

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

Reverend Krueger: "In the name of the Father, the Son and the Holy Ghost. Amen. O Lord, bless this House to Thy service this day. Amen. Today being St. Patrick's Day, I would like to quote a few lines written by St. Patrick back in the 5th century. 'I bind unto myself today, the power of God to hold and lead, His eye to watch, His might to stay, His ear to hearken to my need; the wisdom of my God to teach, His hand to guide, his shield to ward; the word of God to give me speech, His heavenly host to be my guard.' Let us pray. Almighty God, we ask this day that the Members of this House of Representatives commit themselves fully to Thee; endue them with Thy special grace to lead way that Thou hast ordained for the good of Thy people; protect them as they take Thy hand; and finally, O Lord, keep them forever with Thee; through Jesus Christ our Lord. Amen."

Speaker Redmond: "Roll Call for attendance. Messages from the Senate."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has passed Bills of the following titles and the passage of which I am instructed to ask concurrence of the House of Representatives, to-wit: Senate Bills #1, 11, 27, 61 and 73. Passed by the Senate, March 16, 1977. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has passed Bills of the following titles and the passage of which I am instructed to ask concurrence of the House of Representatives, to-wit: Senate Bills #88, 95, 96, 97, 98, 102, 104, 106, 107, 110, 114, 115, 116, 117, 118, 121, 140 and 144. Passed by the Senate, March 16, 1977. Kenneth Wright, Secretary. A message from the Senate



by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House in the adoption of the following Preamble and Joint Resolution, to-wit: House Joint Resolution #18. Concurred in by the Senate, March 16, 1977. Kenneth Wright, Secretary."

Speaker Redmond: "Representative Madigan."

Madigan: "Mr. Speaker, would the record show that Representative Mugalian is excused because of illness? That Representative Domico is excused because of illness? That Representative Peggy Martin is excused because of illness? And that Representative Garmisa is excused?"

Speaker Redmond: "Any objections to the record so showing? Hearing none, the record will so indicate. Representative Ryan, do you have any excused absences? Representative Epton."

Epton: "Would the record/show that Representative McAvoy is excused because of illness?"
please

Speaker Redmond: "How about Wolf?"

Epton: "Representative Anderson and Wolf."

Speaker Redmond: "How about Stearney? Representative Epton, do you want to step up here for a minute?"

Epton: "Yes, please."

Speaker Redmond: "Do you have any objection to the record indicating that Representatives Anderson, Wolf, McAvoy are excused because of illness? Gene Hoffman because of a death in his family. Death. Any objections? Hearing none, understand that Representative Wolf is here. Introduction, First Reading."

Clerk O'Brien: "House Bill 797. Bradley. A Bill for an Act in relation to the regulation of athletic trainers. First Reading of the Bill. House Bill 798. Bradley. A Bill for an Act making an appropriation to the Department of Registration and Education. First Reading of the Bill. House Bill 799. Deuster. A Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 800. Porter. A Bill for an Act creating the Public Safety Board. First Reading of the Bill. House Bill 801. Meyer. A Bill for an Act to amend



Sections of an Act in relation to compensation to Members of the General Assembly. First Reading of the Bill. House Bill 802. Meyer. A Bill for an Act increasing the compensation of Constitutional officers, department directors and assistant directors and certain other state officials. First Reading of the Bill. House Bill 803. Hart. A Bill for an Act to provide for the validity of a lifetime transfer of property with retaining powers of rights. First Reading of the Bill. House Bill 804. Schlickman. A Bill for an Act to amend Sections of the School Code. First Reading of the Bill. "

Speaker Redmond: "On House Bills Third Reading appears House Bill 127 for which Representative James Houlihan is recognized."

J. Houlihan: "Mr. Speaker and Ladies and Gentlemen of the House, the three Committee Amendments which were adopted on House Bill 127 were actually adopted before the new rules were accepted and approved and therefore it would be appropriate to have floor action on these Amendments. The Amendments themselves are not controversial and technical in nature. And I would be happy to explain them. If the Clerk would read Amendment..."

Speaker Redmond: "The motion is to ask leave to return House Bill 127 to the Order of Second Reading."

J. Houlihan: "That's correct."

Speaker Redmond: "Mr. Clerk. Are there any objections to returning..."

Clerk O'Brien: "House Bill 127. A Bill for an Act to amend Sections of an Act relating to alcoholic liquor. Second Reading of the Bill. Three Committee Amendments. Amendment #1. Amends House Bill 127 on page 2, line 33 and so forth."

Speaker Redmond: "Representative James Houlihan."

J. Houlihan: "I believe this Amendment is the one that strikes some technical errors and corrects the language in and a comma. And I don't believe there's any controversy on this Amendment."

Speaker Redmond: "Is there any discussion? Question's on the Gentleman's motion for the adoption of Amendment #1. Those in favor say 'aye'; 'aye'; opposed 'no'. The 'ayes' have it and the Amendment's adopted. Any further Amendments?"



Clerk O'Brien: "Committee Amendment #2. Amends House Bill 127 on page 3 by deleting line 11 and inserting in lieu thereof 'manager and any person who owns 5% or more' and so forth."

Speaker Redmond: "Representative Houlihan."

J. Houlihan: "This Amendment was to address a problem the Liquor Commission had on its filing form where if you had anybody who would have any stock in a particular licensee, they would have to fill the form. And in the case of Walgreen's and other publicly owned companies this would be prohibitive and so the suggestion was to make it 5% and there was no disagreement on this Amendment also. And I would move the adoption of Amendment #2."

Speaker Redmond: "Representative Dan Houlihan."

D. Houlihan: "Question of the Sponsor, Mr. Speaker."

Speaker Redmond: "Proceed."

D. Houlihan: "Jim, how does this change what is the present law?"

J. Houlihan: "It does not change the present law at all, Representative Houlihan. This statute refers to the license and the practice of a form that's used to apply for a liquor license. And what this does is say that those companies which have 5% or more, I mean the people who have 5% or more have to be included on the application. It has been the practice of the Liquor Commission for the last three years to have, to have those, that procedure, that practice followed. I don't believe that the current law that we're changing requires all of the applicants to be listed."

D. Houlihan: "My understanding of what the present law is, is to the effect that if a person who would be ineligible to a license as an individual would on more than 5% of this tax where the applicant is a corporation, then that corporation is also ineligible. Now what you're saying is that the practice of the commission which has been in effect for the past three years will now be formalized in the application procedures. Is that correct?"

J. Houlihan: "That's correct."



D. Houlihan: "All right. Now, the next question is, what do you do where you have a major corporation, where you have to list ...well, 5...5%, I see. All right. No. No questions...."

J. Houlihan: "Originally, Dan, it had everybody listed and they said move it up to 5% and then you carry the problem....Happy St. Patrick's Day."

Speaker Redmond: "Are you Irish?"

J. Houlihan: "Mr. Speaker, I believe there's no objection to Amendment #2 and I would move for the adoption of Amendment #2."

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

Clerk O'Brien: "Committee Amendment #3. Amends House Bill 127 on page 1, line 11 and so forth."

Speaker Redmond: "Representative James Houlihan."

J. Houlihan: "Mr. Speaker and Ladies and Gentlemen of the House, this Amendment restores the requirement of filling out the application...."

Speaker Redmond: "Representative Ebbesen, will you walk this way, please? Representative Ebbesen. Ebbesen, will you walk to your chair by way of the front and then down the middle aisle, please? Proceed, Representative Houlihan."

J. Houlihan: "This Amendment...the form was going to be updated and follow a generally accepted procedure of not having...a ministerial functions have to be filed with an oath or an affidavit. The oath was taken out but there was some objections by people that would be affected by this and they thought it would be more appropriate than an oath be required when applying for the liquor license and the Commission did not have serious objection and therefore reinstated the use of the oath."

Speaker Redmond: "Any discussion? Question's on the Gentleman's motion. All those in favor say 'aye'; 'aye'; opposed, 'no'. The 'ayes' have it. Motion, or the Amendment's adopted. Any further Amendments?"



Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Just wanted everybody to see your St. Patrick's Day costume, Joe. Representative Schlickman."

Schlickman: "Mr. Speaker, I rise on a point of order."

Speaker Redmond: "State your point."

Schlickman: "Mr. Speaker, Rule 55.1 of the Rules of this General Assembly, the 80th, says no literature may be distributed on the House floor. Mr. Speaker, I have in my hands a piece of literature that came from some individual by the name of William A. Redmond. To protect that individual today, I should like to move that Rule 55.1 be suspended for you."

Speaker Redmond: "What was the literature? Was that the memorandum on the schedule?"

Schlickman: "It's literature. I shouldn't want you to be subjected to any sanction for violating Rules and I'm simply asking for your protection on St. Patrick's Day...."

Speaker Redmond: "Question's on the Gentleman's motion. Those in favor say 'aye'; 'aye'; opposed 'no'. The 'ayes' have it. Representative Bradley."

Bradley: "Mr. Speaker, I'm going to object to the Gentleman's motion unless he includes the other literature that we received on our desks from Michael Madigan, and we....I think we ought to include Michael Madigan and so he can protect him and so that he won't be breaking the Rules to the House also."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker, I think it should also be included to amend in order to add that not only Michael Madigan's delicious cooking, which is bad for my diet but I'm eating it, but the beautiful flowers that the women received from the Speaker. Would you be Irish by any chance, Mr. Speaker?"

Speaker Redmond: "I believe in ERA."

Geo-Karis: "Thank you, Mr. Speaker, you've come a long way, baby."

Speaker Redmond: "Representative Collins."

Collins: "Mr. Speaker, I just wanted to say don't worry about Representative Madigan breaking the Rules, with him it's



getting to be a habit."

Speaker Redmond: "Any further...any Amendments from the floor on 127?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. On House Bills Third Reading appears House Bill 259 for which Representative Schuneman is recognized."

Schuneman: "Mr. Speaker, Ladies and Gentlemen of the House, it's necessary to request we take House Bill '255' to Second Reading for purposes of adopting Amendments."

Speaker Redmond: "Any discussion? Question's on the Gentleman's motion for the adoption of Amendment #1, oh pardon...pardon me, I anticipated. The Gentleman...does the Gentleman have leave to return House Bill 259 to the Order of Second Reading? Mr. Clerk."

Clerk O'Brien: "Amendment #1. Amends House Bill 259 on page 1 line 25 by inserting after the word 'page'; the county clerk and so forth."

Schuneman: "Yes, Mr. Speaker, Amendment #1 was an Amendment requested by the Secretary of State's Office; was adopted in Committee; there's no objection to the Amendment. I move adoption."

Speaker Redmond: "Any discussion? Question's on the...Representative Dan Houlihan."

D. Houlihan: "Will he explain the Amendment?"

Speaker Redmond: "Explain the Amendment."

Schuneman: "Yes, the Secretary of State's Office asked that language be put into the Bill that would indicate that the \$2.50 filing fee be paid to the county clerk rather than to the Office of Secretary of State."

Speaker Redmond: "Any further questions? Question's on the Gentleman's motion, those in favor...Representative Yourell, you seek recognition? All right, Second Reading, it was moved back. On the Gentleman's motion for the adoption of Amendment #1. Those in favor say 'aye'; 'aye'; opposed 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "Committee Amendment #2. Amends House Bill 259 on page 1, line 16, by inserting before the period and so forth."

Speaker Redmond: "Representative Schuneman."



Schuneman: "Yes, Mr. Speaker, Amendment #2 was an Amendment requested by the County Clerk of Cook County and it establishes the fee for recording a notary public commission by mail. There was no opposition to the Amendment and it was adopted in Committee. I move the adoption...."

Speaker Redmond: "Representative Kane."

Kane: "Is there any reason why we have to go over these Amendments since they're already adopted?"

Speaker Redmond: "Unfortunately they were not adopted. This was under the old rules, so...."

Kane: "I see, we're cleaning up Committee...."

Speaker Redmond: "We're cleaning up....."

Kane: "....Before."

Speaker Redmond: "That is correct. By mistake we moved it to Third Reading and the Clerk called our attention to the fact that they hadn't been properly adopted. Question's on the Gentleman's motion. Those in favor say 'aye'; 'aye'; opposed 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "No...."

Speaker Redmond: "Third Reading. House Bills Second Reading. On House Bills Second Reading appears House Bill 15. Representative Yourell, the Clerk advises me a request for a fiscal note has just been filed with respect to House Bill 15. On House Bill 16, he advises me that the fiscal note has requested with respect to House Bill 16. House Bill 65. Has the fiscal note been furnished? Representative Greiman."

Greiman: "Mr. Speaker, the fiscal note has not been received yet but there is another Amendment that I'd like to add at this time if I might."

Speaker Redmond: "Has it been distributed?"

Greiman: "I believe it has, I'm not....I have it, I'm sure."

Speaker Redmond: "Has Amendment #2 been distributed to House Bill 65?"



May we proceed with Amendment #2 to House Bill....proceed,
Representative Greiman."

Greiman: "Thank you, Mr...."

Speaker Redmond: "Will you read the Amendment, Mr. Clerk, first?"

Clerk O'Brien: "Amendment #2. Greiman. Amends House Bill 65 as
amended by deleting in Section 1 the following and so forth."

Speaker Redmond: "Representative Greiman."

Greiman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
House, Amendment 2 in addition to extending the retirement,
the operation of the Act until 1984, those plans, those companies
that have compulsory retirement are bonafide pension plans. It
also has an exclusion for state or units of local government.
This was....this conforms it to the Bill that passed out of the
House by large numbers in the last Session and I ask for its
adoption."

Speaker Redmond: "Is there any discussion? Representative Schlickman."

Schlickman: "Would the Sponsor yield?"

Greiman: "Yes."

Speaker Redmond: "He will."

Schlickman: "Your Bill would prohibit the private sector from engaging
in mandatory retirement, is that correct?"

Greiman: "That's correct....subject to some limitations, Gene, sub-
ject to...."

Schlickman: "In one of the limitations is exempting state, the state
government or any units of local government, is that correct?"

Greiman: "That...."

Schlickman: "By Amendment #2."

Greiman: "That is not....that is not responsive to your question, the
answer is, yes, it would impose, it would prohibit mandatory retirement
in the private sector subject, however, to allowing management
trainee programs, allowing pension programs to be excluded under
certain basis and allowing union apprentice programs to be
excluded. But this, indeed, this does conform it to the prior
Bill and it excludes the state and local government. Now, the
reasons for that, however, I think are basically the fact that



complex tenure problems and complex statutes dealing with Civil Service which would have to be changed. I must tell you, if it should pass in its present condition, the condition after Amendment, I would spend, certainly, the rest of this Session trying to get those Civil Service Laws and Tenure Programs changed to respond to this kind of legislation."

