill 1178 as amended."

Speaker Yourell: "Representative Breslin."

Breslin: "Yes, Amendment #5, Ladies and Gentlemen, allows for a change so that we are sure that all of the day care licensing programming provisions of the day care licensing provisions apply to before and after school programs that would be instituted by...by school systems. This is an agreed Amendment with the day care people and with the educational people. I'd appreciate its adoption."

Speaker Yourell: "Is there discussion? Being no discussion, the Gentleman from McLean, Representative Ropp."

Ropp: "Question of the Sponsor, Mr. Speaker."

Speaker Yourell: "The Lady indicates she'll yield."

Ropp: "Does this have anything to do or make any changes relative to church day care schools?"

Breslin: "No."

Ropp: "Thank you."

Speaker Yourell: "The Gentleman from Champaign, Representative Johnson. Doesn't desire to be recognized. Turn him off, please. The Gentleman from Kendall, Representative Hastert."

Hastert: "Ladies and Gentlemen of the House, Mr. Speaker, I think this is a good Bill. I think it's a Bill that's needed, and I urge your support of it."

Speaker Yourell: "The Lady has moved for passage of Amendment #5 to House Bill 1176...1178. All those in favor will say 'aye', those opposed 'no'. The 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Yourell: "Third Reading. Or no, this Bill...Third Reading. Does the Lady have leave to hear the Bill on

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Third Reading? Leave is granted. The Bill is on Third Reading. Representative Breslin. For what reason does Mr. Piel...Piel rise?"

Piel: "I've got no problem...I've got no problem with the Bill, Mr. Speaker, but is she on leave to go to Third Reading, because she has to get leave to take it from Second Reading, First Day, because it changes the title and then go to Third."

Speaker Yourell: "While we're waiting for a ruling, Representative Piel."

Piel: "That has to be in the form of a Motion to go back, and I'm not making that Motion. I just...and it's been clarified..."

Speaker Yourell: "You have no objections?"

Piel: "I've got no objections at all. No."

Speaker Yourell: "Third Reading. Representative Breslin."

Breslin: "We're looking at it right now, Representative. Okay, it's on Third Reading."

Speaker Yourell: "It's correct. Does the Lady have leave to hear the Bill on Third Reading at this time? Leave is granted. Representative Breslin."

Breslin: "Okay, thank you, Ladies and Gentlemen of the House. This Bill deals with the problem of latch-key children in our society. According to the latest statistics, there are over 5.2 million children in the United States that, quote, qualify as latch-key children. A latch-key child is a child whose parents work, who leave the house in the morning before the children go to school and do not return home until later in the afternoon after the children have already returned home. Because of the high cost of day care, because of the high cost of babysitters, these children wear a string around their neck and have the key to their home attached to them. And as a consequence, they

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are left alone early in the morning and later in the afternoon for many hours to fend for themselves, so to speak. There is no question that it is a major issue in our society, that because these children are left alone, they are often susceptible to...to a lot more problems than other kids have, and it often has an effect on their educational ability when they are in the school systems. There are some school systems in the State of Illinois who, although it is not specifically authorized by the state, have addressed this as a problem in their school district. As a consequence, they have made arrangements to provide before school and after school programs, day care programs, for those children. Because they are so well accepted by many groups, and because this General Assembly, even in its last term, passed a House Resolution asking the State Board of Education to investigate the use of school buildings for these particular programs. We have a...we believe that it is appropriate that...that schools get into this kind of business. It has an educational advantage. This Bill allows those before school and after school programs in the K through six range of students. The Bill provides that it is permissive that these programs allow time for homework, recreation and educational offerings. It is hoped that these programs will have an educational advantage to the student and not be...not put the schools simply in the position of babysitting. They are to be administered by certified teachers, or if they are not available, by those certified in day care. And it is required that all of the present programming requirements of the Licensing Act be fulfilled for these day care facilities in the schools. Time is to be allowed to the coordinators of the program to coordinate with the regular school program. It is allowed, again permissively, that these programs could follow the

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regular work calendar of the community rather than the school calendar. Again, that is permissive. It is required, however, that the parents must provide the transportation for their children. That should not be a debt of the school system, and the parents may also be required to pay a fee for the cost of their...of this program. The...there is one school district already in the state, the Evanston School District, that has experimented with this, and it has had tremendous results. It is run, I believe, by private day care operators in the system, and they have coordinated with the...with the school district. They have been able to provide this day care service at minimal cost to the parents, and it has been extremely well received. I'd be happy to answer any of your questions."

Speaker Yourell: "Is there discussion? Representative Bowman."

Bowman: "I'd just like to commend the Lady for working with the day care community in developing the Amendment. I think it's a fine piece of legislation."

Speaker Yourell: "Representative Hastert."

Hastert: "Mr. Speaker, would the Sponsor yield?"

Speaker Yourell: "The Lady indicates she'll yield."

Hastert: "In the interest of brevity, I just have two questions. I just want to make sure that this is a permissive program. Is that correct?"

Breslin: "That is correct."

Hastert: "And secondly, that parents, if it is the object of the school board, the parents do pay fees for this. Is that correct?"

Breslin: "That is correct. They may pay fees. The school district may if they want to, but the ones that operate right now pay fees."

Hastert: "May pay. Alright. That's up to local control."

Breslin: "That's correct."

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Hastert: "Okay. Mr. Speaker, to the Bill. Again in the interest of brevity, I think it's an excellent concept. It's certainly commended. It's time, and I urge your 'aye' vote."

Speaker Yourell: "Representative Hicks. No? Representative Cowlshaw."

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

Speaker Yourell: "The Lady indicates she'll yield."

Cowlshaw: "Representative, I just want to clarify one point that is not clear to me. As I understand this legislation, it is meant to apply to offerings by Boards of Education. Now I am aware that there are several park districts throughout Illinois that do offer programs like this. Does this legislation, in any way, affect the programs that are offered by park districts?"

Breslin: "It does not apply to park districts. It applies only to school districts."

Cowlshaw: "And it would not preclude park districts from offering these programs."

Breslin: "Absolutely not."

Cowlshaw: "Very good. Thank you very much."

Speaker Yourell: "Representative Topinka."

Topinka: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I stand in support of this really tremendous Bill. I think Representative Breslin deserves a lot of pats on the back for it. For those of us who were involved in the day care meeting last week, the hearing that various people came here en masse to talk about their problems with it, I think this answers that particular problem. Since it is permissive, it's in the private sector. It puts the burden back on mom and pop. It's a good Bill, and I encourage all of the people on our side to vote for it."

Speaker Yourell: "Representative Mulcahey."

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

Speaker Yourell: "Pardon me, Sir."

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

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

All those in favor will say 'aye', opposed 'no'. The 'ayes' have it. The previous question has been moved. The Lady from LaSalle to close."

Breslin: "Thank you, Ladies and Gentlemen. According to our statistics, one-third of all elementary children in this country are latch-key children. 58% of all school age children have working mothers today. And one in six come from a single parent household. There is no question that day care for these children is the best program available. Those children who are presently latch-key children often come up with extensive problems. They are lonely, troubled, they feel abandoned, bored, weighed down by the responsibilities that they have. Young children especially are unable to handle emergency situations such as fires, illnesses and accidents. Children left alone are often victims of attack, rape, theft. The Children's Defense Fund cites studies that show that one in four fires in Detroit and one in six in Delaware, are started by children at home alone after school. I think we should encourage day care in...as an inexpensive a program as possible, and I think this is a start. I'd appreciate your consideration."

Speaker Yourell: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', those opposed will vote 'no'. The voting is open. Representative Satterthwaite to explain her vote."

Satterthwaite: "Well, Mr. Speaker, because debate was closed off, I didn't get to follow up with questions that Representative Cowlshaw was asking. Maybe if the Sponsor

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can indicate in explaining her vote, for the record, for the record, is it her intent that this Bill will not prohibit park districts from running programs in school buildings?"

Speaker Yourell: "On this question, there are 100 voting 'aye', no voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Satterthwaite, for what reason do you rise?"

Satterthwaite: "Mr. Speaker, I asked if the Sponsor, in explaining her vote, could respond so that I will know whether to place my vote in..."

Speaker Yourell: "The Lady from Cham...the Lady from LaSalle to explain her vote."

Breslin: "The Lady wishes to clarify legislative intent, and it is my intent that this Bill apply only to programs run by school districts, not to programs run by park districts, regardless of where the park district has their program, what buildings they use."

Speaker Yourell: "Representative Satterthwaite."

Satterthwaite: "Please be recorded as voting 'aye'."

Speaker Yourell: "On this question, there are 105 voting 'aye', no voting... none voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Satterthwaite 'aye'. That's 105. Appearing on the Order of Third Reading is House Bill 1186. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill..."

Speaker Yourell: "Out of the record. Representative Steczo."

Steczko: "Mr. Speaker, it was my intention to take House Bill 1186 out of the record and hear 1187."

Speaker Yourell: "Out of the record. Appearing on the Order of Third Reading is House Bill 1187. Read the Bill, Mr. Clerk."

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Clerk Leone: "House Bill 1187, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Yourell: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I'd ask leave of the House to return House Bill 1187 back to the Order of Second Reading for the purposes of an Amendment."

Speaker Yourell: "The Gentleman asks leave to return the Bill to Second Reading. Does he have leave? Leave is granted. Mr. Clerk, are there Amendments?"

Clerk Leone: "Amendment #4, Steczo, amends House Bill 1187."

Speaker Yourell: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House...Amendment #4 to House Bill 1187 just seeks to clarify some issues that were inadvertently left out of the Bill as amended with regard to bonded indebtedness and with regard to regional superintendents and a clarification of bonding and just corrects some obsolete language. Additionally it...we make House Bill 1187 apply to petitions currently being filed, and I would ask for the adoption of Amendment #4."

Speaker Yourell: "Is there discussion? There being no discussion, the Gentleman has moved adoption of Amendment #4 to House Bill 1187. All those in favor will say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Yourell: "Third Reading. Representative Steczo."

Steczko: "Mr. Speaker, leave of the House to have House Bill 1187 heard."

Speaker Yourell: "The Gentleman asks leave to consider House Bill 1187 on Third Reading. Does he have leave? Leave is granted. Representative Steczo on House Bill 1187."

Steczko: "Thank you, Mr. Speaker, Members of the House. House

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Bill 1187 is a product of many years of deliberation by the State Board of Education and many weeks and months of study by Representative Nelson and myself, who are hyphenated Cosponsors, dealing with the area of school district reorganization. This came out of the School District Reorganization Committee by unanimous vote, and what it seeks to do is to take the provisions of Article VII of the School Code and Article XI of the School Code, which currently are a complete hodgepodge and try to put some order into those two particular sections dealing with annexations, detachments, boundary changes, unit formation and what we will call now school district combination. What we do in House Bill 1187 is take Article VII and leave that only dealing with annexations, dissolutions, detachments and boundary changes and take House...and take Article XI and deal specifically with unit district formation in XI(A) and combination of school districts in XI(B). This is done so school districts who are currently considering reorganization of some type will know exactly what the procedures are when they seek to undertake those procedures. And I should mention, too, that this is completely voluntary. In the area of unit formation, we've deleted some provisions that we feel are not necessary and was felt by the State Board of Education were not necessary. We've clarified some provisions. We've mandated publication, which was not in the statutes before. We've deleted provisions requiring individuals to withdraw their names from petitions. The one area that's a major change and one that was agreed upon by all those who are interested in discussing the whole question of unit district formation is the whole question of affected areas. And I'd like to explain to the Members of the House in terms of affected areas. If there is any small portion of

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a district that's included in any petition to create a unit district, not only the small little portion that's included, and the residents of that area will get to vote on any formation. Generally, the entire unit and the entire district gets a chance to vote on that. In my area, in one district that is currently considering unit formation, that one provision would trigger a vote by over half a million people. So we sat down with the State Board of Education. We came up with what we think is an agreeable solution to say that if that area is more than 25% of the total area which is being detached, or there is a difference...a ratio difference in student enrollment to assessed valuation of 8% or more, then those affected district residents will get a chance to vote. Otherwise, simply they would simply not lose anything. Things would remain more or less the same so they would not. Additionally, we add that in the case of a unit formation, that if...a school district shall not be penalized for nonrecognition within two years. With the area of school district combination, we have suggested the requirements for seeking combination would be 10% of the voters from each affected district. We put in a time limit as to the time the regional superintendent shall issue an order as to acceptance or rejection of a petition to create a combined district. And I should mention, too, that this Bill also only deals with areas outside the City of Chicago. I would answer any questions. Representative Nelson would be willing to answer any questions on House Bill 1187. And if not, I would appreciate the support of the House on House Bill 1187."

Speaker Yourell: "Is there discussion? Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. As amended with Amendment #4, I rise in

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support of House Bill 1187. It clarifies by putting certain things in one Section and certain things in others. And there are no tax rate increases or anything like that in here, and I would encourage your support."

Speaker Yourell: "Further discussion? Being no further discussion, does the Gentleman wish to close?"

Steczo: "Mr. Speaker, I would just ask for the support of the House on House Bill 1187. It will do much to really clean up the whole procedure with regard to reorganization."

Speaker Yourell: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 106 voting 'aye', none...4 voting 'no', and this Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Third Reading is House Bill 1189. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1189, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Yourell: "Representative Steczo."

Steczo: "Thank you, Mr. Speaker, Members of the House. House Bill 1189 is the second Bill that we are dealing with that deals with school district reorganization. And it would...tends to address one particular problem with parity when a school district seeks to form a unit district. Under the present...under the present law, if you are a elementary district and a secondary district, you are allowed to levy .92 in your tax rate. What happens then, a school district wishing to form a unit district, knowing that under the current law they will only be able to levy 1.60, simply does not want to consider forming a unit district, because they know they're going to be at a disadvantage right from the beginning. House Bill 1189 is

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an attempt to deal with that particular situation. It would say that in your petition to create a unit district and in that referendum that you have where a tax rate has to be included, that you could, in that referendum and on that tax rate, seek 1.8...1.84, which is equal to the amount that's currently being levied by unit...by elementary and secondary districts. In the provisions that we have, too, since we had to treat all unit districts alike, even those that have been currently formed and those that still have that particular problem, we have provided in House Bill 1189, by backdoor referendum, that those particular unit districts could, over a four year period of time, go from 1.60 to 1.84. Mr. Speaker, what we've done today, myself and Representative Nelson, we have tried to visit with each Member of the House personally with a sheet that indicates to them how many...how many districts in their areas would be affected. For instance, in the City of Chicago to which this Bill does not apply, none. In the suburbs, there may be one, and a few downstate that are stuck at the 1.60 level. Many are over any school district that has a referendum or educational tax rate level over 1.84 would not apply. We're only talking, I think, in this case, about 25 or 30% of the unit districts in the state. This is a Bill that would achieve parity. This is a Bill to remove one of the big barriers toward unit district formation, and I would answer any questions, and if not, ask the support of the House in supporting House Bill 1189."

Speaker Yourell: "Representative Klemm."

Klemm: "Will the Sponsor yield?"

Speaker Yourell: "Indicates he'll yield."

Klemm: "One question I have, having been active in school boards for many years. As I understood that the unit districts,

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the reason for the concept is because of cost savings, because we could combine some of the services and facilities in duplication between a high school individual district, from a high school and an elementary. Is that philosophy now changed?"

Steczo: "Representative Klemm, I think that one of the reasons many, many years ago when this particular provision was placed into law was to that effect. But since the coming of the resource equalizer, what actually has happened is that these unit districts are penalized."

Klemm: "So you're saying that combining two school districts for purchasing and staffing and everything else is not going to have any savings for them. Is that right?"

Steczo: "Not as it was originally intended. In addition to that, you still have to provide the same services that right now an elementary or secondary district would have to provide."

Klemm: "So then the philosophy has changed from before when we used to use that, and the State Board of Education used to use that. By consolidating, we could save monies. They have now changed their philosophy?"

Steczo: "They have't changed the philosophy by consolidating that we would save money. I think that's still the case. What the problem is, administratively you may. However, in terms of providing some of the services, there is that penalty factor. And what we're trying to address in this Bill is the fact that currently dual districts can levy 1.84, and in terms of the tax equity we're trying to provide here, we are simply saying that right now it's...it's something that has prohibited current dual districts from even considering going to unit formation."

Speaker Yourell: "Representative Nelson."

Nelson: "Thank you, Mr. Speaker, Members of the House. I would like to respond, first of all, to Representative Klemm,

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because I am not sure that the dialogue was heard by everyone here. It is the purpose of this piece of legislation and the piece that we just recently passed to encourage unit and combination. And we do that, because we believe in the economies of 'SCOL' and those of us who have worked on this legislation with staff, with the State Board of Education, and with the law firm of Chapman & Cutler, believe that by forming units in the State of Illinois, the taxpayers will save money in the end. I would like to encourage your vote for House Bill 1189. I tried to get around to most everyone on this side of the aisle to show them the particular districts in their area that would be affected by this Bill. If you have districts in the first category, they are not affected, and if you have districts in the third category, they are not affected, because they are already levying above the rate that we would set for unit districts under 1189. Only those districts that fall in the middle group, and it is something like 15% of those in Illinois would possibly be affected. Chicago is exempted, and so that is not a factor in this particular piece of legislation either. The purpose of it is to remove a disincentive to unit formation and to combination, and it provides for tax rate parity for those downstate unit school districts with educational tax rates which are much less than the rates imposed by dual school districts. We would appreciate an affirmative vote."

Speaker Yourell: "Representative Mays."

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

Speaker Yourell: "Indicates she'll yield."

Mays: "In those areas where we already have combination districts or unit districts, all this Bill is going to do is allow them to increase their tax rate in the education fund. Is

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that correct?"

Steczo: "Representative Mays, it only deals with unit districts. House Bill 1189 only deals with units."

Mays: "And the reason we're doing...we're basically going to raise the education fund tax rate from what, a dollar sixty to a dollar eighty-four? Is that the figures I heard?"

Steczo: "Dollar eighty-four over four years, subject to back door referendum, keeping in mind the fact that approximately 75% or more are already over one eighty-four, so it wouldn't affect them whatsoever."

Mays: "And the reason for allowing this is to encourage consolidation?"

Steczo: "To...to encourage the formation of units."

Mays: "And to establish parity, is that correct?"

Steczo: "And to establish parity."

Mays: "Mr. Speaker, to the Bill."

Speaker Yourell: "Proceed."

Mays: "What we are doing here is basically what we tried to do in the last Session of the General Assembly, to establish parity. Now, there's two questions that each of you got to ask yourselves. Do you really think that consolidation, bigger administrative bureaucracies for the schools is in the interest that you want to promote? That's the first question. Do you want to have consolidation or not, and the second question is, do you want to allow a higher tax rate with a backdoor referendum rather than an up-front referendum, which is the current practice? For those two reasons, I am going to oppose this Bill, and I would hope that each and every one of you would consider it very carefully."

Speaker Yourell: "Further discussion? There being no further discussion, Representative Steczo to close."

Steczo: "Thank you, Mr. Speaker, Members of the House. To...to

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answer the last speaker, House Bill 1187 and 1189 deal with consolidation or combination, I guess as we are calling it now, and unit formation on a permissive basis. The fact is that with a back door referendum and the four year staggered period, I...that would only apply to a very, very small number of currently formed unit districts because most unit districts in the state have gone to front door referendum. Most unit districts have bypassed by a great number, that 1.84 that we're...that we're seeking here. What we are trying to do is to provide those school districts who wish to and who feel that they would permissively at least like to inquire as to...to forming a unit district, to do so without having that penalty that is currently in the law be a hindrance to that whole process. Again, this whole procedure is permissive, and we would ask for your support on House Bill 1189 toward seeking to resolve one of the big problems that...that has cropped up in many, many areas in school districts who, on their own, wish to at least consider this particular avenue."

Speaker Yourell: "Question is, 'Shall this Bill pass?' All those in favor will vote 'aye'. Those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted...take the record, Mr. Clerk. On this question, there are 81 voting 'aye', 21 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. We inadvertently...I...the Chair inadvertently skipped House Bill 1188, and then after that, we are going...going back and pick up a Bill on Second Reading. On the Order of Third Reading is House Bill 1188. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1188, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Yourell: "Representative Steczo...out of the record. Out

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of the record. Back to page 2. On the Order of Second Reading, Short Debate, appears House Bill 2194. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2194, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Yourell: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Yourell: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, Ewing."

Speaker Yourell: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, Floor Amendment #1 becomes the Bill, and it is a technical correction. It doesn't change the intent of the Bill, it only changes the wording, and it deals with pension benefits for minor children who were left out of the original statute for Members of the General Assembly. And very quickly, there were certain cases in which minor children of a Member of this...this Body would not qualify for any pension benefits if the Member died. This merely brings all of the children into the picture and if there are children with...a Member with two families, those children would share in those pension rights. And I would ask for the adoption of this Amendment."

Speaker Yourell: "Is there discussion? Being no discussion, the Gentleman has moved to...for the passage of Amendment #1 to House Bill 2194. All those in favor will say 'aye'. Opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Yourell: "Third Reading. Leave to keep it on Short Debate. Leave is granted. Representative Capparelli in the Chair."

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Speaker Capparelli: "House Bill 1205, Representative Yourell.

Clerk, read the Bill."

Clerk O'Brien: "House Bill 1205, a Bill for an Act to amend Sections of the Election Code. Third Reading of the Bill."

Speaker Capparelli: "Representative Yourell."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1205 is...as amended, would place the position of Executive Director of the State Board of Elections under the Personnel Code only for the purpose of salary structure and eliminate the funding of that position from the State Officers' Salary Act. The position itself would remain exempt and the Board would retain the power of appointment and removal of its executive director. Currently, there are several executive directors of state agencies, namely the Illinois Law Enforcement Commission, the Civil Service Commission, State Employees' Retirement System, Illinois Arts Council, to name a few, whose pay scales are governed by the Personnel Code. Most of these directors are classified MC14 by the Department with a salary range of \$28,000 to \$44,000. In short, House Bill 25...1205 does not authorize a pay raise for the State Board of Elections Executive Director, but simply authorizes the salary range for that position to be set by the Department of Personnel in accordance with its pay classification system. Bill is supported by Illinois Association of County Clerks and Recorders. I'd be happy to answer any question and move for an affirmative vote on House Bill 1205."

Speaker Capparelli: "Any discussion? Mr. Yourell to close."

Yourell: "Just ask for an Affirmative Roll Call, Mr. Speaker."

Speaker Capparelli: "All in favor, vote 'aye'. All opposed, vote 'nay'. Has everyone voted who wished? Has everyone voted who wished? Clerk, take the record. On House Bill 1205,

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there are 102 'yesses', 8 'nos', 2 voting 'present'. This Bill, getting the Constitutional Majority, is declared passed. Yourell back in the Chair."

Speaker Yourell: "Appearing on the Order of Third Reading is House Bill 1206. Mr. Taylor, do you want that Bill called? Okay, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1206, a Bill for an Act to amend Sections of the Election Code. Third Reading of the Bill."

Speaker Yourell: "Representative Nash."

Nash: "Mr. Speaker, Ladies and Gentlemen of the House, I ask leave to bring House Bill 1206 to Second Reading for the purpose of tabling an Amendment."

Speaker Yourell: "Gentleman asks leave to return House Bill 1206 to Second Reading for purpose of an Amendment. Does he have leave? Leave is granted. Mr. Clerk, read the Amendment."

Clerk O'Brien: "Amendment..."

Speaker Yourell: "Representative Nash."

Nash: "Mr. Speaker, Ladies and Gentlemen of the House, I move to table Amendment #1 to House Bill 1206."

Speaker Yourell: "Gentleman moves to table Amendment #1 to House Bill 1206. The Gentleman have leave? Amendment is withdrawn. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Yourell: "The Bill is back on Third Reading. The Gentleman requests leave to hear the Bill on Third Reading, to leave it on Third. Appearing on the Order of Third Reading is House Bill 1216. Read the Bill, Mr. Clerk. Mr. McAuliffe. Hold it. Go to the next Bill while the Gentleman decides what he wants to do. Appearing on the Order of Third Reading is House Bill 1221. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1221, a Bill for an Act to amend

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Sections of the Illinois Purchasing Act. Third Reading of the Bill."

Speaker Yourell: "Representative Tate. Gentleman in the Chamber? Take it out of the record. Appearing on the Order of Third Reading is House Bill 1222. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1222, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Yourell: "Representative Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House, House Bill 1222 is a Bill to allow state police and special agents under the Department of Revenue to retire after 25 years of service regardless of age. What this early retirement Bill will do, and I can understand that some will say that this should be disapproved because of a recommendation of the Pension Laws Commission. However, there has been a study made by the Bureau of Planning and Development Analysis and Research Section of the Illinois Department of Law Enforcement, the Division of Administration whereby early retirement can in the end mean a substantial savings to the taxpayers of the State of Illinois because what...what could happen, because of the average salary of retirees, as compared to the average...the salary of new officers, which the average salary of retirees, by the way, is \$30,872.00 whereas the salary of new officers would be \$17,832.00, so this could mean a savings of 8,000,000...almost eight and a half million dollars. The Department of Law Enforcement does support the Bill, the Illinois...the Fraternal Lodge of the State Troopers asked me to handle the Bill. All officers, naturally, even though they could be eligible, do not necessarily take early retirement, but we feel that it could in the end mean savings and I, therefore, ask for

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your support."

Speaker Yourell: "Is there discussion? Representative Terzich."

Terzich: "Well, Representative Matijevec made an excellent presentation. However, the pension system should not be used to...for employment practices. The ...at the present time, a state police officer who has 25 years of service gets approximately 61.25 percent and if his average salary is \$30,800, that means that at age 46 it's possible for that member to get \$20,000 a year for the rest of his life. The pension system certainly is not going to be used to supplement a person's second career. At the present time, the state police do enjoy a very, very liberal benefit. The cost on this Bill is...on an annual basis, is 256,000. Certainly, it's not extended to any other state employees and it would make...set a precedent that would be available that anybody that after serving in any retirement system, whether it be 20 or 25 years should be allowed to retire and pursue a second career. If the benefit was simply just for retirement purposes, that would be another thing, but there is a substantial cost factor involved. They have extremely liberal benefits now with almost 62 percent of their earning after 25 years and I would...and the Pension Laws Commission, needless to say, is against this Bill, and I would vote 'no'."

Speaker Yourell: "Is there further discussion? Being no further discussion, Representative Matijevec to close."

Matijevec: "Only in closing saying that those cost factors should be weighed and balanced with the other side of the coin in that persons at a certain...with certain amount of service in higher salary will be...will probably be leaving the service and replaced by officers at a reduced salary and, therefore, we think it can be a savings, so I would ask for your support."

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Speaker Yourell: "Question is, 'Shall this Bill pass?' All those in favor, vote 'aye'. Those opposed will vote 'no'. The voting is open. Have all voted who wish?...Have all voted who wish? Representative Matijevich to explain his vote."

Matijevich: "No, I...I think we...we can...we can just take the Roll Call."

Speaker Yourell: "Have all voted who wish? Take the record, Mr. Clerk."

Matijevich: "I might ask for a Poll, though, if we get close."

Speaker Yourell: "Gentlemen requests Poll of the Absentees, Mr. Clerk."

Clerk O'Brien: "Poll of the Absentees, Christensen, McPike, Mrs. Younge and Mr. Speaker."

Speaker Yourell: "Representative Younge votes 'aye', Representative McPike votes 'aye', Madigan, 'aye', Representative Terzich. What's the Roll Call, Mr. Clerk? On this question, there is 61 voting 'aye', 56 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Returning to House Bill 1216 on the Order of Third Reading, Representative McAuliffe is recognized."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to have leave to put this Bill in Interim Study."

Speaker Yourell: "Are you the principal Sponsor, sir?"

McAuliffe: "I am."

Speaker Yourell: "Gentleman have leave for Interim Study for House Bill 1216? Leave is granted. Appearing on the Order of Third Reading is House Bill 1224. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1224, a Bill for an Act in relation to toll highways and to create the Illinois State Toll Highway Authority. Third Reading of the Bill."

Speaker Yourell: "Gentleman from Boone, Representative Wait."

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Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1224 would require the Tollway Authority to pay for the maintenance and grade separations...basically, this is for the overpasses, unless there was agreement to the contrary. This would bring the Toll Highway Authority into compliance with the IDOT's responsibility of the interstate system. Basically, the county and township roads that go over interstates, the Department of Transportation are responsible for them. Due to the economic consideration, the Toll Authority opted to design the construction overpasses to carry local highways over the tollways rather than running the tollways over the local roads. Had the tollwells...tollways not been built, these roads, needless to say, would not be necessary. A lot of these tollbridges that were built in kind of a shabby manner, and therefore, they are now beginning to need repair. Repair costs for these structures could easily require the total construction budget outlays for many years of the...for many years of the small township. For example, in my township, we have three of these tollbridges and the local township road fund is approximately 50 to 60,000, where to replace these bridges alone would be 2 to \$300,000. The toll highway authority built the overpasses and they should be responsible for maintaining them. It is unjust to ask the local taxpayers to support these privately financed tollways. It came out of Committee with a 10 to 0 vote, and I would be happy to answer any questions."

Speaker Yourell: "Is there discussion? Representative Leverenz."

Leverenz: "Gentleman yield?"

Speaker Yourell: "Gentleman indicates he'll yield."

Leverenz: "What...how many bridges would then be maintained by the tollways should your Bill pass?"

Wait: "I understand in our analysis that they are talking about

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150 possible bridges."

Leverenz: "What do you mean possible? Are some of them up or down or collapsed or..."

Wait: "Well, they say 150 bridges. I have not counted every bridge."

Leverenz: "And what would you expect the total maintenance impact cost to the toll road to be?"

Wait: "I have not calculated that out."

Leverenz: "If the average Bill...or bridge, rather, was...what, half a million dollars?"

Wait: "I understand 2 to 300,000."

Leverenz: "Oh, now we've got a cost. You're going to then give the Toll Road Authority an impact cost somewhere between 30 and 40 million, is that correct?"

Wait: "If that's what it figures out to be."

Leverenz: "Why were they not taken up by the Authority prior?"

Wait: "Well, that's what we would like to know. I understand with some counties they do have agreements where the Tollway Authority does take responsibility for them, and I think for uniformity and consistency, they should be responsible for all of them."

Leverenz: "Well, then it's a...an ability for one county or township to work out an agreement with the road and perhaps not others, is that correct?"

Wait: "No, I wouldn't say that."

Leverenz: "Will they have to issue new bonds to pick up this additional 30 or 40 million dollars worth of impact costs?"

Wait: "No, they won't. I think you are probably aware, Representative, they are going to raise the prices for the tollway 10¢ starting July 1. Last year, I understand the Tollway Authority made over 6 million dollars."

Leverenz: "The increase of the tolls for a dime is for road surface work, and they did not consider your Bill and

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bridges, so you are probably then going to drive the tolls up another 10 or 15%, would you suspect?"

Wait: "I wouldn't necessarily say that."

Leverenz: "Well, how would they get the money, then, to do the work that you propose at 30 or 40 million dollars?"

Wait: "I suppose that...undoubtedly, they are going to have come up with the money, but it's only fair and equitable that they should be responsible for these bridges because the locals, we would not need these bridges but for the fact that the tollway is there in the first place."

Leverenz: "We would if the package passed yesterday, would you not concur, if we had a better split instead of 25% going to locals?"

Wait: "Still wouldn't be enough. I might add that I did vote for a better split for the locals though."

Leverenz: "And you did vote for the tax package?"

Wait: "No, no, I didn't yesterday."

Leverenz: "Good. Thank you."

Speaker Yourell: "Gentleman from DeKalb, Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this piece of legislation. What the Sponsor has said is absolutely true. We know that there is no local dollars down there and...and the...we know that the toll highway system, whatever the tolls are, they have to meet operational expenses, and certainly, when it comes to this construction, even though it costs millions of dollars, it is their responsibility, and is...it's really almost ludicrous, the fact we have to have...attempt with legislation to mandate them to pay for these costs. It seems to me, by policy, they ought to be able to do it. However, as I understand, their posture that in the interest of the bond holders bringing suit against them, why they have a policy that it should be the local

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people...local people's tax dollars that are...are taking care of this. Now, to me, if the local people without the money, the townships and local government don't have the money, I would be more concerned as a bond holder if one of those overpasses or several of them dropped onto the road itself. To me, this is good legislation. It's unfortunate we can't do it by policy through the Tollway Authority, but I certainly would encourage everyone to support it. If they have to raise the fees to generate the revenue to accomplish it, so be it. But...it's an option as far as drivers are concerned, and I certainly would encourage everyone to support the legislation."

Speaker Yourell: "Representative Pierce."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House. I don't blame the Gentleman from Boone for introducing this Bill. The Illinois Tollroad Authority has been the most irresponsible government body in our state. They are arrogant, they are aloof, they are hostile, and every time you ask them to do something, they hide behind the bond holders skirts, and they make up...they make up phony legalisms about we can't do this or that because the bond holders might object. They run up a big profit. They raise their...they are raising their tolls without a public hearing, when our former colleague, Bob Kustra, who went bad and went over to the Senate, tried to attend their hearing and then testify about the tolls, they wouldn't even recognize Bob Kustra, one of the nicest guys you'd ever want to meet. They wouldn't even let him talk. They shut him off. They are arrogant and the Executive Director of that agency, who flopped as Director of Corrections in this state and they found a sinecure for him, the...he...he said, if people don't want to pay the tolls, let them ride a county highway or another highway, let them eat cake,

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and...and that's what the...that's what the Executive Director of the Tollroad did. He doesn't give a...he doesn't give damn about us anyway, Representative Wait, but at least we can try here to show that the people of the State of Illinois have an interest in a state instrumentality. The Illinois Tollroad System is an instrumentality of the State of Illinois, and although they do have obligations to their bond holders and they should honor those, of course, they do have obligations to the public as well. They are tearing up the Tri-State Tollway right now from Wool Road all the way down to I-55 is torn up. They did it just a year or two ago. Every couple years, when their...when their contractors don't have enough business, they tear up the tollroad again. The whole thing is torn up, both directions. It's a danger to get on the Tri-State Tollway. It's probably the most dangerous place in the world if you try to come off I-55 and get on the Illinois Tollroad northbound. They make it dangerous. They don't care about the public's health and safety. So I think Representative Wait has a good Bill here. It makes them discharge their obligations and responsibilities to local government, and local government is closest to the people. It's the best of all governments, it's township government, I have been told on the other side of the aisle for years and years because it's closest to the people and I support this Bill."

Speaker Yourell: "Representative Curran."

Curran: "Mr. Speaker, move to the previous question."

Speaker Yourell: "Gentleman has moved the previous question. All those in favor will say 'aye'. Opposed, 'no'. The 'ayes' have it. The previous question has been moved. The Gentleman to close."

Wait: "Thank you. I'd simply defer to my Joint Sponsor on this,

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Representative Mautino, to close. Thank you."

Speaker Yourell: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. I do stand in support and request an 'aye' vote on this legislation. After extensive study by Jordan Gallagher, the State's Attorney of DeKalb County, who presented us with the original statutory authority for the tollway, as well as the bonding requirements, when the tollroad was initially built. In my estimation and also in his, substantiate the fact that the Tollway Authority has a responsibility for the structures over a facility if, in fact, the toll road was necessitated by their determination and decision at that point. There happens to be an ongoing court battle. But, most importantly, in every existing...every instance we...we portray as Members of the General Assembly a responsibility where it should be specifically under bonding provisions, whereby, built in to those provision are the express determinations for maintenance of structures in, over and through, along with the tollway. In that regard, I stand in support, echo the remarks of Representative Pierce and my Cosponsor, Representative Wait, and ask for an 'aye' vote on this good Bill for downstate rural townships that are in a dire strait because of what the toll road has done. Thank you."

Speaker Yourell: "Question is, 'Shall this Bill pass?' All those in favor, vote 'aye'. Those opposed will vote 'no'. Voting is open. To explain his vote, Representative Hallock. Representative Olson."

Olson: "Mr. Speaker, I had an opportunity to walk over some of these shoddily built bridges and overpasses and approaches. This is a very affirmative way to send the tollway people a message."

Speaker Yourell: "On this question, there are 112 voting 'aye', 1

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voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Third Reading is House Bill 1227. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1227, a Bill for an Act to amend the Use Tax Act. Third Reading of the Bill."

Speaker Yourell: "Representative Ewing, pinch-hitting for Representative McPike."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1227 deals with the use tax on byproducts of Illinois' industry. Recently there was a court decision which determined that use tax was applicable to these products. It mandated that the tax liability for such byproducts and waste products in all cases would be based on both their volume and relationship with the balance of the products of that industry. This has caused a great hardship, particularly in the oil industry, where the amount of waste products and byproducts are not near as valuable as the crude oil or the oil that has been refined. This Bill does not affect the court decision in regard to the applicability of the use tax. What the Bill does is prepare a different formula for assessing the tax and that formula, I believe, is fair. It's based on the value at the time they are consumed or functionally used or the purchase or selling price. Ladies and Gentlemen, I would be glad to answer any questions or otherwise, I would ask for your favorable vote on this Bill."

Speaker Yourell: "Is there discussion? Gentleman from Kendall, Representative Hastert."

Hastert: "Mr. Chairman, Ladies and Gentlemen of the House, this Bill had a very extensive hearing in the House Revenue Committee. It had very strong bipartisan support, both sides of the aisle, and I think it's a good Bill. It's a

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good Bill as far as fairness, and I urge your support of this piece of legislation."

Speaker Yourell: "Is there further discussion? There being no further discussion, Gentleman from...Mr. Ewing to close."

Ewing: "Mr. Speaker, I believe the House is aware of this Bill, and I would ask for a favorable vote."

Speaker Yourell: "Question is, 'Shall this Bill pass?' All those in favor will vote 'aye'. Those opposed will vote 'no'. The voting is open. Yourell, 'aye'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 108 voting 'aye', 5 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Klemm, 'aye', Brookins 'aye'. Appearing on the Order of Third Reading is House Bill 1232. Read the Bill, Mr. Clerk. Mr. Bowman in the chambers? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1232... House Bill 1232, a Bill for an Act to add Sections to the Illinois Insurance Code. Third Reading of the Bill."

Speaker Yourell: "Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 1232 is a Bill which amends the Insurance Code to the benefit of widows and divorced spouses. However, I'm in the process of negotiating this with the insurance industry. I want a Bill that everybody can live with. The negotiations are still going on in good faith and they have indicated to me that I can represent to you that the Bill is a vehicle Bill at this stage in the game. We would like to...all of us would like to get it over into the Senate so we can continue working on it, and so I move for its passage at this time."

Speaker Yourell: "Is there discussion? Representative Birkinbine."

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Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Members of the Insurance Committee will realize that this was debated somewhat hotly in Committee, and what the speaker says...the Sponsor of the Bill says is right. He has been negotiating with people from the industry to try and come up with a Bill that everyone can live with. It's my understanding that he has agreed that not until that really has come about that there is an agreement people can live with that it will be moved out of the Senate and that Senator D'Arco will be the Sponsor of the Bill over on the other side of the aisle, and with that understanding that it will be used as a vehicle for virtually an agreed Bill, I have no problem helping him move this out of the House."

Speaker Yourell: "Is there further discussion? Being no further discussion, the question is, 'Shall this Bill pass?' All those in favor will vote 'aye'. Those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Yourell, 'aye'. On this question, there are 107 voting 'aye', 1 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1236 is on the Special Order of Business. House Bill 1237 is on the Special Order of Business. House Bill 1238 is on the Special Order of Business. On the Order of Third Reading is House Bill 1239. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1239, a Bill for an Act to amend the Mobile Home Landlord and Tenant Act. Third Reading of the Bill."

Speaker Yourell: "Lady from Lake, Representative Frederick."

Frederick: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1239 amends the Mobile Home Landlord and Tenant Act to change the title from Mobile Home

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Landlord and Tenant Act to Mobile Home Landlord and Tenant Rights Act. The...I should say the Republican analysis has not caught up with the Amendment, so that is incorrect. There were three Amendments on the Bill. Amendment #1 gave jurisdiction for enforcement to the Attorney General, but this provision was deleted in Amendment #2. Amendment #1 also adds a Section G on definition of change of use of the park, and, of course, Amendment #2 takes the Attorney General out of the Bill. Amendment #3 amended the Bill to state that the park owner shall not carry a transfer or sell...charge a transfer or selling fee as a condition of sale of a mobile home that is going to remain within the park unless a service is rendered. And Amendment #4 deletes the words 'a prospective purchaser' and inserts, 'the management of a purchaser'. This Bill is the product of several legislators from both sides of the aisle working a winter on the Bill. It has the approval of the Mobile Home Owners and the Mobile Home Landlords Association. I know of no opposition to the Bill, so I move adoption of House Bill 1239."

Speaker Yourell: "Is there discussion? There being...the Gentleman from Knox, Representative Hawkinson."

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

Speaker Yourell: "The Gentleman indicates...the Lady indicates she'll yield."

Hawkinson: "The printout that we have doesn't show Amendment #2 being adopted. Inquiry as to whether Amendment #2, which removes the Attorney General has, in fact, been adopted."

Frederick: "Yes, yes, it has been. The...our...synopsis has...really hasn't caught up with all that's happened on this Bill."

Hawkinson: "Thank you."

Speaker Yourell: "Is there further discussion? There being no

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further discussion, the Lady to close."

Frederick: "Yes, I just urge adoption of the Bill, House Bill 1239."

Speaker Yourell: "Question is, 'Shall this Bill...Representative Vinson, for what reason do you rise?'"

Vinson: "Inquiry of the Clerk."

Speaker Yourell: "Mr. Clerk."

Vinson: "Has Amendment #2 to...to House Bill 1239 been adopted, Mr. Clerk?"

Clerk Leone: "Amendment #2 was withdrawn."

Vinson: "I...I wonder..."

Speaker Yourell: "Mr. Vinson."

Vinson: "Mr. Speaker, I wonder if you could turn Mrs. Frederick on because there is a good deal of confusion surrounding this Amendment and I think she may be able to clarify it."

Speaker Yourell: "Representative Frederick."

Frederick: "Representative Vinson, Amendment #2 was adopted in Committee, which takes the Attorney General out of the Bill."

Vinson: "Well, now, just one second, because the Clerk says it's...it's not adopted and I wonder if the Clerk would clarify that."

Speaker Yourell: "May I...perhaps I can help with this, Representative Vinson. Amendment #2 was suggested by Representative Cullerton which would have taken the Attorney General out of the enforcement of this Act, and was put in, I believe, in Amendment #3."

Vinson: "Yes, but as I understand it, what the Clerk said, Amendment #2 was not adopted."

Speaker Yourell: "Was withdrawn."

Vinson: "Okay, and as I understand what Mrs. Frederick is saying, that Amendment #2 was adopted and that's...that's..."

Frederick: "Actually, I did not carry the Bill in Committee, and

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it was my understanding, after the Committee meeting, that they had taken the Attorney General out of the Bill. I have communicated that fact to the mobile home owners, so it's my understanding that it's out now. Whether..."

Vinson: "But I'm...I'm concerned...I'm concerned that, in fact, that may not be the case and I don't want you to be in the position of saying it is if it's not."

Frederick: "Okay, okay, perhaps I should take this Bill out of the record."

Vinson: "Mr. Speaker, could we take this Bill out of the record for a couple of minutes?"

Speaker Yourell: "Yes, take the Bill out of the record. Representative Hallock, did you have a question?"

Hallock: "Well, I just wanted to state on this matter that it appears that Amendment #1 put the AG in the Bill, but that was Tabled, and therefore, he would, in fact, be out. Amendment #3 made some other changes, but Amendment #1 put the AG in, but that was tabled, therefore, he would be out of the Bill."

Speaker Yourell: "The Attorney General is out of the Bill, but the...you still want to take it out, Representative Vinson?"

Vinson: "With that understanding that it was put in on Amendment #1, which has now been tabled and that that is the reason that the Attorney General is out of the Bill, I can understand the thing and I think it's clarified, and I have no objection to the Bill."

Speaker Yourell: "The question is, 'Shall this Bill pass?' All in favor will vote 'aye'. Those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? On this question, 115 voting 'aye', none voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the

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Order of Third Reading is House Bill 1250. Read the Bill,
Mr. Clerk."

Clerk Leone: "House Bill 1250, a Bill for an Act to amend the
School Code. Third Reading of the Bill."

Speaker Yourell: "Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen
of the House. The Bill sponsored by myself, Representative
Stuffle, Representative Reilly, Representative Mulcahey
clarifies the question...in the boundary changes that we
are talking about, equalized assessed valuation as opposed
to assessed valuation. That's all the Bill does, and I
would move for the adoption or the passage of House Bill
1250."

Speaker Yourell: "Is there discussion? There being no
discussion, is...the question is, 'Shall this Bill pass?'
All those in favor will vote 'aye'. Those opposed will
vote 'no'. The voting is open. Have all voted who wish?
Have all voted who wish? Take the record, Mr. Clerk. On
this question, there are 112 voting 'aye', none voting
'no'. This Bill, having received the Constitutional
Majority, is hereby declared passed. Appearing on the
Order of Third Reading is House Bill 1253. Read the Bill,
Mr. Clerk."

Clerk Leone: "House Bill 1253, a Bill for an Act creating the
Casino Enterprises Authorization Study Commission and to
finance powers and duties. Third Reading of the Bill."

Speaker Yourell: "Representative Giorgi, for what reason do you
rise?"

Giorgi: "I'm a hyphenated Cosponsor with Representative Rhem on
this Bill. This is the Casino Authorization Study
Commission, and I'd like to tell the Members of the General
Assembly there's been a lot of discussion as to new income
in Illinois, so this is a Bill creating the Casino

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Enterprises Authorization Study Commission to study the feasibility and desirability of authorizing casino enterprise in Illinois, determining what laws are necessary, determining the license ability, restrictions, zonings and whatever. Determines methods, rates of taxation. It's a typical Commission Bill where the Governor appoints four members that report February '84, and I think it's time that maybe Illinois did make a study of this type enterprise, so I urge support of the Membership."

Speaker Yourell: "Is there discussion? Being no discussion, the question is, 'Shall this Bill pass?' All those in favor will vote 'aye'. Those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Yourell, 'aye'. Take the record, Mr. Clerk. Representative Giorgi to explain his vote."

Giorgi: "Maybe the Membership didn't understand. This is a Commission..."

Speaker Yourell: "Enlighten us, sir."

Giorgi: "Commission study Bill. You know, I should tell you that I sponsored the lottery in Illinois without the benefit of a Commission study or Committee study, but this is so far reaching, so involved, so profound, we've got to have a Commission study, and we're going to let the Governor determine the...the thrust ...of the Commission. It's very important because any...the...any new monies are going to have to come from innovative and imaginative ideas, and the Governor stopped me on the street the other day and told me that the lottery Bill now...Listen to this, I told the Governor that we may put greyhound racing Bill on your desk. He says I'll have to listen to the fellow that now is...sponsored the Bill that is the fourth largest tax producer for Illinois beyond...after the state income tax,

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sales tax, utility tax, lottery monies are fourth in income producing without the hint of a scandal. The lottery is now nine years old without the hint of a scandal. Giorgi, of course. But this is only a Commission study. I think that some of you guys might have a little bit of...getting the hives at this moment or diarrhea ought to vote 'aye' and give us the 60 votes."

Speaker Yourell: "Representative Terzich."

Terzich: "Yes, Mr. Speaker, I think Representative Giorgi is correct in his statement that he did introduce the lottery Bill and I think this is only a small token of appreciation to Representative Giorgi for the fine job he did on the lottery Bill, and he is concerned about more revenue being produced in the State of Illinois and this is a worthwhile Commission and should receive the support of the Members of the General Assembly."

Speaker Yourell: "Representative Greiman."

Greiman: "Mr. Giorgi rarely has many Bills before us and we rarely have an opportunity to vote on one of his good Bills, and certainly, this is one that we should support. It's just an exploratory thing, and I can't imagine why we can't give him the opportunity to really investigate this, one of his few Bills of the year."

Speaker Yourell: "Currie, 'aye', Hicks, 'aye', Hannig, 'aye', Bowman, 'aye'. Anybody else? Huff, Representative Huff."

Huff: "Thank you, Mr. Speaker. I rise to support this Bill, and I just wanted to say that this is a study Bill and we should study what has happened in New Jersey since 1978. The New Jersey Resort International Hotel reported one billion...one and a half billion dollars in revenues since they opened in 1978, which was 400,000,000 more than what they...revenues that were produced in Nevada in the same period. I think if we are going to look for a means to

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create revenues without taxing, and provide additional revenues for our senior citizens and our...and our medically...indigent people, this may be the...the way to do it. We need more 'aye'...more green votes."

Speaker Yourell: "Gentleman from Marion, Representative Friedrich. No, out. Have all voted who wish? Have all voted who wish? What's the record, Mr. Clerk? On this question, there's 61 'aye', 54 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Third Reading is House Bill 1262. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1262, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Yourell: "Representative Reilly. 1262, Sir."

Reilly: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1262 is another in the series that have been presented by the School Problems Commission, that are to encourage, in no way to require, but simply to encourage consolidation of school districts. This basically provides that in the...for the first year after its formation, a new school district will receive supplementary state aid of the sum of the difference between the...the deficit of the different districts that are coming into creation, or that are...that are being consolidated. Presently, one of the problems with consolidation is that you may have a series of districts together, one of which has, for whatever reasons, a significantly greater debt than the other, and all we're saying is that for the first year, the state will help out in that situation, so as to remove that as a barrier. There are provisions to make sure the debt is not incurred specifically for the purpose of taking advantage of this provision. Again, it's to remove one of the barriers to consolidation and is available as one incentive

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for that process. Be glad to answer questions, otherwise, I'd ask for a favorable Roll Call."

Speaker Yourell: "Is there discussion? Being no discussion, the question is, 'Shall this Bill pass?' All in favor, vote 'aye'. Those opposed, vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 106 voting 'aye', 6 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Third Reading is House Bill 1275. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1275, a Bill for an Act to create the East St. Louis Riverfront Development Authority. Third Reading of the Bill."

Speaker Yourell: "Representative Younge."

Younge: "Thank you, Mr. Speaker and Members of the House. House Bill 1275 would create the East St. Louis Riverfront Development Authority and by front door referendum, the people of East St. Louis and Brooklyn would be authorized to levy up to a 5¢ tax for motor fuel for the purposes of acquiring the land on the East St. Louis and Brooklyn riverfront. The corporate authorities and governing body shall be a Board consisting of the Mayor of the City of East St. Louis and the Mayor of the City of Brooklyn plus three elected members of the Authority. The territory of the Authority would consist of the the cities of East St. Louis and of Brooklyn. The purpose of the Bill is that there is a large tract of land that is being, the tracks are being removed, and it is necessary for that land to be developed in a highly coordinated manner, and the way to do that would be for there to be an overall Authority that would acquire the land and then lease it for development purposes. This would, of course, serve the benefit of

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developers because they would not have to make large cash outlays to purchase the land, but he...would be able to lease it for up to 99 years and therefore, it would spur development activity in this area, and I ask for your support in this matter."

Speaker Yourell: "Further discussion? Representative Flinn."

Flinn: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I don't rise in opposition to the Bill, but I would like to point out one major flaw. The increase in the motor fuel tax for the East St. Louisans will drive everybody over in St. Louis to buy their gasoline and deny Illinois a certain amount of tax, too. It is already...the taxes, I mean the gasoline is already ten cents a gallon cheaper in St. Louis now and most of the people who work in St. Louis buy their gas there now. You are going to cause residents to go across the river and buy their gas. They are still not going to be able to fund the organization as it should be funded to do the job. It's a very noble purpose, but I think it's a very poor way to try to raise money."

Speaker Yourell: "Representative Piel."

Piel: "I have a couple questions of the Sponsor, if she'll yield."

Speaker Yourell: "Lady indicates she'll yield."

Piel: "I happened to notice that this Bill was heard in Urban Redevelopment, correct?"

Younge: "That's correct."

Piel: "Oh. Let me see if I've got a couple things straight before I ask a couple more questions. This is a tax increase. You're asking for a tax increase on your constituents, am I correct?"

Younge: "It would be permissive, if the people of East St. Louis and the people of Brooklyn decided to, by referendum, approve a...a small one to 5¢ tax increase on gas. Yes,

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only permission. We're only asking for permission here for that referendum to be presented to the people."

Piel: "Was that...the Committee that this was heard in on the 27th, is that the day that you had trouble getting Members in the Committee?"

Younger: "The Committee on Urban Redevelopment was a...and is a Select Committee without...to be called at the will of the Chairman, and the..."

Piel: "I can't hear, Mr. Speaker."

Younger: "...the Select Committees, not having a definite date..."

Speaker Yourell: "Excuse me just a moment. For what reason does Representative Cullerton rise?"

Cullerton: "Mr. Speaker, point of order. I think the Gentleman..."

Speaker Yourell: "State your point."

Cullerton: "...should confine his remarks to the merits of the Bill, not question whether or not there was a...the attendance record on the Committee at the time that the Bill passed."

Speaker Yourell: "Point is well taken. Proceed, Mr. Piel, on the Bill."

Piel: "Well, what I'd like to do is clarify for the record exactly how this Bill passed out of Committee, Mr. Speaker. It was a situation where she...there was not people in attendance, and she went around from room to room and she ended up having a situation where..."

Speaker Yourell: "Just a...just a moment, Sir. Just a moment, Sir. I don't think that's pertinent to the Bill, that's extraneous, and I would wish, hope that you would direct your remarks to the Bill, not how the Bill got out of Committee or got to where it is on Third Reading. That's where the Bill is. Let's direct our attention to that position on the Calendar. Representative Piel."

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Piel: "I have no further questions. If she wants to raise their taxes, that's fine with me."

Speaker Yourell: "Representative Johnson."

Johnson: "Several questions of the Sponsor."

Speaker Yourell: "Lady indicates she'll yield."

Johnson: "I note that we've created an Authority by state statute and also provisions where the residents of two cities can levy or increase taxes. Doesn't it seem to be a little inconsistent to allow people of those two cities to choose a tax increase but at the same time doesn't give them any decision whether they are going to create this new special district? We're saying, the district is created, and we're saying beyond that that if you want to fund it, it's your own business. My first question is, shouldn't the people of those areas have the...have the decision in the first instance as to whether even to create the Authority and secondly, if they do, if we create it, and they don't fund it, how is it going to be funded?"

Younger: "Well, to start with your last question, if that possibility arise, if the people do not decide to...to, by referendum, approve a tax, then that is a question that will have to be addressed in a number of different ways. East St. Louis is a home rule unit and so, it has several other kinds of ways that it could raise the funds to buy the land. I think that it is extremely appropriate for the General Assembly to set up the Authority because we are talking about a situation that borders the Mississippi River, and therefore, it is of interest not only to the people of Brooklyn and the people of East St. Louis, but it is of interest...there is a public interest to be served here, and therefore, it is appropriate for the General Assembly to take this action. This is a Bill which is..."

Johnson: "Well, just...just a minute, Representative Younger."

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You...you'll have a chance to close, but let me just ask the questions. You don't need to give a long dialogue, if you don't mind. If I just...you've answered my question. That..that..."

Younge: "I'm sorry, I was merely attempting to answer your question."

Johnson: "I guess my...my next question is that we're going to increase or levy a 5% motor fuel tax and then we are going to take that motor fuel tax, which is a user tax, and purchase riverfront...or riverfront land. Now, doesn't that seem to be somewhat contrary to the...the direction of the General Assembly in, number one, ending road tax...road fund diversions, and number two, using motor fuel tax money for purposes totally unrelated to the user basis for the tax?"

Younge: "I think not. This is not the levying of a tax. This is a authorization for a referendum, whereby the people of these two municipalities can make a decision as to whether or not they want to, by referendum, ask for a one, two, three, four, five cent tax, and that...that's number one."

Johnson: "But the point is, it's a...it's a motor fuel tax that we are giving them authority...we're mandating the Authority and then we are allowing the voters to levy up to a 5% motor fuel tax. The point is, having created that Authority and having vested in them the authority to...to vote their...up to a 5% increased motor fuel tax, the money isn't going to roads in any way."

Younge: "Well, motor fuel tax right now is used for sewers, is used for a number of things."

Johnson: "Well, do you...do you think that's a good use for motor fuel tax money?"

Younge: "Well, if that is the greatest need. What we have in the motor fuel tax use is...we have a situation..."

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Johnson: "Well, why not just allow them to have tax for purposes of authorizing a...land purchase agreement, rather than call it a motor fuel tax? The whole purpose that we've set forth here or the whole direction we've set forth across the board is that motor fuel tax money ought to go to the roads."

Speaker Yourell: "Excuse me, sir. Just a moment, sir. Representative Bullock, for what reason do you arise?"

Bullock: "Point of order, Mr. Speaker."

Speaker Yourell: "State your point."

Bullock: "Mr. Speaker, I think the conversation is totally out of line. We are getting into a screaming about..."

Speaker Yourell: "I think you are right. Please direct questions and wait for the answers and then you'll get an opportunity to explain your vote."

Johnson: "Okay, well, I'll address the Bill then."

Speaker Yourell: "Proceed, Sir."

Johnson: "To begin with, Illinois has more units of government than any other...any other state in the Union. All this does, to begin with, is to mandate the creation of another special service district, so that we can add one and two and three more units to our dubious distinction as being the state that has the most units of government. Secondly, we're levying...or after having mandated this Authority, giving the people of those two areas the authority to levy a motor fuel tax and then directing, in this legislation, that the motor fuel tax money is to be used for something completely unrelated to the roads. If, in fact, Representative Younge's premise is correct, and that is that the state ought to be mandating the creation of authority, then the state, by the same token has, in my judgment, the right to make certain policy decisions as to what that Authority's scope is, and certainly nobody in

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here has faced the voters and said that we're for more diversions, and what this is, is more diversions. And I would suggest to Representative Younge and to the Members of both sides of the aisle that by voting this...by approving this, all we're doing is taking motor fuel tax money and putting it into something totally unrelated to it. Next, we don't have any mechanism in this Bill at all, in any way, to provide accountability for the tax money that is to be raised. There is no audit procedure, there's no provisions for public hearings, there's no direction for the...the authority in its creation or formulation of public policy or policy in terms of this Authority, and that seems to me to be kind of a hollow gesture. And finally, what we have done is again to mandate an Authority and then to leave it up to the local people to fund. It seems to me that if we are going to address a problem like this, it ought to be addressed up front; four square, and not by the backdoor that we are doing in this Bill."

Speaker Yourell: "Representative McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Younge comes from a very, very depressed area of this state. It is probably unique to all areas of the state outside of the City of Chicago. Unemployment is very high, a number of people are on welfare. Industry has left the area. The riverfront area is completely depressed. So, Representative Younge tries year after year to come up with some ways to help her district. I think she should be applauded for that. Unfortunately, many of the ideas she comes up with requires state monies and time after time, this General Assembly or the Governor turned down those ideas because the state does not have the money to send to East St. Louis. For once, Representative Younge has come up with an idea that she

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thinks will help her district, but she does not ask us this time for state monies. She asks that she be allowed to develop the riverfront after a vote, after a referendum on a new tax, a tax that her people will pay for, not your districts, not the State of Illinois, but the City of East St. Louis and the City of Brooklyn. We should give her that opportunity. We should give her a chance to turn East St. Louis around, to let those people who are willing to pay for the development of the riverfront in East St. Louis, to let that poor community drag itself up from the...by its bootstraps. This is a chance for that area to pay itself for its own development and for its own future. I think it's wrong of you to deny her that right."

Speaker Yourell: "Representative Flinn."

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

Speaker Yourell: "Pardon me, Sir?"

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

Speaker Yourell: "Gentleman has moved the previous question. All those in favor, say 'aye'. Opposed, 'no'. Previous question is moved. The Lady to close."

Younge: "I ask for your support of this Bill primarily because it follows a theory of self-reliance for these two communities. It will spore...spur development activity on an area that has very high tax liability and very much of a drain on the State of Illinois. So, I ask for your support."

Speaker Yourell: "The question is, 'Shall this Bill pass?' All those in favor will vote 'aye'. Those opposed will vote 'no'. The voting is open. Yourell, 'aye'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 62 voting 'aye', 47 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. We are now going to

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the Order on page 2, the Order of Special Order of Business, Subject Matter - State and Local Government Administration. House Bill on Third Reading, House Bill 1666. Read the Bill. Out of the record. House Bill 1862. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1862, a Bill for an Act to provide for the uniform regulation of condominiums. Third Reading of the Bill."

Speaker Yourell: "Speaker Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, I will speak to this Bill and then Mr. Vinson will also speak to the Bill in support of its passage. This Bill would provide for a uniform system of condominium regulation in Illinois. The essence of the Bill is to provide that regulation of condominiums statewide shall be uniform at the same time that we provide the ultimate amount of consumer protection. The Bill has been drafted in cooperation with the Commission on uniform laws. It has the full support of the Illinois Board of Realtors, the Illinois State Bar Association and the Chicago Bar Association. I think that given the breadth and depth of support for this legislation, that we have come forward with a Bill which would adequately answer the problems that have developed in the area of condominium regulation over these past years and I would recommend an 'aye' vote."

Speaker Yourell: "Is there discussion? The Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Mr. Speaker. I, too, would request an 'aye' vote on House Bill 1862 which does, as the Speaker said, rewrite the Illinois Condominium Law. It affects the creation, management, and protection of purchasers' rights in the condominium statute. The Bill is supported by the Illinois Realtors' Association. It deals in a very

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balanced fashion with the critically important preemption question. Essentially, the core of how it deals with the preemption question is that, in essence, new condominium units will be exclusively regulated by this statute. However, existing condominium units which have been regulated in the past by local ordinance will continue to be regulated by those local ordinances. There are some exceptions in the exclusive preemption, the exclusive regulation by the state on this field and they are important exceptions which create the appropriate balance between state and local interests. The home rule unit may regulate in the effect of additional disclosure for condominium conversion. As everyone knows conversions are a major issue in certain portions of the state, and for that purpose, for that reason, home rules...home rule units will be permitted to regulate in that area. Escrow accounts for the purpose of protecting the purchasers in regard to common elements are also left to the home rule units. Existing codes will not apply to new units. I think finally, I would make the point that there is increased consumer protection under this...under this Bill in the area of warranties, in the area of protecting the purchaser in the right to cancel a contract, in the disclosure on conversions and in the termination of sweetheart contracts. With those introductory comments, I would ask for your support for this Bill. I believe it is a very balanced Bill, and I believe it will stimulate construction in this field."

Speaker Yourell: "Further discussion? Minority Leader Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I join the previous two speakers in supporting this very fine Bill. It has been worked out over a number of months, and

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as a matter of fact, a number of years, in very extensive review and negotiations. I think the legislation, as presented to you, contains the elements for a very fine condominium Act and condominium law in this state. I think it's progressive. I think it serves our constituency well with the consumer protection that's listed in the Bill. Upon further study, the Bill gets better and better, and I think you'll find that it's one that you'll readily accept and will be accepted by your constituency and I ask for your favorable support."

Speaker Yourell: "Representative Greiman."

Greiman: "Wonder if Mr. Vinson would yield for a question or two."

Speaker Yourell: "Gentleman indicates he'll yield."

Vinson: "For a question."

Speaker Yourell: "For a question."

Greiman: "Is there some question whether he'll yield?"

Speaker Yourell: "Yes, you...proceed."

Greiman: "Yes, there's a question?"

Speaker Yourell: "No, proceed. If you want to ask Mr. Vinson a question, proceed."

Greiman: "Oh, thank you, Sir. Okay, do I understand it that communities on conversion condominium declarations, in other words, the notice to the tenants and the public notice that a converter gives, that those communities still have a right to go beyond and add items that are not in the statute, is that correct?"

Vinson: "That is correct."

Greiman: "So that communities will be able to add on additional items. For example, the City of Chicago, just as an example, acquires or...or allows, or no, requires that a high rise condominium converter provide the information as to how much it will cost a...an owner to get into the

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recreational facilities that are adjunct to the condominium.

The City of Chicago could still do that, is that correct?"

Vinson: "That is our understanding of the Bill, that is correct.

That's the intent."

Greiman: "Now, you indicated that many communities such as my own community could still avail themselves of the escrow provisions, that some communities have provided for conversion, a certain percentage of the purchase price, is that right?"

Vinson: "Yes, in respect to one percent of the purchase price for common elements, defects in common elements."

Greiman: "Just as an example, the village of Skokie has a requirement, I think, of 3% or 2% of the purchase price and that covers anything that the condominium developer has left undone. In other words, if the stove isn't working or the linoleum comes up, or there is a hole in the wall, he can call the condominium developer and he can say, 'We got 2 or 3% of the purchase price for you to come back and do work.' Now, is that covered in this Bill?"

Vinson: "No, not to the extent of 3%. That could not go beyond the..."

Greiman: "Well, how about to the percent...the point of 1%? Will it be covered for 1%?"

Vinson: "With respect to the common elements."

Greiman: "So that it wouldn't be available to the individual owner for his individual apartment, would it?"

Vinson: "For his individual apartment, that is correct."

Greiman: "I mean, that's what most people are buying. They are buying an individual apartment, so..."

Vinson: "No, everybody buys an individual apartment and...and certain interest in common elements."

Greiman: "Right, indeed they do, but you'd be surprised how much more most care about their individual apartment than the

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common elements. But, in any event, Mr...to the Bill. The purpose of the Bill is to bring uniformity to condominium development and conversion, and often I have heard them say on the floor of this House, 'Well, we need this because it's so difficult...we've a patchwork...a patchwork of...of laws, condominium laws, and we can't go from one place to another because Evanston has one law, Skokie has another, Park Ridge may have another,' and on and on and on. Well, the truth is that people who do taping of walls, electricians, carpenters, those communities have different building code requirements, and so what we are hearing is the lawyers are saying, 'We don't want to go from community to community.' Now, I think lawyers are almost as smart as people who do construction work, almost, and if the construction worker can go from community to community and look at their laws, then I bet you the lawyers could probably do it. I think this Bill is just a little short, a little short on consumer protection that I would like to see it...see. It's going to pass and I am going to try and amend it in the Senate, if it's possible, and I would...I would just commend to you, to this Body, that this could be in better shape for a condominium...for consumer...the benefit of consumers, and I would certainly...I think the Bill should be held, but I am...know that one should not fool around with the inevitable."

Speaker Yourell: "Representative Topinka, Topinka. Representative Ebbesen."

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

Speaker Yourell: "Gentleman...the previous question has been moved. All in favor, say 'aye'. Opposed, 'no'. The 'ayes' have it. The previous question has been moved. Representative Vinson to close."

Vinson: "Mr. Speaker, I think we have had a thorough airing of

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this issue. I would just make the one additional point, that building codes and housing codes, as long as they apply to all units of construction are not preempted by this, provide many of the...address many of the concerns that Mr. Greiman just mentioned and, in addition, there are a host of other remedies in this statute to protect the consumer in the area of warranties and his ability to cancel a contract for his protection. And for those reasons and because this is a most balanced Bill, I would ask for the passage of House Bill 1862."

Speaker Yourell: "Question is, 'Shall this Bill pass?' All those in favor will vote 'aye'. Those opposed will vote 'no'. The voting is open. To explain his vote, Representative Mautino."

Mautino: "I would like to explain my vote only if I can see Representative Vinson and maybe he could nod. I had my light on during the discussion and I'm looking for an answer. On Amendment #1 to the Bill, I believe that you implement double taxation both at the local, at the individual unit and the common property or the recreational unit. Is that still in the Bill? I'm sorry, Amendment #2. Is it still in the Bill where the taxpayer pays for their own unit and a percentage of the common recreational unit. Does that apply as well to the recreational areas, not only in condominium, but in...in, like the common elements for anywhere at all that they are paying both of them? Well, we have an interesting concept here with Amendment #2, one where the property owner not only pays their own taxation, but when they buy the property, that's what I'm asking. Just nod your head 'yes' or 'no' on the Amendment. Do they pay twice? With the common element supposedly in their taxation when they buy the unit? That's all I'm asking. Just nod 'yes' or 'no'. That is not the situation, there

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is no double taxation? Alright, thank you."

Speaker Yourell: "Representative Pierce to explain his vote."