Schlickman: "Well, the point I'm trying to make, if I may, Mr. Speaker, is that Amendment #1 became the Bill. Amendment #1 does not exempt state or units of local government, but Amendment #2, which we are now being asked to vote upon, we would, we would be providing an exemption for state and local government. And, Mr. Speaker and Members of the House, it's my belief that if the prohibition of mandatory retirement is good for the private sector then it's also good for the public sector. I don't think this kind of discrimination is in order or proper. And for that reason, I would urge a 'no' vote on Amendment #2."

Speaker Redmond: "Any further discussion? Question's on the Gentleman's motion for the adoption of Amendment #2. Those in favor say 'aye'; those in favor vote 'aye' and those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 71 'aye' and 40 'no' and the Gentleman's motion prevails and Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Oh, pardon me, held on Second for the fiscal note. 91."

Clerk O'Brien: "House Bill 91. Deuster. A Bill for an Act to authorize..."

Speaker Redmond: "Representative Deuster on the floor? Out of the record. 106, Representative Hart, has the fiscal note been furnished on that? Out of the record. 113."

Clerk O'Brien: "House Bill 113. Pierce. A Bill for an Act to amend Sections of the School Code. Second Reading of the Bill."

Speaker Redmond: "Out of the record. 181."

Clerk O'Brien: "House Bill 181. Jaffe. A Bill for an Act to amend Sections of the Crime Victims Compensation Act. Second Reading



of the Bill. No Committee Amendments."

Speaker Redmond: "On 181 no Committee Amendments? Calendar shows that Amendment #2. Out of the record. Representative Hanahan, do you seek recognition? Very important announcement. Give the Gentleman some order."

Hanahan: "Mr. Speaker and Members of the House, all of the Members of the House should be aware next Tuesday night is our St. Patrick's and our St. Joseph's Day Dinner. Now, Mr. Speaker, Members of the House, there are Members of the Committee that the Members of the House are supposed to...have turned in their tickets, or their money for the tickets, for next Tuesday night by yesterday. I understand from some of the Members of the Committee that some of the Members have been reluctant or not too anxious to turn over their money or their tickets back to the Committee Members. But there are many people who are seeking tickets to purchase for this gala affair of next Tuesday evening. We are short of tickets. If you are not going to purchase a ticket please inform the person who you received the tickets from of this....so that we could do two things. One, sell the ticket and the other thing is order the corn beef and cabbage from Harrington. Now Ray Harrington's corn beef and cabbage is the best corn beef that God has ever put on this earth. And this is without...we'll apologize to nobody for not having a great corn beef and cabbage dinner next Tuesday night. And I have nothing to do with Ray Harrington except to tell you that once tasting this great corn beef and cabbage you're going to be Irish forever. And Representative Conti and Nardulli and DiPrima and the rest that are trying to provide a St. Joseph's Day table which is a traditional Italian table of feast of antipasto to also have on Tuesday night. So with the Italians providing the antipasto and some wine; Harrington's providing the corn beef and cabbage and Teddy Lechowicz promising to do a polka with any girl that is going to be in attendance there. That Piotrowicz and Kozubowski and the rest are providing some kolackys and the other sweet tables that the Poles have always given to us on St. Joseph's



Day. It's just going to be a gala affair. But bringing it all up to one point. Representative Kozubowski, Representative Kurcharski, Representative Daniels, Matejek, McAvoy or Johnny Wall, Representative Stearney, Laurino, Bill Walsh, Representative Eddie McBroom, Representative Capparelli, Virginia Macdonald, Representative Conti, Representative Madigan, Representative Piotrowicz Peters, Teddy Lechowicz, Larry DiPrima, Speaker Redmond, Representative Bradley, Representative Rigney and Representative Jimmy Houlihan are anxiously awaiting your receipts. So if you would please turn them in right now to these men, I would appreciate....Representative George Ryan and I could get in the counts. Thank you very much."

Speaker Redmond: "House Bill 219, has the fiscal note been furnished, Mr. Clerk? ...Have to take that out of the record. 235, Representative Sharp. Out of the record. 241, Representative Darrow is excused is my memory. Out of the record. 251, Representative Deuster? Representative Darrow, pardon me. 241."

Clerk O'Brien: "House Bill 241. A Bill for an Act to repeal an Act ceding to the United States of America exclusive jurisdiction over certain structures, lands, streets and alleys in the County of Rock Island. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 286. Representative Stearney here? Stearney here? I don't know where...312. 312, has the fiscal note been furnished on that? Take that one out of the record. 324."

Clerk O'Brien: "House Bill 324. Mudd. A Bill for an Act to amend Sections of an Act to create the Legislative Council. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Representative Mudd."

Mudd: "Yes, Mr. Speaker, I believe there is two...four Amendments to that Bill. I think that Representative Winchester is handling both of those Amendments, 1 and 2. So I'll yield to him."



Speaker Redmond: "Understand that one of the Amendments is not yet printed yet, Representative Winchester, so if it's all right we'll take this out of the record. House Bills Third Reading. Representative Yourell, do you want 14 called on Third Reading? House Bill 14."

Clerk O'Brien: "House Bill 14. A Bill for an Act to add Sections to the Illinois Administrative Procedure Act. Third Reading of the Bill."

Yourell: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 14 was inadvertently moved to Third Reading and there has been Amendments presented to it by Representative Wyvetter Younge, and I would move for...move it back to Second and adopt the Amendment and then go to Third."

Speaker Redmond: "Does the Gentleman have leave to return House Bill 14 to the Order of Second Reading? Hearing no objections, House Bill 14 to Third Reading, or Second Reading. Mr. Clerk."

Clerk O'Brien: "Amendment #1. Yourell. Amends House Bill 14 on page 3 by deleting lines 28, 29 and 30 and so forth."

Speaker Redmond: "Representative Yourell."

Yourell: "Representative Wyvetter Younge to explain the Amendment, it's really...."

Speaker Redmond: "Representative Wyvetter Younge to explain the Amendment. Amendment #1 to House Bill 14."

Younge: "The purpose of the Amendment is simply that there will be an Economic Impact Statement which would be a part of the report on the Rules which are the subject matter of this Bill. That Economic Impact on Local Government Affairs to be included in the report. And the Sponsor of the Bill is in agreement with the Amendment. And I move its adoption."

Speaker Redmond: "Representative Yourell, do you have any comment on the Amendment?"

Yourell: "No, I concur with the Amendment. I...the Amendment was presented in Committee, the idea for the Amendment in Executive Committee by Representative Younge and I agreed to put the Amendment on. So I move the adoption of Amendment #1 to House Bill 14."



Speaker Redmond: "Representative Schlickman."

Schlickman: "Would the Sponsor yield? Sponsor of the Amendment?"

Younger: "Yes."

Schlickman: "Well, House Bill 14 on page 3, in lines 29 and 30, already include the word 'economic effect'. Now what is the difference between 'economic effect' and 'economic impact' which is contained in your Amendment?"

Younger: "The words 'economic effect' are more broad and vague. 'Impact' is more specific. We have had a trend of thought that the General Assembly keep passing Bills and we keeping making rules and mandating actions on a state level without realizing the economic impact on local government affairs. And the intent here is for a specific inclusion in the report showing just exactly and evaluating exactly what will be the economic impact of a particular action. Which is more specific than the economic effect."

Schlickman: "Is there any precedent within the statutes relative to any agency, executive or legislative, attempting to determine economic impact?"

Younger: "I don't know of a specific precedent but I do know that there has been a considerable discussion in this point of view or this vein. I believe even the Governor indicated in his State of the State Message that we ought to be more careful in the legislation that we pass to make sure that the...it would not increase the costs to local county or local public entities. And in order to be assured that that doesn't happen, if we have an economic impact statement given in reference to changes of rules it will help us to avoid undue burdens on local governments."

Schlickman: "Could you just answer one more question and I'll conclude. Who will be the Members of this Commission?"

Younger: "May I defer it to the Sponsor of the Bill? Representative Yourell, would you answer that question please?"

Yourell: "Yes, I don't think that we have to get into the discussion of the Bill, Representative Schlickman, we're talking about Amendment #1 to House Bill 14."

Schlickman: "Well, I want to know who will have the authority to determine



the economic impact on persons subject to rule making. We're giving authority to somebody and I want to know who the somebody is, Sir."

Yourell: "Well, I suggest...."

Schlickman: "I have the answer."

Yourell: "Fine. Thank you."

Speaker Redmond: "Any further discussion? Question's on the Lady's motion to the adoption of Amendment #1. Those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's... those in favor vote 'aye', opposed vote 'no'. ...All voted who wish? Have all voted who wish? Clerk will take the record. On this question there's...80 'aye' and 28 'no'. The motion prevails and the Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Representative Ebbesen, do you want 27 called? Representative Ebbesen. Out of the record. 32. Is Representative Cunningham on the floor? Out of the record. 51. Out of the record at the request of the Sponsor. 110."

Clerk O'Brien: "House Bill 110. Johnson."

Speaker Redmond: "Representative Johnson. Representative Johnson."

Johnson: "Mr. Speaker, I would like leave of the House to return House Bill 1110 to Second Reading for purposes of an Amendment."

Speaker Redmond: "The Clerk advises me that that Amendment is not yet printed and we couldn't adopt it today. Are you aware of that, Representative Johnson?"

Johnson: "Don."

Speaker Redmond: "Representative Deuster, you have an unprintable Amendment to House Bill 110."

Deuster: "Well, it's true I filed the Amendment and it's not unprintable but it hasn't been printed yet and if...we we've agreed with the Sponsor of the Bill and the other persons who had objections, I I'd be happy to proceed with the Amendment but...."

Speaker Redmond: "Well, the question is whether the Sponsor wants to proceed with his Bill on Third Reading or whether he wants to accede to your request to return it to Second for the purpose



of putting on your Amendment."

Johnson: "Mr. Speaker, I want to accede to the request of Representative Deuster for purposes of an Amendment."

Speaker Redmond: "Okay. Does the Gentleman have leave to return House Bill 110 to the Order of Second Reading? Hearing no objection it will be returned to the Order of Second Reading and there held until Representative Deuster's unprintable Amendment is printed and he can move the adoption. Representative Deuster, you seek recognition?"

Deuster: "Actually I don't want to claim all the credit here. It's an Amendment offered by myself, Representative Walsh, Representative Kelly and Representative Johnson."

Speaker Redmond: "112. Representative Pierce, do you want that one called? 112? Out of the record. 168, Representative Greisheimer....Representative...."

Clerk O'Brien: "House Bill 168. A Bill for an Act to restrict smoking in designated areas and providing penalties for violation thereof. Third Reading of the Bill."

Speaker Redmond: "Representative Greisheimer."

Greisheimer: "Thank you, Mr. Speaker, House Bill 168 is essentially the same Bill which the House passed two years ago which creates designated areas in certain public buildings where nonsmokers can sit in order to avoid the impact of smoke. The five areas designated are libraries, elevators, public buses, auditoriums and not the House floor. Don't pay any attention to Representative Daniels. This Bill has been requested by a number of organizations and has a broad base support even by a number of people and individuals who regularly take part in the smoking habit. It's not a Bill to prohibit smoking in the State of Illinois but rather merely to allow in the certain areas designated in the Bill a spot within that area where a nonsmoker can sit without being troubled by either smoke or any of the effects of a smoker in the immediate area. As I say, the Bill passed the House last term; passed the Senate and was vetoed by the Governor. The Bill does have some refinements in it but they are only



refinements. The basic Bill remains the same and I would urge its passage."

Speaker Redmond: "Any discussion? Representative Kosinski."

Kosinski: "If the Sponsor would yield."

Speaker Redmond: "He will."

Kosinski: "It says that penalties for violation, what are the penalties, Ron?"

Griesheimer: "The penalties are a minimum of a ten dollar fine; a maximum of a one hundred dollar fine. I believe this follows exactly the ordinance in the City of Chicago where they have a similar process. And in fact they've gone one step further and have a special smoking court for the enforcement on this."

Kosinski: "Does this Bill in any way impose itself on private industries? For instance, a large department store."

Griesheimer: "No, it has absolutely no effect whatsoever upon department stores. It only applies to the five areas designated in the Bill."

Kosinski: "Thank you."

Speaker Redmond: "Any further discussion? Representative Dan Houlihan."

Houlihan: "Would you tell us what the basis of the Governor's Veto Message was when he vetoed the....similar legislation that you're referring to?"

Griesheimer: "I'll attempt to respond to that question but I don't know whether I can make an intelligent response to it. I read the Veto Message on three occasions and I never could quite figure out what the basis of his veto was. In one instance I believe he said that the Bill was impracticable because it could not be enforced. The City of Chicago ordinance and the other 30-some states that have adopted similar legislation, they're not going out and ticketing everybody right and left, but there has been an element of enforcement. So, that was one of the complaints. Another complaint was that he did not feel it would be uniformly applied throughout the State of Illinois. I never could figure out what he meant by that. And then there was a third basis and I...for the life of me I can't remember that right now."



D. Houlihan: "Well, does this Bill...is this applicable only to state buildings, this Bill?"

Greisheimer: "It has no applicability to state buildings whatsoever. This is not a prohibitional in governmental buildings. It covers five areas, and five areas only, hospital and hospital patient rooms, public buses, elevators, museums and auditoriums."

D. Houlihan: "Well, in those places isn't smoking as a practical matter prohibited in those type buildings under either municipal ordinance or the building regulation or simply by the hospital administration, for example, itself."

Greisheimer: "Mr...Mr. Speaker, I can't hear the question."

Speaker Redmond: "Give the Gentleman order, please."

D. Houlihan: "My question is, in the five type areas, or buildings or structures that this Bill would relate to, as a practical matter, isn't there already a smoking prohibition in certain designated areas in those buildings under local ordinances or local building codes or simply at the determination of the...who is ever the authority in charge of the structure. For example, hospital administration itself would have areas of the hospital within which you could not smoke."

Greisheimer: "That is correct. There are some ordinances...answering your two-part question...there are some ordinances to cover this. Matter of fact, I understand the City of Chicago ordinance covers this right now but there is no uniform law throughout the State of Illinois on this subject. Moreover, there is no sanctions or enforcements throughout the State of Illinois so that, for instance, if a hospital administration, although that's a bad example. Let's say that the administrator of a museum or a library just chose not to do anything on this and there was no ordinance providing for it, there would be no way to enforce this. And this is exactly the situation that does take place in this state because I had a phone call some two years ago now, from a lady, I believe it was in Alton, Illinois, where the library refused to provide an area for nonsmokers. And thus the problem is present. I would...I would just say that very intentionally



this Bill does not attempt to broaden what is already the law in the City of Chicago but we're trying to give it uniformity throughout the State of Illinois."

Speaker Redmond: "Representative Wikoff."

Wikoff: "Thank you, Mr. Speaker, would the Sponsor yield for a question?"

Speaker Redmond: "Indicates he will."

Wikoff: "Representative Greisheimer, is not this a Bill that could be better handled by the local municipalities or local governments making their own rules and enforcements?"

Greisheimer: "The answer to that very directly is no. Local government is not handling it. It's not being done uniformly and that's another problem. You have people with lung-related diseases who cannot tolerate the presence of smoke and they literally are not restricted to one municipality. Take your own area of Champaign, can you imagine the problem of living in Champaign having a set of ordinances that would protect you as a nonsmoker or a person with emphysema or heart condition and going to Urbana and finding out that Urbana didn't have those same ordinances? I think this is a subject where we need uniformity. In the states of Nebraska, Arizona, Minnesota, et cetera, where they have adopted uniform statutes, we find that it is a much more workable situation. It's not a matter of taking authority away from any municipality because clearly understand the municipality can make far more restrictive ordinances than this statute provides, this Bill provides for."

Wikoff: "I would point out, if I might, that the City of Champaign does have a no-smoking ordinance and it is nonenforceable, or it appears to be and I think the state ordinance would be the same way."

Speaker Redmond: "Anything further? Question's on....I mean, Representative Schlickman, pardon me."

Schlickman: "Would the Sponsor yield?"

Speaker Redmond: "He will."

Schlickman: "What is the reaction of the Department of Public Health to this imposition of new authority and responsibility?"

Greisheimer: "It's my understanding that they are in favor of it. They



are, they were present at the...at the hearings on this Bill and they offered no objection to the overall concept of it. There is a process of implementation, as you can tell from reading the Bill, but I did not get the impression that there was any general opposition to this concept whatsoever."

Schlickman: "May I speak to the Bill, Mr. Speaker?"

Speaker Redmond: "Proceed."

Schlickman: "Mr. Speaker, Members of the...."

Speaker Redmond: "Please give the Gentleman order. Getting awfully noisy here."

Schlickman: "Mr. Speaker, Members of the House, it seems to me that in considering House Bill 168 we ought to reflect upon the expression of concern given to us by the Gentleman from Champaign, a former mayor. As he pointed out, his municipality has attempted to do locally what this Bill would attempt to do statewide and the experience locally has been its unenforceability. Furthermore, Mr. Speaker, it seems to me that at this time when the state is having a difficult time to finance the programs that it already has, that it would be imprudent to impose upon a state agency an additional responsibility, that being, to enforce what apparently is an unenforceable activity. For those reasons, Mr. Speaker, Members of the House, I would solicit a 'no' vote on House Bill 168."

Speaker Redmond: "Representative Emil Jones, are you seeking recognition?"

E. Jones: "Yes, Mr. Speaker, would the Sponsor yield?"

Speaker Redmond: "Indicates he will."

E. Jones: "Representative Greisheimer, as I read this Bill, if I'm a patient in the hospital, am I prohibited from smoking in my room?"

Greisheimer: "Absolutely not, Representative Jones. In this Bill, and at the direction and suggestion of doctors, the administrator of the hospital will have the authority to designate smoking and nonsmoking areas. And in fact, the doctors suggested that it would be completely impracticable to totally bar smoking in hospitals. In terminally ill patients such as cancer patients it would actually have a detrimental effect upon them to take their cigarettes away from them. So, in effect, it will leave it to the administrator



to have smoking and nonsmoking areas. You coming into the hospital as a patient would be asked, do you want a smoking or nonsmoking area or room and you would be given one just like an airplane."

Speaker Redmond: "Representative Greisheimer to close."

Greisheimer: "Thank you, Mr. Speaker, literally there are thousands and thousands of citizens in the State of Illinois who presently are prohibited from using certain public facilities because of the fact that they have smoking connected injuries or illnesses and therefore cannot use these because smokers are utilizing them. Certainly, no group of people in the State of Illinois should be less aware of the adverse effects of smoking than this Body right here today. How many times has each one of us sat in a smoke-filled room where you're almost gasping for air. And, in fact, four years ago when this Bill was still in the...on the drafting board there was a Representative in this House, a Mr. Victor Arrigo, and Vic Arrigo pleaded on the floor of this House for a place to sit where he could...not prohibit other people from smoking but where he could he avoid smoke himself because of his lung disease. Ultimately, Vic Arrigo passed away as a result of this. It wasn't until there were a few leaders in this House that had enough guts to stand up and in effect challenge the Leadership to create a nonsmoking section even in the House of Representatives. Now this Bill does not go to the House of Representatives or to the Senate but it does go to five places that should be open to the public. I would like to comment upon the suggestion that this is unenforceable and therefore we should not have such a law on the books. I would like to point out to the Representative from Champaign that many times while I was in Champaign as a student I broke the speeding laws driving down University Boulevard and they were unenforceable so far as that particular place, Department, was concerned because there were no police around. There was nobody ticketing me for speeding and yet I have never heard the City of Champaign would do away with its speeding laws merely because they are not totally enforceable.



Now the question is, can this be enforced? I would suggest to those people, such as the Representative of Champaign, that he sit down with the Mayor of Chicago and talk to him about this because the Mayor of Chicago is enforcing this. And as a matter of fact, the city courts handling smoking violations in the City of Chicago are a model for the entire United States at the present time. No, they don't catch every person that's violating the law and in many cases there are not tickets issued but rather just a suggestion that someone not smoke in the elevator or not smoke on the bus. But to those repeaters, those violators, they are ticketed and they are fined in the City of Chicago. If it can be done in Chicago it can certainly be done downstate. I would suggest your support for this Bill. Thank you."

Speaker Redmond: "Question is, shall this Bill pass? Those in favor vote 'aye', 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 question there are 116 'ayes', 22 'nays'. The Bill having received the Constitutional Majority is hereby declared passed. Mr. Clerk, 181, will you explain?"

Clerk O'Brien: "House Bill 181 was on Second Reading yesterday and was read and moved to Third Reading. Printer's error shows the Bill on Second Reading when actually it's on Third Reading today."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Mr. Speaker, Members of the House, House Bill 181 prohibits an employer from discharging or terminating an employee or threatening to do so who is either a victim of a crime or the witness of a crime because of that individual's time off from employment due to his cooperation with law enforcement agencies or with court action in the prosecution of the alleged criminal. As you know, we are having a witness problem in this state, very often witnesses appear in court two or three times and their employer then says, 'Well, if you appear another time, you know, you're going to be fired'. And what we're dealing with is we're trying to deal with this particular problem to protect witnesses to make sure they are available at the time of prosecution. There



was only one objection to it in Committee and that was cured by an Amendment. The Amendment says that the employer does not have to pay any of the employee's expenses or pay for the employee's time. I might tell you that this is supported by all the state's attorneys including the State's Attorney of Cook County and all the sheriff's associations. I know of no opposition to it and I would appreciate an 'aye' vote."

Speaker Redmond: "Is there any discussion? Representative Schlickman."

Schlickman: "Mr...."

Speaker Redmond: "Read the Bill, Mr. Clerk. Pardon me."

Clerk O'Brien: "House Bill 181. A Bill for an Act to amend Sections of the Crime Victim's Compensation Act. Third Reading of the Bill."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Well, Mr. Speaker, Members of the House, here's another one of those Bills prohibiting an employer from doing something. Earlier this afternoon we considered at Second Reading a Bill prohibiting employers from subjecting employees to mandatory retirement. It seems to me, Mr. Speaker, Members of the House, that we might as well get to the end result of all these Bills and, that is, simply to prohibit employers from doing business. I urge a 'no' vote."

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

Jaffe: "Mr. Speaker, in response to the previous speaker, might I say I know of no business organization or association that opposes this particular Bill. All my indications are that they are for it. All we want to do is to protect victims of crimes and make sure that they are available for trial. If you're really interested in law and order this is one Bill that you ought to vote and I solicit an 'aye' vote."

Speaker Redmond: "Representative Telcser."

Telcser: "Mr. Speaker, is this Bill on Second Reading on the Calendar or Third?"

Speaker Redmond: "You evidently weren't paying attention. It was removed...it was moved from Second to Third yesterday. The printer made a mistake and shows it on Second and we explain that a little



earlier but I think Mr. Ryan was bothering you at the time. Question is, shall this Bill pass? Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's a 136 'aye' and 3 'no'. The Bill having received the Constitutional Majority is hereby declared passed. 212. Representative Totten, out of the record, is that correct? 226."

Clerk O'Brien: "House Bill 226. Miller. A Bill for an Act to amend Sections of an Act in relation to the Compensation to Members of the General Assembly. Third Reading of the Bill."

Speaker Redmond: "Representative Miller."

Miller: "Thank you, Mr. Speaker and Members of the House, House Bill 226 gives authorization to each Member of the Illinois General Assembly the opportunity to lease a vehicle for his legislative purposes. It would authorize an expenditure of up \$2,000 per year to lease the vehicle. As we look at our expenses of serving the public we are covered in every area except operating vehicle particularly in our home districts when we go to various events to serve the people. It is a totally optional Bill. If you have no need to lease or rent a vehicle you need not do so. And also, if you do lease a vehicle and you use your vehicle for personal as well as legislative reasons you need not charge the full \$2,000 a year to the State of Illinois. For example, to lease an automobile today costs about \$2,500 a year. Now if you're going to use your vehicle 50% for personal reasons and 50% for legislative reasons you could properly bill the state for half the cost or about \$1200. I think it's fair, Mr. Speaker and Members of the House, because there are many legislatives here today who have large districts, geographically, where an automobile is a total requirement to fill their responsibilities. And I think it would be proper that we give this Bill a 'yes' vote and I ask for your support."

Speaker Redmond: "Representative Simms."

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this Bill. At the present time, I think we're opening



up a whole new area of consideration for the Legislature to undertake for the expense of the taxpayers of Illinois that are going to have to increase. We just recently increased the office expenses in the House of Representatives for our district offices. But those were for the purpose of increased utilities, increased salaries but there was no consideration given to leasing automobiles. Now, if we follow this train of thought the next thing the Legislature is going to do is start providing automobiles for each Member of the House and Senate and that cost is going to get ridiculous. And I don't think the taxpayers of the State of Illinois are going to appreciate the state picking up the tab for leased automobiles for Legislators. We're adequately compensated. We have our per diem and we have our district office expense to operate our own offices. And to extend this any further is an injustice to the taxpayers of the state. And for this reason I will be voting 'no' on the passage of House Bill 226."

Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker, I rise in support of this legislation. Some of the outstandingthe California General Assembly has provided their Members with a comparable method of serving the people. Some of us who are in more urban areas really don't have the need for this but we have some districts in the State of Illinois that are rather extensive and we are simply broadening the authority of what a Representative can do to serve the people. For some of the Representatives it might be distributing a mailing in their Chicago ward, and they would use their money for that purpose. For other Representatives to get out and hear the people talk with them it might be driving a couple hundred miles to an American Legion Post to get, or meet with a League of Women voters or to otherwise to serve your constituents. This doesn't add any more money, it just means that you've got your fixed amount of money and you can manage your own office and your own expenditures - as you see fit. If you want to serve your people by driving out to see them rather than sending them a letter, that might be more



effective and a better way to communicate to you. So I urge a 'yes' vote for this legislation."

Speaker Redmond: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this measure and I would like to say that in the last week or so we have passed out of here several increased benefits to us as Legislators. I have voted for the new, or the increased home-office allowance because I believed in it. I know others who voted in the mileage increase and the per diem increase because they believed in that also. I did not share that belief and voted against those. But here we have a problem where we're expanding our program. We're going beyond what we've had. I believe that we have to watch our finances and I think this is one case where we can afford to do without it during this term. I believe that the House should be congratulated for taking these measures up early in the Session and not waiting until we become a lame duck House to approve these increases. But I would oppose any further expansion of our benefits at this time. Thank you."

Speaker Redmond: "Representative Madison."

Madison: "Thank you very much, Mr. Speaker, would the Sponsor yield?
Mr. Speaker."

Speaker Redmond: "He indicates he will."

Madison: "Representative, I keep hearing comments from other Members of the House about increases. Can you tell me whether or not this Bill increases our contingent expense fund?"

Speaker Redmond: "Representative Madison, it will to the effect if you choose to take advantage of the provisions of this Bill, there will be an added expense to the operation of our Illinois General Assembly. Yes, it is additional money being requested to provide you with an automobile or anybody who would have need for one."

Madison: "Then your explanation is that this \$2,000 will not come out of the expense allowance...."

Speaker Redmond: "Representative Matijevich, do you seek recognition?"

Matijevich: "Mr. Speaker, the reason we have a lot of noise is there are some unauthorized people on the floor of the House."



Speaker Redmond: "If there are any unauthorized people on the floor, please leave the floor before you're escorted. Any unauthorized Representative Chapman, is that Gentleman authorized to be on the floor? Do you have a floor pass, Mr.... Would you please leave the floor? Proceed."

Madison: "As I was saying, Representative, this \$2,000 does not come out of the contingent expense fund?"

Miller: "It does not come out of the \$17,000, that is correct."

Madison: "It comes out of the Speaker's budget."

Miller: "Yes, whatever..."

Madison: "Does this Bill have a companion appropriation?"

Miller: "No, it does not."

Madison: "Would you think..."

Miller: "Nor did, Representative Madison, nor did the \$17,000 Office Contingent Bill."

Madison: "Thank you."

Speaker Redmond: "Representative Mahar."

Mahar: "Thank you, Mr. Speaker, will the Sponsor yield for a question? Tom, if you were to rent a vehicle under your plan and drive it to Springfield could you still get your 20 cents a mile?"

Miller: "It, this Bill does not in anyway affect the 20 cents per mile provision."

Mahar: "Do you have to rent it from any particular agency?"

Miller: "No, the choice is given to the Representative to make whatever lease agreement he chooses to with whomever he chooses to."

Mahar: "What formula would you use to determine, personal use as opposed to official use? Like 40, 60 or whatever. How would you keep a record of that?"

Miller: "That would be the requirement of the individual Legislator in managing that, the authority to expend up to \$2,000 to make his rational judgment as to what he can conceivably charge to the expense of the state. The same way as we do when we file our federal income tax bill, if we claim on our federal income tax form mileage for our legislative expenses we have a requirement if we are ever challenged to substantiate that which we might indicate



on our form. And we would have the same requirement here. If we put in a bill to the state for, let's say, a thousand dollars and we... and we could not justify it we would be susceptible or, yes, we would be susceptible to charges of impropriety."

Mahar: "Thank you."

Speaker Redmond: "Representative Schuneman. Schuneman."