Pierce: "Mr. Speaker, I have been notified by the attorney for the Village of Arlington Heights that what this Bill does is destroy their local home rule. It puts in the hands of some state bureaucrats and leaders and so on the regulation of condominiums, destroys the orderly regulation of condominiums that Arlington Heights, Evanston and other communities have, and shows a lack of confidence by this General Assembly in the ability of local officials to regulate their own affairs. Now, that may be the aim of the Sponsors of the Bill, to tell, send a message to the local officials that they...they apparently aren't able to handle their own affairs and regulate their own condominiums and that we know more than they do. But that should be in the record, that the philosophy of this Bill does preempt...preempt villages such as Arlington Heights, Evanston and others from regulating their own affairs, their own condominium transactions in the future. The buildings that are already built are protected, but those to be built in the future, we tell them, we at the state level know more than they do. You local officials, you don't know what you are doing about condominiums, but we know what we do in Clinton, Illinois. We know what's good for Arlington Heights, and that's really what this Bill does."

Speaker Yourell: "Representative Levin to explain his vote. One minute. The timer is on."

Levin: "Thank you, Mr. Speaker. I join with Representative Greiman in indicating a 'no' vote. As someone who practices in the field and represents associations, one of my concerns which I hope will be cleaned up in the Senate is that for the existing 400,000 condominium owners in the

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state, the law is about to totally change. On one day, the law is one way. The associations have one set of authorities and it changes if these Bills pass in the current form. I hope that they do attempt to clean that up in the Senate. Thank you."

Speaker Yourell: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 95 voting 'aye', 15 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Page 2 on Special Order of Business, Subject Matter - Workers' Rights, Third Reading, appears House Bill 375. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 375, a Bill for an Act to guarantee collective bargaining rights for firefighters. Third Reading of the Bill."

Speaker Yourell: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members of the House. This is, of course, the comprehensive firefighters' collective bargaining legislation that was hammered out in Committee and by Amendment on Second Reading. It now, as amended, applies statewide. It provides basically - and I'll be brief - to allow union participation, organization and negotiation statewide. It recognizes the elements of elective majority rule for selecting an exclusive bargaining representative, historical representatives, voluntary recognition, the ability to decertify an organization no longer representative of the majority. It puts in place what we have already in 18 other states, binding arbitration with a prohibition against the right to strike, since we are dealing with a health and safety entity in the case of firefighters. It provides by the comprehensive Amendment, additionally, specific language with regard to unfair labor practices, specific election

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procedures, and provides as well for concurrent jurisdiction with those local governmental entities that choose to have their own bargaining program and arbitration program, so long as it's consistent with this Bill. It provides for judicial review based upon three principles: one, the case law that the panel has not, in an arbitration situation, exceeded its legal authority as regards public policy matters; that there is no decision that is against the manifest weight of the evidence presented to the arbitration panel; and that there was no fraud involved. It provides permissively for agency shop provisions, and I would ask for an affirmative vote on this comprehensive Bill that we have spent many hours on in Committee, many hours on on the floor, and of course many hours here in the past, because it's substantially the same as House Bill 490 passed out of this House by Representative Kane and myself two years ago. I would be happy to answer your questions and solicit your affirmative vote."

Speaker Yourell: "Is there discussion? Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. Parliamentary inquiry. How many..."

Speaker Yourell: "State your point."

Hoffman: "How many votes are necessary to pass this legislation, since Section 19 specifically limits home rule units?"

Speaker Yourell: "While we're getting the answer to that, Representative Stuffle."

Stuffle: "He didn't make that in the form of a Motion...a question. I'd like to address that issue, if I might."

Speaker Yourell: "Well, let's get the ruling from the Chair. That's what he asked."

Stuffle: "Okay."

Speaker Yourell: "While we're waiting for that, Representative Mays."

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Mays: "Yes, will the Gentleman...thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Yourell: "The Gentleman indicates he'll yield."

Mays: "Or two. Under my synopsis here, Representative, it states that we are going to preserve nonunion employee rights. What specifically are we going to do for nonunion employees in this Bill?"

Stuffle: "We're going to allow them to be represented where the majority selects a bargaining agent. We're going to allow them, if they don't want to, to not be a member, but we are going...if the bargaining agent and management agree, then it would be an agency shop provision requiring them to pay a fair share with regard to the cost of negotiations on wages, hours, conditions and benefits, as is typically of the case in collective bargaining situations. The freedom of nonassociation would also extend if they didn't wish to make direct payments there because of objections through religious grounds, which is per the case law in this country, to make the payment to another entity which would be a charity. The language is consistent with regard to nonassociational mechanisms and elements of collective bargaining legislation that are models in this country. In fact, in 38 states we have collective bargaining legislation for firefighters that follows significantly along this line in terms of nonassociation."

Mays: "That doesn't sound like we're giving them, under this Bill, any right they don't already have. I'm talking about rights they don't already have that you are giving them under this Bill."

Stuffle: "I don't know where the rights they already have are in the statute. You might show those to me."

Mays: "I'll check it out and get back with you. Want to pull the Bill out of the record?"

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Stuffle: "No, I think we're ready to move the Bill."

Mays: "Alright, let me ask another question. You mentioned about the charitable organization or the nonreligious charitable organization. How, exactly, does that procedure work?"

Stuffle: "Well, normally speaking, in a collective bargaining arrangement, if you can't agree between the two parties, labor and management, as to a list, then there is another...there is another element in this Bill. And it's possible that the Director of Labor would set up a separate list."

Mays: "So, it's labor and management that determine what the nonreligious charitable organizations are going to be that that employee can contribute to, or is the employee involved in that..."

Stuffle: "No, if you look at most of the cases there, I don't think the person's going to pick some...some far-out organization. Normally speaking when you have the situation of labor and management things, there's an agreed list of charitable organizations, and it takes in just about everybody."

Mays: "You have another Section of the Bill pertaining to fact finding. Are these...are the costs of fact finding shared by both parties or borne exclusively by one or the other?"

Stuffle: "The provisions of the Bill are three-tiered. If they elect that the supervisory body be the director, they are picked up by the state. If the supervisory body is a third party selected by the two parties, it's split. If it goes to the American Arbitration Association in the absence of agreement or use of the director, it's split."

Mays: "I was talking about fact finding."

Stuffle: "Well, it's possible that that would be done by those entities."

Mays: "Okay, your criteria for the arbitrator to determine what

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the level of opinions for arbitrators could be, what are those criteria? I understand there's several of them."

Stuffle: "Tell me...run that by me...You're talking about two things, I think, and you're putting them together. If you're talking about what the arbitrator's supposed to look at, that's expressed in the Bill. He's supposed to look at issues such as wages, hours and conditions in the area of the...of the people involved, other areas...the availability of funds and so forth. If you're talking about - and you said levels they are supposed to look at. Those are conditions they are supposed to look at in rendering an opinion. And, of course, one of the other issues by the case law is the ability of the arbitrator to making a...to make a decision that's consistent with public policy and arbitrable."

Mays: "So what you're saying is that wage comparisons, cost of living index, overall compensation, health benefits, pension benefits; these things are....they're supposed to look at the entire package, and then one of those criteria that the arbitrator is supposed to examine is the municipalities' ability to pay?"

Stuffle: "Well, of course. Absolutely."

Mays: "But that only takes one-sixth of the weighting?"

Stuffle: "There's no weighting scale in here by percentage. It's...set it out so that we have given direction to the arbitrator. The case law would indicate that two elements are important: one, that a collective bargaining Bill indicate the scope of the ability and authority of the arbitrator; and number two, that it set out anything with regard to changes in public policy."

Mays: "Okay, one final question. How much is this going to cost the state?"

Stuffle: "The fiscal note indicates \$488,000. I am glad you

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asked the question, because when we get to the next Bill with regard to policemen, I want you to know that that figure is the same figure for both Bills. It was presented separately, because obviously the Department of Labor had no knowledge of whether or not they would pass independently. If they were to pass together, the estimate is that it would be \$488,000 for both, possibly a little extra for a couple of people, and no more."

Mays: "So it would be a quarter of a million to administer this Bill, and roughly a quarter of a million to administer the next one."

Stuffle: "I think you could...you could argue that from those figures."

Mays: "Okay. Alright. Mr. Speaker, to the Bill."

Speaker Yourell: "Proceed, Sir."

Mays: "This is one of seven Bills in this 24 Bill package entitled 'Workers' Right' on this Special Order of Business that deal exclusively with public sector collective bargaining. For those of you that...you ought to know, this has absolutely nothing to do with private sector, management/employee relations, or anything like that. Each and every one of these Bills in this package entitled 'Workers' Right' deals exclusively with one particular segment of the public employee body. In this particular year....Bill, short of the bureaucracy that it sets up to administer the Act, each point allowed is currently already permissible to firefighters and municipalities under the exist...under existing law. So what we're going to be doing is costing the state a quarter of a million dollars on a brand new program, and we're going to be costing municipalities untold dollars in compliance with arbitrators' decisions, arbitrators who, in most cases, are totally removed from the locality on which the decision

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will impact. I stringently urge your opposition to this Bill."

Speaker Yourell: "Representative Curran."

Curran: "Mr. Speaker, point of inquiry. How many votes will it take for House Bill 375?"

Speaker Yourell: "That inquiry has already been made, Mr. Curran. We are looking it up now, and we'll get back to you on that question. Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I'd like to speak in favor of House Bill 375. That the Chicago firefighters have had a union contract. It's worked well with the City. It provides rights for collective bargaining. This Bill makes an attempt - which passed in the last General Assembly - to provide a fair, equitable collective bargaining agreement with binding arbitration for the state's firefighters. It's a benefit that's deserved. It works well with management. It works well with the labor movement, and I can't think of a better Bill to receive the support of the General Assembly. The Bill passed overwhelmingly in the last General Assembly, and I believe that it deserves the support of every Member of this House. I would urge an 'aye' vote on House Bill 375."

Speaker Yourell: "Representative... Representative Klemm."

Klemm: "Will the Sponsor yield?"

Speaker Yourell: "Indicates he will."

Klemm: "Perhaps you could clarify the question about the arbitrators. I don't seem to see that very clear. Are there two arbitrators, and how do they select the third one then, Larry?"

Stuffle: "You use the striking process if you go to that panel."

Klemm: "I'm sorry, I didn't hear you."

Stuffle: "You would use the typical striking process if you go to

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that panel. You pick one. They pick one, and you strike from a list thereafter."

Klemm: "Alright, a tossing of a coin type of thing in a way? I mean..."

Stuffle: "You pick one. They pick one. They send in a list, and it's a typical situation used in arbitration all the time. Then the list is utilized, and if you pick...you can strike one off. They can strike one off, and then the person that's left in the final analysis on the final list is the person you have."

Klemm: "So we submit a list with odd number of people or whatever it is, because could ever be an occa...five, right? Okay, we just go down to the four, and the one who's left is there, right?"

Stuffle: "That's a typical method."

Klemm: "And we pick those from what, an arbitration board that is already certified?"

Stuffle: "AAA would be the selection body. They would submit the list to the board."

Mays: "Alright. Thank you."

Speaker Yourell: "Representative Krska."

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

Speaker Yourell: "The previous question is moved. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The previous question has been moved. Relative to the parliamentary inquiry raised by Representative Hoffman and Representative Curran."

Parliamentarian Getty: "On behalf of the Speaker, Section 9 of the proposed law provides pursuant to Paragraphs H and I of Section 6 of Article VII of the Illinois Constitution, this Act specifically denies and limits the exercise by a home rule unit of any power which is inconsistent with this Act, and all existing laws and ordinances which are inconsistent

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with this Act are hereby superseded. This Act does not preempt the concurrent exercise by a home rule unit of powers consistent with this Act. Accordingly, the Chair would rule that this will require 60 votes. It does not attempt, as provided in Chapter 1 Section 1106, to be a preemption under Section G."

Speaker Yourell: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. I would call the attention of the Parliamentarian to Section 24 of this Act, which specifically provides that where they are exercising those concurrent powers which are...which provide for a lesser level of benefit, that, in fact, this law will apply. And in those circumstances, in that case, the fact of the matter is that they are preempting home rule powers by providing that if the concurrent powers are of a lesser level than is provided in this legislation, they will, in fact, be preempted. And so, you know, I object to the ruling. I would call the attention of the Parliamentarian to that Section of the Bill and inquire in regards to that, because we have, in fact, provided in this Bill for a preemption from the State's Mandate Act."

Parliamentarian Getty: "On behalf of the Speaker, the ruling that was previously made took Section 24 into account and took the entire Bill into account in making the ruling. It is a preemption in an area in which the state is regulating as to that. Accordingly, it would still require only 60 votes."

Speaker Yourell: "Representative Braun. Is there further discussion? Being no further discussion, Representative Stuffle to close."

Stuffle: "Let me just indicate to the Body two elements of the Bill that were touched upon. First of all, the arbitration issue. In Committee, the argument was made that

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arbitration is an unconstitutional delegation of the authority of a city. Frankly, the case law clearly provides that arbitrators' judgments are reviewable, but the ability of a court to set those judgments aside is limited to the question of whether or not the arbitrator acted to contravene a discretionary or nondelegatable power of a unit of government under a matter of public policy. This Bill recognizes the arbitrator's ability is limited in that way and is constitutional within all the case law for that reason. And the very most important fact needed to be pointed out, I think, is with regard to Representative Mays' comments wherein he claimed that these people may to do this now permissively and may bargain permissively. The fact of the matter is that the National Labor Relations Board provisions in the law with regard thereto that does not cover these people, has been interpreted in Illinois as not to allow negotiations which force the contract to be put in writing locally with regard to public employees. And, in fact, we must have a law in this state in order to provide rights for collective bargaining and negotiation. I think this Bill does that. It does prevent strikes, as I said yesterday. No one would like strikes. We don't. We don't like arbitration either, but you must have a method of resolving impasses, or you simply can't get to the bottom line of protecting the public. And I think this Bill does that. For those reasons, I think it's time that we step into the 20th Century and today pass collective bargaining legislation for every public employee in this state, beginning with this Bill."

Speaker Yourell: "The question is, 'Shall this Bill pass?'. All those in favor vote 'aye', those opposed will vote 'no'. The voting is open. The Gentleman from DuPage, Representative Hoffman, to explain his vote. One minute.

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The timer's on."

Hoffman: "Thank you...thank you, Mr. Speaker. I would just like to have placed in the Journal, and joined by Representative Klemm, that we formally protest the ruling by the Chair."

Speaker Yourell: "Representative Braun to explain her vote."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's certainly high time that the State of Illinois had a law on its books which guaranteed collective bargaining for public employees. This one relates only to firefighters, and there were others that have come forward relating to state workers, relating to police and the like. There's a comprehensive Bill in the Senate. That Bill, I believe, will more adequately address this issue, will provide the protections that are being sought by workers in this state, and at the same time, will avoid the kind of piecemealing process that this Bill alone represents. I..."

Speaker Yourell: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 81 voting 'aye', 35 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair would like to make this announcement. Mr. Doorkeeper, please remove Representative Brunsvold's key. Let the record reflect that he's returning to his home district for his son's graduation. Congratulations. Appearing on the Order of Special Order of Business, Subject Matter - Workers' Rights, appears House Bill 561. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 561, a Bill for an Act in relation to public purchases, leases and contracts. Third Reading of the Bill."

Speaker Yourell: "Representative Panayotovich."

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

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the House. This is not an easy piece of legislation, but it's a good piece of legislation. It's a Bill designed to have state and local governments buy American-made products. The intent of the Bill is to put people back to work - back to work in Illinois as well as back to work in the United States. We have two exceptions in the Bill; that if buying an American product costs more than 15% than foreign-made and also when it is not available in sufficient quantities. This does... This Bill does not apply to purchases or contracts under 500 dollars due to an agreement with the business. It sets up legal procedures and fines through the Attorney General's Office. It leaves existing treaties alone, and it does not apply when it is in any violation of any current law or regulations of the United States Government. And I'll answer any questions if there are any."

Speaker Yourell: "Is there discussion? Gentleman from McLean, Representative Ropp."

Ropp: "Mr. Speaker, would the Sponsor yield?"

Speaker Yourell: "Indicates he will."

Ropp: "Mr. Representative, the other day when we had some Amendments you, in my judgement, clearly stated that this only dealt with finished products. Is that correct or incorrect?"

Panayotovich: "Pardon? Finished products, yes."

Ropp: "Well, according to our analysis it deals with manufactured goods, commodities and building or remodeling materials. Is that correct or incorrect?"

Panayotovich: "It just... It covers manufactured products, not raw material products."

Ropp: "Alright. Then would you give me an example of... give me two examples of a particular product that this Bill would deal with that the State of Illinois would want to

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purchase?"

Panayotovich: "How about steel and automobiles?"

Ropp: "Well, is steel a finished product, or does that include what goes into the building?"

Panayotovich: "The finished product steel. The product that goes into the building."

Ropp: "Alright. Thank you. Mr. Speaker, and to the Bill."

Speaker Yourell: "To the Bill, proceed."

Ropp: "The Representative who handles this Bill said that this was an intent to put people back to work, and I'm wholeheartedly in support of that concept. I think every Member on the House floor is in support of that. And let me say as a preface that I think, in general, everyone is encouraged by the fact that we ought to purchase American products, but the intent of this Bill is such that it begins a provision in international trade that not only the State of Illinois, but the United States of America, cannot accept. We are not a nation as we were some two or three centuries ago that were very self-sufficient. This country, in no way, can progress economically by discouraging international trade as this Bill perpetuates. Our country's economy is based much on international trade, including some of the biggest companies that are located in our own state, and I use as an example Caterpillar Tractors. As a result of the passage of this kind of legislation, we begin to set up an isolationist situation that will eventually, soon, if not by the passage of this Bill, because Japan, one of the largest purchasers of American products, both agriculturally and industrially, to begin to say we don't need, then, American corn and Illinois soy beans or any other products that we produce here in this state. This is a move that certainly will not encourage people to go back to work. There are some 88,600

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people who are employed in the area of international trade from production to final marketing with a total of some 10.2 billion dollars worth of goods that the State of Illinois receives as a result of international trade. Let me say, in order to really get people back to work in this state and in this nation, our incentive ought to be one of selling, of selling the products that we produce and of producing them most efficiently so that we can compete in the international market. This Bill, should it pass, does not encourage international trade. It does not further the sale of Illinois and American goods so that we can put the processor, the distributor, the longshoreman and every organized laborer back to work in a more aggressive style. If this... If anything, this tends to curb that concept, and I urge the people on this House floor to not have the number one agriculture exporting state in this country be that straw that breaks the camel's back, that causes countries like Japan, and England and other countries in Europe to turn elsewhere and not continue to purchase American or Illinois products. This is not a good concept. The concept that we should have should be one of selling, merchandising and promoting the products that we produce, both in Illinois and this United States. In no way should we discourage or force upon local or state governments the fact that their businesses would have to purchase products 15% above any local supplier because we could not get it cheaper by buying it from out of this country. Ladies and Gentlemen, I urge your strong consideration in voting 'no' on this piece of legislation so that we can, in all effect, begin to move Illinois products in the international market and stimulate the economy of the State of Illinois and the United States."

Speaker Yourell: "Representative O'Connell."

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O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We've been referring to House Bill 561 as a protectionist piece of legislation. I would submit to you that what we seek in House Bill 561 is not necessarily protectionism, but we're looking for equity. We're looking for equity with our trading partners that, thus far, have obtained a very unfair advantage over our industries. How likely is it that an individual steel company can compete on a one-on-one basis with the Government of Great Britain, or of Italy or of Japan, which has just been mentioned? I would submit that every one of our trading partners has some form of trade preference that is sanctioned by their governments. We are not unmindful of the fact that we, as a state, cannot repair the trade damages that have been beset this country over the past 30 years, but I would submit to you that, by enactment that this state can achieve with the passage of House Bill 561 into law, we can, number one, make a message, a very graphic message to our Federal Congress that too long they have sat by and allowed our country to be taken advantage of by our trading partners. Number two, within our own state the preference of 15% is by no means an... either an idle gesture on our part or a damaging trade impairment with other countries. The 15% is a reduction from the original 25% or higher that was originally suggested in this Bill. We do not feel that by making our bidding process for public entities obtain a 15% preference for domestic corporations or domestic entities, that we will be suffering as a state in terms of cost. It has been suggested that for every 1,000 dollars in domestic purchases, 500 was returned to the government in tax revenues. The jobs that we seek to achieve, that we seek to return to the State of Illinois is the bottom line in something like House Bill 561. Getting

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back to the question of subsidies which other countries have enacted. Here is a litany of some of the methods that major trading partners have utilized to obtain trading advantages; nonrepayable government grants, low-interest loans - in some cases 30% below the market rate, relief from Social Security payments, transportation subsidies, conversion of debt into government equity, government underwriting of bond issues, subsidies of electric power purchases, income tax reductions, labor cost subsidies, subsidies for coking coal purchases, research and development grants. And the Gentleman mentioned Japan. The Japan Central Data Bank directs investment of funds into the Japanese steel industry. The debt-to-equity ratio in the Japanese steel industry is 80%. The American steel corporations have difficulty obtaining loans if their debt-to-equity ratio exceeds 20%. Ladies and Gentlemen, this is a small step, but it is a loud and clear message that the State of Illinois can take, to not only return some of the jobs to our industry that is definitely ailing in this state, but we can also send a very clear message to Congress that we have to achieve some parity in our trading relationships. I would suggest and encourage a very positive 'aye' vote."

Speaker Yourell: "Representative Birkinbine."

Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. While the discussion has centered around and referred mostly to buying steel, it should be noted that this Bill applies to buying everything. While reference has been made to the Federal Government, this Bill applies to the State Government, and it applies to every single unit of local government in things they must buy. In testimony before the House Labor and Commerce Committee, the proponents of this Bill admitted that the problem lies

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with Washington. I agree entirely. I fault the present administration. I fault the Carter administration, the Ford administration and every administration before them for not adequately protecting the companies in this country. There have been all kinds of ways that companies competing from other countries, such as Mr. O'Connell just mentioned, those countries and the companies within them have been able to use to take advantage of companies here in Illin... here in Illinois and elsewhere in the United States. But that's where the problem lies. It lies with the federal administration by the very admittance of the people who want this Bill. It should also be noted that what we're talking about here is 15% advantage. That means on something costing 1000 dollars that might be purchased from Canada, if a U.S. company came in with a bid of 1,145 dollars, our taxpayers would be forced to pay that extra number of dollars. It's a bad Bill for the taxpayers. It is indeed protectionism. Protectionism has not worked in any case where it's been tried. And if you want an instructive piece of reading, I refer you to an article that appeared in the Wall Street Journal during the past year of study in which they traced the progress of the Smoot-Hawley Act back in the 1920's as it progressed through Congress and the effect on the money markets, on the public confidence and trust of such, internationally, and how that coincided directly with the stock market crash in the Depression of 1929. This is not a good idea. It's not a good idea for our taxpayers, and it's a defeatist, backward way of trying to solve a problem that does not rest here with this General Assembly. It rests in Washington, and that's where it should be taken care of. I urge a 'no' vote.'

Speaker Yourell: "Representative Friedrich."

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Friedrich: "Mr. Speaker and Members of the House, I think I have as good a record of buying American as anybody I know of. I've never owned a foreign car, and I don't intend to own one. And I don't buy anything else foreign that can be made in this country. I think this is like the biblical admonition about straining out the gnat and swallowing the camel. As far as I'm concerned if this Bill was passed, it would amount to a tinkers damn as far as helping production in this country. The real problem is with our own people who go out and buy foreign-made cars and foreign-made products when they should be buying American. I think the most disgusting thing I can think of is a guy on a Chevrolet manufacturing lot driving a Toyota, and I see this. The steel workers came to me a few years ago and wanted me to be for a buy-American Bill, and I said, 'If I can go on your lot and not find any foreign-made cars, I'll vote for your Bill'. And they said, 'Well, what are you talking about?' I said, 'I think we're talking about the same thing. You want to buy American. I want to buy American. So, let's all buy American.' There are... There are foreign-made cars on the drive of this State House, and yet here we are trying to impose on units of local government that they have to buy local-made car... cars made in this country. I think we're being hypocritical."

Speaker Yourell: "Representative Pangle."

Pangle: "Thank you, Mr. Speaker... Speaker, Ladies and Gentlemen of the House. I would like to add that this Bill is being supported by all unions throughout the State of Illinois, the total steel industry and the 600,000 people now unemployed in the State of Illinois. And to you, Representative Ropp, this will guarantee that all milk will be made from American-made cows. I urge an 'aye' support for Representative Panayotovich's first Bill, first Bill on

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the House floor. Thank you."

Speaker Yourell: "Representative Berrios."

Berrios: "Move the previous... Move the previous question."

Speaker Yourell: "The previous question has been moved. All those in favor say 'aye', opposed 'no'. All those in favor will be voting 'aye', those opposed will be voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? On this question there are 70 voting 'aye', 42 voting 'no', and the Motion fails. Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Gentleman yield to a couple of questions, please?"

Speaker Yourell: "He indicates he will."

Piel: "Representative Panayotovich, just to clarify the intent. When we get to raw materials - I noticed that Representative Ropp mentioned it earlier in testimony that... as far as exporting of corn, soy beans, et cetera, et cetera. Now, I notice in the Bill you've got raw materials, quote unquote, 'exempts raw materials'. Now, is your intent, as far as raw materials, being corn and soy beans and the finished product being a can of creamed corn, a can of peas, or exactly what is the intent of the Bill?"

Panayotovich: "The intent would be that corn and soy bean sent out, as is, off the farms would be a raw material. It, therefore, would be exempt from the Bill."

Piel: "Thank you. To the Bill, Mr. Speaker."

Speaker Yourell: "Proceed."

Piel: "I think what we have to do is realize that this is... It's not a cure-all. It's not something that's going to cure the ills of the state in one fell swoop, but I think what we have to do is look at this as definitely a good point to start from. We've yet to pass a piece of legislation in this House that is a cure all to all the ills of the State

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of Illinois. We are in a depressed economy. We are in a situation where the unemployment in Illinois is very high. I think this is a good start. This is not the first Bill to be introduced in the United States like this. There's over 30 states that already have the buy-American provision in their state... in their state law. I think it's a situation to where it will help the farmers in the State of Illinois. I think it will help the industry, the industries that are ailing in the State of Illinois, and I would ask for a favorable vote on House Bill 561."

Speaker Yourell: "Representative Hastert."

Hastert: "Mr. Speaker, would the Sponsor yield?"

Speaker Yourell: "He indicates he will."

Hastert: "Mr. Sponsor, I have a series of questions. You know, I really have a concern about the Bill, and I know you've done a great deal of research and work and appreciate enlightening me. First of all, something we have talked about previously. Let's say the City of Chicago wants to bring in a haute cuisine type restaurant maybe in Lincoln Park or someplace like that, and on their menu they would maybe have a cocktail bar, for instance. And they would be serving maybe manhattans and martinis, or maybe french wines or maybe Mr. Nash would come in and they wanted some ouzo or something like that. What is the status of that?"

Panayotovich: "Well, first of all, you would run into a problem on... we talked about it, about alcohol. Those are unique items that are not made. Ouzo is not made in the United States. Scotch is not made in the United States. Therefore, it fits into the exemption that says if it's not in sufficient quantity, which means we don't make it, we don't have sufficient quantity."

Hastert: "That's an interesting question. I'm glad you brought that up. Now you're talking about a class of liquor.

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Whiskey, for instance, is... Scotch is considered whiskey. Things made in Canada are considered whiskey. There are certain types of Irish whiskey that is considered whiskey which is also made here. Automobiles - how do you, you know, what's the difference between a Porsche, and a Rolls Royce and a Cadillac? I mean, those are automobiles. How do you classify finished products?"

Panayotovich: "Well, you also have, as I mentioned to you yesterday, we also have this 500 dollar exemption which would allow the City of Chicago, for a given contract for a given day, to go out and purchase that alcohol that might be brought... made in another country. Also, alcohols that are made and beers that are made in other countries have different liquor content in them than they do here in America. English gin is 90 proof. American gin is 80 proof. So, there is a difference in the product."

Hastert: "Well, let's take, for a situation, this week, in Chicago, McCormick Place, which is very important to the commerce and conventions in the City of Chicago, is having the National Restaurant Show. I'm sure you're probably aware of that. The restaurant consumption or the consumption of alcohol - and I'm not sure how you'd sort those things out - is thought to be on a daily consumption in the area of 75,000 dollars. Are you going to buy those things in 500 dollar lots?"

Panayotovich: "I think we're getting... I guess we're talking about generic then as far as being made in America. I don't see the problem that we would have with just a simple issue of alcohol of gin. If we have to buy... If McCormick Place then does fall under the contract that they have to buy American gin, then we have to buy American gin and serve American liquor."

Hastert: "Alright. So, you would agree then that that does

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restrict those types of organizations."

Panayotovich: "It might."

Hastert: "You still haven't answered my question about classes of products, you know. And I guess I don't want to... I'm not an expert on alcoholic beverages, but, you know, is whiskey whiskey or is... are cars cars or, you know, what's what?"

Panayotovich: "I think autos, you're talking about a generic term, and whiskeys, you're talking about a product completely different."

Hastert: "Well, that's exactly what I'm doing. I'm pointing to some problems here in the interpretation of the Bill. We'll get back to that. The next question that I have, you know, the City of Chicago - and Mr. Terzich and Capparelli have talked about this - the port district. What would be the expense to the City... What would be the cost to the City of Chicago with the port district, you know, in this port - that's p-o-r-t - district in the City?"

Panayotovich: "I have no idea. The fiscal note was filed. I didn't see any... any report at all."

Hastert: "Well, probably they didn't... The port district didn't have to file a note. I'm..."

Panayotovich: "I don't know."

Hastert: "But you don't know what the impact on the City and the revenues of the City of Chicago and Cook County itself would be."

Panayotovich: "No."

Hastert: "You don't know that."

Panayotovich: "I don't know."

Hastert: "Okay. Thirdly, I have another question that I'm concerned about. Municipal and school districts and things like this in the City of Chicago or downstate Decatur or wherever they might be buys gasoline. School buses, snow plows, things like that. A great deal of our gasoline, and

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not just our gasoline, but the primary product that makes gasoline, Shell Oil, for instance, is a foreign country... or a foreign company. How does that... How does that affect the ability to purchase those types of products?"

Panayotovich: "The oil is refined in the United States, therefore, making it a finished product."

Hastert: "That's not necessarily so. That's not necessarily so. Are you saying that..."

Panayotovich: "Okay..."

Hastert: "... according to this law municipal governments can't buy refined gasoline products like that?"

Panayotovich: "Well, again we run into the other exemption also, is if it's not supplied in sufficient quantities within the United States that we can purchase it from outside the United States."

Hastert: "Alright, but is there any way to trace or, I guess, create an audit line of what's foreign gasoline and what's not domestic, or is there anything in the Bill that we can... that. You know, we wouldn't want municipalities to break the law when they buy... when a truckload of gasoline comes in."

Panayotovich: "In the Bill there we have the Attorney General as the enforcing agent in this Bill to make sure that we do buy, and it would be the suppliers, of course, that would tell us if it is American or not."

Hastert: "Well, let's say that you were a gasoline supplier. Is there a hold harmless that if you... any other situation other than knowingly - and I'm not... I don't know all this knowingly stuff - but other than knowingly sell this gasoline, and it may have been a foreign product. You know, that's kind of a generic product, too, in a sense. You know, is there a problem?"

Panayotovich: "I think you would need to know that you're selling

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a foreign product."

Hastert: "Otherwise knowingly sell that product."

Panayotovich: "I would imagine."

Hastert: "Is that in the Bill?"

Panayotovich: "Yes."

Hastert: "It is in the Bill?"

Panayotovich: "Yes, Sir."

Hastert: "Would you point that out to me? I didn't see it when I studied your Bill."

Panayotovich: "Page three, line 90. 'It shall be a business offense for any vendor or contractor to knowingly enter into any contract in violation.'

Hastert: "I'm sorry. That was my mistake, and I didn't see that. How about a situation like... Oh, I think a Member in this House just introduced a Bill and is working for the passage of a Bill that creates the Illinois Valley Regional Port District. How does that affect those types of Bills, the industry? Let's say we're trying to develop the Illinois Valley, and part of that foreign trade zone that we're trying to create is to bring foreign markets or us to have access to foreign products. It's a give and take situation. Would that restrict those various regional port districts that are trying to get into that foreign trade zone?"

Panayotovich: "I would hope to think that it wouldn't restrict... I would hope to think that it wouldn't restrict any Bills that are going out of here that were going to try to benefit our state. You talk about that you wanted to stay into this fair trade. We do not really have fair trade today in the United States with our other countries because of the government subsidies. You take a car here, for example, that a vehicle is made here and it sells for 10,000 dollars here. It goes to a foreign country. They

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take that car. They put it in their plants and it comes out on their show room floors at 18 - 19,000 dollars. How many people are going to buy it overseas at 18 - 19,000 dollars? We don't have fair trade."

Hastert: "So you're saying for the record, then, that this Bill does not adversely affect those free trade zones that were like the Illinois Regional Port Authority, et cetera, that we're trying to set up in this state."

Panayotovitch: "I don't think it does. I hope it might help them."

Hastert: "One final question, and you've been very helpful. And I appreciate your sincerity and honesty and openness on this. You're Bill, supposedly, is a Bill to create jobs in this country, but I... Looking again at the Bill, do you address anything that specifically outlines or puts a parameter as far as what labor is?"

Panayotovitch: "Could you expand..."

Hastert: "Por... If you want an example, if I may."

Panayotovitch: "Yes."

Hastert: "Let's say the City of Chicago or the State of Illinois wants to build a building in downtown Chicago. Maybe we want to move the State Capitol to the City. We have to build a new State Capitol down there. But, we go through and we have to find that some of the engineering and some of the architects... Would we restrict those as just American or Illinois architects?"

Panayotovitch: "That's not addressed in the Bill."

Hastert: "So, there's no actual labor. Otherwise, it's the buy American, but you're not saying that it addresses American labor at all."

Panayotovitch: "No, it's not addressed in the Bill."

Hastert: "So, there's no provisions in this Bill that you... what you're trying to encourage to use American talent and

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American labor. Is that correct?"

Panayotovich: "Right. Yes."

Hastert: "Well, thank you, Sir. And, Mr. Speaker, just briefly to the Bill. I know you've been very courteous in letting me ask some questions."

Speaker Yourell: "You've got about 15 minutes gone already. There's four or five people who are waiting to explain their votes and ask questions."

Hastert: "I would just say that I think there's some... the generic terms that the Sponsor talked about, I think there's some real gray areas that really aren't defined in this Bill. And maybe this is not the best Bill for the Illinois economy and Illinois labor, and I would ask a 'no' vote."

Speaker Yourell: "Representative Shaw."

Shaw: "Yes, Mr. Speaker, a question to the Sponsor."

Speaker Yourell: "Indicates he will."

Shaw: "Would this Bill have anything to do with the African lobsters that the Governor uses?"

Panayotovich: "Well, if the Governor could keep it under the 500 dollar exemption, he could buy all the lobster he wanted, I guess."

Shaw: "Thank you."

Speaker Yourell: "Representative Tate."

Tate: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, buy American may sound motherhood and apple pie, but when we get right down to it buy American isn't good for the Illinois economy. Buy-American laws contribute to the climate of protectionism, and we've... I've heard speak... one Gentleman on this House floor sit up... stand up on this House floor four or five different times in this Legislative Session and talk about welfare programs for the farmers. And if you want welfare programs for the farmers,

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you can go ahead and provide for protectionism, because that will cost Illinois farmers money. And if... I would also suggest, people, that this is... this is nothing but a good, grand, bold attempt at putting Illinois and putting this country back into the 19th Century. If you want to go back to the days of George Washington, that's fine, but I would also suggest and I would suggest to the press that the press should... you should go out to the parking lots here today and look at the cars in the parking lot. Have... Let's take a look at ourselves, Ladies and Gentlemen. Let's look at... look in your homes and look where your sweepers are bought. Look where your TV's are bought and who is driving what cars. And there's Volkswagens out in this lot. There's Toyotas and there's Rolls Royce, and they're not buying American. Let's start practicing what we preach. If we're really going to get down to the problems of this buy American, we're really concerned about jobs, where are you people when it comes to the real issues, the real issues like unemployment insurance, like workmen's compensation, like corporate income taxes? And I would suggest ... I would suggest to the Gentleman from Madison that if he is concerned, if he's concerned about his exporting plant in Alton, Illinois, that barge loading facility where there's 300 jobs that are totally dependent upon exporting business, that he would give this Bill some serious consideration..."

Speaker Yourell: "Representative Keane."

Keane: "Mr. Speaker, we're two Bills through this Order of Business which was supposed to start at 2:00 today; and, on that basis, I move the previous question."

Speaker Yourell: "Gentleman has moved the previous question. All those in favor will say 'aye', opposed 'no'. All those in favor will vote 'aye', those opposed will vote 'no'. Have

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all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there's 74 voting 'aye', 41 voting 'no'. This... For what reason do you rise, Sir? Mr. Hallock."

Hallock: "Well, Mr. Speaker, you know, I respect your right to call on a Member for a point of order, but Representative Tate was in the middle of his remarks. You cut him off. He should at least have the opportunity to finish."

Speaker Yourell: "Thank you, Mr. Hallock. On this question there's 74 voting 'aye', 41 voting 'no'. The previous question has been moved. Representative Panayotovich to close."

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

Speaker Yourell: "Oh, 74?"

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

Speaker Yourell: "Just a moment. Don't get excited, Sam. Relax. Error of the Chair. The Motion to move the previous question lost. Alright, let's go. Representative Pierce."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill has weaknesses. One weakness, it doesn't guarantee the purchase of American union-made goods. As I read this Bill, it would give preference to nonunion scab Alabama merchandise over union-made French merchandise, even if it costs 15% more to buy the merchandise made in Alabama, Mississippi or even Illinois on a nonunion basis. I believe in buying an American. I'm the owner of two American cars, one made by General Motors and one by Chrysler Corporation, but I do believe this Bill will not obtain the result that's intended. It's inflationary. It builds into our system and subsidizes certain inefficiencies that may exist and may hurt us in competing abroad and in this country with foreign manufacturers. It even subsidizes, as I said,

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nonunion out-of-state production and maybe even nonunion Illinois production. Why should my school district pay 15% more for something made in Mississippi by some nonunion manufacturer when they get it 15% cheaper by a manufacturer in France, West Germany, Japan - I don't care where - where they do have some labor unions. So the Bill has weaknesses. We should buy American because we believe in American goods, and I certainly do every opportunity that I have. But I don't think this Bill satisfies ... satisfies the real desires of the Sponsors. It leads to inflation. It's costly to local government. It's a mandate on state and local government, and it's expensive. And it builds inefficiencies into our economic system."

Speaker Yourell: "Mr. Tate, do you feel like you were cut off and didn't get your allotted time? Mr. Tate, do you have a problem with the Chair cutting you off?"

Tate: "Mr. Speaker, I was ..."

Speaker Yourell: "Well, proceed, Sir. The timer's on. You've got ten minutes."

Tate: "Well, in closing..."

Speaker Yourell: "That's alright. Ten minutes."

Tate: "To abbreviate my remarks then, Mr. Speaker and Ladies and Gentlemen of the House, if you're concerned about 20,000 jobs at Caterpillar Tractor Company that are directly related to the export business, if you're concerned about industries like Staley Company, or ADM and the food processing business in this state, a good vote would be a 'no' vote on this issue, because this could come back. This is an issue that may be apple pie and motherhood today, but this is also an issue that may come back home and put our people out of work. Thank you."

Speaker Yourell: "Representative Mays. The timer is on, Sir. Ten minutes."

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

Speaker Yourell: "He indicates he will."

Mays: "My analysis indicates that 30 states have already adopted this type of legislation. Is that correct?"

Panayotovich: "Yes, Sir."

Mays: "When did this legislation first start coming up?"

Panayotovich: "There is a buy-America Act... federal buy-American Act that was enacted in 1933."

Mays: "Is there any quantifiable source that you can cite to show increased jobs as a result of an Act that's been going since 1933, or 1975, or 1976 or into the present?"

Panayotovich: "As far as job related figures, I don't have figures in my hand. I do know though that out of ten of the leading agricultural states, exporting states, six of them now have buy-America legislation. And out of the top ten leading manufacturing exporting states, six of them also have buy-American legislation, and none of them have seen any retaliation as far as their exporting business."

Mays: "I did not ask about retaliation. I was wondering if there is any quantifiable source you can cite as to one job that's been created as a result of this type of legislation, either federal level or state."

Panayotovich: "There is no way to prove it. I mean, I would think common sense would..."

Mays: "Alright. Before Amendment #7 came on, you did not exempt the State Mandates Act. Is that correct?"

Panayotovich: "Right."

Mays: "There was a fiscal note that was filed to the Bill before Amendment #7. Is that correct?"

Panayotovich: "Yes."

Mays: "What did that fiscal note state in terms of service mandate to local units of government?"

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Panayotovich: "Hold on. I don't have the... The fiscal note did not give a figure. The first fiscal note? I believe the first fiscal note - I don't have it in front of me - did not give a figure."

Mays: "For the benefit of the Members in this chamber, an estimate was done by the Department of Commerce and Community Affairs as it pertained to service-related mandate on municipalities, and they took one municipality with about 100,000 population and estimated that the cost would be, as the Bill stood before amendment, three and a half million dollars per year. Now with the Amendment, it's my understanding that that estimate has gone down to one and a half million dollars. To the Bill, Mr. Speaker."

Speaker Yourell: "Proceed, Sir."

Mays: "This Bill, as amended, could cost..."

Speaker Yourell: "Turn Mr. Mays on."

Mays: "This Bill, as amended, could cost a municipality in my district, taking the DCCA estimates as amended, up to three quarters of a million dollars per year. And by the Sponsor's own admittance, there is absolutely no quantifiable benefit that will accrue to the taxpayers within that municipality. Wouldn't it seem right that that dollar amount could be better spent maintaining existing services within the community or, indeed, increasing pay for employees within the community? This Bill is bogus and clearly points to the cacophony of priorities foisted upon the taxpayers of this state by the Majority Party."

Speaker Yourell: "Representative Hallock."

Hallock: "I move the previous question."

Speaker Yourell: "Gentleman moves the previous question. All those in favor will vote 'aye', those opposed will vote 'no'. Vote me 'aye'. Have all voted who wish? Have all voted who wish? On this question there are 103 voting

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'aye', 10 voting 'no'. The previous question has been moved. Representative Panayotovitch to close."

Panayotovitch: "Thank you, again, Mr. Speaker, Ladies and Gentlemen of the House. We talk about the problems that we have about dumps and pollutions. I think it's time we start... stop letting this America... our country, America, be a dumping ground for foreign products. This Bill is not intended to hurt the farmers. It's not intended to hurt our export business. It's to help the flag business. The..."

Speaker Yourell: "There will be no demonstrations on the floor of the House, according to the rules."

Panayotovitch: "This Bill... Anyway, this Bill really and seriously..."

Speaker Yourell: "Please, let's have a little order."

Panayotovitch: "Thank you. Laurino..."

Speaker Yourell: "The Gentleman wants to close. We've been on this Bill over an hour, and I think he should close and we get on to other Orders of Business. Proceed, Sir."

Panayotovitch: "Thank you, Sir. This Bill, again as I said, is not intended to hurt the export business, whether it be farm, whether it be Caterpillar. We're not looking for that in this Bill. We don't want to hurt anybody. I don't want to hurt anybody. I don't think anybody in this whole General Assembly does. What we're trying to do... what we're intending to do is, first of all, we want to put people back to work. Want to give them their pride back. Want to give them money in their pockets. Do you know that for every thousand dollars that is spent in the United States of America, 500 dollars is generated in taxes which comes back to the states, comes back to the local governments. We have a state that has an unemployment of over 12%. And a couple of figures you should listen to and realize this when you're voting, 40,000 out of the 81,000

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steel related jobs. These people are out of work - 40 out of 81,000. Thirty-five hundred out of 10,000 auto workers are out of work. Thirty-five percent of all the garment workers are out of work, and the list goes on and on. This is not a cure-all Bill. A similar Bill passed out of this House two years ago 143 to 7, and it came back, and you almost overrode the Governor. You were 12 or 14 votes short of overriding the Governor on the buy-America Bill a couple years ago. We have support from both sides of the aisles, because the unemployment problem is not a political problem. It's not a Republican problem. It's not a Democratic problem. How can we not try to do something to solve this unemployment problem? How can we go back to our districts and say that we did not vote for a Bill that could put people back to work? It's time that we, as the elected officials, do something to generate jobs, to get people off the unemployment compensation rolls, get people off of the welfare. We are being paid to do this. We should do this. Give the people a chance to put money back in their pockets, food on their table. Give them their pride back. I ask that you pass this buy-America Bill."

Speaker Yourell: "The question is, 'Shall this Bill pass?'. All those in favor will vote 'aye', those opposed will vote 'no'. The voting is open. Have all voted who wish? Gentleman from Peoria, Mr. Tuerk, to explain his vote."

Tuerk: "Mr. Speaker, Members of the House, I think the objective of what the Gentleman just recited is laudable, although he's not going to get there from here. I think when you consider that one out of every three ag jobs is dependent on exports, and one out of every manu...one out of every seven manufacturing jobs is dependent on exports, we should be doing all in our power to encourage exports of Illinois products. What this Bill will do, unfortunately, is... is

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invite some retaliation on the part of other countries to the point where it will be counterproductive and, therefore, could cause more unemployment among Illinois people, rather than putting people back to work. It's interesting to note that House Bill 1260 sponsored by the Democrats, which included in there a provision which would encourage export... it encouraged export trade, and House Bill 2290, which was the economic recovery Bill, there was no buy-American provision in that Bill. I would suggest we resist voting for this Bill. Go back to the drawing board. Vote the Bill down, because it isn't going to do what the people purport it to do."

Speaker Yourell: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 72 voting 'aye', 43 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Special Order of Business, Subject Matter Workers' Rights, appears House Bill 741. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 741, a Bill for an Act in relation to disclosure of toxic substances to employees. Third Reading of the..."

Speaker Yourell: "Representative McPike."

McPike: "Thank you, Mr. Speaker. I would ask leave to return this to Second Reading for purposes of an Amendment."

Speaker Yourell: "Gentleman asks leave to return this Bill to the Order of Second Reading for purpose of Amendment. Is there leave? Leave is granted. Mr. Clerk, read the Amendment."

Clerk O'Brien: "Amendment #6, McPike."

Speaker Yourell: "Representative McPike."

McPike: "I would withdraw Amendments 6, 7, 8, 9 and 10."

Speaker Yourell: "Amendments 6, 7, 8, 9 and 10 are withdrawn. Are there further Amendments?"

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Clerk O'Brien: "Amendment #11, McPike."

Speaker Yourell: "Representative McPike."

McPike: "Thank you, Mr. Speaker. This consolidates some of the other Amendments that were just withdrawn. It makes technical changes to the Bill, as regarding as to the way it came out of Committee. I would like to adopt the Amendment, because it becomes the Bill and explain it in detail on Third Reading. So, I would move for the adoption of Amendment #11."

Speaker Yourell: "Gentleman moves to adopt Amendment #11 to House Bill 741. All those in favor will say 'aye', those opposed will say 'no'. The 'ayes' have it. The Amendment is adopted. Representative McPike."

Clerk O'Brien: "No further Amendments."

Speaker Yourell: "No further Amendments. Third Reading. Does the Gentleman have leave to consider House Bill 741 on the Order of Third Reading? Leave. Representative McPike."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Today, the American worker is exposed, on a daily basis, to nearly 100,000 chemicals in the workplace. Many of these chemicals are extremely toxic. They're extremely dangerous to the employee's health. The purpose of this Bill was to provide to the employee information regarding the chemicals that the employee works with. I have worked with the Chemical Industries Council... excuse me, the Chamber of Commerce, the Manufacturers' Association and organized labor, the AF of L - CIO and the Auto Workers to make sure that we came out with a product... with a Bill that would provide the correct safeguards to workers and, at the same time, be a Bill that could be implemented. The Bill, as it appears before you today, contains a list of approximately 750 chemicals. It adds to that list 80 known carcinogens. It requires that the manufacturer label the

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container with the name of these chemicals. It requires the manufacturer to supply to the employer a material safety data sheet with appropriate information. It requires the employer to furnish a copy of this to the employee so that the employee or his union can investigate the hazardous effects of this and so that the worker can make a judgement based on knowledge as to whether or not he wishes to continue to expose himself to whatever materials may be present in the workplace. I think we have here a Bill that will work. I think we have a Bill that will, in the long run, lead to a more safe workplace, to healthier employees and a Bill whose time is way past due. As I said, it's agreed to by everyone that I've worked with. If there are any additional problems, I will certainly work with anyone that has more concerns when the Bill goes to the Senate. So, I would ask for the approval of House Bill 741."

Speaker Yourell: "Is there discussion? Gentleman from Peoria, Representative Tuerk."

Tuerk: "Mr. Speaker and Members of the House, what the Majority Leader has just enumerated is absolutely correct. He has worked long and hard on this particular Bill. He doesn't know, I don't know the definition of a lot of these chemicals in this Bill. As a matter of fact, neither one of us can pronounce about half of the chemicals in the Amendment, which is now the Bill. However, we have to take the judgement of the business community and those other people who worked on the Bill to put it into shape. I think the objective is in the right vein. It goes to the correct objective. We just have to put our trust - I would hope that of course in the future, if any problems exist from the Bill, that we're back here remedying those problems to make the Bill more workable, more sensible and,

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certainly, more reasonable. I would suggest an 'aye' vote to the Bill."

Speaker Yourell: "Mr. Richmond."

Richmond: "Thank you, Mr. Speaker. A question of the Sponsor, if he'd yield."

Speaker Yourell: "Indicates he will."

Richmond: "Representative McPike, as I understand it, this... Or does this apply to employers of more than five employees? Is that correct?"

McPike: "Yes, that is the cut off of five full-time or twenty part-time employees."

Richmond: "I really have absolutely no problem with the Bill. I just wanted that one thing clarified. I wonder, can you give a comment or two about what impact or what your intent is as far as this relates to agri-products and chemicals and what it would do to various size farm operations or suppliers of farm operation materials?"

McPike: "The Illinois Fertilizer Association contacted me two days ago and said that they had some problems with the Bill. The Bill has been on the House floor for two months. I said it was too late to try to solve that problem because of the workload this week and that I would try to solve that problem in the Senate. It is my intent to try to accommodate them, if at all reasonably possible; however, in the end, I want to ensure that farm workers have the same right to know about toxic chemicals that they work with, just as a chemical worker should have that right wherever he or she works."

Richmond: "I certainly don't argue with that. Thank you very much."

Speaker Yourell: "Gentleman from Edgar, Mr. Woodyard."

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

Speaker Yourell: "He indicates he will."

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Woodyard: "I also wish to commend you, Representative McPike, on the long hours of compromise and negotiations you have made on this Bill; but, in following up what Representative Richmond, I think, was alluding to, I really can't find in the Bill the actual legislative intent. And I wonder if you could tell us, is it supposed to be between the manufacturer and supplier, or does it go much... is it much broader and go beyond the actual supplier to the consumer who's actually using an insecticide or herbicide on... on the soil?"

McPike: "It, as I just stated, it relates to all employers, and the cut off was five full-time or twenty part-time. If you're an employer and have five people working for you, then it's our intent that you be covered by this Bill."

Woodyard: "Then, in the agricultural area, as a scenario, if a farmer went into a fertilizer plant and bought an insecticide or some of the labeled materials in fertilizers, took that to his farm - and he's employing more than five people - then he must have the notification and the tank labeling and so on."

McPike: "Well, I... For example, they sent me a brief data sheet that they have. And I have no idea what 'illeon' 1.5 EC insecticide is, but it says it's very dangerous. It's poisonous. It should not... It is toxic to fish, birds, wildlife. Birds feeding on a tree in the area would die. It says, 'Keep out of any body of water. Do not apply where any run off can occur. Do not breathe the fumes from this.' Yes, I want to make sure that the farm worker knows what precautions he should take. Now, if there are specific problems that a small manufacturer will have, as I said before, I will try to deal with them."

Woodyard: "Thank you."

Speaker Yourell: "The Gentleman from Effingham, Representative

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Brummer."

Brummer: "Yes, I guess, following up on some of the concerns just expressed by the two previous speakers, when material... Typically or frequently, at least, what occurs regarding mixing farm chemicals is that the farm chemicals are shipped to the fertilizer plant in labeled containers. They are then added ... water is added to that in large tanks or applicators and then sent out on the farm, and the... the chemical is applied. Would those individual tanks then have to be labeled?"

McPike: "Under the Bill as it currently stands, yes. Those tanks that you're referring to are used by farm workers and..."

Brummer: "No, no. I'm referring to the application. The application is made by two different people. Generally, it is made by employees of the fertilizer distributor. Sometimes it is made by the farmer."

McPike: "Right."

Brummer: "I'm referring to the instance where the application is made by the employees of the... of the fertilizer company itself. They mix labeled material with water, or they mix labeled material with other labeled material. You know, the potential combinations would undoubtedly... could go into the hundreds or possibly even in the thousands because of the different mixes that they make. When... If that is applied by the employees of the fertilizer company itself, does the applicator tank itself need to, you know, have the label on and maybe, you know, a hundred or a thousand different labels that they're going to have to be able to place on there, depending on the individual mix that was prepared prior to the applicator going out to the field?"

McPike: "Under the current language, yes."

Brummer: "Do you have any objection to attempting to remove that specific item in the Senate?"

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McPike: "Well, I have no objection to trying to decide what the... what the specific problem is and trying to find a way we can deal with it that meets my final requirement and that is that the employee have a right to know the chemical he's working with without hassling the employer. And we've been able to do it in every other situation. As I said, the Chamber, the Manufacturers' Association, the chemical industry must have had 500 concerns. We've met every one of them. This is one more concern that came up two days ago, and we will try to address ourselves to this concern."

Speaker Yourell: "Representative Neff."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As the Sponsor says, this is agreed by... to by most parties. There's one group, and that was the small retailers, that haven't agreed on this, and they have many concerns about it. Some of them there were creating duplications, and, also, some of our standards are... We've got some double-standard regulations in this. Now, we'll take malathion can be a consumer goods use... that you can use on house plants to control bugs but is exempt but... for use in agriculture to kill bugs if it has regulatory requirements. And the Bill does take the... way beyond workers' protection and on ... to consumer protections. Obligations to furnish safety shields to retail customers, rests with the retailer. It puts many controls on the smaller retailer, and some of the farmers it will affect that have two or three distributing tank wagons. Therefore, with all due respect to the Sponsor, and I know he's worked hard in getting an agreement, this is going to be a real hardship on many farmers in our area. They're... Another thing, it's going to require the Department of Labor is going to have to go through up to 40,000, possibly 40,000 check-out sheets, and this is something that they

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have a question whether they can do or not. And so, I think maybe we need some Amendments on this, and I hope, if the Bill passes out of here, that these Amendments could be worked out with the smaller retailers in the Senate. Thank you."

Speaker Yourell: "Representative Mulcahey."

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

Speaker Yourell: "Gentleman moves the previous question. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. Representative McPike to close."

McPike: "Thank you, Mr. Speaker. It certainly is not my desire to create a hardship for any employer, but I took another look at this data sheet. And this is only one chemical. Let me just read this. 'If swallowed, induce vomiting. Call a physician immediately. If inhaled, call a physician immediately. If in the eyes, flush with plenty of water for fifteen minutes. Call a physician immediately.' I don't want to put a hardship or a burden on employers, but what kind of hardship is this on employees who are breathing this stuff, or getting it on their skin or working with it everyday and they don't know what it is? So, that's really the intent of this Bill. The preamble of the Bill, I think, says everything. 'Employees have an inherent right to know about the known and suspected health hazards which may result from working with toxic substances so that they may make more knowledgeable and reason decisions with respect to personal risk and continuing employment.' And that's what we are trying to solve, the right of every employee to a healthful, safe job and, in turn, a healthful... a healthy life. That's what this Bill is all about. I'd ask for an 'aye' vote."

Speaker Yourell: "The question is, 'Shall this Bill pass?'. All those in favor will vote 'aye', those opposed will vote

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'no'. The voting is open. Representative Vinson to explain his vote."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to make one particular point that I had covered in a previous discussion with Representative McPike and that is that, on page two of the Bill, the word 'employee' is defined. I believe if you read that, and he agrees with me, that you cannot conclude that a tenant farmer with a crop share lease is an employee. And I think that's an important part of the legislative history of this Bill."

Speaker Yourell: "Representative Topinka, do you wish to be recognized? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 112 voting 'aye', 1 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Special Order of Business, Subject Matter - Workers' Rights, appears House Bill 767. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 767, a Bill for an Act to guarantee collective bargaining rights for peace officers. Third Reading of the Bill."

Speaker Yourell: "Representative Matijevich."

Matijevich: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 767 is a Bill to guarantee collective bargaining rights for policemen and prohibit strikes by police officers. It establishes arbitration procedures to be followed when negotiations have reached an impasse and lists factors upon which the arbitration panel shall base its findings, opinions and order. The Bill sets out prohibitions against supervisory and nonsupervisory police officers being in the same bargaining unit. It designates a supervising body to preside over certification

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procedures and to adjudicate unfair labor practice charges. The Department of Labor is the supervising body, unless one of the parties wishes otherwise. If the bargaining unit or the employer does not wish the supervising body to be the Department of Labor, the supervising body will be whatever entity the bargaining unit and the employee agree upon. If either the bargaining unit or the employer do not wish the supervising body to be the Department of Labor, and the parties cannot agree, then the supervising body will be the American Arbitration Association. There is an authorization for fair share agreements, as there was in the firemen's collective bargaining Bill. There are the appropriate election requirements as the... we discussed in the firemen's collective bargaining Bill. The Bill does, as I said, set out those unfair labor practices for the employer, those unfair labor practices for the labor organizations. I believe, Mr. Speaker and Ladies and Gentlemen of the House, that this Bill is just about the same as the Bill that we passed favorably for the firemen's collective bargaining. I believe that it is time that this State of Illinois joins those other states that allow public employees and allow police officers to have collective bargaining by binding arbitration. We find, in today's age, that binding arbitration can work; that it, in fact, does enhance the bargaining process where people bargain in good faith. That's all that public employees want to do. They want to have the same rights as private employees; that they can bargain in good faith, and I don't think that any of us have to worry any more, after looking at the experience in other states, after looking at the experience in cities in other states where they do have collective bargaining by binding arbitration. And they find out that both sides get together and bargain in good

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faith, and most often that they do come to agreement without going to binding arbitration. None of us have to worry anymore. I think all of the political rhetoric that we've seen over the years is finally coming to rest, and we can see that collective bargaining is good for public employees, as it has been good for private employees, too. All of the police organizations in the State of Illinois have listed this as the number one priority in this legislative Session. I, therefore, hope that you join me so that we can show them that we feel it is a high priority, too, and that we in Illinois come of age in the bargaining process. Mr. Speaker, before I conclude, I would ask the Speaker, through his Parliamentarian, we had the same question with regards to the firemen's collective bargaining Bill, and I believe, by the adoption of Amendment #7 to this Bill, it now requires 60 votes. And I would like to ask a ruling of the Chair."

Speaker Yourell: "While we're doing that, Representative Mays."

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

Speaker Yourell: "He indicates he will."

Mays: "John, I'm concerned about the Board of Arbitration, in the selection process, of the tie-breaking arbitrator. As I understand it, one difference between... one difference between this Bill and 375 is that should one of the sides not strike two names within the ten day period, there is no provision that the Department of Labor would be able to do that for them. In other words, a side could stall the whole proceedings by not striking the two names. Is that correct, or... That is what my understanding is."

Matijevich: "You're right, Representative Mays, but I believe that, because of the time limit, there is a mandate there with regards to the parties coming to agreement. I

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believe."

Mays: "So..."

Matijevich: "Staff man is checking it out for me, but I believe that to be the case."

Mays: "Well, in that case then, would it mean that just the two arbitrators would do the deciding?"

Matijevich: "It's a ... It's a procedure of striking names off the list, and they've got to end up with the third person."

Mays: "Well, you know, it's... The Bill differs, from what I understand, from the one for the firefighters, and I think the language that Representative Stuffle had on this procedure might be an appropriate Amendment for you to look for in the Senate should this Bill pass out of the House."

Matijevich: "I'll surely take that under consideration, Representative Mays."

Mays: "Thank you very much. Mr. Speaker, to the Bill."

Speaker Yourell: "Proceed."

Mays: "For all of the reasons that I urged opposition to the previous Bill, I will simply urge opposition to this Bill. We can see the handwriting on the wall in terms of the vote counts, and I don't know if belaboring individual points are going to make very much difference. I do believe that we are making a mistake. We are going to be costing the state, between the two Bills, a half a million dollars for a brand new program that could definitely be spent better in other manners."

Speaker Yourell: "Representative Klemm."

Klemm: "Will the Sponsor yield?"

Speaker Yourell: "Indicates he will."

Klemm: "One question on the analysis I have, John, is that it said there's no provision that the employees' bargaining representative has to be chosen by 51% or more of the police officers. Is that correct?"

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Matijevich: "If there are more than two...there...and no one gets 50%, then the highest two have a run-off election, and then one of those two has to get 51%. So there is a guarantee that it be 51% in the end."

Klemm: "Could you...could you reflect on the Bill where that says that just for clarity there? We can't seem to find that, and I don't think it's your intent or anybody else's intent to end up having two collective bargaining groups within the same organization, that one could do one thing, and one could do the other. Maybe it's in one of the Amendments that I can't find."

Matijevich: "It's on page seven of the Amendment starting with line 17. It's in line 15."

Klemm: "Alright, thank you."

Matijevich: "Thank you."

Speaker Yourell: "Have you concluded, Sir?"

Klemm: "Yes, thank you very much."

Speaker Yourell: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker. As it pertains to House Bill 767, for all the terms I have served in the General Assembly, the Members of this Body had basically no input into wages, benefits, et cetera, that were offered to the public employees of this state. In an executive order that was signed by Governor Walker back in 1974, it put this General Assembly in a very precarious position, whereby the General Assembly's only input into the evaluation of wages, benefits and working conditions were to appropriate the dollars that were prepared, authorized and agreed to by the administration under that executive order. Without a statutory provision, we are once again put in the posture of not having any avenue available for differences of opinion or into the process of accountability. In that regard, I am sure that Representative Matijevich will

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agree, since we were both here when that executive order was adopted and continued by the current Governor, Governor Thompson. So in regard to these collective bargaining Bills, I would like to point out that we are basically codifying what the Executive Branch of this government has been doing for the last 12 years. And by adopting the provisions of 767, they follow the same provisions that are used under the executive order. And I stand in support."

Speaker Yourell: "Is there further discussion? Being no further discussion, Representative Matijevich to close."

Matijevich: "Thank you, Mr. Speaker. In closing, all I will say is by our Majority vote on this Bill, this House shows all police officers that we believe that good faith bargaining can work. It, in fact, will work, and we have confidence in that process. And I would appreciate your favorable support."

Speaker Yourell: "The question is, 'Shall this Bill pass?'. All those in favor will vote 'aye', all those opposed will vote 'no'. The voting is open. The Gentleman from Peoria, Representative Tuerk, to explain his vote."

Tuerk: "Not to explain my vote, Mr. Speaker. I'm waiting for a decision from the Parliamentarian on the number of votes this requires. And if it's 60, I'm going...I'm...ask to speak on the issue."

Speaker Yourell: "On behalf of the Speaker, the ruling regarding this Bill would be the same that it would require 60 votes as that given. And I specifically incorporate by reference, the comments that were made regarding House Bill 375."

Tuerk: "Mr. Speaker."

Speaker Yourell: "Mr. Tuerk."

Tuerk: "Well, I respectfully dissent from that opinion. I don't know how you can make a ruling that says that only 60 votes

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are required on this particular Bill when the Bill mandates local governments to bring any collective bargaining agreement that now exists up to the level of the state mandate. And beyond that, what it does is exempt the State's Mandate Act to the extent that if it doesn't come up to the jurisdiction of the law which is about to be passed, then local government must do that, and they, in turn, must pay the price. So you clearly are preempting home rule, and therefore, would require the extraordinary majority."

Speaker Yourell: "Representative McGann to explain his vote."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I would just like to state that I am proud to vote 'yes' on this fine piece of legislation. I wish to compliment the Chief Sponsor for the fine enduring hours he spent working hard to prepare this legislation. He worked well with the police organizations throughout the state, along with the administrative departments of different police throughout the state. He should truly be complimented. And as I said before, I am very proud to have been part of it, and I vote 'yes', and I hope there'll be a lot more green votes up there."

Speaker Yourell: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 76 voting 'aye', 39 voting 'no'. This question, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Special Order of Business, Subject Matter - Workers' Rights, is House Bill 799. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 799, a Bill for an Act to guarantee collective bargaining rights for peace officers employed by the Department of Law Enforcement. Third Reading of the Bill."

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Speaker Yourell: "Representative Matijeovich."

Matijeovich: "Mr. Speaker, Ladies and Gentlemen of the House, at the request of the Fraternal Order of Police Troopers' Lodge, they wanted a separate Bill with regards to collective bargaining for State Police. That Bill is 799, and Amendment 2 really became the Bill. It is virtually the same as the Bill we just passed overwhelmingly, except that the Department...the supervising body is not the Department of Labor. It is whatever entity the bargaining unit...the Department of Law Enforcement has the employer agree upon, or if those parties cannot agree upon another supervising body, the supervising body will be the American Arbitration Association. So otherwise, it is virtually the same as the Bill we passed, and I would appreciate your favorable support and show the Troopers, too, that we believe that the collective bargaining law ought to be codified into our statutes. Thank you."

Speaker Yourell: "Is there discussion? The Gentleman from Adams, Representative Mays."

Mays: "Thank you, Mr. Speaker. Would the Gentleman yield?"

Speaker Yourell: "Indicates he will."

Mays: "John, I would respectfully suggest that the same points I made on the other Bill regarding the tie breaker apply to this Bill also. And I have some questions. Currently, are State Police covered under the executive order that Governor Walker signed in 1973?"

Matijeovich: "I believe they are, Jeff."

Mays: "Okay. Our analysis indicates otherwise, and that's why I asked. There's a Section that concerns me about the General Assembly being mandated to approve a decision made by Arbitration Board. Is that correct?"

Matijeovich: "That was taken out by Amendment 3. That was my clean-up Amendment."

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Mays: "Alright."

Matijevich: "Went right by you."

Mays: "Okay, this...that deletes the requirement that the General Assembly must ratify a State Police collective bargaining agreement."

Matijevich: "Yes."

Mays: "And that would also apply to an arbitrator's decision regarding pay scales and things like..."

Matijevich: "No, yeah, right."

Mays: "Yes. Okay, is it true that the State Police are the only law enforcement entity within the state that has a jurisdiction...jurisdictional powers to go into a community where there might be a work stoppage or a slow-down in a local police department?"

Matijevich: "Probably so. I think you're right, Jeff."

Mays: "So, would there be in your mind any problems that could arise where State Policemen, having a union now, would be unwilling to cross picket lines within a given community where there is police labor strike?"

Matijevich: "No, because they are mandated to enforce the law."

Mays: "Okay. On your elections procedures, I assume those track the other Bills that have already been discussed."

Matijevich: "Yes, Sir."

Mays: "Now, on the compensation of the Arbitration Board, most of the Bills that we're considering have equal cost sharing for the arbitrators. Is...I believe that's correct. Under this Bill, you have the union paying for its arbitrator and the Department paying for the other two."

Matijevich: "Yes, and I think that was at the request of the Department of those..."

Mays: "The Department?"

Matijevich: "No, those who asked us to write the Bill. Yeah, that was their request, the attorney for the...the

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Troopers' Lodge."

Mays: "Okay, and then on Committee Amendment #1, that basically allows any union to represent the State Police or the State Troopers, and that is because of a constitutional requirement. Is that correct?"

Matijevich: "Correct."

Mays: "So under the provisions of this Bill, as it's com...as you've composed it, the Teamsters could indeed represent the State Troopers, the UAW, the AFL."

Matijevich: "If they can get...if they can get 51% of the Troopers, they've got it. That won't be easy for them."

Mays: "Okay. One final question. If the State Police strike, you have provisions that they...as a penalty, they not receive pay for the days that they are involved in that work stoppage. Is that correct?"

Matijevich: "They can also, besides the pay, they can also be disciplined, which could mean that they could be discharged."

Mays: "They could be discharged under the provisions of this Bill."

Matijevich: "Yes, Sir."

Mays: "Thank you very much, Mr. Sponsor. To the Bill."

Speaker Yourell: "Proceed, Sir."

Mays: "Once again, for those reasons enumerated in the previous two Bills, and also the fact that this...the State Police are the only entity that have the jurisdictional powers to go into communities where there is labor strife. I don't believe this to be an idea whose time has come. I am sure we will find out within the next few seconds. I would urge opposition to this Bill."

Speaker Yourell: "Representative Hoffman."

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

Speaker Yourell: "Indicates he will."