Schuneman: "Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this Bill. The previous questioner brought out the point that there is no difference in the mileage allowance that he provided for a car that is leased and a car that is personally owned by a Representative. This House just recently passed an increase in our mileage allowance which would permit us to charge 20¢ a mile or to be....to receive 20¢ a mile for the use of our personal automobile. Now part of that 20¢ is for the purpose of depreciating the value of an automobile. And I submit to you that if a Legislator should lease an automobile and receives payment for that lease by the state, and then, in addition to that, receive the 20¢, that he would in fact be overpaid for mileage allowance. And I think he should seriously consider that. If you're going to permit lease of an automobile then the mileage allowance for that car should be less than the 20¢ allowed to other Representatives. I urge defeat of the Bill."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, it isn't that I think the Legislators might not be entitled to this emolument but I think that we have to set the tone of austerity because of the low finances of the state treasury. And it seems to me that it behooves us and it's incumbent upon us to set the example. And therefore, I rise to speak against it not because we don't deserve it but we just don't have the cash and we could start with our own home fires first."

Speaker Redmond: "Representative Mulcahey."

Mulcahey: "Will the Sponsor yield?"



Speaker Redmond: "He will."

Mulcahey: "Tom, I lease my automobile right now as well and at the end of the two-year period I have the option to buy that automobile. Now if I would use this \$2,000 a year, which would be \$4,000 over a two-year period, and I decided I wanted to buy that car at the end of two years, the net effect would have been that the state would have paid for the car, right?"

Miller: "The net effect would be the same, Dick, as we have now where we have the ability to rent office furniture, for example. I'm in my third term as State Representative and I have rented my furniture, I believe, for a two-year period. That furniture is now fully paid for. I regard that office furniture as property of the state and when I cease being a State Legislator I'm going to do one of two things. Hand it on to the person who succeeds me or write a letter to the Department of General Services and say to them, 'This is a vehicle that has been paid for by the State of Illinois, what do you choose to have done with it?'. I do not regard that as personal property of a Legislator whether it be our office furniture or other vehicle once the rent agreement is paid off."

Speaker Redmond: "Representative Friedland."

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

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

Miller: "Thank you, Mr. Speaker and Members of the House, I want to respond first to Representative Simms' point in argument against my Bill and he was using the arguments that could equally be applied to the \$17,000 authorization office allotment that we previously approved. I voted for that Bill because I believe that there are certain Legislators who haven't a very good need to expend more than \$12,000 per year. The \$17,000 is the lid. I don't intend to, quite frankly, spend \$17,000 to operate my office. I've been able to do it within that \$12,000 limit and I intend to continue to try to do so."



If we're going to give certain Legislators the opportunity to spend up to \$17,000 to cover expenses that they have above and beyond the twelve, I think we ought to look to those other Legislators who have a particular need with regard to their automobile use and permit them the option. Now with regard to Representative Schuneman's point, right now, Mr. Speaker and Members of the House, as I understand it, if the 20¢ per mile Bill is to become into law we're going to be paying income tax on five cents, or that 20 cent allotment, the federal authorities only recognize a legitimate expense up to 15¢ a mile. Now if we get into the lease of the vehicle, it's going to be the responsibility of that Legislator to declare as income that proportion of the 20¢ that might go toward vehicle depreciation. And, yes, there is a responsibility on a Legislator to file his income tax properly whether or not this Bill passes. And I think it can be easily handled within the framework of federal and state law and I ask your support."

Speaker Redmond: "Question is, shall this Bill pass. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Watch the record. Is this the record for the 80th Session? Representative Miller."

Miller: "Mr. Speaker, Members of the House, I want to thank the 15 Members who voted for it in Committee."

Speaker Redmond: "Have all voted who wish? Have all voted who wish? What happened to the four? Were not 12 made whole? Have all voted who wish? Clerk will take the record. On this question there's....10 'aye', 134 'no'. The Bill having failed to receive the Constitutional Majority is hereby declared lost. 237."

Clerk O'Brien: "House Bill 237. Kane. A Bill for an Act to provide for the ordinary and contingent expense to the State Treasurer. Third Reading of the Bill."

Speaker Redmond: "Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 237 appropriates five million dollars to the State Treasurer to pay the first principle payment due on Capital Development Bonds



and Transportation A Bonds that were sold last September 1st. The reason why this money was not included in the Fiscal 1977 Budget is that usually when bonds are sold the first principle payment comes due a year later. If that had been the case this money, this principle payment would have become due on September 1, 1977 and would have been included in Fiscal 1978 Budget. However, in order to compensate for cash flow problems this bond issue sold on September 1st. The first principle payment was made to come due in eight months and so the principle payment is due May 1st in 1977 of this year. And so we need this five million dollar deficiency appropriation in order to pay the principle payment on Capital Development Bonds and Transportation A Bonds that have already been sold. And I would ask for a favorable Roll Call."

Speaker Redmond: "Any discussion? Representative Schlickman."

Schlickman: "Would the Sponsor yield for one question? Is this Bill supported by the Bureau of the Budget?"

Kane: "Yes."

Speaker Redmond: "Representative Schlickman."

Unknown: "Taylor. (Unintelligible)."

Schlickman: "You sure?"

Kane: "If it isn't supported by the Bureau of the Budget we will default on our bonds come May first and I don't think either the Governor or the Bureau of the Budget wants that to happen."

Schlickman: "Well, you don't know then if it's supported by the Bureau of the Budget?"

Kane: "Yes, it is."

Schlickman: "All right, thank you."

Speaker Redmond: "Representative Peters."

Peters: "Mr. Speaker and Ladies and Gentlemen of the House, for the benefit of those who might be wondering, this did pass House Appropriations Committee Division I by a 24 to nothing vote so it is supported by the Administration."

Speaker Redmond: "Is there anything further? The question is, shall this Bill pass. Those in favor vote 'aye', opposed vote 'no'."



Have all voted who wish? Clerk will take the record.

This question there's a 145 'aye' and no 'nay'. The Bill having received the Constitutional Majority is hereby declared passed. Representative Johnson, do you seek recognition?"

Johnson: "Yes, Mr. Speaker, my light malfunctioned on House Bill 226 and I want to be recorded as voting 'no'."

Speaker Redmond: "Is there any objection? Hearing none, Representative Johnson will be recorded as voting 'no'. Representative Dawson."

Dawson: "Mr. Speaker, I've taken....the same problem here and I'd like to take and change my vote on that."

Speaker Redmond: "What Bill was that?"

Dawson: "On 226."

Speaker Redmond: "Any objection? Hearing none, Representative Dawson will be recorded as voting 'no' on 226. Representative Bradley. Is Bradley in his chair? Representative Kemp.... Here's Bradley."

Kempiners: "Mr. Speaker, I rise on a point of personal privilege and if I could I'd like to have some order in the House. Mr. Speaker?"

Speaker Redmond: "Representative Kempiners has indicated he has difficulty in hearing and so does the Chair. Please be in order. Representative Bradley."

Kempiners: "Mr. Speaker."

Speaker Redmond: "Representative Kempiners."

Kempiners: "I rose on a point of personal privilege and I sought order in the House."

Speaker Redmond: "Oh, I...."

Kempiners: "...Am I recognized?"

Speaker Redmond: "I thought that that was your point that you...."

Kempiner: "No...."

Speaker Redmond: "Proceed, Representative Kempiners."

Kempiners: "Thank you, Mr. Speaker, and I do solicit the indulgence of the Members of the House because I rise on a point of personal privilege which I have, to the best of my memory, never done



before on the floor."

Speaker Redmond: "Proceed."

Kempiners: "A lot of us in this House have become concerned lately about some things that have been happening with regard to the manipulation of the Rules both on the floor of the House of Representatives and in Committee. And the bending of those Rules for oftentimes partisan advantage and oftentimes for the advantages of certain Members of a particular party. One of the examples of what has been happening is what I call the musical chair game on the House Elections Committee where you not only have Members replacing Members who are ill but then you have Members who are replacing the Members who are replacing those ill Members. I don't think that this is something...."

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

Matijevec: "Point of order, Mr. Speaker, that is not a personal privilege. He has the authority under the Rules to file a dissent if any two Members dissent to any House action. That's his route to go."

Kempiners: "I'm getting to my point of personal privilege and this is very much...."

Speaker Redmond: "Proceed and get to your point, Representative Kempiners."

Kempiners: "Thank you, Mr. Speaker. There's been an unwritten tradition in this House and there is reference in the Rules and I believe it's Rule 14 with regard to calling of a Member's Bill in Committee when that Member is not present. Yesterday morning I requested from the Chairman of the House Elections Committee that a particular Bill, House 254, of which I am one of the two Chief Sponsors not be called in that Committee and informed him I would not be before that Committee that afternoon. Neither of the two Joint Sponsors, Representative Byers nor myself, were in Committee and that Bill was called and a vote taken and a do not pass motion was adopted by that Committee. I object to that because as I have said, if it's not



necessarily written and there is a reference to it of rules, it has been an unwritten tradition of this House that a Member's Bill not be called and even more importantly not be killed when that Member is not in the Committee. And I consider what was done yesterday with that Bill not an affront only to me but to every Member in this House of Representatives and to the people of the State of Illinois because we sponsor Bills on behalf of the people of this State of Illinois. And what you did to me you did to my constituents and the people I represent. As I indicated, I've been concerned with some of the bending of the Rules in this Committee and the bending of Rules in other Committees on the floor of this House. And I'm not speaking for myself, I'm speaking for every Member of this Body who has a Bill that a particular partisan faction may not support. And I want to make that clear, that it's not just a Republican or Democrat issue. We adopt Rules of this House so that everybody knows what the road is going to be like when you sponsor a Bill. I hope, Mr. Speaker, that what happened yesterday to me does not represent your thinking and the thinking of your leadership. I respect you as an individual but when things like this occur, I'm afraid there's going to have to be some drastic action on, at least the part that I speak from because I feel very strongly about this. I have been very quiet about some things that have been happening and I think the time has come to stand and speak because I think this is a very important matter. And I thank the House for its indulgence."

Speaker Redmond: "Representative Collins."

Collins: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, I, too, rise on a point of personal privilege very similar, almost identical to that of Representative Kempiners because as a Member of that Elections Committee I have been victimized by this game of musical chairs is being played in violation of the rules in the Elections Committee. It's got ridiculous to the point where yesterday we saw one Member substituted for three times...two times, the final time by a Member who had been



excused from attendance on the floor of this House in the morning. And if that isn't ridiculous, if that isn't flaunting the rules, I don't know what is. I have never seen such a lack of courtesy in a Committee before, a lack of regard for the rules. And I have never seen any Member treated in such a shoddy fashion as was Representative Kempiners yesterday. This Committee has run amuck, its Chairman and Majority Leader today made a.... yesterday made a mockery of everything that we hold traditional and....and there. I guess I should not be surprised, though, all they did was throw the rules book out in the afternoon; that evening they did the job well and threw out the Constitution."

Speaker Redmond: "Representative Matijeich."

Matijeich: "I was going to raise a point but I think Phil Collins has a short memory. He forgets when he was Chairman of the Executive Committee."

Speaker Redmond: "Representative Bluthardt."

Bluthardt: "Mr. Speaker and Members of the House, as Minority Spokesman of the Elections Committee I can't help but also speak at a point of personal privilege. The rules of this House were adopted to protect all the Members of the House, not just the Majority but all the Members. And my party, temporarily, is a minority party. With this type of action that we saw yesterday it will not be minority long if the public finds out about it. Now, Mr. Speaker and Members of the House, the Sponsor, the Chief Sponsor of the Bill, Mr. Kempiners, had gone to the Chairman of the Elections Committee and told him earlier in the day that he would be unable to appear, that he had some Amendments to propose to the Bill. I also had an Amendment being drafted. I talked to the Chairman and told him that the Bill should not be called. It was agreed in Committee that the Bill would be continued for one week. Sometime thereafter, despite our objections, the Bill was called in the absence of the Sponsor, despite the rules to the contrary. And I'm telling you that if you're going to tolerate this then you might as well throw your rule book out the window. You on the other side also may find



that your rights are in jeopardy. And, Mr. Speaker, you know I...I supported you wholeheartedly, I spoke out on my side on your behalf because I believed in your fairness. I've known you for perhaps 30 years and I am now wondering, Mr. Speaker, are you changing? Is this a new Mr. Redmond? Don't forget, Bill, your fairness is what put you in office and I hope that you will interpret the rules fairly for both sides of the aisle. Thank you."

Speaker Redmond: "Representative Telcser."

Telcser: "Mr. Speaker, Members of the House, I'm sure that by now every Member realizes the grave importance of what the previous speakers have discussed because any time during the course of this Session this could happen to any Member of this House. If the Leadership decides to be against your piece of legislation, all they need do is have the Committee vote do not pass when you're not present, when you're not around, and your Bill is going to be dead. Now, it's all right for some of you to gleefully smile because the Republican Bills got defeated in that fashion and with your eyes dancing and jumping around because you happen to have the gavel for this two years. Think you've done something cute and done something smart but I emphasize to you that very frequently Members are at odds with their own leadership and, you, as an individual Member can be the person to whom this type of action is directed. And now, Mr. Speaker, I would like to say to you, Mr. Speaker...Mr. Speaker."

Speaker Redmond: "Yes."

Telcser: "I would like to say, Mr. Speaker, that it is going to be up to you...."

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

Kane: "I don't know for what purpose the Gentleman was recognized but if he's on a point of personal privilege, I think he's far afield."

Speaker Redmond: "I think he's approaching it."

Telcser: "Mr. Speaker, the Members of this House out here on the floor as you and I know very well, get very deeply enmeshed in the partisan fighting and on the issues and all of the things that



concern us. And we get emotional, we get excited and when it's all said and done, Mr. Speaker, we look to you on that podium and we ask you to set the moral tone of this House. And to set forth the rules and practices and to enforce those rules; to see to it that the House is run in a fair and orderly fashion. Now, Mr. Speaker, I note and I'm thankful and I appreciate the fact that you did not read the Committee Report today. I assume you'll read it next week. I hope that over the weekend you'll give great thought, Mr. Speaker, because, Mr. Speaker, you're the leader of this House. No matter who else may think, no matter who else in this chamber may think that they lead and that they call the shots, Mr. Speaker, it is you who is our leader. You're the Speaker of this House. No one else. No one else. So I hope, Mr. Speaker, that over this weekend and when we return to Session, I believe it might be next Tuesday, you will consider the action of what the Elections Committee did. The fashion in which they acted. And I hope you will help to correct that inequity and that injustice and give Representative Kempiners a chance to have his particular matter heard in a fair and equitable manner. We're going to look to you, Mr. Speaker, to set the tone of fairness and equity which, I think, were the principle reasons why you were elected to hold that great position of honor which you now hold. So, please, Mr. Speaker, I implore you next week to help us, to help us with Mr. Kempiner's piece of legislation to give it a fair and honest hearing."

Speaker Redmond: "Representative...Representative Madison, do you seek recognition?"

Madison: "I have a parliamentary inquiry, Mr. Speaker...."

Speaker Redmond: "State your...."

Madison: "I've...as I've listened to this I've been searching the rules and I can't find anything that's applicable to this in the rules but it is my understanding that we're not only governed by rules but by tradition. And if that is the case, Mr. Speaker, and my parliamentary inquiry to you is, whether or not this procedure was a valid one."



Speaker Redmond: "Representative Telcser has requested that over the weekend I look into the matter and I assure you that I will and when we return Tuesday, I'm sure that all of the rules and regulations and precedents under which we have operated since I have been here will be observed. Representative Matijevidh."

Matijevidh: "Mr. Speaker, Ladies and Gentlemen of the House, I don't think it was Art Telcser's persuasiveness, only because it is in the rules on a motion to recommit that Bill back to Committee, I surely will support it. I don't know what I'll do with the Bill but I surely will support any rule to recommit that Bill so that a hearing, that a vote be taken while the Chief Sponsor is there because that surely is contrary to our rules."

Speaker Redmond: "Representative Willer."

Willer: "Yes, Mr. Speaker, I would just like to join with Representative Matijevidh in what he said. I gather there are two Bills, one from both sides of the aisle dealing with the same subject. I knew about Representative Kempiner's, I gather it's considered a good Bill. I was ready to support, and still am, my Democratic Bill - our Democratic Bill, I should say - if that's the way it goes. However, to do what was done to Representative Kempiners I must raise my voice in objection. I think it was shoddy. It certainly demeans our party, 'cause that's what it was, a political play, and please reconsider over the weekend."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, under Rule 24 (c), certainly when a Bill is voted on more than twice in any Committee the Chief Sponsor has to be there. So often there's nothing in the rules to....like the situation reported by Representative Kempiners, I have to concur with Representative ...the two prior Representatives that spoke on....I do think the Bill should be reconsidered for action by the Committee."

Speaker Redmond: "All of those points of personal privilege are well taken. House Bills Third Reading. House Bill 242.

-Representative Matijevidh."

Matijevidh: "Mr. Speaker, Ladies and Gentlemen of the House, I would



ask leave that House Bill 242 be sent back to the Order of Second Reading for the purpose of an Amendment. The Co-chief Sponsor, Representative Ellis Levin, has an Amendment."

Speaker Redmond: "Does the Gentleman have leave? Hearing no objections House Bill 242 will be returned to the Order of Second Reading. Mr. Clerk."

Clerk O'Brien: "Amendment #1. Levin. Amends House Bill 242 on page 1, line 20 by inserting immediately after 'board' the following and so forth."

Speaker Redmond: "Representative Levin."

Levin: "Mr. Speaker, very briefly, the House Bill 242 which was reported out of the House Public Utilities Committee removed the exemptions that currently exist in the Open Meetings Act...."

Speaker Redmond: "Representative Levin. The Gentleman wants order. Please give the Gentleman order."

Levin: "Mr. Speaker, House Bill 242 removes the exemption that currently exists in the Open Meetings Act for the deliberation for decision of the Illinois Commerce Commission. There has been a great deal of publicity over the last few months on this particular issue. When the Bill was up in Committee the Gentleman from Elmwood Park raised a question which Chief Sponsors agreed to look into. And what we have found is that the point that Representative Conci had was a valid one. His concern was that there was no protection for proprietary information submitted to the Illinois Commerce Commission. Amendment #1 corrects that problem by providing that the Open Meetings Act does not apply to the portion of the deliberation of the Illinois Commerce Commission where they are discussing trade secrets or information that is specifically exempted from disclosure by federal statute. I urge its adoption."

Speaker Redmond: "Representative Matijevich. Dan Houlihan."

D. Houlihan: "Question of the Sponsor."

Speaker Redmond: "Proceed."

D. Houlihan: "How do you handle the situation where the portion of the deliberations that...which are called for in this Amendment are not specifically able to be separated from what the deliberative



process is in reaching a decision. In other words, it well may be that trade secrets being discussed or other information which is specifically exempted under federal statutes may pervade the entire deliberative process during the time of decision."

Levin: "The current procedure that is used by the Illinois Commerce Commission where a matter is alleged to be proprietary comes out is that...is...there is an in-camera session. The determination is made whether or not indeed it is proprietary. If it is then any proceedings or presentation of evidence or cross-examination of witnesses is held outside of the public focus. What this would do is...would take those same procedures and apply them to the deliberations of the five commissioners of the Illinois Commerce Commission."

D. Houlihan: "Well, is there anything, though, that spells out that procedure as far as a prior in-camera inspection?"

Levin: "No."

D. Houlihan: "So what you're relying upon, then, is what the practice is before the board, at least that part of the practice. Is that correct?"

Levin: "The...this problem, I think, is the problem that exists with respect to a good many of our agencies. And I believe that the procedures that I've described are, you know, analogous of the procedures that the Pollution Control Board, for example, follows where it is dealing with a matter which is likewise considered to be a trade secret."

D. Houlihan: "And the decision, then, would still be the commissions as far as what would or would not be excluded even, you know, with this Amendment."

Levin: "Yes, the...this in no way precludes opening up to public disclosure trade secrets or information that federal statute prohibits. It just exempt it from the mandatory provision of the Open Meetings Act."

D. Houlihan: "All right."

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

Levin: "Mr. Speaker, I urge the adoption of this Amendment."



Speaker Redmond: "Question's on the Gentleman's motion for the adoption of Amendment #1 to House Bill 242. Those in favor say 'aye'; 'aye'; opposed 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. On House Bills Third Reading appears House Bill 324. I understand that those Amendments are now ready and been distributed. It's on Second Reading."

Clerk O'Brien: "House Bill 324. Mudd. Is Mudd around?"

Speaker Redmond: "Representative Mudd. Where is he?"

Clerk O'Brien: "Here he comes. A Bill for an Act to amend Sections of an Act to create the Legislative Council. Second Reading of the Bill."

Speaker Redmond: "Read the Amendment, Mr. Clerk."

Clerk O'Brien: "One Committee....One floor Amendment, two floor Amendments. Amendment #1. Winchester. Amends House Bill 324 on page 1, line 14 by deleting the word 'state' and inserting in lieu thereof 'legislative'."

Speaker Redmond: "Who's the Sponsor of the Amendment?"

Clerk O'Brien: "...Winchester."

Speaker Redmond: "Representative Winchester."

Winchester: "Was that Amendment #1, Mr. Clerk? I'd like leave to table Amendment #1."

Speaker Redmond: "Is there any objection? Representative Schlickman."

Schlickman: "Would the Sponsor yield?"

Speaker Redmond: "He will."

Schlickman: "Why do you not want to substitute the word 'state' with the word 'legislative'?"

Winchester: "Well, I have Amendment #2, Mr. Schlickman...."

Schlickman: "Okay, I got it."

Winchester: "This is...one is incorporated in two."

Schlickman: "Yes. Yeah. Thank you."

Speaker Redmond: "Any objection to the Gentleman's request for leave to table Amendment #1? Hearing none, request is granted. Any further Amendments?"



Clerk O'Brien: "Floor Amendment 2. Winchester. Amends House Bill 324 on page 1, line 14 and so forth."

Speaker Redmond: "Representative Winchester."

Winchester: "Yes, thank you, Mr. Speaker. Yesterday Representative Houlihan expressed some interest and some concern about the Amendment #1 in that I was deleting the word 'state' and inserting the word 'legislative'. So the Department of General Services met with the staff of Representative Houlihan and they worked out Amendment #2 which still inserts the word 'legislative' and deletes the word 'state' but also adds, 'the service unit may also provide emergency training services to other state agencies subject to the prior approval of the Department of General Services'. I understand that the Sponsor of the Bill will accept this Amendment and Mr. Houlihan's staff will accept the Amendment. I move for the adoption of Amendment #2."

Speaker Redmond: "Representative Mudd."

Mudd: "Yes, Mr. Speaker, Members of the House, I have no objections to this Amendment and I feel that this Amendment should be adopted."

Speaker Redmond: "Any discussion? Representative Schlickman."

Schlickman: "Would the Sponsor yield? Is the...."

Speaker Redmond: "Indicates he will."

Schlickman: "If the state agency wishing to use the services of the unit subject to the approval of the Department of General Services or is the Legislative Service Unit subject to the approval of the Department of General Services?"

Winchester: "Well, I think the Legislative Service Unit would be subject to the approval of the Department of General Services as to whether they could perform the printing functions for the state agency."

Schlickman: "Well, don't you have a constitutional question when you're giving to...a unit of the Executive Branch the authority to regulate a unit of the Legislative Branch."

Winchester: "Well, I would like to defer that question to Representative Houlihan, if he doesn't mind answering it, since he was the one who insisted that some type of language like this be prepared. Representative Houlihan, could you answer this for me?"



Speaker Redmond: "D. L. Houlihan."

D. Houlihan: "Representative Schlickman, would you repeat your question, please?"

Schlickman: "Yes, this Amendment provides that the use of the Legislative Service Unit by a state agency for emergency printing services is subject to the prior approval of the Department of General Services. Now General Services is a part of the Executive Branch. The Legislative Service Unit is a part of the Legislative Branch and I'm wondering if the Service Unit that is subject to the approval of the General Services or if it's the state agency that is subject to the approval of the General Services. Meaning, before a state agency can go to the Service Unit it has to get the approval of the General Services, or is it after the state agency goes to the Service Unit, the Service Unit has to get the approval of the General Services. There's a Constitutional question here and I'm not quite sure which way or upon whom approval is subject."

Speaker Redmond: "Representative D. L. Houlihan."

D. Houlihan: "What this would provide that for nonlegislative agencies it would be subject to the prior approval of the Department of General Services."

Schlickman: "Thank you."

Speaker Redmond: "Representative Schlickman? Mudd? Representative Winchester to close."

Winchester: "I would like...I would like to move for the adoption of Amendment #2, Mr. Speaker."

Speaker Redmond: "Question's on the Gentleman's motion. Those in favor say 'aye', those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Clerk will take the record. On this question there's a 125 'aye' and no 'nay'. Gentleman's motion prevails and Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. On Second Reading appears House Bill 110. Representative Johnson. I understand the Amendments are ready?"



Clerk O'Brien: "This Bill has been read a second time previously. Amendment #1. Deuster. Amends House Bill 110 in line 1 by changing 'repeal' to 'amend' and so forth."

Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, everyone has the Amendment. I think it's almost self-explanatory but what it does, basically, is strike the word 'bastard' and substitute the word 'person'. And the way the law would remain, if this Amendment were adopted, is that there are two sections in the Criminal Law. One Section 9.31 makes it an offense to conceal a death where it happens to be homicidal, that's the other section. The Section we're dealing with right here is Section 9-4 which makes it an offense to conceal the death of a person where the circumstances are not homicidal. I think the genesis of the old statute which may be archaic, felt that it was more reprehensible to conceal the death of a bastard but with this Amendment we would change that to the word 'person'. And this is an Amendment which has been discussed with Representatives Walsh, Johnson, Kelly and myself. And I believe we've come to an agreement on the language. I move the adoption of Amendment #1 to House Bill 110."

Speaker Redmond: "Is there any further discussion? Representative Satterthwaite. I can't see the Representative."

Satterthwaite: "Would the Sponsor of the Amendment yield for a question?"

Speaker Redmond: "He will."

Satterthwaite: "Representative Deuster, I was originally the Sponsor of this Bill but I have some problems now with the Amendments although you have accurately portrayed the changes, it seems to me that the thrust of the Bill now is completely different than it might have been before because you are striking the whole phrase, 'if, when if born alive' and so now by the deletion of that phrase this essentially becomes an Amendment that deals with abortion rather than with the original intent of the Bill which only dealt with persons who had been born alive. Do you



feel that by the passage of this Amendment we would have problems then dealing with rights of privacy of a person who might have had an abortion and might not want to have some widely recognized public means of portraying that. Can we assume that if a person has had an abortion, for instance, that they would now have to make some public record of that?"

Deuster: "No, I don't think your construction of the change is accurate. The purpose of the Amendment is to just eliminate discrimination on the basis of legitimacy or illegitimacy. The language of the statute remains, conceals the death of the issue of a human body and it strikes the language which if born alive would have been a bastard. I think the, what it really accomplishes is just to eliminate that discrimination, Representative Satterthwaite, which had been on the grounds of illegitimacy so that now it's against, it should be against public policy to conceal a death whether the child's parents might have been married or unmarried. Concealing the death of the child or of the person should be an offense and I think that's what this Amendment, with the change in the law the Amendment would accomplish."

Satterthwaite: "Why would you not, then, have stricken the whole phrase 'when that person conceals the death of any issue of a human body'? It seems to me that now we are talking not in terms of live births but in terms of aborted fetus."

Deuster: "No, I...you know, it used to say 'issue of a human body which if born alive' which really clearly made it a fetus, I would think. You know, because it says 'if born alive would have been a bastard'. Now it simply says 'the death' so that the presumption is that something can't die unless it was alive. Now how can you kill something that wasn't alive? And so, as I construe it and I think the other Sponsors of the Amendment construe it we're talking about killing a human life."

Satterthwaite: "Well, Mr. Speaker...."

Speaker Redmond: "Proceed."

Satterthwaite: "...And Members of the House, if I may speak to this



Bill, or the Amendment that we're now proposing for this Bill. It does seem to me that it raises some vital questions about the kinds of records that might be required, the kinds of information that a person might be required to reveal if they had had an abortion. I don't really see that the Amendment makes clear what the situation would be in these cases and I think that the Amendment should be opposed on the basis of that difficulty of not knowing exactly what we would be requiring on behalf of a person who might have an abortion."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I think Representative Satterthwaite poses some proper language should be put into this Bill because if it is true, as Representative Deuster says, all this Bill will do, all the law will do will make it a misdemeanor to conceal the death of a person. By the Amendment taking out the language which, 'if born alive would be a bastard' now I think you also have to take out the language that comes before that and just put a period after 'person' in line 11 and eliminate all the rest of that language and that paragraph. Then, because what you have now, you talk about concealing the death of a person. When that person conceals the death of any issue of a human body and that, I think, confuses the quote issue. I think it would be a better law now if you just put a period after 'person' and eliminate the rest of the language."

Speaker Redmond: "Representative Kelly."

Kelly: "Yes, Mr. Speaker, Members of the House, with the Amendment now offered on...to House Bill 110, I certainly am in favor of this proposal. I think by striking the word 'bastard' and replacing it with the word 'person' it certainly would leave in the intent of concealing. I don't think we should conceal anything particularly the death of a person and that could be an unborn, certainly that shouldn't be concealed any more than anything else. So, I think this is an excellent Amendment and I'd like to ask for its passage. And I favor it."



Speaker Redmond: "Representative Chapman."

Chapman: "I have a question for the Sponsor of the Amendment."

Speaker Redmond: "Proceed."

Chapman: "Mr. Deuster, how would this affect a woman who had a...
an involuntary miscarriage, say at two months. Would you have
to publish the fact that she had a miscarriage to avoid being,
to avoid committing the offense of concealing the death of any
issue of the human body?"