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Hoffman: "Representative Matijevich, is the arbitration order binding on both parties?"

Matijevich: "Yes, it is, Gene."

Hoffman: "So if the arbitration order is binding on both parties, does that mean then that the General Assembly is bound by the decision made under the arbitration order?"

Matijevich: "No, the General Assembly, as you know, has the power to overrule anything."

Hoffman: "The General Assembly..."

Matijevich: "We have the final authority. You know that, Gene."

Hoffman: "Well, it seems to me that when you get into final...when you get into binding arbitration in a situation between the state as an entity and a particular organization, and under legislation which provides for final and binding arbitration, that that severely restricts the hands of the General Assembly, if for no other reason, by the fact that it was done under law which we have...which we have made."

Speaker Yourell: "Excuse me, Sir. Does Representative Wojcik wish to be recognized? Proceed, Sir."

Matijevich: "They got somebody again?"

Hoffman: "Thank you, Mr. Speaker, and I hope her quest is successful. Thank you very much. Let me just rise and...in opposition to this Bill. I think there are some serious constitutional questions involved, which place the General Assembly or could very well place the General Assembly in a very untenable position, and I think that should be taken into consideration by everyone in this House of Representatives."

Speaker Yourell: "Is there further discussion? Being no further discussion, the Gentleman...Representative Matijevich to close."

Matijevich: "I'll only close. I think we've heard all of the

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collective bargaining debate, and I believe this vote will get about the same number of votes as the last Bill, so I appreciate your favorable vote and so do the Troopers. Thank you."

Speaker Yourell: "The question is, 'Shall this Bill pass?' All those in favor will vote 'aye', those opposed will vote 'no'. The voting is open. And on that question, Representative Birkinbine to explain his vote."

Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To explain my vote, I offer a scenario to you where a municipality either has a strike by its law enforcement officers or perhaps something like a blue flu in which people are called in or...well, a strike. Let's not kid around. Say there's a strike, and the State Police are called in to do their job. Now under a Bill like this, if the State Police find themselves part of a union, say the Teamsters, they may be asked, in trying to do their own job, to cross a picket line, perhaps set up by their own union. I think this is a bad situation to set up, and it's working against the best interest of the people of the State of Illinois. A green vote is not a wise vote."

Speaker Yourell: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 75 voting 'aye', 39 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Special Order of Business, Subject Matter - Workers' Rights, appears House Bill 881. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 881, a Bill for an Act to amend the Unemployment Insurance Act. Third Reading of the Bill."

Speaker Yourell: "The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill for employers. It is a Bill that

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amends the Unemployment Compensation Act to eliminate a taxing inequity under that Act. It is on the Agreed Bill list for changes in unemployment insurance. The change that it makes is...relates to the situation in which an employee is working part-time for a local unit of government or a non-profit organization...as...also as a part-time employee. In other words, he's got a full-time job in private life and works a part-time job for either the local unit of government or the non-profit organization. Under the present law, if that person is laid off of the full-time employment, the part-time employer is still required to contribute towards that person's unemployment compensation. This is an inequity that presently does not exist for the...for a reimbursing employer, and we are changing it, under this Act, so that both are treated the same, so that if the person loses his full-time employment, but maintains his part-time employment, the part-time employer has no liability for his loss of employment as...in his full-time job. I'd be happy to answer any questions."

Speaker Yourell: "Is there discussion? The Gentleman from Adams, Representative Mays."

Mays: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It is with great pleasure that I rise in support of the Sponsor's Bill, one of the few times. I am going to actually vote 'yes'. It is an Agreed Bill by both business and labor, and I would urge an 'aye' vote."

Speaker Yourell: "Is there further discussion? Being no further discussion, the Lady to close."

Breslin: "I think this is a Bill we can all vote for. Thank you."

Speaker Yourell: "The question is, 'Shall this Bill pass?'. All those in favor vote 'yes', those opposed will vote 'no'."

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The voting is open. Have all voted who wish? Have all voted who wish? On this question, there are 115 voting 'aye', no...none voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Special Order of Business, Subject Matter - Workers' Rights, is House Bill 1001. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1001, a Bill for an Act to create the Office of Job Protection and define its powers and duties. Third Reading of the Bill."

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1001 is a Bill that's entitled 'Job Protection Act'. This Bill is intended to create within the Department of Commerce and Community Affairs, an Office of Job Protection. Job Protection Act is intended to establish in the state a mechanism wherein we can develop information about runaway plants, plants closing, plant relocations and the effect of those plant closures and plant relocations. This legislation is needed..."

Speaker Yourell: "Excuse me, Sir. Representative Breslin in the Chair. Proceed, Sir."

Bullock: "Well, we don't want to call it a Speaker Relocation Act, but... This legislation is needed in order to allow for the employees, many of whom have no idea with regards to the effects of the plant closures. They have no idea with regards to the effect of a possible plant closure. In many instances, as you know, plant relocations or closures cause tremendous psychological and, yes, a financial hardship on the unemployed. With this legislation, we will establish a mechanism wherein those individuals and their representatives can, in fact, lessen the adverse effects of

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run away plants, both on the community and the individual. These relocation efforts, I submit, are not always attributable to the fact that businesses are not profitable. Quite often, we know that those plants close for other reasons. I think that what we hope to do down the road, once the Department develops its own data base and resources for determining why plants close and why they relocate and can predict future plant closures and assist individuals with phasing in the closure of those plants, we probably will want to consider some other mechanisms. But I submit that this is a very important piece of legislation to both business as well as labor, and I'd be glad to answer any questions, Madam Speaker, that might arise."

Speaker Breslin: "The Gentleman moves for passage of House Bill 1001. And on that question, the Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Madam Speaker. Would the Gentleman yield for a question?"

Speaker Breslin: "The Gentleman will yield for a question."

Mays: "Representative Bullock, you made a, in your opening remarks, a statement that this would lessen the adverse effects of plant closings on communities. How does your Bill purport to do that?"

Bullock: "Essentially, Representative Mays, as you perhaps know, we have very little knowledge at this point of...to the effects of those closures. We don't have any stature on the books. The Department of Commerce and Community Affairs merely has an ad hoc task force that essentially responds to crisis. What we are hoping to do with the enactment of this concept is to establish a permanent program and a permanent mechanism within the Business Development Department, so that we can both do long range planning and forecasting. I think that that's the net

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effect of the legislation, to allow us to predict, with some certainty, and to assist in the phasing in of whatever programs are necessary in this state to lessen the impact of the adverse effects of plant...runaway plants."

Mays: "Are you saying that there are provisions within this Bill to implement or take action upon anything at all that these studies would put forth?"

Bullock: "Representative Mays, I am sure you know that's not the case, either in your staff analysis or the legislation. We're indicating that the intent of this legislation is to establish within the Department of Commerce and Community Affairs the Office of Job Protection, no more, no less. There's no enabling statute in this particular Act, as you know, that would require them to take such actions."

Mays: "Well, what's...what things...what additional things do you plan to study under this that are not currently being studied under the Economic Action Task Force?"

Bullock: "Well, several things, Representative Mays. For example, we are not in a position in this Body, or in the Senate or in the General Assembly, to receive data from the Department as to the actual number of run away plants, closures, number of individuals affected because of those adverse economic conditions. I think the General Assembly is entitled to that information. I certainly think that the unemployed workers of this state would like to have some operation or some mechanism in place that will assist them with coping with these dastardly effects of run away plants."

Mays: "One final question. What kind of budget do you see for the Office of Job Protection within DCCA for the next fiscal year?"

Bullock: "Well, we do not anticipate any substantial increase in cost for the program. The Department is presently equipped

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to phase this particular activity into the normal operating procedures. I would not anticipate any appreciable increase in cost."

Mays: "Thank you. Mr. Speaker...Madam Speaker, to the Bill."

Speaker Breslin: "Proceed."

Mays: "As the previous speaker, the Sponsor of this fine legislation indicated, there are absolutely no provisions whatsoever in this Bill for implementing any of the findings of this special job...Office of Job Protection. It will be a useless office, a duplicative office. We already have the Economic Action Task Force within the Department of Commerce and Community Affairs. If you want to read why a business left Chicago, Illinois, I am sure you can inquire to the Department right now and get the answers. What are you going to do with them? If it's...if, indeed, it's a recalcitrant union that caused that business to close down in a given community, are you going to do anything about it? This is a nothing Bill. I would suggest a 'no' vote."

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

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

Speaker Breslin: "The Gentleman will yield for a question."

Vinson: "Representative, you suggested in your opening remarks that plants sometimes close for reasons other than the fact that they're not profitable. Would you expand on that for me? I am very interested in that."

Bullock: "Well, Representative Vinson, I just happen to have at my disposal here, some statistics. According to a recent study based on Dunn and Bradstreet listings, 2.5 million jobs a year were lost between 1979...1969 and 1976, were a direct result of business closings. We found that the frost belt states lost approximately 111 jobs through

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closures for every 100 new jobs they created. And the sun belt states lost an average of 80 jobs through business closings for every 100 jobs that they created. We are, in fact, finding, Representative Vinson, that many of the plants that leave these states, quote, 'frost belt states' for the sun belt states, don't go there because it is not profitable. They go there essentially to increase their profit margin, to have cheap scab slave labor and many other instances which this state cannot compete with. Certainly it is not that the business isn't profitable. It's probably that in many instances they go for the reasons I've enunciated."

Vinson: "The Bill is sufficiently silly, that I believe it stands on its own merits."

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

Ropp: "Madam Speaker, would the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield for a question."

Ropp: "Representative Bullock, I'm extremely pleased with your concern for the loss of jobs and the business climate in the State of Illinois. My only regret is that when this particular entity comes up with some necessary changes, you won't be in the House to help im...are you listening? I'm going to have to start all over."

Bullock: "Well, Representative Ropp, I certainly appreciate your comment and contributions are accepted."

Ropp: "Well, I hope that one might be that this Bill really gets passed and that we have some strong, effective leadership in an already existing office in the Department of Commerce and Community Affairs."

Speaker Breslin: "The Gentleman from Champaign, Representative Johnson."

Johnson: "I wasn't going to address this issue until

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Representative Bullock, in his response to Representative Vinson's comments, made what I consider some serious allegations. And if they are true, I think ought to be reported not only to the appropriate state authorities, but to the federal authorities, because they probably violate the 13th Amendment and 14th Amendment and everything else. He made reference to slave labor. I'm just concerned about where that exists and what the specific conditions are of the slaves."

Speaker Breslin: "There being no further discussion, the Gentleman from Cook, Representative Bullock, to close."

Bullock: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 1001 is intended to address a crisis in our state. The April '83 unemployment rate in Illinois is 12.2%. Chicago's unemployment rate is 11.8%. Peoria is 18.7%. And in Rockford, it's 21.8%, and in Decatur, it's 17.7%. House Bill 1001 is intended to establish public policy in the State of Illinois, that the public policy in the State of Illinois is that we will not see one more person in Illinois lose their job. This legislation is intended to prevent the loss of jobs in this state. It's intended to establish a mechanism to protect jobs in this state. It is a Bill that I submit to you, Ladies and Gentlemen of the House, is needed. I would urge an 'aye' vote and the passage of House Bill 1001."

Speaker Breslin: "The question is, 'Shall House Bill 1001 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 63 voting 'aye', 48 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Special Order of Business, Subject Matter - Workers'

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Rights, appears House Bill 1141, Representative Steczo.
Clerk, read the Bill."

Clerk Leone: "House Bill 1141, a Bill for an Act to amend
Sections of the Unemployment Insurance Act. Third Reading
of the Bill."

Speaker Breslin: "Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. House
Bill 1141 is also an Agreed Bill and is similar to House
Bill 881, which the House passed unanimously just a few
moments ago, but only deals with one particular aspect of
the Unemployment Insurance Act. What House Bill 1141 does
is excludes volunteer firefighters paid on a per cost...per
call basis, rather, from coverage. The same comments that
were made relative to House Bill 881 are relative to House
Bill 1141. When these firefighters are laid off of their
full-time jobs, the fire protection district must pay
monies into the unemployment trust fund, although these are
firefighters who are paid on a per call basis only. There
is a Section in the current statute which provides that
exemptions from employment are served by workers working on
a temporary basis in terms of fire, snow, storm, etcetera.
However, this provision...it was felt...the interpretation
of this provision does not apply to...to these particular
volunteer firefighters. What the purpose of House Bill
1141 is, is to extend that definition to cover these
volunteer firefighters. It was brought to my attention by
a fire protection district in my area, as well as the
firefighters from that fire protection district and the
fire chief in that district. I would be happy to answer
any questions and would ask the support of the House in
House Bill 1141."

Speaker Breslin: "The Gentleman moves for passage of House Bill
1141. And on that question, the Gentleman from Adams,

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Representative Mays."

Mays: "Thank you very much, Madam Speaker. Will the Gentleman yield for a question?"

Speaker Breslin: "The Gentleman will yield for a question."

Mays: "It's my understanding that since this was agreed to initially, there has been questions raised as to whether or not this would put us in or out of compliance with the federal guidelines. It is my understanding that that has been brought to your attention, and it is your intention, if this Bill...or when this Bill passes the House, that if there is a problem with compliance, you will accept Amendments in the Senate to bring this Bill into compliance with the federal regs."

Steczo: "Representative Mays, my intention with House Bill 1141 is to cure the particular problem of these fire protection districts that have volunteer firefighters. Before House Bill 1141 was introduced, I had checked with the Representatives from business and labor to get their agreement. If I did not get their agreement, the Bill would not have been introduced, and in that process, had also checked with the Department of Labor to check and see if there had been a problem with conformance. Ten minutes ago, I was informed that there might be now a problem either presently or possibly in August when the Federal Government issues some guidelines as to conformance. If it is possible to amend this Bill in the Senate to take care of the problem, I will gladly do that. If, in fact, we cannot accomplish it by that time, and if it would need to have a gubernatorial amendatory veto to accomplish that problem, that would be fine with me too. As long as the problem is taken care of, I would be glad to comply in any way so as not to put Illinois in any kind of jeopardy."

Speaker Breslin: "There being no further discussion, the question

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is...the Gentleman from Cook, Representative Steczo, to close."

Steczko: "I would appreciate the support of the House, Madam Speaker."

Speaker Breslin: "Okay. The Gentleman has moved for passages of 1141. The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 113 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The next Order of Business on the Special Order of Business, Subject Matter - Workers' Rights, appears House Bill 1162, Representative Bullock. Clerk, read the Bill."

Clerk Leone: "House Bill 1162, a Bill for an Act relating to collective bargaining agreements. Third Reading of the Bill."

Speaker Breslin: "Representative Bullock."

Bullock: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 1162 is a collective bargaining Bill, and it deals with what is commonly called the successor clause. And the successor clause essentially deals with an agreement which is binding upon and enforceable against any successor employer. A violation is a business offense. The legislation is needed, simply because many businesses are sold, transferred, or, in fact, assigned to another owner. And in those instances, under the present law, the purchasing employer is under no obligation to honor the collective bargaining agreement which was reached in good faith, an arm length agreement between the first employer and the employees. The Bill was, in fact, amended once on this floor. The language was

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non-substantive, but essentially clarified that where an employer does not disclose to the successor employer the existence of such successor clause language, that in no way means that the agreement is not enforceable under law. The legislation, I believe, is needed, particularly at a time when we have many industries and many businesses, because of a variety of circumstances, transferring ownership or title or being purchased by larger concerns. The legislation has passed this General Assembly on previous occasions. I submit to you that the legislation is needed. It certainly has passed the constitutional test in many other states, and the courts have, in fact, ruled that it is, in fact, is constitutional. I submit, Ladies and Gentlemen of the House, that we are now at a point where the state should enact what is called successor employer clause language, and I would urge an 'aye' vote. And, Madam Speaker, I would be available for any questions that might arise."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 1162. And on that question, the Gentleman from Champaign, Representative Johnson."

Johnson: "Well, I don't know how I feel about the Bill, but I have a couple of questions for you, Representative Bullock."

Speaker Breslin: "The Gentleman will yield to a question."

Johnson: "My first question is, what if the workers in...and I realize that this is hypothetical, would not be applicable in the majority of cases, but what if the workers, for a variety of circumstances, with the change in ownership of a business, decided that they didn't want to be bound by the collective bargaining agreement?"

Bullock: "Well, Representative Johnson, I think you do some practicing in this area. Certainly, there are provisions

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under the National Labor Relations Act, National Labor Relations Board, wherein situations that you described could be addressed, and the employees would have the option to petition that..."

Johnson: "Is this working?"

Speaker Breslin: "Are you finished with your remarks, Representative Bullock."

Johnson: "No, I wasn't. I just had another question."

Bullock: "Well, I was saying before the light went off that the National Labor Relations Board, there are provisions under the National Labor Relations Act for employees to petition with that grievance and have it disposed of under the provisions of that Act."

Johnson: "How do...how does one enter into a contract, a union and employer A, and have that agreement be binding on business B without any kind of an assumption agreement on business B's part when they buy the business from business A? That seems like it is 'anathetical' to all kind of contract law that we've ever known or learned. I'd be interested in your response. I'm not saying I'm right. I'm just interested in your response."

Bullock: "Well, Representative Johnson, I reference once again the National Labor Relations Act. It...certainly you know that the labor agreement is not in and of itself contract law, but there are provisions in the National Labor Relations Act for those unions or if the employees petition to decertify the agreement and the union, it can be done."

Johnson: "Well, I guess that's my point. I mean, if a second business...the purchasing business went into operation in the same area, then under the relevant provisions of the National Labor Relations Act, then those employees, just as they did in the first instance, would have the opportunity, assuming you have a sufficient number and this presumes

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that there would, to petition for an election, to call an election, and if the majority voted in favor of representation, then they'd be the bargaining unit recognized for business B, and then under other applicable National Labor Relations Acts, the employer would have to enter into...into an agreement with them...or not in agreement with them, at least into negotiations with them in good faith. So it would seem to me that making this a de facto requirement to some extent, evades some of the purposes behind National Labor Relations Acts."

Bullock: "Well, you're absolutely right, Representative Johnson, in the last situation, but it works both ways. Certainly the grieved employees or grieved employees could petition under the National Labor Relations Act to decertify the union. Conversely, you could have a situation where the employer...employer B, which is the successor employer, could, in fact, have coalesced, lack of a better word, even conspired with the first employer to use this as a subterfuge to in fact abolish the union. So it could, in fact, work both ways; therein, the legislation is needed. Therein, I would urge an 'aye' vote."

Speaker Breslin: "The Gentleman from Cook, Representative Nash."

Nash: "Question of the Sponsor, Madam..."

Speaker Breslin: "The Gentleman will yield to a question."

Nash: "Representative Bullock, is this the Bill that says if I buy a restaurant from you, I'm stuck with your employees?"

Speaker Breslin: "Well, if those employees have a preexisting collective bargaining agreement, and you purchase that enterprise, Senator Nash, you certainly would be required to honor the agreement for three years from the effective date of the agreement."

Nash: "Thank you."

Speaker Breslin: "The Gentleman from DeWitt, Representative

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Vinson."

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

Speaker Breslin: "The Gentleman will yield to a question."

Vinson: "Representative, have you cleared Section 2 of your Bill with Representative Cullerton?"

Bullock: "Well, Representative Cullerton is a distinguished barrister, but he's not a Justice yet. I've cleared it through the House Labor and Commerce Committee under the able leadership of Representatives Farley and Tuerk."

Vinson: "Well, to the Bill, Madam Speaker. I would call the Body's attention, and I would particularly call Representative Cullerton's attention to the fact that Section 2 of the Bill imposes a criminal penalty without the person making the violation having to know that he violated the Act. There's no requirement for knowing in there, Representative, and I think you ought to particularly be aware of that. In addition to associating myself with Mr. Nash's comments, I would make the point that now that Mr. Bullock has created this special office to study the lack of jobs and the decline of the Illinois industrial economy, I think what he's doing now is trying to give them something additional to study, because there's nothing any more certain than this Bill to drive jobs and business out of the State of Illinois. For those reasons, I would urge a 'no' vote."

Speaker Breslin: "The Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "The Sponsor will yield for a question."

Cullerton: "The Bill provides for a criminal offense. Is that correct?"

Bullock: "Well, Representative Cullerton, it's a business offense violation."

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Cullerton: "Oh, it's a business offense."

Bullock: "Yes."

Cullerton: "So no one can be thrown in jail for violating this Act? They could just be fined."

Bullock: "Well, that would certainly be the intent, Representative."

Cullerton: "Well, it says it's guilty of a business offense. Does it refer to any specific criminal statute or..."

Bullock: "No."

Cullerton: "Okay, well, I think that perhaps it may not need a mental state if you're talking about a business offense, because I don't think that it can result in an incarceration of anyone. But I think that you should look into that, Representative Bullock. And when this Bill goes over to the Senate, maybe you could have the Senate Sponsor look into that and perhaps it might take an Amendment if it does result in someone being incarcerated. I want to thank Representative Vinson for looking out for it."

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

Ropp: "Madam Speaker, just a question. Representative Bullock, in further question to the purchase of the restaurant that you would own, would this Bill mean that if I would buy all of the equipment, buy your business and then move it down to Bloomington, that the agreement would still be in effect if I move it out of your city into my city?"

Bullock: "Well, Representative Ropp, my good friend Representative Ropp, in the language, it clearly indicates that you would use the same physical facility. That's in the language that we have before us here. If you move the facility, or if you move the business to a new facility, the agreement would not be binding. And certainly it would be difficult for you to operate out of Peoria if it was

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previous in Chicago in the same facility, physical facility."

Ropp: "Well, they have moved homes."

Bullock: "Well, I'm sure one could stretch their imagination and talk about elasticity, Representative Ropp, and probably take it to its nth degree. But the language and the intent of the Sponsor of this legislation is that it would apply to the same physical facility, and I reference, for your information, on...on page one, line 19 and 20. And it says, and I quote, 'or transfer, conduct...or will conduct substantially the same business operation, offer the same service and use the same physical facility as the contracting employer'. I think the language is rather explicit, and I think that addresses your question."

Ropp: "Okay, thank you."

Speaker Breslin: "The Gentleman from St. Clair, Representative Flinn. Representative Flinn."

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

Speaker Breslin: "The Gentleman moves the previous question. All those in favor say 'aye', all those opposed say 'nay'. The previous question has been moved. The Gentleman from Cook, Representative Bullock, to close."

Bullock: "Madam Speaker and Ladies and Gentlemen of the House, it would be the affirmative duty of the successor employer to disclose his employees the existing of his contract. This legislation is needed, because in many instances, businesses use the successor concept as subterfuge to both break unions and displace workers. We understand the State of Illinois has a crisis, an unemployment crisis. This legislation, once again, is intended to protect jobs. It is intended to stimulate the economy of our state. I can think of no greater action that this Body could take at present than to go on record once again with a strong,

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affirmative public policy of job protection. House Bill 1162 is a job protection measure. I urge an 'aye' vote."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 1162. All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. The Gentleman from Adams, Representative Mays, to explain his vote."

Mays: "Thank you very much, Madam Speaker. I am voting 'no' for this...on this Bill for a very fundamental reason. What you're going to end up doing with this Bill is if a given union labor problem in a given factory was a reason for its closure, that factory will not be bought with new employment, regardless of whether it will be union employment or not, until three years have elapsed. For that reason, I would urge a 'no' vote."

Speaker Breslin: "The Gentleman from Cook, Representative Birkinbine, to explain his vote."

Birkinbine: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. It's good that we've got a Bill like this that's come along. When the Gentleman from Rockford filed at a late hour his Corporate Hostage Act, I thought we were going to get a good vote on this floor to show how the various sides of the aisle really felt as far as the business community and employment in Illinois. Now, the Sponsor of this Bill has just said that this is a jobs protection Act. Get serious. You know better than that. This is nothing but a union protection Act, and if it's going to do anything, it's going to make the business climate the way people who might think of investing in Illinois, it's going to make it worse. And I can only thank the Sponsor for introducing a Bill like this. So in spite of the effort of the Speaker of the House to try and paint his Party as the Party that's really interested in improving the business climate in Illinois and being a

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friend of business, now we can see the true colors, and it's great to finally get a Roll Call on that issue."

Speaker Breslin: "The Gentleman from DuPage, Representative Barger, to explain his vote."

Barger: "Thank you, Madam Chairman (sic - Speaker). This Bill will provide one great advantage. It will give the Sponsor's previous Bill's board a new subject for consideration, because no one is going to buy a business under the circumstances that exist in Cook County. DuPage County is now the second heaviest employing county in the State of Illinois, primarily because of the businesses that have moved out of Chicago to get away from this type of union patr...consideration. And I think this is going to do only one thing. It's going to finish putting Chicago down the drain."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 60 voting 'aye', 50 voting 'no', and 2 voting 'present'. Representative Vinson, for what purpose do you rise?"

Vinson: "Verification."

Speaker Breslin: "The Gentleman has requested a verification. The Gentleman from Cook, Representative Bullock, requests a Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Birkinbine. Brunsvold. Christensen. Harris. Mautino. Richmond. No further."

Speaker Breslin: "The Gentleman from Cook, Representative Birkinbine, for what purpose do you rise?"

Birkinbine: "My switch wasn't working. Would you vote me 'no' please?"

Speaker Breslin: "The Gentleman requests to be voted 'no'. Representative Birkinbine. Representative Harris, for what purpose do you rise? Representative Harris requests leave

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to be voted 'aye'. Does anyone else seek... Representative Harris requests leave to be voted 'no'. Proceed with a Poll of the Affirmative, Mr. Clerk."

Clerk Leone: "Poll of the Affirmative. Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Bullock. Capparelli."

Speaker Breslin: "Excuse me, Mr. Clerk. Representative Slape asks leave to be verified. Does he have leave? The Gentleman has leave. Proceed."

Clerk Leone: "Cullerton. Curran. Currie. DeJaegher. DiPrima. Domico."

Speaker Breslin: "Excuse me, Mr. Clerk. Representative Brookins asks leave to be verified. Does the Gentleman have leave? The Gentleman has leave. Proceed, Mr. Clerk."

Clerk Leone: "Doyle. John Dunn. Farley. Giglio. Giorgi. Greiman. Hannig. Huff. Hutchins. Jaffe. Keane. Krska. Kulas. Laurino. LeFlore. Leverenz. Levin. Marzuki. Matijevich. McGann. McPike. Mulcahey. O'Connell. Panayotovich. Pangle. Pierce. Preston. Rea. Rhem. Rice. Ronan. Saltsman. Satterthwaite. Shaw. Slape. Steczo. Stuffle. Taylor. Terzich. Turner. Van Duyn. White. Wolf. Younge. Yourell and Mr. Speaker."

Speaker Breslin: "Representative Richmond, for what purpose do you rise? The Gentleman requests leave to be voted 'aye'. Record the Gentleman as voting 'aye'. Representative Vinson, do you have any questions of the Affirmative Roll Call?"

Vinson: "Yes. Could you tell me first what number we're starting with?"

Speaker Breslin: "61 'aye', 52 'no' and 2 voting 'present'."

Vinson: "Mr. Domico."

Speaker Breslin: "Is the Gentleman in the chamber? Representative Domico. Representative Domico is in the

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chamber."

Vinson: "Representative Farley."

Speaker Breslin: "Representative Farley. Representative Farley.
Is the Gentleman in the chamber? The Gentleman is not in
the chamber. Remove him."

Vinson: "Representative Hutchins."

Speaker Breslin: "Representative Hutchins is in his seat."

Vinson: "Representative Keane."

Speaker Breslin: "Representative Keane is in his seat."

Vinson: "Mr. Kulas."

Speaker Breslin: "Representative Kulas. Representative Kulas.
Is the Gentleman in the chamber? The Gentleman is in the
chamber."

Vinson: "Where?"

Speaker Breslin: "Right here by the door."

Vinson: "Mr. Levin."

Speaker Breslin: "Representative Levin. Representative Levin.
Is the Gentleman in the chamber? The Gentleman is not in
the chamber. Remove him."

Vinson: "Mr. O'Connell."

Speaker Breslin: "Representative O'Connell is in his seat."

Vinson: "Mr. Panayotovich."

Speaker Breslin: "Representative Panayotovich. Representative
Panayotovich. The Gentleman is not in the chamber. Remove
him."

Vinson: "Mr. Pangle."

Speaker Breslin: "Representative Pangle. Representative Pangle.
Is the Gentleman in the chamber? The Gentleman is not in
the chamber. Remove him."

Vinson: "Mr. Pierce."

Speaker Breslin: "Representative Pierce is in his chair."

Vinson: "Mr. Ronan."

Speaker Breslin: "Representative Farley has returned to the

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chamber. Add him to the Roll Call. Representative Bonan. The Representative is in the chamber down by the door here."

Vinson: "Representative Satterthwaite."

Speaker Breslin: "Representative Satterthwaite. Representative Satterthwaite. The Lady is not in the chamber. Remove her."

Vinson: "Representative Steczo."

Speaker Breslin: "Representative Steczo is in his chair."

Vinson: "Mr. Rhem."

Speaker Breslin: "Representative Rhem. Representative Rhem. Is the Gentleman in the chamber? The Gentleman is not in the chamber. Remove him."

Vinson: "No further questions."

Speaker Breslin: "Mr. Clerk, what is the count? On this Bill...Representative Satterthwaite has returned to the chamber. Add her to the call. Mr. Clerk, what is the tally? On this Bill, House Bill 1162, there are 57 voting 'aye', 52 voting 'no' and 2 voting 'present'. Representative Bullock, for what purpose do you rise?"

Bullock: "I'd like to have the legislation put on Postponed Consideration."

Speaker Breslin: "The Gentleman requests leave to have this Bill put on Postponed Consideration. Does the Gentleman have leave? The Gentleman has leave. Representative Matijevich in the Chair."

Speaker Matijevich: "House Bill 1442. The Clerk will read the Bill."

Clerk Leone: "House Bill 1442, a Bill for an Act authorizing public employers to grant public employees the right to designate representatives of their own choosing for collective bargaining purposes. Third Reading of the Bill."

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Speaker Matijevich: "The Lady from LaSalle, Representative Breslin, for what purpose do you seek recognition? Representative Capparelli."

Capparelli: "I would ask leave to bring the Bill back to Second Reading for an Amendment please."

Speaker Matijevich: "Representative Capparelli asks leave to return House Bill 1442 to the Order of Second Reading for the purpose of an Amendment. Does he have leave? Leave. The Bill is on Second Reading. Amendments, Mr. Clerk?"

Capparelli: "I would ask to..."

Clerk Leone: "Amendment #7, Breslin, amends House Bill 1442 as amended."

Speaker Matijevich: "The Lady from LaSalle, Representative Breslin."

Breslin: "Mr. Speaker, I would first ask to table Amendment #1. First of all, to reconsider Amendment #1 pursuant to Rule 73(B)."

Speaker Matijevich: "The Lady...is there leave for the Attendance Roll Call to reconsider the vote on Amendment #1? Leave, and the vote is reconsidered. Now the Lady from LaSalle asks leave to table Amendment #1. Leave, and Amendment #1 is tabled. Further Amendments?"

Clerk Leone: "Amendment #7, Breslin, amends House Bil 1442 as amended."

Speaker Matijevich: "The Lady from LaSalle, Representative Breslin."

Breslin: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #7 does two things. The first thing it does is to delete the provision invalidating Governor Walker's 1973 executive order governing collective bargaining agreements for public employees. The second thing it does is, excludes the CTA and the RTA employees from the provisions of this Bill. There was considerable

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discussion about this part of the Bill when it was added by Amendment #1 previously. There are many who believe that it should not be a part of this Bill, and we ask that it be excluded under Amendment #7. I move for its adoption."

Speaker Matijevich: "Representative Breslin moves for the adoption of Amendment #7. On that, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Lady's Motion. Amendment #7 makes this Bill substantially better than it would otherwise be. It deletes the Chicago Transit Authority and the Regional Transit Authority in northeastern Illinois from application under the Bill. By virtue of this Amendment, their contracts, the labor contracts with those two authorities, will not be locked in by this legislation, should it eventually be passed and signed by the Governor. For those reasons, I rise in support of the Lady's Amendment and would urge that everyone vote 'yes' on that Motion."

Speaker Matijevich: "Representative Breslin has moved for the adoption of Amendment #7. All in favor say 'aye', opposed 'nay'. Amendment #7 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Matijevich: "Third Reading. The Gentleman from Cook, Representative Capparelli."

Capparelli: "I would ask leave to have this back on Third Reading, to have it heard at this time."

Speaker Matijevich: "The Gentleman asks leave that House Bill 1442 be considered immediately. Does he have leave? Leave, and the Bill is on Third Reading. The Clerk will read the Bill."

Clerk Leone: "House Bill 1442, a Bill for an Act concerning public employers and employees authorizing of collective

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bargaining agreements. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. The purpose of the Bill is simple. House Bill 1442 creates the Act permitting public employees to organize and bargain collectively. This Act, in effect, protects the current collective bargaining Amendments in existence. It allows for public employees and public employers to negotiate future agreements. Under this Bill, the State of Illinois authorizes public employers to grant and protect employees' rights to freedom of association and self-organization. In addition, House Bill 1442 ensures fair share agreements. Under such agreements, employees may be required to pay equivalent dues as a condition of employment. However, employees may not be required to join the union, nor can initial hiring decisions be based on membership. House Bill 1444 (sic - 1442) authorizes final and binding arbitration on states, that suits brought for violation on any will be heard in the Circuit Court of the county where the violation has occurred. I would ask for everyone's Roll Call a vote 'yes'."

Speaker Matijevich: "The Gentleman has moved for the passage of House Bill 1442. The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is the first Bill that we've seen today which is a comprehensive piece of legislation covering all public employees, public sector employees. The real problem with public sector collective bargaining is that, for the most part, this legislation and similar legislation has been developed on the basis of private sector experience. References have been made in previous debate

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to case law, most of which has been developed under public sector bargaining. And, of course, you know for a lot of us, there seems to be some very legitimate distinctions between public and private sector employment, and it does us no good to ignore it, because the distinctions between those two kinds of employment get right to the heart of the matter. What I'm referring to, Ladies and Gentlemen, is an erosion of the decision-making power and the responsibilities of Legislative Bodies like ours, by typical collective bargaining legislation. When governmental bodies, be they school boards or be they agencies of State Government, when these governmental bodies and unions bargain under statute such as this, which has been designed on the basis of private sector experience, this at best reduces the ability of the...of government to function and at worst abrogates the responsibility that government has accepted. Because the fact of the matter is that collective bargaining agreements between government and...and their employees actually excludes major sections of the electorate from the decisions which affect budget allocations and policy development. A union is a special interest group. They're not accountable to the public. They're accountable to their membership, and we distribute to them, or we enhance their power over the public decision-making process by legislation such as this. One of the serious problems is that we give away our sovereignty, and that is absolutely necessary for an ordered society. You can't compare the...the accountability of government and the sovereignty that's necessary with the provisions of the legislation which is before you today. We...we weaken ourselves, and we do our constituents an injustice by..."

Speaker Matijevich: "One moment, Gene. Representative Breslin

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back in the Chair. And under our new rules, the Speaker can introduce somebody on a special occasion. And when former Representative Tom Hanahan returns to the floor, it's always a special occasion. Tom Hanahan."

Speaker Breslin: "Now we can't do that for one and not for all. Representative Breslin...or Representative Hoxsey, the Lady from LaSalle, is also on the floor. Excuse me, Representative Hoffman. Please proceed. I'm sorry for the interruption."

Hoffman: "I...I know you are, and I appreciate that. I would just conclude by saying that it seems to me ironic that those of us who are elected to represent the public are prepared to sell that responsibility and give it to a special interest group. This is a dilution of our...this is a dilution of our authority and our power, and I appreciate the opportunity to share these concerns with you in a reasoned manner."

Speaker Breslin: "The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Madam Speaker. Will the Gentleman yield?"

Speaker Breslin: "The Gentleman will yield to a question."

Mays: "Under this Bill, exactly what's the procedure you're going to follow? Will each Department within State Government have to recognize whichever union those employees chose or elected to have represent them? Would it be on a Department by Department basis or..."

Capparelli: "No, this would not upset the procedures that are now on the statutes. We'll follow the same procedures."

Mays: "Okay, would an agency shop...provisions of this Bill be permissive. Is that correct?"

Capparelli: "Yes."

Mays: "So you can have a situation arise, then, where whoever's...the elected representative of the employees can

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or cannot or may or may not negotiate agency shop provisions. That's right, right?"

Capparelli: "It's a possible subject of a negotiation."

Mays: "So you can, indeed, even see AFSCME being decertified or not elected in favor of ISEA under this Bill, because ISEA can make an issue of not collecting or not pushing for an agency shop. Is that..."

Capparelli: "I don't follow their..."

Mays: "I don't think I follow it either, but it sounds like a bad Bill, and I'd urge a 'no' vote."

Speaker Breslin: "There being no further discussion, the Gentleman from Cook, Representative Capparelli, to close."

Capparelli: "Public employees have been negotiating for many years, and this just codifies it. In short, this law will merely authorize a practice which has been very common, and I would ask everyone to vote 'aye'."

Speaker Breslin: "The question is, 'Shall House Bill 1442 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 73 voting 'aye', 40 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Special Order of Business, Subject Matter - Workers' Rights, appears House Bill 1520, Representative Saltsman. The Clerk read the Bill."

Clerk O'Brien: "House Bill 1520, a Bill for an Act regulating wages of certain workers binding one under contract for public works. Third Reading of the Bill."

Speaker Breslin: "Representative Saltsman."

Saltsman: "Thank you, Madam Speaker. This Bill amends an Act concerning wages of employees in public works. It requires the Department of Labor during the month of June to ascertain the prevailing rate of wages for each county and

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provides that any public body that fails to ascertain the prevailing rate of wages as required under the existing law shall be assigned the prevailing rate for that county within which it is located. In addition to the prevailing...this addition to the prevailing wage law would not cause any increased cost to the Department of Labor in the administration of the Act. If there's any questions, I'd feel pleased to answer them."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 1520. And on that Motion, the Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Madam Speaker. Will the Gentleman yield?"

Speaker Breslin: "The Gentleman will yield to a question."

Mays: "Representative, under your Bill, you're providing that the Department of Labor will establish the prevailing wage for individual jurisdictions of local government that have not adopted a prevailing wage schedule by the statutory deadline of June 1. Isn't that correct? That's the current law."

Saltsman: "Right."

Mays: "And you're providing that the Department of Labor will set it for them."

Saltsman: "If they don't."

Mays: "What are the criteria that the Department of Labor is supposed to use when they are going to determine what the prevailing wage will be?"

Saltsman: "Yes, Representative, they have the prevailing rate from the...rate list from the preceding year, and it's all on film. It's available. They are currently up to date with it, and they would probably go back to the preceding year what that prevailing wage rate would be."

Mays: "But this point is, this Bill has absolutely no provisions

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for criteria that the Department of Labor must use in determining what the prevailing wage for that locality or individual unit of local government will be."

Saltsman: "They are in the statute now."

Mays: "How can they be in the statute now, because the Department of Labor doesn't determine what it is? We're giving..."

Saltsman: "The Department of Labor will only determine if this...if the counties do not do their job."

Mays: "But we have no mechanism in...my point is, we have, to my knowledge, no mechanism in the statute for the Department of Labor to determine anything regarding prevailing wage. That is left up to counties and units of local government."

Saltsman: "They do do it in some cases."

Mays: "Madam Speaker, to the Bill."

Speaker Breslin: "Proceed."

Mays: "I am skeptical of this Bill for one main reason. It is my understanding that the Department of Labor does not have any ability to set the prevailing wage for the units of local government or county. Under this Bill, we are giving them the power to do that, but we are not setting forth the criteria by which they should do it. So you could have the instance, which I would...or the eventuality, which I would support, where they would actually, the Department of Labor through rules and regs in implementing this Act, would use private construction or non-union labor, construction labor in determining the prevailing wage in a given unit of local government. So, because there is a lack of criteria in this Bill, and because the prevailing wage Bill...the existing prevailing wage law in this state is a sham anyway, I would suggest a 'no' vote."

Speaker Breslin: "The Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield, please?"

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Speaker Breslin: "The Gentleman will yield to a question."

Friedrich: "Doesn't the Department of Labor ascertain the prevailing wage for each county now? We have road contracts in our area, and the contractors are told what they have to pay in order to comply with the prevailing wage law."

Saltsman: "Yes, Representative, your county has already set that prevailing wage. The local municipalities will not have any power taken away from them. This is only in case they don't. This is in reference to the other speaker, Representative."

Friedrich: "But isn't that prevailing wage determined by the Department of Labor now and fixed for that county? We have road contracts by them to the state and other people, and they pay the prevailing wage. Isn't that prevailing wage determined by the Department of Labor?"

Saltsman: "It's determined by the county and only the Department of Labor if the county does not do it."

Friedrich: "I thought that every state contract had to pay the prevailing wage under state contracts in every county of this state."

Saltsman: "They do."

Friedrich: "Then who fixes it?"

Saltsman: "The county is supposed to."

Friedrich: "I believe those figures in our area are determined by the Department of Labor. I...maybe the county accepts it. I don't know that, but I know the Department of Labor prices those figures."

Saltsman: "You're right, Representative. If they choose to have the Department of Labor do it, they will."

Speaker Breslin: "There being no further discussion, the Gentleman from Peoria, Representative Saltsman, to close."

Saltsman: "Yes, Madam Speaker and Members of the House, this is a

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simple Bill. It will save time in ascertaining the rate to be used in situations where a local unit of government has failed to determine the rate prior to the work beginning on the project. Waiting for determination could delay a project and defer wages for workers who are ready to work. This is a simple Bill. It should have every green vote. Thank you."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 1520. The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 71 voting 'aye', 36 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Special Order of Business, Subject Matter - Workers' Rights, appears House Bill 1521, Representative Ronan. Representative Ronan. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1521, a Bill for an Act to amend an Act regulating wages of certain workers for any one under contract for public works. Third Reading of the Bill."

Speaker Breslin: "Representative Ronan."

Ronan: "Thank you, Mr. (sic - Madam) Speaker, Members of the House. House Bill 1521 amends the Prevailing Wage Law. It provides that the Director of the Department of Labor shall publish in the Illinois Register a list of contractors or subcontractors who have been found to have disregarded their obligations to employers under this Act. It also provides that no public works contracts shall be awarded to such contractors or subcontractors until two years after such publication. The goal here is to get rid of contractors or subcontractors who are not complying with the Illinois Prevailing Wage Law. I move for the passage

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of the Bill."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 1521. On that Motion, is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to 1521, and I do so out of a concept of due process or fundamental fairness. Nowhere in this Act as amended does the Legislature give any guide to the basis on which a finding will be made by the Director. It doesn't tell us under what circumstances the finding is proper. It doesn't tell us under what circumstances the listing in the Register is proper. That violates fundamental fairness. That violates due process. And the sanctions imposed in violation of due process are substantial, two years out of the public contract. And in these days of public contracting, just after we passed a multi-million dollar highway building fund, that is a substantial problem that's going to be wreaked on many employers in this state. In addition to that, it doesn't tell us what percentage of ownership is necessary to disqualify all related businesses. We can have a contractor who has a two percent ownership and an unrelated subcontractor bidding on an unrelated project. And all of a sudden, that subcontractor is penalized. Well, not only will that subcontractor be penalized, but the 98% shareholders in the rest of the company will be penalized, and the employees of that other company will be penalized. So let's not be deluded. This is not an Act as simple as it seems. It has far-reaching ramifications. It hurts employees as well, and I urge a 'no' vote."

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

Tuerk: "Madam Speaker, would the Sponsor yield?"

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Speaker Breslin: "The Gentleman will yield to a question."

Tuerk: "How do you determine this so-called black list that you're setting up here?"

Ronan: "It's established by the Director of the Department of Labor."

Tuerk: "And how does he establish that? What's the criteria?"

Ronan: "It's established by him making determinations that...that certain companies and contractors are not complying with the Prevailing Wage Act."

Tuerk: "Well, how does he do it, though?"

Ronan: "It's his determination."

Tuerk: "On what basis?"

Ronan: "The criteria that's established in the Prevailing Wage Act."

Tuerk: "Well, Madam Speaker, to the Bill. In the Committee, we asked the Sponsor similar questions or identical questions. He couldn't answer them. He hasn't answered them today. I don't think there's any way that you could set up any criteria to determine that. I don't think there's any way that you can determine a contractor who is on a so-called black list if he doesn't hire the certain employees relative to a job. I think, as was pointed out, this does violate due process. There's no protection afforded an employer against any specious claims by a disgruntled employee that an employer disregarded his obligation. I think there's so many holes in this Bill. It's such a bad Bill. I think it should get a resounding defeat."

Speaker Breslin: "The Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield."

Cullerton: "Now, as I understand it, under current law, failure to pay local prevailing union wa...rates on a public

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construction contract is a Class B misdemeanor. Is that correct?"

Ronan: "Yes, it is."

Cullerton: "So, according to the Bill, the Director of the Department of Labor shall publish a list of contractors who have been found to be in...have disregarded their obligations to employees under this Act. Now does that mean those who have been convicted of the Class B misdemeanor?"

Ronan: "Yes."

Cullerton: "So it seems to me, to the Bill, that it would be very easy to find out who these particular violators of the law are, and it makes sense that if someone has committed a criminal offense, that they be not allowed to have a two year...a two year waiting list. It seems like a very reasonable penalty, along with the criminal violations. So I think that, Representative Tuerk, perhaps that might answer some of your questions with regard to the Bill."

Speaker Breslin: "The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Madam Speaker. As I...you're going to be...if an employee raises an objection to the prevailing wage or to his wage and says it's not the prevailing wage, you're going to put that employer out of business for two years on public works?"

Ronan: "Representative Mays, as you're well aware, an employee can make an accusation. There'll be a hearing held by the Department of Labor. The Director of the Department of Labor, who's appointed by the Governor of the State of Illinois, that happens to be a Republican at the present time, is going to make a determination if there has been a violation of the Prevailing Wage Act. If there has been a violation of the Prevailing Wage Act, then that contractor is subject to a two year removal from the list for public

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bidding. You understand the system just the same way I do."

Mays: "I understand this Bill exactly. What you're going to be doing with this Bill by putting the employer out of business for two years, you're also putting that employee that raised the initial claim against him out of business for two years. You want to do that, go ahead and pass this Bill."

Speaker Breslin: "There being no further discussion. The Gentleman from Cook, Representative Ronan, to close."

Ronan: "Well... in response to the opposition of the other side of the aisle, I, opposed to them, have faith in the present Governor. And I have faith in the present Director of Labor, even though they're Republicans. I know they're going to be honest and forthright in upholding the existing laws of this State. And I feel that they're going to be fair, just and equitable in establishing and protecting the prevailing Wage Act. And if a contractor doesn't want to conform to the prevailing Wage Act, then he should be barred from state work for two years. I think it's a legitimate concept, something that we should go about the business of the people of the State in protecting a law and establishment we put into effect a long time ago. I move for the passage of this Bill."

Speaker Breslin: "The question is, 'Shall House Bill 1521 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 64 voting 'aye', 43 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Special Order of Business, Subject Matter - Workers' Rights, appears House Bill 1526, Representative Ronan. Clerk, read the

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Bill."

Clerk O'Brien: "House Bill 1526, a Bill for an Act concerning fair share agreements in public employment. Third Reading of the Bill."

Speaker Breslin: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker...Madam Speaker, Members of the House. House Bill 1526 authorize state and local governments to enter in the agency shop agreements with labor organizations which represent their employees. As everyone's aware, an agency shop agreement says that employees must be inquired to pay a fair share fee to a labor organization as a condition of continued employment. Employees who belong to religious bodies which conscientiously object to labor unions, we're permitted to pay this equivalent, or fair share fee, to a nonreligious charitable organization. I move for the passage of the Bill."

Speaker Breslin: "The Gentleman moves for passage of House Bill 1526. And on that Motion, the Gentleman from Adams, Representative Mays."

Mays: "Will the Sponsor yield for a question, please?"

Speaker Breslin: "The Gentleman will yield to a question."

Mays: "How do you define 'fair share'?"

Ronan: "'Fair share' is the amount needed for negotiating wage contracts and for the unions to represent their employees."

Mays: "So under the terms of this Bill, fair share is whatever it costs to implement and enforce a collective bargaining agreement, especially in negotiating those terms relating to wages, benefits and whatever else. Is that correct?"

Ronan: "That's correct."

Mays: "So whatever else, it concerns me. Madam Speaker, to the Bill."

Speaker Breslin: "Proceed."

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Mays: "I find it's absolutely appalling that a Bill of this nature could even be considered under the topic heading of Workers' Rights, when it indeed demands that if an employee chooses not to pay tribute to a given labor union, he'll lose his rights, he'll lose his job. The majority of existing state workers in public employment have indeed, and we'll see these rights completely abrogated under this Bill. I urge your opposition."

Speaker Breslin: "There being no further discussion, the Gentleman from Cook, Representative Ronan, to close."

Ronan: "I move for a favorable Roll Call."

Speaker Breslin: "The question is, 'Shall House Bill 1526 pass?'. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Lady from Sangamon, Representative Oblinger, to explain her vote."

Oblinger: "Madam Speaker and Members of the General Assembly, as you know, I have been voting for the collective bargaining Bills. I don't understand why we need this after we passed 1442. I thought 1442 was all inclusive for public employees. And this just seems to be piling nonsense on top of good sense, and I don't see why we need this with 1442."

Speaker Breslin: "Mr. Clerk, take the record. On this Bill, there are 63 voting 'aye', 43 voting 'no', 2 voting 'present'. We have not announced the Roll Call yet, and there are people seeking recognition in order to be added to that Roll Call. Therefore, Representative Jaffe, for what purpose do you arise? Representative Jaffe wishes to be recorded as voting 'aye'. Does anyone else seek recognition? Representative Tate. Representative Tate asks leave to be recorded as voting 'aye'. Anyone else seek recognition? On this Bill, there are 65 voting 'aye',

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43 voting 'no', and two voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Special Order of Call, Subject Matter - Workers' Rights, appears House Bill 1530, Representative Stuffle. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1530, a Bill for an Act establishing rights of educational employees. Third Reading of the Bill."

Speaker Breslin: "Representative Stuffle."

Stuffle: "Yes, Madam Speaker and Members of the House, this is, of course, the comprehensive collective bargaining Bill that covers educational employees in the public sector in Illinois. And if you might bear with me for a few moments, I would indicate that the Bill includes specific election and recognition procedures, mediation and impasse procedures, as well as injunctive relief procedures that are available to employees. I would point out to you that this comprehensive Bill was put together through many weeks of effort by the Speaker, who initiated the Bill. The Speaker of the House, Mike Madigan, asked those of us who have sponsored Bills for public sector educational employee bargaining over the years to try to sit down, through his efforts, to try to negotiate and end the stalemates between the teacher groups. Representative McPike, and myself and Representative Greiman spent many weeks with the IFT and the IEA negotiating their differences. To their credit, the IFT and the IEA agreed to put aside long-standing differences, some small, some large, to put this Bill together under the leadership, as I said, of Speaker Madigan. Representative Greiman, thereafter, initiated meetings with management groups in the educational sector. The Bill comes today not as a perfect Bill, but I think it's the closest thing I've seen to it in the over twelve

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years that I've worked on this particular Bill and in the seven I've sponsored. I don't think we should make any mistake about the Bill. We live in the 20th Century, and we need to face 20th Century realities. The Bill is not capitulating to labor, but it's an effort to provide a true and systematic method of resolving impasses, of limiting strikes, not promoting them, of eliminating decades of strife in this state. No one wants strikes, no one at all. But they already occur, and we've got to attempt to deal with the situation as it exists. It is much better to have this comprehensive Bill with a procedure than the current situation where there's no real order in the state in community colleges, or colleges for a 1,009 districts. In my district alone, we would have prevented directly a strike last year with this Bill. There's no doubt about that. We would have shortened others. It's time we settle our differences across the bargaining table. It's time we settle them there, not in the streets, that we realize educational personnel ought to be and are people, are taxpayers and ought to be first-class citizens. It forces no concessions on either party, but it recognizes the need to prevent arbitrary unwillingness to negotiate and compromise by either boards or teachers. And we all know, whether we like it or not, that that already occurs. I think it's in the best interest, too, of the public, the taxpayer and the students that I think all of us want to see in the classroom, all of us want to see educated. And I think it will subject those teachers and those boards unwilling to compromise to the full light of public scrutiny, and I submit to you it's a Bill whose time came long ago, but it is more needed today than ever before. And it deserves us to put it on the Governor's desk by our first effort today with our green vote and to stop battling

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over an issue that we all know has to be resolved and ought to be resolved in this House today with a resounding 'aye' vote."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 1530; and, on that question, the Lady from DuPage, Representative Nelson."

Nelson: "Thank you very much, Madam Speaker, Members of the House. You will notice that in his introductory remarks the Sponsor of this Bill described negotiations, described how the Bill was put together, and that was done between representatives of the IEA and the IFT, labor groups exclusively. There were no management groups at that bargaining table. They were much, much later, after the final draft of the Bill had come out of the LRB, invited in for some chitchat, but that is not the same thing as being there to bargain in the first place. Most of you have seen recent newspaper articles or have read yourselves the Commission that was at the national level, the Commission on Excellence in Education's report on 'A Nation at Risk'. It spoke very critically of our high schools and talked about mediocrity in them. It came out with a number of recommendations; but, among those recommendations, there was no recommendation that any form of mandated collective bargaining would do anything to improve educational opportunities or the educational system in this country. In my opinion, granting teachers the right to strike, which is specifically lined out in this Bill, will unfortunately only further erode confidence in our educational system. I do not believe, as the Sponsor does, that it will reduce the number of strikes to have House Bill 1530 on the books in Illinois. I know from experience in my own area in District 102 how very devastating strikes can be. Everyone was left bitter - the teachers, the parents, the

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administrators and especially the kids. To tell you some more about the effect of strikes in public schools on students, staff and the school climate, I've looked up some of the more recent research that has been done and has been studied on strikes by public school teachers. And researchers have consistently concluded that students' attitudes towards teachers and school boards become negative as a result of teacher strikes. Further, students in strike districts felt that the school system had less concern for their needs, and students' perceptions of the value of education declined. In a study conducted by 'Sigmari and Sinclair', the relationship between teacher strikes and school climate, as perceived by teachers, was studied with results indicating that teachers felt, as a result of a strike, that school climate deteriorated. Trust between teachers and principals declined. Teachers had less enthusiasm for teaching. Teacher efficiency declined. Teacher satisfaction was lower, and teacher effectiveness with students was decreased. It is a false notion to believe that all teachers in this state want this particular Bill. They do not. They are being pushed and hauled into it by certain leadership of the IEA and of the IFT. Not all teachers think alike, thank God, and they do not collectively and in total support this Bill. I have other studies that show further negative impacts of strikes on students in our society, and I just don't believe that we should enact any legislation in the absence of compelling evidence that it will be beneficial to the younger citizens of our state. The real problem here and the real problem with House Bill 1530 is that it diminishes local control of education. We have in our districts local-elected school boards elected by friends and neighbors who know them and trust them to do what is best

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for their children, all of our children, and in fact to make those decisions at the local level that are reflective of local values and mores. What happens here is that we are turning over the decision-making authority to an outside party. When you talk about mandated collective bargaining with binding arbitration, that's what you have - an outside party who is neither elected school board or the teachers in that community. And then what we have, because of the way Illinois is already structured, is a system where there is no leverage on one side of the bargaining table. We spoke about this when we were debating Amendment #7 to House Bill 1530, and I said at that time that it is apparent, under this provision, that the teacher unions have all the leverage. It is impossible for them to lose, because they will always be able to make up the class time that is missed because of our law that requires a certain number of school days during the school year. In any other kind of bargaining arrangement, either in the public sector or in the private sector, those people who go on strike know that they are going to lose out, because they will lose wages for those days that they miss. Under this provision, that doesn't happen ;and therefore, there is no leverage for the school boards to use to force a reasonable agreement or to come to some reasonable kind of accommodation with both sides. It is very apparent, by comparing districts, that there are increased costs involved in mandated collective bargaining. I think that, in summary, Illinois has a system of voluntary collective bargaining, and it is working well. Eighty-five percent of all teachers are covered by a collective bargaining contract. . Ninety-eight percent of the over 1,000 Illinois school districts had no interruption in their school year last year. Teachers and students were there learning and

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sharing learning experiences. Our primary responsibility is to provide quality education to all the students of Illinois. I really don't think that we should consider legislation like this that will lead to community loss of control over expenditures, over policy and curriculum decisions that will require expenditure, at this time when we don't know if an income tax increase is going to pass or not, will require expenditure for revenues that are noneducational costs. And I would urge all of you to thoughtfully vote 'no' on House Bill 1530."

Speaker Breslin: "The Gentleman from Cook, Representative McGann."

McGann: "Madam Speaker, would the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield to a question."

McGann: "Representative Stuffle, does House Bill 1530 provide a collective bargaining provision for part-time instructors?"

Stuffle: "Yes."

McGann: "As you know, I'm a stalwart supporter of collective bargaining. We have collective bargaining in division 508 of the community college districts, which is probably one of the largest community college districts in the State of Illinois. We do not, in many areas, cover part-time instructors. I would like to read to you a paragraph of a letter from one of the colleges. 'Our budget from adult continuing education at the Daley College has been affected due to state reduction in funding. The passage of House Bill 1530 would provide fringe benefits for our numerous part-time instructors. However, providing these benefits would far exceed the revenue and funding received by our program. Our available revenue would be so depleted that many programs or courses would have to be eliminated. The passage of the Bill would not only place our program in a precarious financial position, but deprive adult students

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of further educational opportunities.' And of course, that's the purpose of the community colleges, to educate all ages. Now, I know it's too late to put an Amendment that would specifically amend out part-time instructors, but is there any assurance that you could give to me that when this Bill goes to the Senate that every effort will be made to amend out part-time instructors? Because this is a fine piece of legislation, and we have it in most of the state. And we should have it throughout the state, but you just can't open the door in this area because the State of Illinois and higher education can't afford it."

Speaker Breslin: "The Gentleman from DuPage, Representative Hoffman. Oh, excuse me. I guess that was a question, although it was very difficult..."

McGann: "It was a question and a statement, and I ask for an answer."

Stuffle: "Well, I'll be glad to give it, as long as Representative Hoffman doesn't get to answer the question. Representative McGann, I can't speak, as you already know, to the viewpoint of all the Sponsors of this Bill. Representative McPike, Representative Madigan and myself recognize that this is the key point of disagreement, if you will, if there is anyone even among those who support the Bill. I already know that that effort will be made in the Senate to amend the Bill. It's my personal belief, and I can't, again, speak for everyone nor for those who are a party to the negotiations to put the Bill together, that they would all agree with your viewpoint. I can say this, three things. Number one, that is the crucial issue before us, I think, where there's a difference. I think you will see it resolved possibly differently in the Senate because of the unique situation in the community college structure. I can give you that assurance. I know that that effort is

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going to be made. I have some concerns, too, just as you do. If you look at the other legislation we passed in the past, we used the half-time employee as the basis of granting certain rights in the community colleges. The only thing I disagree with about that letter is, clearly, it doesn't grant any benefits. You might be right that they would be negotiated for part timers; and, frankly, they probably would be. So, I share your concern. I can only give you my assurance that I think that it probably will be amended in the Senate. I know that that effort will be made in the Senate, and I, too, share your concern. And I know you support the concept in the Bills."

McGann: "Well, thank you, Representative Stuffle. The point that I want to truly make is that we're facing a reduction in force now. And if... with this one district in the State of Illinois, what it's doing to all other districts. So, every effort should be made. It's unfortunate that it was placed in the collective bargaining agreement, this item, because it should never have been. But you just can't take care of it. You've got lawyers, accountants, biologists serving other universities that come in part-time instructors in the community colleges, and then you're giving them a full collective bargaining agreement. The State of Illinois, as I stated before, not to repeat myself, just can't afford it when we're facing the reduction in force presently. So, I'd appreciate everything you can do to have this Amendment take place in the Senate."

Speaker Breslin: "The Gentleman..."

McGann: "And one final remark is, the college that we have referenced here is actually in the Speaker's district."

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

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Hoffman: "Thank you very much, Madam Speaker. In the first Section of House Bill 1530, the policy Section, it lays out and grants certain rights to educational employees and merely concludes by saying that these procedures are to provide for the protection of the rights of educational employees, the educational employee... or employer and the public. The fact of the matter is there's nothing in the policy statement that addresses the issue of the rights of the educational employer and the public. The policy statement in the Bill is directed at the rights of employees. There is nothing in this Bill which addresses the issue of managerial rights; and, if collective bargaining is, in fact, a two-sided issue, then you can't pass legislation or at least you should not pass legislation which only deals with protecting the employee side of the issue and not addressing it all, not only the rights of the people who have been employed to manage the school system, but the public in general. The last item I'd like to point out about 1530 is the fact that we have exempted 1530 from the State Mandates Act. The reason for doing that is obvious. The fact of the matter is that there is a definite fiscal impact, and the Sponsors of this legislation didn't want to be responsible for that. So, they pushed that off on the local unit of government, the school district, which has to respond... has to respond to this. Representative Nelson made some comments about reference to strikes. The fact of the matter is I think we all know that, in reality, you're not going to prevent that, and that is why I object to the making up of school days lost as a result of a strike. In the long run, students will benefit more if the people who go on strike recognize that they're going to have to pay for it. They're in a ... They're in a no-lose situation if they are

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able to make up the time that they've been out on the street. Fact of the matter is I, for one, would not bother with factfinding or arbitration. If you can't settle it through negotiations and through mediation, go out. Go on the bricks and stay out there as long as you can afford it. The fact of the matter is that students, in the long run, will... will be helped by that kind of a policy, because when people start losing 100, 150, 200 dollars a day on being out on strike, they're going to think twice about it the next time around. I've had personal experience of going through two strikes. The first one was ridiculous. The second one was ludicrous, and we have never, ever brought back the relationships on the faculty from that first strike over ten years ago. The truth of the matter is that we would be... it would be very, very unlikely after those two experiences that we will be involved in a similar situation. The fact of the matter is that the easiest way and the best way to get people to balance out their judgements and their behavior is if they have to pay for it. If they don't pay for it, they don't respect it. And this Bill doesn't make them pay for it. And for the reasons mentioned, including the last one, I rise in opposition to this piece of legislation."

Speaker Breslin: "The Gentleman from St. Clair, Representative Flinn."

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

Speaker Breslin: "The Gentleman moves the previous question. Is the previous question moved? All those in favor say 'aye', all those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the question is moved. The Gentleman from Madison, Representative McPike, to close."

McPike: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. The Lady from DuPage would have us believe that

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when you give employees and employers rights, that it leads to labor unrest and that, in fact, it leads to more strikes. This morning I read an interesting article that said that five members of solidarity in Poland had been sentenced to two years in jail for causing labor unrest. What makes the United States different from the communist world is the fact that we do indeed have free and independent trade unions. They don't exist in Poland. They don't exist in Chile. They don't exist in Cuba. They do not exist in the Soviet Union. Last year the world stood still and applauded and prayed for the success of solidarity. Somehow we think it's wonderful when workers unite and form unions in communist countries to fight for their rights, but, when we in the United States and in Illinois try to give those rights to our workers, somehow that's wrong. I saw a poster. I got it out of my office earlier. It was put out last year by the AF of L-CIO. It says very simply, 'Polish workers have told the world we want free and independent unions. Support the Polish workers. Support free unions.' I don't think that teachers are asking anything different than the steel workers in Poland are asking. We want free and independent unions. We want these unions to represent us, to fight for our wages and hours, to fight for our health benefits, to fight for our pension benefits. We have the right, in a free country, to be represented by a free trade union. That is the difference between democracy and totalitarianism. It is what sets us apart from the other side of the world. We ask you today to give to our teachers the same thing that we are praying that the Polish Government...(system malfunction)."

Speaker Breslin: "Representative Birkinbine to explain his vote."

Birkinbine: "Thank you, Mad... Thank you, Madam Speaker and

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Ladies and Gentlemen of the House. I was going to respond to Representative McGann who expressed interest in part-time employees. We have filed an Amendment, had an Amendment pending that would have taken care of the problem you had. I think it was Amendment #20. We could have taken the Bill back to Second Reading, added that and brought it back. That would have solved your problem. I was going to ask the... a question of the Parliamentarian as to whether it might be proper to ask those people who present... those Legislators, who presently have children of school age or in recent years have had children of school age who do not send their kids to public schools that would be affected by this, whether they could somehow be ruled not eligible to vote. I suspect you would have ruled no. I suppose that is really not legitimately called a conflict of interest, but perhaps more a lack of legitimate interest which perhaps might be a definition of hypocrisy for green votes on something like this for the people who apply. And lastly, I was very impressed by the last spokesman who referred to Poland and Cuba and the labor efforts there. I would remind him that Poland and Cuba and the other totalitarian states that he mentioned are right-to-work states who do not force people to join unions. Thank you."

Speaker Breslin: "The Gentleman from McLean, one minute to explain his vote, Representative Ropp."

Ropp: "Thank you, Madam Speaker and Members of the House. I did support voluntary collective bargaining a couple of years ago, because I felt that local units of government and teachers ought to have that freedom to make that choice. We have seen all kinds of Bills and all kinds of information that deal with the poor quality of education that we have in the State of Illinois. In my opinion, one

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of the fallacies that we have or one of the contributory factors is that we have attempted to legislate so much that we really have not dealt with the question of what we can do to improve the quality of education and to improve that youngster's ability to go out into the business world and get a job. This Bill does nothing toward improving the quality of education, and I urge you to vote 'no'."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 81 voting 'aye', 31 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the next Order of Business Special Order of Call under Subject Matter - Workers' Rights appears House Bill 1607, Representative Zwick. Representative Zwick. Clerk, read the Bill."

Clerk Leone: "House Bill 1607, a Bill for an Act to amend the Illinois Human Rights Act. Third Reading of the Bill."

Speaker Breslin: "Representative Zwick."

Zwick: "Thank you, Madam Speaker, Members of the General Assembly. House Bill 1607 amends the Illinois Human Rights Act, so that it would remove one of the exemptions that is currently in there. There are five exemptions, one of them is agricultural workers as is defined in the Unemployment Code. That would mean that anywhere that you employ fifteen or more agricultural workers for a period of twenty or more weeks, they would be excluded. This would simply put them back in the Act as I believe they probably originally should have been in the Human Rights Act. Agricultural labors, I think, face no fewer problems of discrimination than their fellow workers. And at this date in our history, I think, should be put back in the Act. I would ask for your favorable votes on this Bill. Thank you."

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Speaker Breslin: "The Lady has moved for passage of House Bill 1607. On that, is there any discussion? There being no discussion. The question is, 'Shall House Bill 1607 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 97 voting 'aye', 14 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Special Order of Call, Subject Matter - Workers' Rights, appears House Bill 1653, Representative Brummer. Clerk, read the Bill."

Clerk Leone: "House Bill 1653, a Bill for an Act to amend the Unemployment Insurance Act. Third Reading of the Bill."

Speaker Breslin: "Representative Brummer."

Brummer: "Thank you, Madam Speaker, Members of the Assembly. House Bill 1653 seeks to establish uniform reporting requirements as a condition of obtaining unemployment insurance. The Bill requires that each applicant for unemployment benefits certify on a form provided by the Department that he is actively... that he has actively searched for work, and to list on this form the places at which he has sought work. Both Employer Association and Organize Labor indicated their support for this Bill. It is an agreed Bill, and I will ask for your support."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 1653. And on that question, is there any discussion? The Representative from Bond, Representative Slape."

Slape: "Yes, Madam Speaker, will the Gentleman yield, please?"

Speaker Breslin: "The Gentleman will yield to a question."

Slape: "Representative Brummer, currently trade union members report to their referral hall to seek work. Is it the intent of House Bill 1653 to force these unemployed

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individuals to seek work in places other than the referral halls?"

Brummer: "This Bill is not meant to change the substance of existing law other than to require the Department to provide a uniform form upon which they certify where they have actively sought for work... sought work."

Slape: "Alright, Thank you, Sir."

Speaker Breslin: "There being no further discussion, the Gentleman from Effingham, Representative Brummer, to close."

Brummer: "I would ask for a favorable vote."

Speaker Breslin: "The question is, 'Shall House Bill 1653 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 112 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Special Order of Business of Call, Subject Matter - Workers' Rights, appears House Bill 1703, Representative Homer. Clerk, read the Bill."

Clerk Leone: "House Bill 1703, a Bill for Act to amend an Act in relationship to unemployment insurance procedure. Third Reading of the Bill."

Speaker Breslin: "Representative Homer."