Deuster: "Representative...."

Chapman: "It looks that way."

Deuster: "Yes, no. But actually under existing laws she wasn't
married, she'd have to do it right now, it's...the law as it
exists now is discriminatory against unmarried women and I
don't think...and all we're doing is eliminating that discrim-
ination from the statutes."

Chapman: "...Mr. Deuster, I don't seem to get the answer that, that
I'm pushing for. A...a woman now who has a miscarriage, whether
it's at one month, two months, three months, is going to be forced
in some way to publish this fact...."

Deuster: "No, no...."

Chapman: "Or else she is going to be guilty of committing the offense
of concealing the death of a person because this would be a
...the issue of a human body."

Deuster: "Representative Chapman, I think you must recognize that over
the history of these two Acts, it's my understanding that con-
cealing is a positive act of actively going out and covering up.
And as you see in Section 9.31 it's an offense to conceal a
homicidal death. If you have...the person must have a criminal
intent and he must do something and I don't think it covers the
situation you describe at all...."

Chapman: "So...."

Deuster: "We're just saying that public policy to conceal, to actively
conceal a homicide or another kind of a death. It's more serious
if it's a homicide, it's not so serious if it's just a normal
death. But to actively conceal, that's what we're talking about."



Chapman: "Yes...."

Deuster: "I don't think there's any positive requirement of reporting involved here at all."

Chapman: "Uh-huh."

Deuster: "They've been on the books for a long, long time. The only change we're endeavoring to make is to strike 'bastard' and put in 'person'."

Chapman: "Well, it...it appears....thank you, Mr. Deuster, it appears to me that the Bill without the Amendment which was a repealer, as I understand it, was....was its way to remove this kind of discrimination, so it appears to me that....that this Amendment should be opposed."

Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker, I'm not closing but I would ask leave, Representative Johnson and our staff discovered in line 15 the word 'child' should be 'person'. I would ask leave to amend this Amendment on its face to strike the word 'child' and insert the word 'person'."

Speaker Redmond: "Does the Gentleman have leave? Mr. Clerk, did you hear that? Would you state it again, Mr. Deuster?"

Deuster: "Yes, on Amendment #1 to House Bill 110 on line 15, leave was granted to strike the word 'child' and insert the word 'person'."

Speaker Redmond: "Representative Matijevec."

Matijevec: "I'm not going to give him leave for that because I think it really screws up the whole Bill...."

Speaker Redmond: "There are objections."

Matijevec: "You can't even indict somebody for murder if you follow your Amendment."

Speaker Redmond: "You failed to get unanimous consent so you don't have leave to amend it on its face. Maybe we better let this one go until next Tuesday. At the request of the Sponsor we'll take this out of the record at the present time. Representative Skinner."

Skinner: "Oh, merciful Speaker, can't we just do something with the Amendment now?"

Speaker Redmond: "Well, I think that the....I think the Sponsor...."

Skinner: "I don't think this Body can take another hour or two of this."



Speaker Redmond: "...The Sponsor and the Sponsor of the Amendment have a right to get it in the shape....that's kind of a problem indigenous to Lake County and McHenry County. Senate Bills... out of the record...Senate Bills Second Reading. On Senate Bills Second Reading appears Senate Bill 178."

Clerk O'Brien: "Senate Bill 178. A Bill for an Act to amend Sections of the Coal Mining Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. Representative Greisheimer, for what purpose do you arise?"

Griesheimer: "Just a parliamentary inquiry, Mr. Speaker. I had heard that the Senate, the Senate having adjourned yesterday has gone home, is not assigning any of the House Bills to Committee and there are no, there is no Committee action being taken in the Senate on House Bills. I just wondered if that was correct?"

Speaker Redmond: "I have no idea. We will find out."

Griesheimer: "I would appreciate it because possibly we could shelve the Senate Bills the same way until they decide they have to go to work."

Speaker Redmond: "I'm not so sure you want to shelve this one but maybe some others. House Bills Third Reading. 244."

Clerk O'Brien: "House Bill 244. Ewing. A Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Redmond: "Out of the record. Representative Bradley."

Bradley: "Thank you...thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, in order to help clean up the Calendar I would like to table House Bills 7 and 8 of which I am Chief Sponsor of those two Bills. I ask leave of the House to do that, Sir."

Speaker Redmond: "Are there any objections? Hearing none, leave is granted. Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker, I would like leave of the House to vote 'aye' on House Bill 168. I was off the House floor talking to



some constituents and I wonder if I have Leave of the House to vote 'aye' on House Bill 168, it will not affect the outcome."

Speaker Redmond: "Are there objections? Hearing none, leave is granted. House Bills Third Reading, 270."

Clerk O'Brien: "House Bill 270. Jaffe. A Bill for an Act to amend Sections of the Criminal Code. Third Reading of the Bill."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Mr. Speaker, Members of the House, House Bill 270 provides that any male or female who has sexual intercourse or permits an act of devious sexual conduct with a son or daughter commits aggravated incest. The problem that we have is that the present law has really been held discriminatory and has been held unconstitutional. In one case which is People vs Yocum and basically what this Bill does is that it cleans up the law and it conforms to what the court says the law ought to be. And I would solicit an 'aye' vote."

Speaker Redmond: "Any discussion? Representative Dan Houlihan."

D. Houlihan: "Question of the Sponsor?"

Speaker Redmond: "Proceed."

D. Houlihan: "With this change, what is the definition now unaggravated incest?"

Jaffe: "Well, let me say this to you, Dan, that basically what you had beforehand was that sexual intercourse, you know, between a father and a daughter was considered aggravated incest; between a mother and son was considered just plain incest. The courts in People vs Yocum, which is a 1975 case, says that that was discriminatory and they held that that statute was probably unconstitutional. So, therefore, what we're doing, we're making both instances aggravated incest."

D. Houlihan: "Well, isn't it a fact though that People vs Yocum was founded upon a decision of People vs Boyer which was subsequently reversed by the Illinois Supreme Court?"

Jaffe: "Not...not to my knowledge, Dan."

D. Houlihan: "Well, that...."

Jaffe: "And...and actually, you know, regardless of whether or not



you have People vs Yocum, I still think it's sort of ludicrous to hold one to be aggravated incest and the other one to be just mere incest. You know, the old concept was that you have aggravated incest with a father and daughter because the daughter might become pregnant. As you know, they have now discovered that if this were the mother and son, the mother can also become pregnant,....so it works both ways."

D. Houlihan: "Well, I would like to point out, Representative, that in People vs Boyer, which was determined after People vs Yocum, the Illinois Supreme Court held that the fact that the father was subject to a more severe penalty if he has such relations with his daughter than a mother who has sexual relations with a son did not violate the Constitutional provision outlawing sex discrimination. Now I suggest that there was a real reason why we had aggravated incest for a father with a daughter because there's an element of force involved that is, would presumably not as prevalent in a situation with mother and son..."

Jaffe: "Well...."

D. Houlihan: "Back to my original question, which you haven't answered, how do you define simple, unaggravated incest now?"

Jaffe: "Well...."

D. Houlihan: "Would it only be a brother and a sister?"

Jaffe: "It would be a brother and a sister, yeah. And one other, well, let me take a look, whatever....yeah, basically just a brother and a sister, at the present time."

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

Jaffe: "I think that we fully understand the Bill at this time and as I indicated beforehand this Bill came out of Committee 13 to nothing with no objections. And I would solicit an 'aye' vote."

Speaker Redmond: "Question is, shall this Bill pass? Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Representative Matijeovich."

Matijeovich: "Mr. Speaker, I just want to explain my 'no' vote because



I don't think there ought to be degrees of incest. Incest is bad, I don't care how you cut it, and I don't think we ought to have degrees of it."

Speaker Redmond: "Have all voted who wish? Clerk will take the record. On this question there's a 126 'aye' and 6 'no' and the Bill having received the Constitutional Majority is hereby declared passed. 279. Representative... Representative Deuster."

Deuster: "Mr. Speaker, I... I had a Bill on a similar subject and I agreed with Representative Jaffe that I would table it. There's no point in having duplication and that's House Bill 78. And I ask leave of the House to table House Bill 78."

Speaker Redmond: "Does the Gentleman have leave to table House Bill 78? Hearing no objections House Bill 78 is tabled. Take 279 out of the record. 282. Representative Brummet on the floor? Yeah. I can't see Representative Brummet, there's somebody standing up..."

Clerk O'Brien: "House Bill 282. A Bill for an Act to restore access rights to property adjacent to Federal Aid Route 12 in Fayette County. Third Reading of the Bill."

Speaker Redmond: "Representative Brummet."

Brummet: "Mr. Speaker, Ladies and Gentlemen of the House, this is just merely a simple Bill to give access rights to a homeowner and it's on a highway that has been deadended about 800 feet down the road from this. And the Department of Highways arrived at the figure of \$50. So I'd appreciate a 'yes' vote."

Speaker Redmond: "Is there any discussion? Question is, shall this Bill pass. Those in favor vote 'aye', 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 question there's a 147 'aye' and no 'nay' and the Bill having received the Constitutional Majority is hereby declared passed. 283, Representative Lucco."

Lucco: "House Bill 283. A Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Redmond: "Representative Lucco."

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



I am handling House Bill 283 for Representative Anderson who is ill and with the consent, of course, of the Minority Leader. This Bill makes a change in the School Code to the effect that when two districts consolidate together in regards to a regional superintendency the...the board...the trustees are to be elected in the primary and they take office in August and during that time - there is a period of time in which actually there could be an election held - so this Bill merely says 'it makes for a smoother transition in the consolidation of regions'. And it says at the primary immediately preceding August '79, the election for trustees for the newly consolidated regions is held and they take office in '79. This Bill provides that any trustee's term of regions consolidated expiring between April and August would be extended to August when the new trustees take over and it does avoid the necessity of an unnecessary election. This has the support of the IOE and the regions involved. I appreciate your support."

Speaker Redmond: "Any discussion? Representative Polk."

Polk: "Mr. Speaker, when this Bill was in Committee it was pointed out that in a time of need, and this is certainly a time of need in education, that this, indeed, would take time and money. And for... all school districts need an opportunity to save additional funds for good basic education. And I would solicit your 'aye' vote."

Speaker Redmond: "Question is, shall this Bill pass. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question, 143 'aye' and 1 'no' and the Bill having received the Constitutional Majority is hereby declared passed. 301."

Clerk O'Brien: "House Bill 301. A Bill for an Act to revise the law in relation to counties. Third Reading of the Bill."

Speaker Redmond: "Representative Van Duyne."

Van Duyne: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 301 addresses itself to the lack of prompt and consistent legal advice to the county boards such as the one in



Will County. Today, when counties at least the size of Will County which is around 250,000, the state's attorneys office whether or not he be short of help or whether or not he becomes preoccupied with the criminal part of his business sort of shuns the idea of giving and consistent, and I emphasize the word consistent, legal advice to the county board. I've always contended that the county board is a legal entity and should enjoy at least comparable status with any other legal entity in the county such as recorder's office, auditor's office, and even the state's attorney. So, it's a permissive piece of legislation. They don't have to do it. It's up to them. They don't have to hire them fulltime, they can hire them piecemeal or per diem or whatever they can work out with the attorney in question, but it does give them the right to have consistent, day-to-day legal advice for their day-to-day business. Now, you know that sometimes there are personality conflicts that enter into this where you have opposite parties or...and sometimes also where you have people of the same parties that have personality conflicts where they use the budgeting process to deny one or the other. And I think the county boards and the offices that these people are representing should have equal status. I think the county board's business, the day-to-day business where these people who enjoy the position in the county boards, in one committee or another have to have legal advice to guide themselves in their normal deliberations. So, as I said before, it's permissive. It does give the county board at least the chance to have one attorney that they can turn to day-to-day in order to have their legal advice. And I would ask for affirmative vote. I checked with some people in the business on this, I've talked this morning with the State's Attorney from Peoria County, a man by the name of Mike 'Mimm' who came out of St. Louis. And in St. Louis counties they have this, this procedure. The County of St. Louis has an appointed attorney and he finds no conflict with this. So, as I said once before, I would ask for a favorable vote on this. And one more point, county boards such as Will



County and LaSalle County and other counties throughout the state are really the only entity of local governments that do not have appointed, as far as my knowledge goes, attorneys. The cities have it. The park boards have it. The forest preserves have it, and all the rest. The county board is the only one that is forced to get his legal representation under the umbrella of the state's attorney. So without pursuing this any further I would simply ask you for an affirmative vote."

Speaker Redmond: "Representative Simms."

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to House Bill 301. Under the Illinois Statutes, the state's attorney has the responsibility of representing the county board as the same as the Attorney General is the chief counsel for the State of Illinois. There's a clear distinction between what Representative Van Duyne has indicated in comparison with the counties and the cities and the park districts. Number one, you elect the state's attorney as a county officer and part of his duties are to serve as the chief counsel. Correspondingly, you do not elect a city attorney, you do not elect a park board attorney. It's the responsibility of those districts to hire one. All you're basically doing is setting up another department within the county to establish more jobs, more positions and cost the taxpayers more money. The state's attorneys have the staff. They have the obligation as charged by law. They have been elected by the people in the representative counties to serve in that capacity and all we're doing to this legislation is setting up another bureau of bureaucracy within local government that can't be exercised. I think we would be doing the people of this state a great service if this Bill were defeated. It's not needed. It's expensive and it's duplicative of the work that the state's attorneys office is now charged with."

Speaker Redmond: "Representative Willer."

Willer: "Yes, Mr. Speaker, I remember this Bill before two years ago shortly after we came into Session, I was probably only in here one month and I was baffled by the people who opposed it then."



I see the same people are essentially going to oppose it now. These are the people who say 'get government out of other people's lives, we shouldn't be telling them how to do everything'. Despite what the statutes say about the state's attorneys office, I think Representative Van Duyn has a good Bill. I don't think it will be abused. It's only permissive in downstate in the smaller counties especially. I can see for the reasons pointed out by Representative Van Duyn where this would be a very necessary piece of legislation to have and to use. We are...there... only have one state's attorney at times, one assistant who can be very busy perhaps. There can be conflicts of personalities. There are, also can be cases of downright incompetence even though they've been elected by the people. I don't think it threatens the people of the county. County officials are scratching around for money right now and I don't think they're going to be throwing it away hiring outside counsel if they don't need it. I repeat, I find it strange that those who were saying keep government out of other people's lives are suddenly saying what they know is best for each county and the people of the county. It's a good Bill and I'd like to see it supported and passed."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, this is another political boondoggling Bill. I'm speaking with some authority, I happen to have a Democrat state's attorney and a Republican county board. I think it is unfair to allow a Bill like this to pass because what you are doing in effect is saying every time the state's attorney does not agree with the county board 'we don't have to listen to him, we can hire another lawyer'. And when you do that then you are erasing the conscience and common sense of good government. I certainly speak against the Bill because this is nothing else but taking away the authority that's just.....the state's attorneys. If he's not good, they don't like him, they don't have to reelect him. If he's bad, for good reasons, they can institute proceedings for impeachment. But for heaven's sakes let's not erode good government by playing



patsy with political football."

Speaker Redmond: "Representative Davis."

J. Davis: "Mr. Speaker, Ladies and Gentlemen of the House, thank you very much. I certainly agree with what Representative...hello, hello...I certainly agree with what Representative Geo-Karis and Representative Simms have said in response to what Representative Willer said. Representative, downstate counties tend to grow as well and they become larger counties as time goes on. But all due respect to my distinguished colleague from Will County, we have a very competent state's attorney's staff in Will County and I resent the implication in his opening remarks towards that particular staff. I feel that this is a terrible Bill, that if there is indeed money involved to hire outside attorneys by county boards who sometimes differ from the other party, there's certainly money with which to staff a state's attorney's office to handle the kind of problem that is being brought before the board. I think it's another step away from the...the power of county government and I urge a 'no' vote on this legislation."

Speaker Redmond: "Representative Sandquist."

Sandquist: "Will the Sponsor yield to a couple of questions? Does this Bill apply to Cook County?"

Van Duyn: "Representative Sandquist, I understand, no. Because of the fact the state's...Cook County is a home rule county and I believe they can do whatever they please, more or less, anyway."

Sandquist: "All right, and does the State's Attorneys Association support your Bill?"

Van Duyn: "Well, I don't know whether the State's Attorney's Association does but I know the...I don't think the Illinois Bar Association does."

Sandquist: "But you don't know whether the State's Attorneys Association..."

Van Duyn: "No, but if I had to give you a guess I would presume that they do not. Most lawyers are necessarily attuned to the state's attorneys office and they feel this would impune and have some kind of a way of taking away some of the power of



the state's attorney's office. Now, you know I hasten to add to you, or hasten to add to this that this is not the intent of the Bill. One of the previous speakers alluded to the fact that our county has a very competent staff of state's attorneys. And by our own state's attorney's own words he will tell you any time of the day or night that he's understaffed and overworked. And I can also go on further and be safe, I believe, in saying that any state's attorney that you talk to, individually, who would not have to be put on record as part of an individual organization, or overall organization, would tell you that the criminal thing, especially of Will, Cook, St. Clair, Peoria and the larger counties is a...is a thing that's burdened the state's attorney's office to no end and the picayunish stuff that goes on in the county board, in their language, the day-to-day stuff that takes just nominal or average advice is really a thing that over...overbears on the state's attorney's office. They don't want to do it. I think any individual attorney... state's attorney will tell you this but the fact of the matter that they feel that they give up the....the club in their, in their budgeting session every year is the thing that leads them to, you know, oppose it."

Sandquist: "Well, Mr. Speaker and Member....Ladies and Gentlemen of the House, I've heard what Representative Van Dwyne has said and even though this doesn't apply to Cook County, I...I certainly, if it did apply to Cook County, I would strongly oppose it, but with, I don't think that we should tell downstate to be any different and therefore I think it does deserve a 'no' vote. I'm sorry."

Speaker Redmond: "Representative McMaster."

McMaster: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I, too, rise in opposition to this Bill. LeRoy, I'm not trying to shoot you down or anything like that but I happen to know that presently many county boards who do have specific cases in court that they want to pursue do hire attorneys who are not under the umbrella of their local state's attorney. This is why



I feel that it's completely unnecessary. If you have a political situation or some reason that you have a county board and a county state's attorney who do not get along together, this is a different thing. And I always hesitate to legislate in special cases such as this. I think that it can be done without this piece of legislation. I think another possibility that could exist should this pass, you might have an attorney representing the county board in a case and also the state's attorney being the opposite side of that case and I think would lead to almost an insoluble question. I would oppose this legislation, LeRoy."

Speaker Redmond: "Anybody for...Representative Skinner."

Skinner: "When this Bill started out I thought it might get more than the 19 votes that its predecessor did when Representative Hirschfeld sponsored it a couple of years ago. I'm not sure whether that will be the case now but I think everyone should know that a number of state's attorneys have changed their minds, among which are Gene 'Arbentrou' the new State's Attorney of Kane County and Ken Boyle, the new State's Attorney of Macoupin County. Now, Representative, former Representative Boyle is the Chairman of the State's Attorney's Legislative Committee and that may make some difference to some people, it may not to others. It seems to me it makes a great deal of sense for the people to elect a criminal prosecutor who will represent their law and order stand. But I would respectfully suggest that not all good criminal lawyers are good civil lawyers. In fact, I would almost assert that. Wisconsin has a system like this, it works. Of course a lot of things work in Wisconsin that don't work here. And I certainly hope that perhaps we will follow their example on this issue."

Speaker Redmond: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Representative Skinner, you're exactly right in your quotation from the Wisconsin legislation but I think there's another problem. We passed the State's Attorney's Bill for this...that in smaller



counties not only the state's attorney to be the legal officer of the county and the county board could not allow for any assistance. And so that causes a very grave problem because in counties of 40 and 50, up to about 60,000 people they do need additional legal services in some of those areas. And since we passed the legislation, the county boards won't allow any assistance in legal areas. And I think that in those counties outside of 200,000 or a million where they do have legal staffs for their state's attorneys that it...it can be put to good use. And I support his proposal to allow the county board to hire additional legal help as they do in the counties of Cook and DuPage and the other large counties."

Speaker Redmond: "Representative Mudd."

Mudd: "Yes, the way I understand this legislation, is that it's a permissive Bill and allows county boards this authority if they choose to have. And I think that they're entitled to set their own priorities as far as county board business and its relationship to the workload that they've got in relationship to the criminal laws that the state's attorneys got....I know that there are many aldermen, or people who served on city councils and village boards in this room today and I wonder what their thinking would be if their corporation council was an elected person and responsible for...for their workload and so on and so forth. So there's a problem here and it's only a permissive piece of legislation. I can't understand why anybody can't support it."

Speaker Redmond: "Representative Schoeberlein."

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

Speaker Redmond: "The question is, shall the main question be put. Those in favor say 'aye'; 'aye'; opposed 'no'. The 'ayes' have it. Representative Van Duyne to close."

Van Duyne: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I'd just like to take one point to try to prove my....prove my point a little bit more conclusively from one of the previous speakers. He said that we, the State of Illinois, have our Attorney General as our attorney. It is true, we do have the



the Attorney General to represent the State of Illinois.

But, we as a State Legislature, do not utilize the services of the Attorney General in our general every day-to-day business. We have attorneys in Judiciary II; we have Judiciary I. In fact every facet of our government, every other separation of our government has attorneys on their staff for their day-to-day business. Now, Representative Simms brought this up before and you know I just want to...you know, make it more vivid if I can. But this is not a thing to try to usurp the powers of the state's attorney. As I said before, most state's attorneys if you contact them individually will tell you this is a pain in the neck. They don't want to do this. They haven't got the staff now to do it with. So, I would hope that you would look upon this not as a usurpation of any state's attorney's power or a boondoggle, as somebody else referred to. This is an honest effort to put the county boards of all the counties in the State of Illinois on an equal footing, an equal basis....governmentally with the other...other functions of the county government. Thank you very much."

Speaker Redmond: "Question is, shall this Bill pass. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 69 'aye', 76 'no'. Representative Barnes. Representative Barnes, 'aye'. Representative Barnes, it's closed. You'll have to get the unanimous consent to be added. On this question there's 69 'aye' and Representative Lechowicz."

Lechowicz: "Request a poll of the absentees."

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

Clerk O'Brien: "Anderson, Antonovych, E. M. Barnes,...."

Speaker Redmond: "E. M. Barnes, 'aye'."

Clerk O'Brien: "Don Brummet, Caldwell...."

Speaker Redmond: "Wait a minute. Representative Brummet desires to be recorded as 'aye'."

Clerk O'Brien: "Caldwell, Capparelli, Domico, John Dunn, Farley, Garmisa, Giorgi, Hoffman, Katz, Leinenweber, Levin, Madison, Mann, Marovitz,



Peggy Smith Martin, McAvoy, McGrew, Mugalian, O'Brien, Reed, Schisler, Sevcik, Stearney, Terzich, Tipsword, that's all."

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

Farley: "How am I recorded?"

Speaker Redmond: "How is the Gentleman recorded?"

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

Farley: "Would you please vote me 'aye'."

Speaker Redmond: "Record the Gentleman 'aye'. Representative Skinner."

Skinner: "Yes, is somebody playing around with the phones again?"

'Cause I don't have a dial tone on mine."

Speaker Redmond: "I don't know."

Skinner: "Well, it seems to me, Mr. Speaker, you're in charge of making sure the phones work. To the best of my knowledge we still can't be signalled from our offices that there's a call back at our offices. It's been almost three months, Sir."

Speaker Redmond: "We'll take...we'll take that up with the Director of Operations. Anything further? Proceed. 72 'aye', 76 'nay'. Any further questions? The Bill having failed to receive the Constitutional Majority is hereby declared lost. 310."

Clerk O'Brien: "House Bill 310. A Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Redmond: "Out of the record. 321."

Clerk O'Brien: "House Bill 321. A..."

Speaker Redmond: "Dan Houlihan, out of the record, is that correct? 331?"

Clerk O'Brien: "House Bill 331. Flinn. A Bill for an Act to amend Sections of an Act in relation to Public Water Districts. Third Reading of the Bill."

Speaker Redmond: "Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 331 is one that is designed to permit, it's on a maybe situation, permit public water districts which have absorbed a public sewer district to increase the salaries, or the pay rather, for the trustees. The present pay is \$600 a



year and this Bill proposes to raise that to \$1200 a year.

I know of no known opposition but would be glad to answer any questions and ask for a green vote."

Speaker Redmond: "Any...any discussion? Question is, shall this Bill pass? Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? The Clerk will take....have all voted who wish? Have all....hurry up, Simms. Have all voted who wish? The Clerk will take the record. On this question there's a 110 'aye' and 11 'no' and the Bill having received the Constitutional Majority is hereby declared passed. 339."

Clerk O'Brien: "House Bill 339. Yourell. A Bill for an Act in relation to jury commissioners. Third Reading of the Bill."

Speaker Redmond: "Representative Yourell."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 339 is the Bill that amends the Jury Commissioner's Act to allow the destruction of the records after four years instead of the present statutory requirement of 20 years. This Bill is identical to House Bill 3925 in the last Session of the General Assembly was recommended 'do pass' by the Counties and Townships Committee sixteen to nothing. It passed out of the House 137 to 1 and got caught up in some kind of a problem over in the Senate. And I ask for your favorable response."

Speaker Redmond: "Is there any discussion? Question is, shall this Bill pass. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 138 'aye' and no 'nay' and the Bill having received the Constitutional Majority is hereby declared passed. 387. Is Representative Giglio?"

Clerk O'Brien: "House Bill 387. Giglio. A Bill for an Act to amend Sections of the Illinois Vehicle...."

Speaker Redmond: "Out of the record. 388."

Clerk O'Brien: "House Bill 388. Dyer."

Speaker Redmond: "Out of the record. 389, Representative Dyer? Out of the record."



Speaker Redmond: "398, Representative Skinner, or Catania and Skinner. 389...398, pardon me."

Clerk O'Brien: "House Bill 398. Catania. A Bill for an Act to amend Sections of the Unified Code of Criminal Corrections. Third Reading of the Bill."

Speaker Redmond: "Representative Catania."

Catania: "Thank you, Mr. Speaker and Members of the House. House Bill 398 is permissive legislation which does two things. It provides that either parent having sole custody of a child at the time of commitment to incarceration in the Department of Corrections may request help from the Department of Children and Family Services in placing that child. And it also provides that the Director of the Department of Corrections may determine that when a woman gives birth while in the custody of the Department that there are special reasons why that child may stay with the mother up to the age of one year. Now the Director can do that under the current statute but this is a somewhat more positive statement although as I said at the beginning it is still permissive. Last year in the Department of Corrections thirteen women gave birth to children who were removed from their mothers within five to seven days after those births. In most of those cases the women had come back from furlough pregnant and were about to be released from the Department of Corrections which is why we have the one year provision. What this does is to permit the Director, as I've said, for special reasons to say that these babies may stay with their mothers. Special reasons could be, for instance, that they were about to be released in six or seven months; that the mothers wanted to breast feed. I think common sense tells everybody that it's best for these babies to stay with their mothers if it is practicable in the Department. I'll be happy to answer any questions if there are any."

Speaker Redmond: "Any discussion? Representative Keats."

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

Speaker Redmond: "She indicates she will."



Keats: "Would this Bill make it legal for, if the father of the children involved is admitting paternity, this isn't a case where there's not a marriage involved, if the father of the child admits paternity. In this Bill, would he be allowed to take possession of the child since the mother seems to be leading less than the best lifestyle for the benefit of the child?"

Catania: "It's really up to the discretion of the Director. Obviously, he's not going to be interfering in people's personal relationships but he can determine, if there's a request, that there may be special reasons why the baby can stay with the mother. But it in no way interferes in their own personal relations."

Keats: "No, what I'm saying is, if the mother does not want to give the child to the father but he does claim paternity and does want the child, can he then have the child given to him, as I...I think."

Catania: "The way it works now is that the Department of Children and Family Services usually places the baby either with an appropriate family member or in a foster home and I'm sure that that would still be the case."

Keats: "Okay, thank you."

Speaker Redmond: "Representative Tom Miller."

Miller: "Thank you, Mr. Speaker, will the Sponsor yield?"

Catania: "I'll be happy to answer any questions, yes."

Speaker Redmond: "Indicates she will."

Miller: "Representative Catania, if the father of a newborn child is in prison, under your Bill, would you permit the father to take possession of the baby while he's serving his prison sentence?"

Catania: "No, it says 'any woman giving birth'."

Miller: "Why are you discriminating between the sexes?"

Catania: "If the father gives birth I'm sure he can do the same thing, Representative Miller."

Speaker Redmond: "Any comments?"

Miller: "Yes, I do, Mr. Speaker. I'm going to try to change my act to figure out my innards to see if that's possible. But lacking that you pointed out..."



Catania: "Can we all watch?"

Miller: "Lacking that possibility, you pointed out that the benefit of the...having the baby in prison with mother is to give it particular affection. Now, I don't propose to grow any breasts here either but I would suggest to you that the father of a child has the equal right to give affection to a child as his own. And I think if you're going to be fair about it, under the Equal Rights Amendment, it would be possible and I think we ought to make it possible under this Bill."

Catania: "Representative Miller, I think that as you and your friends usually point out when we talk about Equal Rights Amendment, we do have the right here in the Legislature to say that there are differences that prevail. In this case, certainly, the male prisons in Illinois, I think most people would agree, are no place for a child. The prisons which house the women are rather different and we are talking about a situation which exists in our society where the babies do...."