Homer: "Madam Speaker and Ladies and Gentlemen, House Bill 1703 addresses itself to a very serious backlog problem that has arisen with regard to the final adjudication by the Board of Review of appeals taken from referee decisions under the Unemployment Insurance Act. The procedure is that an unemployed worker, first of all, files an application for unemployment benefits, the claims adjudicator then makes the finding. If there is an appeal, that appeal can be

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filed from the claims adjudicator's finding within thirty days to a referee. Either side, either the employer or the employee may then appeal the referee's decision to the Board of Review. The problem has arisen, in that the Board of Review has been dilatory in making a decision with regard to the referee's decision. And in fact, there is a showing that it often takes up from six months to a year just to get a transcript of the referee's decision, and that the Board of Review has often made decisions without even honoring the request for transcripts. And further, and unbelievably, there are many cases where the Board of Review determination often has taken six months to two years to just come up with a decision following the appeal taken to the Board of Review. Under this Bill as amended, the Board of Review will be required to provide a transcript within thirty-five days after the filing of an appeal to the Board of Review. And the Board of Review would be required to make a final determination on the appeal within sixty days after the appeal was filed. However, there is a provision that this can be extended for up to thirty additional days upon motion for good cause shown by either party. This Bill is designed to deal with the very serious problem of the dilatoriness of the process. And we would urge your favorable consideration."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 1703. And on that question, is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 112 voting 'aye', none voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority is hereby declared

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passed. On the Special Order of Call, Subject Matter - Workers' Rights, appears House Bill 1790, Representative McPike. Clerk, read the Bill."

Clerk Leone: "House Bill 1790, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of... Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 1790 expands the residential picketing Section of our statutes to allow for picketing of hotels, motels, nursing homes, apartment buildings, condominiums, etc. The problem arises in the... particularly, I think, in Chicago where the place of business is also a residence. The union workers may be on strike. Those union workers may be... they may be the janitors, they may be elevator operators, or what have you. And they cannot picket that particular building because it's a residence or dwelling, but it's also a workplace. So we would make... like to make clear that they should have that right under our law. I move for the passage of the Bill."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 1790. And on that question, is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker, Ladies and Gentlemen. I sympathize with the plight, because I understand that the residential picketing law allows the picketing of residences where they are also businesses, and I understand that there are some legitimate concerns in that area. But look carefully at the preamble to the Residential Picketing Act and the Criminal Code, and you will see that it is the policy of this State that no matter how worthy the cause, picketing of residences will not be allowed in the absence of their being found to be businesses as well. Now I think

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that this goes beyond a mere delineation of what constitutes businesses. I think, frankly, it serves to expand the definition of what is allowed to be picketed. If you think about a condominium or cooperative dwelling, that is not a business necessarily for profit. That is a device of shared ownership which has evolved under the law. Therefore, to allow the picketing of that is to accomplish what cannot be accomplished under current law. There is no such business as a condominium where there is a separate owner apart from the residence owners. Therefore, this would not be found to be a business under the current state of the law within meaning of the Residential Picketing Act. Therefore, condominiums become subject to our residential picketing. I believe that's in violation of the preamble to this Act. And for that reason, I am disturbed by this, and I ask for a 'no' vote."

Speaker Breslin: "The Gentleman from Cook, Representative Brookins."

Brookins: "Will the... Hello. Will the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield."

Brookins: "What would happen if, in my case, there's a funeral home, and I live over the funeral home. Would they have the right to picket my place of business and my residence?"

McPike: "Could you say that again?"

Brookins: "In my instance, I live over my place of business, and if the strike occurred, would the people picket my place of business?"

McPike: "Yes, that is allowed under current law. The current law says that it is unlawful to picket before or about the residence or dwelling of any person, except when the residence or dwelling is used as a place of business. So the situation you just described is covered under current law."

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Brookins: "Thank you."

Speaker Breslin: "The Gentleman from Cook, Representative Nash."

Nash: "Madam Chairman (sic - Speaker), a question of the Sponsor."

Speaker Breslin: "Question of the Sponsor. The Gentleman will yield."

Nash: "Representative McPike, under this legislation, if I want to visit my favorite union restaurant, and the picketers are at the... the janitors are picketing the apartments and the condominium building, and they are picketing the apartment building, it affects that business. Is that correct?"

McPike: "Are there two businesses in the same building, is that what you're saying?"

Nash: "Well say..."

McPike: "Well, I think that the pickets will make it clear that they're not picketing a separate business, and if you went and asked who they're picketing, they would tell you which business they are picketing. If that causes you a personal problem, I think that..."

Nash: "Representative McPike, if you were up to..."

McPike: "I think you could simply ask and find out who they're picketing."

Nash: "Did you ever try talking to union pickets why they're picketing an apartment building or a business in Chicago?"

McPike: "No I wouldn't do that."

Speaker Breslin: "The Gentleman..."

Nash: "Well, 15% of the restaurants... 15% of the businesses in bankruptcy are restaurants. And in Chicago, in a lot of the condominiums, you have union restaurants. And if this Bill becomes the law, it will affect those businesses, and we want to keep businesses in Illinois, not chase them a way."

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Speaker Breslin: "The Gentleman from Cook, Representative McGann."

McGann: "Thank you, Madam Speaker. Would the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield to a question."

McGann: "Mr. Leader, to follow up Representative Brookins' question, I don't feel as though the answer was quite accurate. If you have a funeral home, and you are the owner, and you're a resident of... upstairs of the funeral home, and your union decided to picket, presently, they can not picket that funeral home. But by your legislation, they would be able to. Is that correct?"

McPike: "Well, Representative, I can only read you what the current law is. And that says that it... that they may picket..."

McGann: "Just a moment, Mr. Leader. Madam Speaker, could we get some attention so that I could hear, please, the response from the Leader?"

Speaker Breslin: "Ladies and Gentlemen, the... the Sponsor cannot hear debate. Proceed, please, Representative McGann."

McPike: "He had asked me a question, Madam Speaker. Representative, current law says that you may picket a residence or dwelling if it is used as a place of business."

McGann: "Now, Mr. Leader, what does this piece of legislation do in changing that?"

McPike: "Well, it expands it by saying that it also would allow you to picket a hotel, motel, nursing home, et cetera, which is also a residence, but

nevertheless, the unionized employees that may have a labor dispute would have a right to picket that building, because it is also a business."

McGann: "Would this override home rule? Like in the City of

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Chicago, they have ordinances that prohibit the picketing of residence business where residence in the way I explained it, about a funeral home and the occupant being upstairs. Will this supercede home rule?"

Speaker Breslin: "Representative McGann, we are looking up the answer to that question. And while we do so, do you have any other questions?"

McGann: "Thank you, Madam Speaker. No, I think that once we get the resolution of his last question, I'll have everyone... everything answered."

Speaker Breslin: "Very... very good. We'll..."

McGann: "Thank you, Madam Speaker."

Speaker Breslin: "We'll come back to that. The Gentleman from Champaign, Representative Johnson."

Johnson: "Pending the ruling... response, I would move the previous question."

Speaker Breslin: "Representative McPike, in answer to Representative McGann's question."

McPike: "The answer, Representative McGann, is that criminal law applies to all Sections of the state, uniformly, to all Sections of the state and does... and has... and does not affect or is not affected by home rule."

McGann: "Thank you very much."

Speaker Breslin: "The Gentleman from Champaign, Representative Johnson, has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. The previous question is moved. The Gentleman from Madison, Representative McPike, to close."

McPike: "Thank you, Madam Speaker. This is a very straightforward Bill. I don't think there is any question about what it does. It does expand the right of unions to picket, hotels, motels, the other businesses that I have

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delineated. I'd ask for an 'aye' vote."

Speaker Breslin: "The question is, 'Shall House Bill 1790 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 37 voting 'aye', 56 voting 'no', 15 voting 'present'. This Bill, having failed to receive the Constitutional Majority, is hereby declared lost. On the Special Order of Business, under Subject Matter - Workers' Rights, appears House Bill 2035, Representative Slape. Clerk, read the Bill."

Clerk Leone: "House Bill 2035, a Bill for an Act to permit employees to review personnel records and provide criteria for the review. Third Reading of the Bill."

Speaker Breslin: "Representative Slape."

Slape: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 2035 requires employers to permit employees to review their personnel records as well as medical records. The request must be met within seven days. And if the inspection would require the employee to miss work, some other arrangements must be made. The employee is entitled to a copy, but the employer can charge a fee to cover the cost of the copying. The employee does not have the right to inspect letters of reference, test documents, other than cumulative test scores, information revealing personal information about an individual other than the employee, staff management materials or records relevant (sic - relevant) to a pending claim between the employer and employee which are recoverable in a judicial proceeding. This Act is not construed as requiring employers to keep personell records. And on this Bill, I have met with representatives from the Illinois Chamber of Commerce and the Illinois Manufacturers' Association

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concerning their concern. And I will continue to try to work out anything that would be constructive to this Bill. I will be happy to answer any questions."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 2035. And on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 2035 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 76 voting 'yes', 35 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Special Order of Business, Subject Matter - Workers' Rights, appears House Bill 2172, Representative Giorgi. Clerk, read the Bill."

Clerk Leone: "House Bill 2172, a Bill for an Act to amend an Act regarding compensation accidental injury, and death and diseases. Third Reading of the Bill."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker..."

Speaker Breslin: "House Bill 2172 is out of the record. Representative McPike, for what reason do you arise?"

McPike: "Thank you, Madam Speaker. I move to continue this Order of Business until tomorrow at the hour of 10:00 a.m."

Speaker Breslin: "The Gentleman has moved to continue this Order of Business until 10:00 a.m. tomorrow. Does the Gentleman have leave? There being no objection, the Gentleman has leave. The Gentleman from Cook, Representative Nash, for what purpose do you arise?"

Nash: "Madam Speaker, a question of the Chair."

Speaker Breslin: "Put your question."

Nash: "Are we ever going to finish Third Readings?"

Speaker Breslin: "That depends on the Membership, Representative

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Nash."

Nash: "Well, what is the schedule of the Chair? Are we ever going to finish the Bills here on Third Reading that weren't put on Special Order of Business?"

Speaker Breslin: "We're going to try to finish the Special Order of Business listed for Thursday, and we will take as many Bills as possible that are on Third Reading."

Nash: "Well, Madam Speaker, we have many Bills on Third Reading that were never even called, not even once."

Speaker Breslin: "I am well aware of that, Representative, but the Membership has chosen to discuss other Bills instead. We will move as quickly as the Membership allows. The Gentleman from DeWitt, Representative Vinson, for what purpose do you arise?"

Vinson: "Madam Speaker, Members of the House, I rise in support of the Majority Leader's Motion. I believe it will expedite business, and I think we ought to support it."

Speaker Breslin: "All those in favor say 'aye', all those opposed 'no'. The 'ayes' have it. Leave is granted. The Gentleman from Hardin, Representative Winchester, for what purpose do you arise?"

Winchester: "Thank you, Madam Speaker. Since we're sort of in a lull now, there are some of us who have Bills on Third Reading that would like to move them back to Second for the purposes of Amendment. Could we address those issues at this time?"

Speaker Breslin: "Not at this time, but we will try to get back to you. The Gentleman from Madison, Representative McPike, for what purpose do you arise?"

McPike: "Thank you, Madam Speaker. I would move to continue the Economic Recovery Special Order of Business until tomorrow at the hour of 10:30 a.m."

Speaker Breslin: "The Gentleman has moved to continue the Special

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Order of Business on economic recovery until 10:30 a.m. tomorrow. All those in favor say 'aye', all those opposed 'no', and the... On that question, the Gentleman from DeWitt, Representative Vinson. For what purpose do you arise?"

Vinson: "Madam Speaker, I rise in opposition to the Gentleman's Motion with regard to that Order of Business. I believe that Order of Business contains a single Bill. We've had plenty of time to deal with that Bill and many others by the Sponsor, and I believe that only can serve to delay other Sponsors, and to oppose upon them so that they will not have an opportunity to continue their legislation... to have their legislation heard, and I would urge a 'no' vote on that Motion."

Speaker Breslin: "Representative McPike."

McPike: "Yeah. Thank you, Madam Speaker. I withdraw that Motion."

Speaker Breslin: "The Gentleman withdraws his Motion. Therefore, the Chair will go to the Special Order of Business, Subject Matter - Economic Recovery, on page two. House Bill 1508, Representative Bullock. Clerk, read the Bill. Excuse me, 1508. The Gentleman from Livingston, Representative Ewing, for purpose do you arise?"

Ewing: "Well, Madam Speaker, I hope that all the Members on both sides of the aisle understand the special privileges given to this Member and to this Bill while their Bills have never been called. And they'll... How many times does he get to go at it?"

Speaker Breslin: "Representative Ewing, this... this Member had consented to have his Bill passed. It was your side of the aisle that insisted that it be called now. It is therefore being called now. Representative Bullock to present House Bill 1508."

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Ewing: "Mr. Speaker (sic - Madam Speaker)."

Speaker Breslin: "Representative Ewing, for what purpose do you arise?"

Ewing: "Our side of the aisle didn't block that, we only insisted that the rules be followed."

Speaker Breslin: "Therefore, they're being followed. Representative Bullock on House Bill 1508. Read the Bill."

Clerk Leone: "House Bill 1508, a Bill for an Act to amend the Illinois Banking Act. Third Reading of the Bill."

Speaker Breslin: "Representative Bullock."

Bullock: "Thank you. Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1508 is part of the Speaker's package on economic recovery. This legislation has, as its intent, to enact several provisions into the statute in our state to provide parity to state banks commensurate with national banks. And secondarily, the Bill is intended to raise the lending limits for those state banks to a level that's commensurate with the national banks. And thirdly, the legislation is intended to raise a sizable sum of capital for investments in housing development corporations not unlike what is presently being done in the State of Massachusetts. The legislation provides that state chartered banks may invest not more than 3% of banks' capitals, and surplus, and housing development corporations. The Bill also is intended to provide for an additional 10% of capital, and surplus capital to individuals... and individual lending institutions. The Amendments that were adopted are intended to address the critical subject of declining housing stock in our state, and to make certain that our financial institutions are able to compete competitively with national banks. I certainly would be delighted to answer any questions, Madam Speaker, that may arise on this

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legislation. The measure is supported by the major banking associations in this state, the Illinois Bankers Association in particular. It's a kind of measure that will make available larger loans to consumers, both business and consumers in our state. And I submit that as part of the economic recovery package, this Bill will aid the economic growth in the State of Illinois."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 1508. And on that Motion, is there any discussion? The Gentleman from Livingston, Representative Ewing."

Ewing: "Madam Speaker, Ladies and Gentlemen of the House. We are reiterating points that were made yesterday, the Sponsor has. At least he didn't say that the Commissioner of Banks was in favor of the Bill. Number one, the Commissioner of Banks does not favor this Bill in its present form. Number two, if this Bill is adopted, we could...held out a carrot for banks who are in trouble which might lead to additional trouble, and additional bank failure. Finally, the adoption of this Bill could jeopardize the FDIC insurance which many banks have. It is not a good Bill in this form. There was a form in which the Bill was acceptable and supported by the Commissioner of Banks. This is not it. I would urge a 'no' vote."

Speaker Breslin: "Is there any further discussion? There being no... The Gentleman... The Lady from DuPage, Representative Karpziel."

Karpziel: "Just two quick questions, Representative. First of all, is this... this Bill is permissive, not mandatory?"

Bullock: "Representative, the legislation that will be codified in our state will allow... It does not mandate that state banks reach that limit, so thus, it would be optional. The banks also would be allowed an added feature which they don't presently have, to utilize, if they desire, up to

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three percent of the gross surplus in capital and to individual housing corporations. With that in mind, Representative, the answer to your question is that, of course, the legislation is optional, and it is not a mandate on the banks to do anything."

Karpiel: "And one last question is, what is the position of the Illinois Bankers' Association?"

Bullock: "I indicated previously, Representative Karpiel, the major banking industries of this state support the Bill. In specific, the Illinois Bankers' Association has placed this on their priority list. They are in support of the legislation. I had meetings in my city over the weekend with the major institutions of that city. They are also in support of this legislation as amended."

Karpiel: "Thank you, that's all."

Speaker Breslin: "The Lady from Kane, Representative Zwick. No further questions? The Gentleman from DeKalb, Representative Ebbesen."

Ebbesen: "Well, yes, Madam Speaker, I'm on, you know, Financial Institutions, and I recall when this Bill was heard, and Representative Bullock, I have great

respect for you, and I recall the debate, and the understanding that I had when we supported the Bill in Committee, that we would bring this into a posture that had met with the satisfaction of the Commissioner. And I don't think we... If you would explain that. I..."

Bullock: "Well, let me respond to the Mayor's question. Representative Ebbesen, let me just briefly, for purposes of this Body, reconstruct the chronology on this Bill which has been so distorted by one of our Members that obviously has a personal problem with the Bill, and hopefully, not the Sponsor. Commissioner Harris and I met on this

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legislation, and the part of the Amendment #3 that deals with increasing the lending limits was verbatim language provided by the Banking Commissioner, and he does support that provision of the legislation. The original legislation dealt with imposing a five percent a rate for banks to use in housing construction, and the language was rather open ended. What I did, in addition to accepting the Commissioner's language on raising limits, I decreased from five percent, three percent that banks could invest in housing corporations. And I struck from the Bill the language that the Commissioner said was objectionable in terms of the definition of housing corporations. So I went at least three steps in meeting the Banking Commissioner's objections. On yesterday, I also indicated in debate, that I had had a thirty-five minute conversation with the Commissioner on the phone, and when I approached Mr. Ewing about this, he very flippantly told me that he would wait for the Commissioner to call him. And I said that I had just spoken with the Commissioner, and his position was, he supports the position of the Bill dealing with the increasing lending limits, but he does not support that part of the Bill dealing with the five percent and the housing corporation. I said that to the Representative yesterday, but he was not really interested in my remarks."

Ebbesen: "I... I appreciate that for the record. Thank you."

Speaker Breslin: "The Gentleman from St. Clair, Representative Flinn."

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

Speaker Breslin: "Before that, the Gentleman from Livingston, Representative Ewing, for what purpose do you arise?"

Ewing: "It seemed that the Sponsor of this Bill is being a little... He's saying I'm flippant. I really don't know..."

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Speaker Breslin: "For what purpose do arise, Sir?"

Ewing: "Well, he used my name in debate."

Speaker Breslin: "So, point of personal privilege."

Ewing: "That's terrible. You know that's against the rules of this House."

Speaker Breslin: "That is against the rules, Representative."

Ewing: "And I wish you'd admonished him not to do that."

Speaker Breslin: "It is against the rules, Representative. The Gentleman from... The Gentleman St. Clair has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. The Gentleman from Cook, Representative Bullock, to close."

Bullock: "Thank you, Madam Speaker. And I have been duly admonished, and I won't do it again. I'm urging the House to recognize the increased lending limits of the national banks that were passed under what was called the 'Garn St. Germane' Depository Insurance Act of 1982. The Illinois General Assembly should now increase lending limits for state banks, and further, take notice of the need for state chartered banks of Illinois to utilize increased lending powers to preserve, and maintain, and rehabilitate existing improvements to real estate within Illinois. And declare it is to be a desirable, and laudible, and effective policy in the public interest that the extended lending powers of state banks be used in that manner. Madam Speaker and Ladies and Gentlemen of the House, this measure was requested by the banking industry. It has been supported by the Speaker's task force on economic recovery. It is being supported by the major banking associations in this state. I submit to you, Ladies and Gentlemen of the House, this legislation is needed as Illinois moves on the road to

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recovery, and this is the legislation that will enable us to increase the available housing stock in our state and put people back to work. I urge an 'aye' vote."

Speaker Breslin: "The question is, 'Shall House Bill 1508 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. The Gentleman from Marion, Representative Friedrich, to explain his vote. One minute."

Friedrich: "Madam Speaker, Members of the House, the financing of housing developments is one of the most hazardous things in the whole finance industry. Now he says... The Sponsor says that the Illinois Bankers are favoring it, maybe that he is the only one that's privy to what the Illinois Bankers are for. We, in this row, got the packet the Illinois Bankers was for, and this was not one of their priority. Now maybe they just told him so he could tell us, but I thought they talked to all of us. Apparently, they don't."

Speaker Breslin: "Mr. Clerk, take the record. On this Bill, there are 73 voting 'aye', 29 voting 'no', 10 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. At this time, Ladies and Gentlemen, the Chair will go to your House Calendar Supplemental #1 for Thursday, May 26. Supplemental #1, that was passed out many hours ago. On page one, under House Bills Second Reading, appears House Bill 1199, Representative Vitek. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1199, a Bill for an Act to amend an Act to create the Illinois Horse Racing Bureau and Board. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Mr. Clerk, people have indicated that they no longer have the Supplemental Calendar. It's being passed out now. Very good. Let's proceed. Mr. Clerk, are there any Motions?"

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Clerk O'Brien: "No Committee Amendments. No Motions filed."

Speaker Breslin: "Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #1, Ropp, amends House Bill 1199
by deleting the title and so forth."

Speaker Breslin: "Representative Ropp."

Ropp: "Thank you, Mr. Speak... Madam Speaker and Members of the House. As we all well know, a number of years ago, the horse racing industry in the state was somewhat floundering, and at the wisdom of this Body, those varied horse racing directions and activities were placed within the Illinois Department of Agriculture. Since that Bill passed, the horse racing industry has continued to thrive throughout the state. There is an attempt now, and I am assisting in setting up a new group called the Illinois Horse Racing Bureau of which is 1199. And this Amendment directs that their chief responsibility will be to administer and to direct the Horse Racing Board of the State of Illinois. We have made no changes in the Board, nor have we made any changes in who will actually sit on that Board, or from what groups representing horse organizations will be appointed by the Governor of Illinois. And this is a continued attempt to provide this Board with the overseeing of the current Illinois Horse Racing Board. And I urge your favorable approval."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 1199. And on that Motion, the Gentleman from Cook, Representative Vitek."

Vitek: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I have to rise to oppose the Amendment #1, because I have to straighten out the misunderstanding of the Bill. The eight segments of the association that are mentioned in this Amendment #1 that were named in the Bill were able to recommend a selection of their choice, that the Governor

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might consider for appointment to the Board. The Governor does not have appoint anyone recommended to him by any of the associations. We named these associations merely to bring the thoroughbred, standard-bred, quarter-horse, county fair, para-mutual tracks, et cetera, together to let all those segments know that they should be represented and considered on the Board. So I hope we oppose Amendment #1 and defeat it."

Speaker Breslin: "The Lady from Cook, Representative Topinka."

Topinka: "Yes, I would... Madam Chairman and Members of the House, I would rise in support of this Amendment, if indeed, this Bill is to be salvaged at all, because I would question the Bill itself. It does make a bad Bill better, but that's about all it's got going for it."

Speaker Breslin: "There being no further discussion, the Gentleman from McLean, Representative Ropp, to close."

Ropp: "Madam Speaker, in a continuing effort to improve the horse racing industry, I urge a favorable vote on Amendment #1 to House Bill 1199."

Speaker Breslin: "The question is, 'Shall Amendment #1 to House Bill 1199 be adopted?' All those in favor say 'aye', all those opposed 'no'. The 'nos' have it, and the Amendment is lost. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. There is a request. Excuse me, Representative, I have been advised that there has been a request for a fiscal note filed. On that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I would move that the Fiscal Note Act does not apply to House Bill 1199."

Speaker Breslin: "The Gentleman has moved that a Fiscal Act note does not apply. And on the question, the Gentleman from

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McLean, Representative Ropp."

Ropp: "Madam Speaker, might I say that as the Bill is proposed, it is a substantial reduction in the amounts of money that will come into the State of Illinois. And I certainly think that a fiscal impact is involved under the Bill as is now proposed."

Speaker Breslin: "The Member has put the Motion that a Fiscal Act does not apply. All those in favor of the Motion say 'aye'. There is a request for a Roll Call. All those in favor vote 'aye', all those opposed vote 'nay'. The Gentleman from Effingham, Representative Brummer, for what purpose do you arise?"

Brummer: "Yes, an inquiry of the Chair. Is the fiscal note provision suspendable, or was the Motion that it appeared to have no fiscal impact, and a request for a ruling that this had no fiscal impact?"

Speaker Breslin: "Representative Brummer, in response to your question, the answer is that the rules provide, the Act provides, the statute provides, that any Member may move that the Act not apply, if the Sponsor believes that that is the case and that is the Motion that has been put."

Brummer: "Does the statute further delineate under what circumstances that there is no fiscal impact? Is that part of the statutory provision?"

Speaker Breslin: "No, Representative, it does not. The Motion has been made that the Fiscal Act, Fiscal Note Act does not apply, and that is the question we are voting on. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 51 voting 'aye', and 52 voting 'no'. There is a request by the Sponsor to poll the absentees. Mr. Clerk, would you poll the absentees? That is not appropriate at this time, Representative."

Clerk O'Brien: "Poll of the Absentees. Berrios, Bowman, Brummer,

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Brunsvold, Christensen, Currie, Ewing, Hutchins, Kirkland, Klemm, Koehler, Krska, Levin, Satterthwaite, and Mr. Speaker."

Speaker Breslin: "Representative Bopp, for what reason do you arise?"

Ropp: "Madam Speaker, a parliamentary inquiry."

Speaker Breslin: "Yes, Representative."

Ropp: "I just wanted to have the Parliamentarian restate his reasoning as to the fact that where there is a fiscal impact on the state, that no impact, no fiscal note is required."

Speaker Breslin: "The Parliamentarian has indicated that any Member may move that the fiscal note does not apply. That Motion has been made, and we have taken a vote on that issue."

Ropp: "Okay."

Speaker Breslin: "That is... That is a required... That is provided for in the statute."

Ropp: "Alright, in other words, what we're saying by this Motion if it is passed, that in spite of the fact that there is a fiscal impact, we don't want to know what it is."

Speaker Breslin: "Representative, you will have to draw your own conclusions. Representa... The Gentleman from Kane, Representative Klemm, for what purpose do you rise? Gentleman from McHenry, excuse me. The Gentleman from McHenry wishes to be recorded as voting 'aye'. Representative Klemm. The Gentleman from Marion, Representative Friedrich."

Friedrich: "Madam Speaker, a parliamentary inquiry. My Calendar said this is the First Legislative Day. I thought we amended Bills on the Second Legislative Day."

Speaker Breslin: "Mr. Clerk, would you explain that, please?"

Clerk O'Brien: "Yes, the Bill was taken from the table and placed

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on the... or of the Motion was to place on the Calendar on Second Reading Second Legislative Day, and the error was in the Calendar, not the Motion."

Speaker Breslin: "The Lady from St. Clair, Representative Younge, for what purpose do you arise?"

Younge: "I'd like to change my vote to 'aye'."

Speaker Breslin: "Representative Younge wishes to be recorded as voting 'aye'. Mr. Clerk, how many votes are there on this Roll Call? On this Motion to adopt Amendment #... or rather on the Motion that a fiscal note does not apply, there are 53 'ayes', and 51 'nos', with none voting 'present'. Therefore, the Motion passes. Third Reading. Now Ladies and Gentlemen, on the same Supplemental Calendar #1, on page 14, the last page of the Calendar, there appears, under the Order of Motions, Senate Bill 328, Representative Leverenz. Representative Leverenz. Clerk, read the Bill."

Clerk O'Brien: "Motion. Pursuant to Rule 33(b), I move to advance Senate Bill 328 to Second Reading without reference to Committee. Representative Leverenz."

Speaker Breslin: "Representative Leverenz on the Motion."

Leverenz: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would move that we would advance Senate Bill 328. It is a supplemental appropriation to the Illinois Legislative Council, for a supplemental for yet this year. If there are any questions, I'd be happy to explain them. I now move that the Bill be advanced. Thank you."

Speaker Breslin: "The Gentleman from DeWitt, Representative Vinson, on the Motion."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. There are reasons, I suppose, why we should consider this particular appropriation Bill in a different light from other appropriation Bills, particularly,

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appropriation Bills in the Sponsor's Committee. However, I would rise in support of the Motion because it is necessary, as I understand it, for the printing of Bills. And even though the Sponsor of the Motion does not seem to understand the need for other appropriation Bills to be passed around here, I do support the Motion."

Speaker Breslin: "The Gentleman from Morgan, Representative Reilly."

Reilly: "There's... There's nothing more to add. It's a good Motion. Despite the objections we had before, should be passed."

Speaker Breslin: "The Motion is to move to advance to Second Reading, Senate Bill 328. All the those in favor say 'aye'. Excuse me, we have to have a Roll Call. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Clerk, take the record. On this Motion, there are 107 voting 'aye', and none voting 'no', and the Motion passes. Ladies and Gentlemen... Representative Yourell, for what purpose do you arise?"

Yourell: "Yes, thank you, Mr. Speaker... Madam Speaker. I have a Bill on the Calendar that most of the Members are interested in, and I've had many inquiries the last two days as to how we're going to get to that Bill. The Bill provides a five thousand dollar increase for all district office expense. And so that all the Members know that I'm not holding back the Bill, I want to know how to get there in the quickest possible time."

Speaker Breslin: "Representative, we will do that if at all possible. It is up to the Membership how fast we move here. Ladies and Gentlemen, on your regular Calendar, page two, House Bills Second Reading appears House Bill 207. Page two, on the Order of Second Reading House Bill 207. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 207, a Bill for an Act to revise the law in relation to public assistance and repeal an Act herein named. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Breslin: "Are there any further Amendments?"

Clerk O'Brien: "No Motions. Floor Amendment #3, Currie - Giorgi."

Speaker Breslin: "Representative Currie on Amendment #3."

Currie: "Leave to withdraw Amendments 3 and 4, please."

Speaker Breslin: "The Lady asks for leave to withdraw Amendment #3 and 4. Does she have leave? Leave is granted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Ladies and Gentlemen, the Chair will now go to the Special Order of Business, designated for 5:00 p.m. today. On page two, State and Local Government Administration, House Bill 821. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 821..."

Speaker Breslin: "Representative Terzich."

Clerk O'Brien: "A Bill for an Act... A Bill for an Act to amend Sections of an Act to create Sanitary Districts. Third Reading of the Bill."

Speaker Breslin: "Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 821 is a simple Bill. What it does is, it increases from five thousand to ten thousand the maximum amount of contracts or purchase orders which does not require advertising and public bidding. The last time this was amended was back in 1977. During that time inflation has increased quite substantially. This puts the district in the same posture as the City of Chicago which has a no bid up to ten thousand dollars. And I would urge your

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support."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 821. And on that Motion, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We've manage to consign this Bill previously to the trash heap. It ought to be left there. I rise in opposition to it. It is an unnecessary complication of the competitive bidding process. And I would urge a 'no' vote on the Bill."

Speaker Breslin: "Is there any further discussion? There being no further discussion, the Gentleman from Cook, Representative Terzich, to close."

Terzich: "Yes, again, this I think, is a very equitable thing. At least in the last previous time that there wasn't any opposition to the Bill. But fortunately, that... at least someone has spoken up. But the five thousand dollar amount is a minimal amount. Like I say, it brings it in line with the City of Chicago. We're talking about the largest district in the United States. In addition that we did support and pass out emergency legislation for any downstate sanitary district up to \$40,000, which is about 50% more than the City of Chicago. And I'd appreciate your support."

Speaker Breslin: "The question is, 'Shall House Bill 821 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Bill, there are 52 voting 'aye', 52 voting 'no', and 5 voting 'present'. Representative Terzich."

Terzich: "Yes, I would appreciate the Poll of the Absentees and some brave hearts, and I only need 8 votes."

Speaker Breslin: "The Gentleman requests a Poll of the Absentees."

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Please poll the absentees, Representative... Mr. Clerk.
The Gentleman from DeWitt, Representative Vinson, for what
purpose do you arise?"

Vinson: "For two points, Madam Speaker. Should this get the
requisite of number of votes, I would request a
verification. Point number two, I think that you ought to
follow the pattern of the Speaker, who has, on occasion,
late hours in the day, directed Members to vote their own
switches and ensure that people who are not here are not
voted. And I would urge that you do that. And finally, I
will make the point that this Bill is on Postponed
Consideration, and that this is the end of it."

Speaker Breslin: "Your point is very well taken. Ladies and
Gentlemen, please vote only your own switches. We're
trying to do as much business as possible before 7:30.
Your cooperation is absolutely necessary. The Gentleman
from Madison, Representative Wolf, for what purpose do you
arise?"

Wolf: "Change my vote to 'aye', Madam Speaker."

Speaker Breslin: "Change Representative Wolf's vote from
'present' to 'aye'. Representative Tuerk, for what purpose
do you arise?"

Tuerk: "How am I recorded, please?"

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

Tuerk: "Vote me 'no'."

Speaker Breslin: "Please record the Representative as voting
'no'. And now we will precede with the vote... Poll of
the Absentees."

Speaker Breslin: "Poll of the Absentees. Brunsvold, Christensen,
Hutchins, Koehler, Rice, Stuffle."

Speaker Breslin: "...Rice votes... Rice votes 'aye'.
Representative Homer, for what reason do you arise?"

Homer: "Madam Speaker, will you please change my vote to 'aye'?"

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Speaker Breslin: "Representative Homer requests leave to change his vote to 'aye'."

Clerk O'Brien: "Continuing the Poll of the Absentees. Stuffle, Taylor, and Mr. Speaker."

Speaker Breslin: "Representative Stuffle requests leave to be voted 'aye'. Mr. Clerk, how many votes does this Bill have? Ladies and Gentlemen, this Bill has 56 'ayes', 52 'nos', and 4 voting 'present'. This Bill, having failed to received the Constitutional Majority, is hereby declared lost. On the Special Order of Call, Subject Matter - State and Local Government Administration, appears House Bill 1666. Representative Davis."

Davis: "Well, thank you, Madam Speaker... Speaker. House Bill 1666 was amended on Second Reading..."

Speaker Breslin: "Excuse me. Excuse me, Representative, the Bill has not been read. Rep... Mr. Clerk, read the Bill, please."

Clerk O'Brien: "House Bill 1666, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Davis."

Davis: "Thank you, Madam Speaker and Members of the House. House Bill 1666, as I started to say, was amended on Second Reading to remove from the Charitable Vehicle License Plate Act first division vehicles which constitutes all automobiles and station wagons. We all know what the abuses are of charitable vehicle plates. We all see them driving around the highways and byways of Illinois. At current... At current license plate registration, there are 527 Cadillacs, 147 Lincolns, 18 Mercedes, and one Bolls Royce driving around with eight dollar plates. The people of Illinois don't want this abuse to go on any longer. I don't want it, and I don't think you do. And I'd

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recommend the passage of House Bill 1666."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 1666. And on that Motion, is there any discussion? There being no discussion, the question is, 'Shall House Bill 1666 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 99 voting 'aye', 4 voting 'no', 4 voting 'present'. Representative Kirkland desires to be voted 'aye'. As a consequent, there are 100 voting 'aye', 4 voting 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Leverenz, for what purpose do you arise? Excuse me. On the Special Order of Business, Subject Matter - State and Local Government Administration, Representative Cullerton for a Motion."

Cullerton: "Thank you, Madam Speaker. I would move that we continue this Order of Business till tomorrow at 9:30 a.m."

Speaker Breslin: "The Gentleman has moved to continue this Order of Business until tomorrow morning at 9:30 a.m. All those in favor say 'aye', all those opposed 'no'. The 'ayes' have it. The Motion is adopted. Representative Leverenz, for what purpose do you arise?"

Leverenz: "I'd ask that the Chair consider taking 328, the Senate Bill, from Second to Third."

Speaker Breslin: "The Gentleman moves to suspend the appropriate rule to move Senate Bill 328 from Second to Third. On that Motion, is there any discussion? The Gentleman from DeWitt, Representative Vinson."

Vinson: "Madam Speaker, I understand the need to deal expeditiously with Senate Bill 328. I've been told for several years from former Representative Telcser that the one thing you can't do is avoid reading a Bill in this

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chamber for three days."

Speaker Breslin: "You are correct, Representative Vinson. We will read the Bill a second time. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 328, a Bill for an Act to make supplemental appropriations to the Legislative Council. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Very good. This Bill, having been read a Second time, will remain on Second Reading and may legally be passed tomorrow, if and when called. And now, Representative McPike for the purposes of a Motion. The Chair will now go to the Order of the Consent Calendar. Mr. Clerk."

Clerk O'Brien: "Consent Calendar, Third Reading, Third Day. These Bills have been read a third time previously. The following Bills have been removed from the Consent Calendar: House Bill 1454, House Bill 2144 and House Bill 2249."

Speaker Breslin: "The Gentleman from Lake, Representative Pierce. Does not seek recognition. Excuse me. Would you repeat those numbers, Mr. Clerk?"

Clerk O'Brien: "Bills removed from the Consent Calendar are 1454, 2144, and 2249."

Speaker Breslin: "The question is, 'Shall these Bills pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? This is the Consent Calendar. Have all voted who wish? The Clerk will take the record. On this Motion, there are 108 voting 'aye', and none voting 'no', and none voting 'present', and these Bills are hereby declared passed. And now the Gentleman from DeWitt, Representative Vinson, for what purpose do you arise?"

Vinson: "Madam Speaker, Representative Giorgi had a particular

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problem, and I wonder if that's been cured."

Speaker Breslin: "Representative Giorgi, do you seek recognition?"

Giorgi: "I have an Agreed Amendment here with the Republican Leadership, and Republican staff, House Leadership, House staff, on one Bill that affects Rockford. Giorgi - Hallock are the Sponsors. Do you want to reconsider the vote on one Bill, so would need leave of the House to return to Second for a moment. It's an... It's an Agreed..."

Speaker Breslin: "What is the number of the Bill?"

Giorgi: "2182."

Speaker Breslin: "2182. The Gentleman moves to reconsider the vote by which this Bill was declared passed. And on that Motion, Representative Matijevich."

Matijevich: "My seatmate never makes a mistake, but did I hear you say we passed the Consent Calendar? Well that Bill has already passed. I would suggest he do that in the Senate. He wants to reconsider? Oh. Okay. If it's in the... It's in the control of the House, he can do it."

Speaker Breslin: "Yes. And he... We are reconsidering only House Bill 2182. Does the Gentleman have leave to use the Attendance Roll Call to reconsider the vote by which this Bill passed? The Gentleman has leave. Representative Giorgi."

Giorgi: "Mr. Speaker (sic - Madam Speaker), would... I want leave of the House to move it back to Second for the purpose of an Amendment. It's Amendment #4. Do I have leave to do that?"

Speaker Breslin: "Does the Gentleman have leave? The Gentleman has leave."

Giorgi: "It's a Giorgi - Hallock Amendment. What it does is, it allows Rockford to sell..."

Speaker Breslin: "Excuse me, we have to read the Bill, please."

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Clerk O'Brien: "House Bill 2182. This Bill has been read a second time previously. Amendment #4, Giorgi - Hallock."

Speaker Breslin: "Representative Giorgi."

Giorgi: "This Bill is written solely for Rockford, in that it allows Rockford to sell bonds for thirty years rather than fifteen years, because it lost its home rule powers. And also allows the city, after an ordinance in that municipality. And I urge the support of the Amendment. It's Agreed."

Speaker Breslin: "The Gentleman from Winnebago, Representative Hallock."

Hallock: "I would just like to say that this is something that's requested by our city. It's a harmless Amendment, doesn't affect anybody else. And I would ask for your support."

Speaker Breslin: "Does the Gentleman have leave to have this Bill reconsidered or heard on the Consent Calendar? Oh, that's right, we have to adopt the Amendment first. Excuse me. All those in favor of the Amendment #4 say 'aye', all those opposed 'no'. The 'ayes' have it. The Amendment is adopted. Now, Third Reading. Does the Gentleman have leave to have this matter returned to the Consent Calendar? The Gentleman has leave. Now, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Gentleman from Lake, Representative Matijeich, to explain his vote."

Matijeich: "I'd like to explain my vote. Zeke Giorgi is the only guy can pass a Bill twice in one day."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 106 voting 'aye', 2 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Vinson has filed a Motion. Mr. Clerk, please read the Motion."

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Clerk O'Brien: "A Motion to suspend Rule 9(F) to read: Any Bill removed from the Consent Calendar shall stand on the Order of Third Reading on the Short Debate Calendar for all Bills removed from the Consent Calendar on Thursday, May 26th and Friday, May 27, 1983. Representative Vinson."

Speaker Breslin: "Mr. Vinson on the Motion."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. With this deadline situation and with Rule 9(F) reading as it does, we would be in a position where Sponsors who had Bills on the Consent Calendar which appeared to have absolutely no controversy surrounding them and which only a few Members may object to and may take off the Consent Calendar, would have their Bills effectively defeated by those few people. By adopting this Motion, we preserve those Bills. We put them on Third Reading, so the Sponsor can still have a legitimate opportunity to pass their Bill, and I would move for the adoption of the Motion."

Speaker Breslin: "The question is, 'Shall we approve the Motion?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. Is there leave to use the Attendance Roll Call on this Motion, since we need a Roll Call? Leave being granted, the Motion is adopted. Representative McPike, for what purpose do you arise?"

McPike: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. We are now in the same posture that we were last night. We can stay here for another hour and wait for the printing of a Supplemental Calendar, or we can adjourn and have a...a Consent Calendar on our desks tomorrow with the Bills appearing on Consent Calendar, Third Reading, Second Legislative Day. The Bills will not be called in the morning, and again you...all the Members will have ample

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time to look at the list, to knock any Bills they desire off of the Consent Calendar. So at this time, I move to suspend the appropriate rules, so that the Consent Calendar that Leadership from both sides has tried to put together this afternoon, will appear tomorrow on the Order of Consent Calendar, Third Reading, Second Legislative Day."

Speaker Breslin: "On that Motion, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Madam Speaker. I rise in support of the Gentleman's Motion. It provides every Member with a full opportunity to review the Calendar, to knock off those Bills which they wish to knock off, and at the same time, it presents an opportunity for us to move expeditiously on Members' Bills."

Speaker Breslin: "The Gentleman from Kendall, Representative Hastert, on the Motion."

Hastert: "May I ask the Sponsor of the Motion a question?"

Speaker Breslin: "The Gentleman will yield to a question."

Hastert: "Would...if we waited for another hour today, what would be the Order of Business? Would we proceed on Third Readings?"

McPike: "Yes, we would continue on Third Reading as we were on this morning."

Speaker Breslin: "Is there leave to use the Attendance Roll Call on Representative McPike's Motion? Leave being granted, the Motion is adopted. For what purpose does the Gentleman from Macoupin, Representative Hannig arise? He has decided not to arise. Agreed Resolutions."

Clerk O'Brien: "House Joint Resolution 46, Ebbesen; House Joint Resolution 47, Ebbesen; House Resolution 315, Topinka - et al; 316, Richmond - Rea - Panayotovich; 317, Brookins; 318, Harris; 319, Harris; 320, Hensel; 321, Topinka; 322, Daniels; and 323, Harris."

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Speaker Breslin: "Representative Matijeovich."

Matijeovich: "Madam Speaker, House Joint Resolution 46, proclaims June 12 through 18, Respiratory Therapy Week; House Joint Resolution 47, renames DuPage County... DuPate County for 'Pate' Philip; Topinka on House Resolution 315, asks congress to investigate genetic... health and genetic complaints of veterans; House Resolution 316, Richmond, congratulates Richard 'Itchy' Jones on his five hundredth coaching victory; 317, Brookins, commends Mr. Knox on thirty-three years in postal service; 318, Harris, congratulates an Eagle Scout; 319, Harris, congratulates an Eagle Scout; 320, Hensel, congratulates Donald Scheib; 321, Topinka, congratulates the Suburban Times on its fiftieth anniversary; 322, Daniels, extend wishes to the West Town's Chorus; and 323, Harris, congratulates an Eagle Scout. I move for the adoption of the Agreed Resolutions. One moment, Madam Speaker. Remove House Joint Resolution 47 from that list. House Joint Resolution 47, remove that from the list, and I move the adoption of the other Agreed Resolutions."

Speaker Breslin: "The Gentleman has moved for the adoption of the Agreed Resolutions. All those in favor say 'aye', all those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Resolutions are adopted. Representative McPike for the Adjournment Resolution."

McPike: "Thank you, Madam Speaker. Allowing the Clerk one half hour for Perfunctory Session, I move the House stands adjourned until tomorrow at the hour of 9:00 a.m."

Speaker Breslin: "Allowing sufficient time for the Clerk to do his... one half hour for the Clerk to do his business, we move to adjourn until 9:00 a.m. tomorrow morning. All those in favor say 'aye', all those opposed say 'nay', and the opinion of the Chair, the 'ayes' have it, and we are

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adjourned."

Clerk O'Brien: "Messages from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate has passed the following Bills of the following titles, and passage of which I am instructed to ask concurrence of the House of Representatives to wit: Senate Bills #42, 62, 84, 97, 123, 147, 188, 297, 302, 303, 306, 310, 313, 322, 325, 327, 329, 346, 353, 356, 363, 372, 403, 404, 409, 411, 412, 428, 431, 433, 434, 435, 436, 440, 457, 459, 467, 468, 477, 478, 479, 482, 487, 488, 496, 506, 511, 512, 515, 516, 523, 524, 526, 544, 545, 546, 547, 550, 557, 571, 581, 586, 587, 597, 598, 600, 603, 613, 623, 624, 628, 638, 643, 648, 649, 652, 653, 655, 656, 671, 675, 690, 696, 697, 699, 706, 709, 716, 717, 721, 727, 733, 739, 745, 757, 738, 740, 751, 761, 766, 768, 774, 776, 786, 787, 792, 800, 789, 821, 824, 827, 831, 832, 822, 852, 866, 876, 886, 891, 902, 762, 772, 773, 775, 779, 788, 791, 794, 795, 796, 797, 803, 805, 806, 808, 809, 811, 812, 814, 815, 816, 817, 820, 833, 834, 835, 836, 838, 847, 849, 850, 851, 854, 859, 860, 862, 863, 864, 873, 879, 881, 904, 926, 932, 807, 933, 934, 938, 942, 946, 948, 955, 966, 940, 982, 983, 972, 973, 996, 999, 1000, 101... 1001, 1002, 1003, 1004, 1005, 1006, 1008, 1011, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1022, 882, 883, 887, 895, 896, 899, 903, 906, 910, 912, 913, 915, 917, 1919, 923, 924, 927, 928, 929, 931, 936, 937, 941, 943, 945, 947, 949, 950, 952, 953, 958, 961, 974, 975, 981, 986, 987, 990, 991, 995, 1009, 1010, 1013, 1025, 1026, 1030, 1031, 1032, 1034, 1036, 1037, 1039, 1047, 1048, 1052, 1056, 1057, 1058, 1059, 1061, 1064, 1069, 1072, 1073, 1074, 1078, 1079, 1088, 1091, 1093, 1097, 1104, 1109, 1111, 1114, 1116, 1117, 1118, 1121, 1124, 1132, 1133, 1143, 1145, 1150, 1153, 1173, 1176, 1188, 1192, 1196, 1197, 1211, 1218, 1226, 1232, 1233, 1238, 1239, 1241, 1244,

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1254, 1268, 1269, 1270, 1272, 1274, 1276, 1279, 1306, 1310, 1313, 1317, 1318, 1328, 1333, 1334, 1354, 9... 951, and 1021, passed by the Senate May 26, 1983. Kenneth Wright, Secretary."

Clerk Leone: "Introduction and First Reading of Senate Bills. Senate Bill 216, O'Connell, a Bill for an Act relating to interest in real estate. First Reading of the Bill. Senate Bill 39, Yourell - Steczo, a Bill for an Act to amend an Act in relationship to certain property possessed by law enforcement agencies. First Reading of the Bill. Senate Bill 182, Richmond, a Bill for an Act to amend the Humane Care for Animals Act. First Reading of the Bill. Senate Bill 212, Deuchler, a Bill for an Act to revise the law in relationship to recorders. First Reading of the Bill. Senate Bill 214, Yourell, a Bill for an Act in relationship to certain debts owed to the state by several counties thereof. First Reading of the Bill. Bill 415, Stuffle, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 416, Wolf, a Bill for an Act relating to certain compacts between the States of Missouri and Illinois. First Reading of the Bill. Senate Bill 507, Saltsman, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 514, Steczo, a Bill for an Act to amend the Illinois Controlled Substances Act. First Reading of the Bill. Senate Bill 568, Saltsman, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 569, Matijevich, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 618, Hensel, a Bill for an Act in relationship to certain pensions and retirement rights of parties to dissolution of marriage proceedings. First Reading of the Bill. Senate Bill 619, McCracken, a Bill for an Act to amend the Code of Criminal

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Procedure. First Reading of the Bill. Senate Bill 637, Terzich, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 668, Hicks, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 669, Brunsvold... Brunsvold, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 673, Mautino, a Bill for an Act to amend the Illinois Horse Racing Act. First Reading of the Bill. Senate Bill 676, Terzich, a Bill for an Act to amend an Act in relationship to financial administration of the State of Illinois. First Reading of the Bill. Senate Bill 678, Laurino - Yourell, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 680, Yourell - Olson, a Bill for an Act making appropriations to the State Board of Elections. First Reading of the Bill. Senate Bill 681, Yourell - Olson, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 682, Terzich - Nash, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 705, Churchill, a Bill for an Act to amend the Park District Code. First Reading of the Bill. Senate Bill 713, Satterthwaite - Johnson, a Bill for an Act to authorize the University of Illinois - Southern Illinois University to acquire, operate, and manage technical and industrial parks. First Reading of the Bill. Senate Bill 714, Satterthwaite, a Bill for an Act making appropriation to the Board of Trustees of the University of Illinois. First Reading of the Bill. Senate Bill 715, Satterthwaite, a Bill for an Act making an appropriation to the Board of Trustees of the University of Illinois. First Reading of the Bill. Senate Bill 719, Preston, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 729, Matijevich, a Bill for an Act

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making appropriation to the State Board of Education. First Reading of the Bill. Senate Bill 780, Cullerton - Domico, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 40... correction, Senate Bill 62, Didrickson, a Bill for an Act relating to the use of Dental Examinations and Dental Records for purposes of identification and amending certain Acts herein named. First Reading of the Bill. Senate Bill 84, Brummer, a Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. Senate Bill 97, Brummer, a Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. Senate Bill 123, Matijevich - Barnes, a Bill for an Act in relationship to cancer treatments. First Reading of the Bill. Senate Bill 147, Bullock - Brummer, a Bill for an Act relating to the imposition of sentences in criminal cases. First Reading of the Bill. Senate Bill 188, Capparelli, a Bill for an Act to amend Sections of the Illinois Governmental Ethics Act. First Reading of the Bill. Senate Bill 297, Bowman, a Bill for an Act to amend Sections of the Illi... Illinois Purchasing Act. First Reading of the Bill. Senate Bill 302, Nash, a Bill for an Act to add Sections to an Act in relationship to state finance concerning the expenditures of federal funds. First Reading of the Bill. Senate Bill 306, Keane, a Bill for an Act to amend Sections of the Northeastern Illinois Planning Act. First Reading of the Bill. Senate Bill 322, Cullerton, a Bill for an Act amending Sections of the Criminal Code. First Reading of the Bill. Senate Bill 325, Rea - Hannig, a Bill for an Act to amend Sections of an Act concerning public utilities. First Reading of the Bill. Senate Bill 327, Nash, a Bill for an Act to amend Sections of the Illinois Credit Union Act. First Reading of the Bill. Senate Bill 346, Hannig -

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Slape, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. Senate Bill 353, Kulas, a Bill for an Act to amend Sections of the Dental Practice Act. First Reading of the Bill. Senate Bill 356, Jaffe, a Bill for an Act to amend Sections of the Crime Victims Compensation Act. First Reading of the Bill. Senate Bill 363, Keane, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 372, Jaffe, a Bill for an Act to amend Sections of the Crime Victims Compensation Act. First Reading of the Bill. Senate Bill 403, correction, Senate Bill 404, Panayotovich, a Bill for an Act to amend Sections of the Dental Practice Act. First Reading of the Bill. Senate Bill 409, Yourell, a Bill for an Act relating to library systems and amending Act herein named. First Reading of the Bill. Senate Bill 411, Nash, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 412, Nash, a Bill for an Act to amend Sections of the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 428, Cullerton, a Bill for an Act to amend Sections of the Code of Criminal Procedure. First Reading of the Bill. Senate Bill 433, Cullerton, a Bill for an Act in relationship to condominiums. First Reading of the Bill. Senate Bill 434, Levin - Karpiel, a Bill for an Act to amend Sections of the Condominium Property Act. First Reading of the Bill. Senate Bill 435, Jaffe, a Bill for an Act to amend Sections of the Crime Victims Compensation Act. First Reading of the Bill. Senate Bill 437, Levin - Karpiel, a Bill for an Act in relationship to condominiums. First Reading of the Bill. Senate Bill 440, McCracken - Alexander, a Bill for an Act to amend Sections of the Abused and Neglected Child Reporting Act. First Reading of the Bill. Senate Bill 457, Nash, a Bill for an Act to

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amend Sections of the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 440, McCracken - Alexander, a Bill for an Act to amend Sections of the Abused and Neglected Child Reporting Act. First Reading of the Bill."

Clerk O'Brien: "Senate Bill 459, Nash, a Bill for an Act to authorize governing bodies of counties and municipalities to appropriate funds to private nonprofit organizations. First Reading of the Bill. Senate Bill 467, Wolf - Neff, a Bill for an Act to amend the Illinois Hazardous Material Transportation Act. First Reading of the Bill. Senate Bill 468, Hawkinson - Wolf, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 482, Satterthwaite, a Bill for an Act to amend the Boiler and Pressure Vessel Safety Act. First Reading of the Bill. Senate Bill 488, Cullerton - Domico, a Bill for an Act in relation to Public Insurance and Fire Damage Adjusters. First Reading of the Bill. Senate Bill 496, Hoffman, a Bill for an Act in relation to financial support of certain children. First Reading of the Bill. Senate Bill 511, Mautino, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 523, Levin - Karpiel, a Bill for an Act to amend the Condominium Property Act. First Reading of the Bill. Senate Bill 544, Keane - Dwight Friedrich, a Bill for an Act to amend an Act in relation to internal auditing in State Government. First Reading of the Bill. Senate Bill 545, Neff - Leverenz, a Bill for an Act to amend an Act to prevent fraudulent and corrupt practices in making and accepting of official appointments and contracts by public official... by public officers. First Reading of the Bill. Senate Bill 546, Davis, a Bill for an Act in relation to criminal identification and investigation. First Reading of the

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Bill. Senate Bill 547, Dwight Friedrich - Keane, a Bill for an Act to amend the Illinois Industrial Development Authority Act. First Reading of the Bill. Senate Bill 557, Nash, a Bill for an Act in relation to the compensation of Members of the General Assembly. First Reading of the Bill. Senate Bill 571, Karpiel, a Bill for an Act authorizing counties to publish and maintain a code or ordinance in regulations. First Reading of the Bill. Senate Bill 581, McCracken, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. Senate Bill 587, Hicks - McPike, a Bill for an Act to prohibit harassment of hunters, trappers, and fishermen. First Reading of the Bill. Senate Bill 597, Satterthwaite, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 598, Jaffe, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. Senate Bill 600, Preston, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 613, Berrios - Levin, a Bill for an Act to amend the Illinois Human Rights Act. First Reading of the Bill. Senate Bill 623, McCracken, a Bill for an Act to amend the Workers' Compensation Act. First Reading of the Bill. Senate Bill 638, Giglio, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 648, McAuliffe - Matijevich, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 655, Richmond, a Bill for an Act relating to animals creating an Illinois Beef Promotion Consumer Marketing. First Reading of the Bill. Senate Bill 656, Brunsvold - Nash, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 651, Levin - Karpiel, a Bill for an Act to amend the Condominium Property Act. First Reading of the Bill. That

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was 671. Senate Bill 675, Terzich, a Bill for an Act to amend the State Salary and Annuity Withholding Act. First Reading of the Bill. Senate Bill 696, Hawkinson - Homer, a Bill for an Act to amend an Act in relation to defendants unfit to stand trial. First Reading of the Bill. Senate Bill 706, Oblinger, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 709, Hensel - Kirkland, a Bill for an Act to amend the Humane Care of Animals Act. First Reading of the Bill. Senate Bill 716, Satterthwaite, a Bill for an Act in relation to payments to custodial accounts for the benefit of employers... employees, rather, of public institutions of higher education. First Reading of the Bill. Senate Bill 721, Pierce - Matijevich, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 733, Ronan, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 757, Hoffman, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 738, McPike - Daniels, a Bill for an Act to revise the law in relation to definition, registration, regulation of real estate brokers, real estate associate brokers, real estate salespersons. First Reading of the Bill. Senate Bill 761, Braun, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 766, Bowman - McPike, a Bill for an Act making an appropriation for the Guardianship and Advocacy Commission. First Reading of the Bill. Senate Bill 776, Cullerton, a Bill for an Act in relation to deferral of payments of real estate taxes by persons 65 years of age or over. First Reading of the Bill. Senate Bill 786, Van Dwyne - Mautino, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 787, Braun, a

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Bill for an Act to amend an Act relating to the deduction from salaries or wages of state officers and employees. First Reading of the Bill. Senate Bill 792, Ronan, a Bill for an Act relating to private security agents and private security agencies. First Reading of the Bill. Senate Bill 800, Richmond, a Bill for an Act to authorize the establishment of the Illinois Grain Insurance Program. First Reading of the Bill. Senate Bill 824, Keane, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 831, Keane, a Bill for an Act to amend an Act in relation to the simultaneous tenure of certain public offices. First Reading of the Bill. Senate Bill 902, Terzich, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 773, Yourell, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 775, Matijevich - Bowman, a Bill for an Act in relation to the transfer of monies from the General Revenue Fund to certain debt service funds in the state treasury. First Reading of the Bill. Senate Bill 779, Yourell, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 788, Nelson, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 794, Ebbesen, a Bill for an Act to authorize lay persons to administer injunctions (sic - injections) to victims of severe reaction to the insect stings or bites. First Reading of the Bill. Senate Bill 795, Terzich, a Bill for an Act to amend the Illinois Notary Public Act. First Reading of the Bill. Senate Bill 796, Steczo - Cullerton, a Bill for an Act in... to revise the law in relation to plats. First Reading of the Bill. Senate Bill 797, Wash, a Bill for an Act to amend the Illinois Physical Therapy License Act. First Reading of the Bill. Senate Bill 806, Kirkland, a Bill for an Act to

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amend the Illinois Vehicle Code. First Reading of the Bill."

Clerk Leone: "Senate Bill 820, Kulas, a Bill for an Act to amend Sections of the Unified Code of Corrections. First Reading of the Bill. Senate Bill 833, McGann, a Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. Senate Bill 834, a Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. Senate Bill 835, McGann, a Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. Senate Bill 836, McGann, a Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. Senate Bill 838, Steczo, a Bill for an Act concerning public utilities. First Reading of the Bill. Senate Bill 849, Keane, a Bill for an Act to amend Sections of the Open Meetings Act. Senate Bill 850, Oblinger, a Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. Senate Bill 854, Currie, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. Senate Bill 859, Bullock, a Bill for an Act to amend Sections of the Revenue Act. First Reading of the Bill. Senate Bill 860, McCracken, a Bill for an Act to amend Sections of the Code of Criminal Procedure. First Reading of the Bill. Senate Bill 863, Yourell, a Bill for an Act to amend the Illinois Library Systems Act. First Reading of the Bill. Senate Bill 864, Yourell, a Bill for an Act to amend the law in relationship to libraries. First Reading of the Bill. Senate Bill 881, Stuffle, a Bill for an Act to amend Sections of the Uniform... Uniform Commercial Code. First Reading of the Bill. Senate Bill 926, Terzich, a Bill for an Act in relationship to tax on replacement vehicles. First Reading of the Bill. Senate Bill 938, Madigan - Preston, a Bill for an Act relating to

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public financing of gubernatorial campaigns. First Reading of the Bill. Senate Bill 942, Currie - Preston, correction, Senate Bill 942, Currie - William Peterson, a Bill for an Act to amend... to create an Illinois Corporation for Science and Technology. First Reading of the Bill. Senate Bill 840, Taylor, a Bill for an Act to add Sections to the Illinois Insurance Code. First Reading of the Bill. Senate Bill 982, Bullock - McPike, a Bill for an Act to amend Sections of an Act relating to wages of laborers, mechanics, and other workers employed in any public work by the state, county, city, or public body, or any political subdivision, or by anyone under contract for public works. First Reading of the Bill. Senate Bill 983, Terzich, a Bill for an Act to provide for the licensing of registered occupational therapists and certified occupational therapists' assistants. First Reading of the Bill. Senate Bill 973, Reilly, a Bill for an Act to amend Sections of the School Code. First Reading of the Bill. Senate Bill 996, Ronan, a Bill for an Act to amend Sections of the Criminal Code. First Reading of the Bill. Senate Bill 1000, Madigan, a Bill for an Act to create Prairie State 2000 Fund. First Reading of the Bill. Senate Bill 1001, Rhem, a Bill for an Act to create the Illinois Job Training Coordinating Council. First Reading of the Bill. Senate Bill 1019, Rice, a Bill for an Act making appropriations to the Department of Commerce and Community Affairs. First Reading of the Bill. Senate Bill 1020, Panayotovich, a Bill for an Act to amend Sections of an Act concerning public utilities. First Reading of the Bill. Senate Bill 882, Stuffle, a Bill for an Act to amend Sections of the Code of Civil Procedure. First Reading of the Bill. Senate Bill 883, Harris - Kirkland, a Bill for an Act to add Sections to the Intergovernmental Cooperation

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Act. First Reading of the Bill. Senate Bill 896, Johnson, a Bill for an Act to amend Sections of the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. Senate Bill 899, Jaffe, a Bill for an Act to add Sections to the Code of Civil Procedure. First Reading of the Bill. Senate Bill 910, Harris, a Bill for an Act to amend Sections of an Act in relationship to the regulation and maintenance of levels of Lake Michigan and to diversion apportionment of water for Lake Michigan watershed... watershed. First Reading of the Bill."

Clerk O'Brien: "Senate Bill 912, Ropp, a Bill for an Act to amend the Public Grain Warehouse and Warehouse Receipts Act. First Reading of the Bill. Senate Bill 919, Steczo - Keane, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 923, Oblinger, a Bill for an Act in relation to township community buildings. First Reading of the Bill. Senate Bill 924, Neff - Flinn, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 927, Nelson, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 928, Nelson, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 929, Mulcahey, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 958, Kirkland, a Bill for an Act in relation to the construction, operation, regulation, and maintenance of system of toll highways. First Reading of the Bill. Senate Bill 961, O'Connell, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 974, Nelson, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 975, Davis, a Bill for an Act in relation to the Department of Law Enforcement. First Reading of the Bill. Senate Bill 981, Mautino, a Bill for an Act to amend the

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Environmental Protection Act. First Reading of the Bill.
Senate Bill 986, McCracken, a Bill for an Act to amend the
Unified Code of Corrections. First Reading of the Bill.
Senate Bill 987, McCracken, a Bill for an Act relating to
evidence in criminal proceedings. First Reading of the
Bill. Senate Bill 990, Nash, a Bill for an Act to amend
the Illinois Insurance Code. First Reading of the Bill.
Senate Bill 1009, Kirkland, a Bill for an Act to amend the
Public Community College Act. First Reading of the Bill.
Senate Bill 1013, McCracken, a Bill for an Act to amend the
Illinois Antitrust Act. First Reading of the Bill. Senate
Bill 1036, Richmond - Rea, a Bill for an Act to promote
forestry development. First Reading of the Bill. Senate
Bill 1039, Keane - Barnes, a Bill for an Act to establish
federal and state assistance review, information and
coordination system and amend certain Acts. First Reading
of the Bill. Senate Bill 1052, Klemm, a Bill for an Act
concerning public utilities. First Reading of the Bill.
Senate Bill 1057, Klemm, a Bill for an Act concerning
public utilities. First Reading of the Bill. Senate Bill
1058, Hastert, a Bill for an Act to amend the Revenue Act.
First Reading of the Bill. Senate Bill 1072, Giorgi -
Nash, a Bill for an Act to amend the Election Code. First
Reading of the Bill. Senate Bill 1073, Giorgi - Nash, a
Bill for an Act to amend the Election Code. First Reading
of the Bill. Senate Bill 1074, Slape, a Bill for an Act in
relation to the dedication of an easement to certain state
real property. First Reading of the Bill. Senate Bill
1091, Keane, a Bill for an Act directing the Department of
Transportation to study the feasibility of making a
railroad inter-connection in the vicinity of Genoa,
Illinois. First Reading of the Bill. Senate Bill 1097,
Klemm - Kirkland, a Bill for an Act to amend the School

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Code. First Reading of the Bill. Senate Bill 1104, Wolf - McAuliffe, a Bill for an Act to amend the Vehicle Code. First Reading of the Bill. Senate Bill 1109, Ronan, a Bill for an Act to amend the Vehicle Code. First Reading of the Bill. Senate Bill 1114, Jaffe, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. Senate Bill 1118, Keane, a Bill for an Act to amend the Regional Transportation Authority Act. First Reading of the Bill. Senate Bill 1121, Neff - Wolf, a Bill for an Act concerning motor vehicles. First Reading of the Bill. Senate Bill 1143, Ronan, a Bill for an Act to amend the State's Attorneys Appellate Service Commission Act. First Reading of the Bill. Senate Bill 1145, Stuffle, a Bill for an Act to amend the Illinois Banking Act. First Reading of the Bill. Senate Bill 1153, Rice, a Bill for an Act to amend the Court Reporters Act. First Reading of the Bill. Senate Bill 1173, Homer, a Bill for an Act to create the Business Opportunities and Sales Act. First Reading of the Bill. Senate Bill 1188, Vitek - Nash, a Bill for an Act to amend the Illinois Horse Racing Act. First Reading of the Bill. Senate Bill 1192, McCracken, a Bill for an Act relating to the appointment of temporary guardians for persons sixteen years of age or older who lack capacity to make independent decisions. First Reading of the Bill. Senate Bill 1196, Neff - Hannig, a Bill for an Act to amend Sections of the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1197, McCracken - Harris, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practice Act. First Reading of the Bill. Senate Bill 1218, Nash, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 1226, Rice - Braun, a Bill for an Act to amend the Public Aid Code. First Reading of the Bill. Senate

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Bill 1239, Jaffe - Cullerton, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 1241, Alexander, a Bill for an Act to amend the Public Aid Code. First Reading of the Bill. Senate Bill 1244, Hallock - Pierce, a Bill for an Act in relation to the construction, operation, regulation, and maintenance of system toll highways. First Reading of the Bill. Senate Bill 1269, Wojcik - Steczo, a Bill for an Act to amend the Vehicle Code. First Reading of the Bill. Senate Bill 1270, Steczo - Wojcik, a Bill for an Act to amend the Illinois Identification Card Act. First Reading of the Bill. Senate Bill 1272, Ronan, a Bill for an Act to amend the State's Attorneys Appellate Service Commission Act. First Reading of the Bill. Senate Bill 1274, Mays - Flinn, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1276, Terzich, a Bill for an Act to amend... a Bill for an Act in relation to the state of new motor vehicles. First Reading of the Bill. Senate Bill 1279, Homer, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practice Act. First Reading of the Bill. Senate Bill 1306, Wolf - Neff, a Bill for an Act to create the Nonresident Violater Compact. First Reading of the Bill. Senate Bill 1318, Mulcahey, a Bill for an Act in relation to the filing of statements of economic interest. First Reading of the Bill. Senate Bill 1333, Karpiel, a Bill for an Act to authorize withholding of income to secure the payment of support. First Reading of the Bill. Stand at ease a minute."

Clerk Leone: "Messages from the Senate. A message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following titles, and

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passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bills 1023, 1024, 1027, 1028, 1029, 1033, 1035, 1038, 1045, 1049, 1054 and 1062, passed by the Senate May 26, 1983. Kenneth Wright, Secretary.' Further Messages from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following titles, and passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bills 1070, 1096, 1106, 1107, 1134, 1123, 1136, 1144, and 1146, and 1156, passed by the Senate May 26, 1983. Kenneth Wright, Secretary.'"

Clerk O'Brien: "The following list of Bills will appear on Consent Calendar, Third Reading, Second Day, tomorrow. House Bills 207, 539, 720, 854. Stand at ease. The Bills to appear on Consent Calendar, Second Reading, Second Day, tomorrow include House Bill 207, 539, 671, 720, 854, 1399, 1473, 1610, 1611, 1612, 1661, 1753, 1805, 1939, 2106, 2194, 2234, 2244, and 2287. No further business. The House now stands adjourned."

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