Miller: "Well, I'm glad that you recognize that we do have....wait... prerogative today to make exceptions between men and women but my point to you is, under ERA, we're going to lose those prerogatives and that you're going to be fair about it. You ought to build into this Bill the right for a man to have his baby in prison too."

Speaker Redmond: "Representative Friedrich."

Friedrich: "Mr. Speaker, would the Sponsor yield to a question, please?"

Speaker Redmond: "She will."

Friedrich: "Using your figures, Representative Catania, it's possible that we could have as many as fifteen babies in Dwight at any given time, right?"

Catania: "If the Director decided that that was appropriate..."

Friedrich: "Right. Now, do we have nursery facilities there? The last time I was there we did not have a nursery at Dwight."

Catania: "Representative Friedrich, the Director of the Department, Director Rowe, testified yesterday before our Joint Subcommittee on Corrections that he hoped to be moving the women to Geneva."



Women are being taken out of Vienna and probably will be sent to Geneva where there would be more appropriate facilities. As I stressed at the outset, this is permissive and certainly we are not mandating that babies be kept in the Illinois prisons..."

Friedrich: "No, well, I'm not being facetious, but neither at Geneva or at Dwight do we have nursery facilities and I'm wondering if this would not involve an expenditure because we're certainly not prepared to take care of fifteen babies at any place."

Speaker Redmond: "Representative Peters."

Peters: "Representative Catania, if you would answer a question? I'm..."

Speaker Redmond: "She agrees to."

Peters: "...On page 3, Sue...Representative Catania? Line 7 and... and perhaps I'm not reading the Bill correctly, but lines 7 through 13, 'offenders sentenced to a term of imprisonment for a felony shall be committed to the penitentiary system of the Department of Corrections; however, such sentence shall not limit the powers of the Department of Children and Family Services in relation to any child under the age of one year in the sole custody of either parent'. Now, does that mean that the Department of Children and Family Services would have the option of making a determination that the child under the age of one who is in the custody of a female should spend that first year in surroundings, in a prison system that they think might be better for the child? Or at the same time also has the option of determining that that child under one year of age might spend that first year in prison if the father happens to have sole custody? Am I...am I reading that incorrectly?"

Catania: "Yeah..."

Peters: "I know what you're trying to do...."

Catania: "Only the Director, if you back up and look at the previous page, the Director gets the power of discretion. On page 2, line 79."

Peters: "All right, so, then I am correct that the Director can make a determination that a child, that a child, where the father is



in sole custody of that child and that father is convicted, that the Director can make the determination that the child should be in the prison with the father, at least for the first year of his life."

Catania: "No, Representative Peters, there are two separate things we're talking about here. One was the point that Representative Miller raised which is that the women give birth to the children and the Bill states that if a woman gives birth to a child while in prison then the Director may decide if...there may be special reasons why the child should stay in...."

Peters: "...All right, that I have no problem with, that I have no problem with. It's just a question, Sue, where we've got either parent."

Catania: "No, there are two things that we are dealing with here, both permissive. The other provision is that DCFS may place a child if either parent has sole custody at the time of commitment, that's the section that you were talking about later. It does not say that the child will be in a prison, it says that DCFS will find appropriate placement for the child."

Peters: "But...but could DCFS make the determination...."

Speaker Redmond: "Bring the dialogue to a close, please."

Peters: ".....that the prison, yes...."

Catania: "No."

Peters: "Oh. Okay. Fine."

Speaker Redmond: "Representative Mahar."

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

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

Catania: "Thank you, Mr. Speaker and Members of the House, the Department of Corrections has no objection to this legislation. It is permissive because, certainly, we don't want in any way to inflict this on them when they are facing overcrowded conditions but I would like to point out that in the other countries of the world it is considered uncivilized to separate



a newborn baby from its mother just because she happens to give birth while she is in prison. And I ask for your support of this Bill."

Speaker Redmond: "Question is, shall this Bill pass. Those in favor vote 'aye'; opposed vote 'no'. Representative Waddell to explain his vote."

Waddell: "Mr. Speaker and Ladies and Gentlemen of the House, inasmuch as I was precluded from asking some questions by a motion to go ahead I'd like to still do this in such a manner as to explain my vote. Number one, we talk about civil rights. What are we doing with this baby then with a prison record as having spent its first half year in prison. Number one, does that individual when they grow older, then want that record? And I would say to you that this is a serious matter and if you're talking about civil rights you better think about the baby's civil rights. And I, for one, would vote 'no'."

Speaker Redmond: "Representative Brummer."

Brummer: "I had a question but by way of explanation, I guess, of my vote, it appears to me that currently the authorities to decide custody of children when there are two parents, resides with the judge ultimately. If I read this Bill correctly, on the second page it says the Director of the Department of Corrections may determine that custodial authority. I do not think we should preclude the judicial system from determining the custody of children when both parents are surviving."

Speaker Redmond: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 45 'aye' and 60 'no'. And the Bill having failed to receive the Constitutional Majority hereby is declared lost."



Speaker Redmond: "417. Representative McGrew on the floor?

Out of the record. 543. Representative Yourell."

Clerk O'Brien: "House Bill 5...."

Speaker Redmond: "Representative Yourell? Out of the record.

Consent Calendar, Third Reading, Second Day."

Clerk O'Brien: "House Bill 328. A Bill for an Act to amend the Illinois Notary Public Act. Third Reading of the Bill."

Speaker Redmond: "Representative Hart. Question is, shall this Bill pass. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's a 133 'aye', 2 'no' and the Bill having received the Constitutional Majority is hereby declared passed. House Bills Second Reading appears House Bill 91, Representative Deuster. You want 91 called on Second Reading? How about 92? Out of the record. Consent Calendar Second Reading, Second Day."

Clerk O'Brien: "House Bill 481. A Bill for an Act to amend Sections of an Act codifying the powers and duties, Department of Mental Health. Second Reading of the Bill. No Committee Amendments. No floor Amendments."

Speaker Redmond: "Third Reading. Agreed Resolutions."

Clerk O'Brien: "House Resolution 119, Peggy Smith Martin. 122, Miller, 123, Waddell. 125, Lucco. 126, Pechous. 127, Madigan. 128, Bradley. 129, Lechowicz. 130, Lechowicz. 132, DiPrima. 133, Redmond. And also House Joint Resolution 20, Friedland. House Joint Resolution 21, Daniels. And House Joint Resolution 22, Meyer, Redmond. House Joint Resolution 23, Kelly."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. House Resolution 119 by Representative Martin honors the Reverend T. L. Barrett, Mt. Zion Church of Universal Awareness. House Resolution 122 by Representative Miller honors Doc Helm for 43 years of service to the Secretary of State's Office. House Resolution 123 by Representative Waddell honors Reverend Thomas Neville, pastor of St. Joseph's Church in Richmond, Illinois. House Resolution 125 by Representative Lucco honors



the Madison High Trojans for capturing the State Class A High School Basketball Championship. House Resolution 126 by Representative Mechous, Pechous, I'm sorry...honors Mayor Emil Vacin of Berwyn for 50 years of service in his community. House Resolution 127 by Representative Madigan honors Mary Ann Roccaforte as the Outstanding Student at Hubbard High School. House Resolution 129 by Representative Lechowicz honors the memory of General Pulaski. House Resolution 130, Representative Lechowicz, honors Mr. and Mrs. Sachse on 30 years of marriage. House Resolution 132 by Representative DiPrima honors Mr. Ray Adams and being inducted in DePaul University Athletic Hall of Fame. House Resolution 133 by Speaker Redmond asks the Secretary of Transportation of the United States that they should reaffirm the decision to construct the airport facility at Columbia-Waterloo in Illinois. House Resolution, Mr. Speaker, as far as the Joint Resolutions 21 and 22, we're going to need to suspend the Rules for immediate consideration on those matters."

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

Sharp: "Yeah, is...was there a Resolution in there asking the Secretary of Transportation to reconsider building the airport at Waterloo? Is that agreed? In one...."

Lechowicz: "You got it the...excuse me, you got it the other way around, asking that he should reaffirm the decision."

Sharp: "Oh, okay."

Speaker Redmond: "Gentleman...Gentleman has moved the adoption of the Agreed Resolutions. Those in favor indicate by saying 'aye'; 'aye'; opposed 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Representative Mulcahey."

Mulcahey: "Mr. Speaker, Members of the House, I would ask unanimous consent to....leave to be recorded as voting 'no' to House Bill 256."

Speaker Redmond: "Does the Gentleman have leave? Hearing no objections,be added. Representative Meyer."

Meyer: "Mr. Speaker, could the Clerk...could read House Resolution 22 and after that I'd like to...suspend the appropriate rules for



immediate consideration and adoption of this Resolution."

Speaker Redmond: "Resolution 22?"

Meyer: "House Joint Resolution 22."

Speaker Redmond: "House Joint Resolution 22. While we're looking for it, Representative Lechowicz."

Lechowicz: "Yes, Mr. Speaker, it has been brought to my attention there was also one other Agreed Resolution, House Resolution 128, as far as honoring the Prairie Farmer by being designated as a Master Farmer, Mr. Wilbur Paulus, by Representative Bradley. So I amend the original motion to include that House Resolution 128...."

Speaker Redmond: "Does the Gentleman have leave? Hearing no objections it will be added to the Agreed Resolutions. House Joint Resolution 22, Agreed."

Clerk O'Brien: "House Joint Resolution 22. Resolved by the House of Representatives of the 80th General Assembly of the State of Illinois, the Senate concurring herein, that the Governor is urged to appoint a committee of Illinois citizens representing a cross section of the state's business, labor and public service entrance to recommend appropriate salaries for the executive, legislative and judicial branches of state government. And that the committee file its report with the House of Representatives and the Senate on or before May 16, 1977. And be it further resolved that a copy of this joint, House Joint Resolution be presented to the Governor."

Speaker Redmond: "Representative Meyer. Can't see you, there's somebody standing between you and...."

Meyer: "Mr. Speaker, I'd like to have leave to suspend the appropriate rule to consider it for the immediate consideration of adoption of this House Joint Resolution."

Speaker Redmond: "Does the Gentleman have leave?"

Meyer: "Leave."

Speaker Redmond: "Use the Attendance Roll Call for the suspension of the Rules if there is no objection. Hearing none, the Attendance Roll Call will be used. Representative Meyer."



Meyer: "At that...at this time I'd....I'd move to adopt this Resolution which urges the Governor to appoint a citizen's panel, reporting back May 16, 1977, concerning executive, judicial and legislative salaries."

Speaker Redmond: "Is there any discussion? Representative Ryan, do you seek recognition?"

Ryan: "Well, thank you, Mr. Speaker, Representative Hoffman's father died yesterday afternoon and I wanted to announce that visitation is at the Buck-Wheeler-Highland Funeral Home in Belvidere with visitation from 7 to 9 tonight and funeral services tomorrow at 1:30."

Speaker Redmond: "Question's on the Gentleman's motion for the adoption of House Joint Resolution 22. Those in favor say 'aye'; 'aye'; opposed, 'no'. The 'ayes' have it and the Resolution's adopted. Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, we should also suspend the Rules for immediate consideration on House Joint Resolution 21 offered by Representative Daniels. And, again, this Resolution, Mr. Speaker, is dealing with the serious situation of unemployment compensation. And, in turn, ask that the General Assembly form a special committee to investigate the Unemployment Compensation Act. So, Mr. Speaker, I move that we suspend the Rules and ask for the provision as far as...have the Roll Call used, and the suspension of the Rules."

Speaker Redmond: "Does the Gentleman have leave? Representative Ryan."

Ryan: "Did you say this was an Agreed Resolution?"

Lechowicz: "Yes, Sir,"

Speaker Redmond: "Representative Daniels, is this an Agreed Resolution? This is on the question of the suspension of the Rules. Do we have leave to use the Attendance Roll Call...."

Lechowicz: "Leave."

Speaker Redmond: "And suspension of the Rules. Hearing no objections it will be...the Attendance Roll Call will be used. Representative Daniels on the Resolution."

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



Resolution calls for the House and Senate concurring to appoint a special committee to investigate the Unemployment Compensation Act and the operation of it; continuation of the same committee that met in the 79th General Assembly."

Speaker Redmond: "Is there any discussion? Question's on the Gentleman's motion for the adoption of the Resolution. Those in favor say 'aye'....those in favor vote 'aye', 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 question there's 104 'aye' and no 'nay',....same thing....the motion carries and the Resolution is adopted. Representative Lechowicz."

Lechowicz: "Well, thank you, Mr. Speaker, we have two more Agreed House Joint Resolutions. House Resolution 20 by Representatives Waddell and Friedland honors the 20th Century Voyageuers under Expedition II. And House Joint Resolution 23 by Representative Kelly asking Governor Thompson to proclaim April the 22nd as Queen Isabella Day. I move for the adoption of the two Agreed Resolutions."

Speaker Redmond: "Is there any discussion? Question's on the adoption of the Agreed.....of the Resolutions. Those in favor say 'aye'; 'aye'; opposed 'no'. The 'ayes' have it. Resolutions are adopted. Representative Telcser, do you seek recognition?....."

Telcser: "Mr. Speaker, I wonder if I might have leave of the House to be recorded as voting 'aye' on House Bill 398? It won't affect the outcome."

Speaker Redmond: "Are there any objections? Hearing none, leave is granted. Further Resolutions?"

Clerk O'Brien: "House Resolution 120, Dyer, Taylor. House Resolution 121, Schlickman."

Speaker Redmond: "Committee on Assignments. Death Resolutions."

Clerk O'Brien: "House Resolution 124, Katz. Respect to the memory of Joseph C. Stadelman, Jr. And House Resolution 133, Kane. Respects the memory of Andrew O'Neill."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Point of order, Mr. Speaker, did the Clerk read on the



Death Resolution by Representative Kane, was that 131 or 133?"

Clerk O'Brien: "131."

Lechowicz: "All right, fine. Mr. Speaker, House Resolution 124 is a Death Resolution on behalf of Mr. Joseph G. Stadelman of the Chicago Daily Law Bulletin, offered by Representative Katz. House Resolution 131 by Representative Kane is in the memory of a former Member of this House, Mr. Andrew O'Neill of Springfield. And, again, Mr. Speaker, I move for the adoption of the Death Resolutions."

Speaker Redmond: "Question's on the Gentleman's motion for the adoption of the Resolution. Those in favor say 'aye'; 'aye'; opposed, 'no'. The 'ayes' have it. The Resolution's adopted. Adjournment Resolution."

Clerk O'Brien: "Senate Joint Resolution 25. Resolved by the Senate of the 80th General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the two Houses adjourn on Thursday, March 17, 1977, they stand adjourned until Tuesday, March 22, 1977, at 1 o'clock p.m."

Speaker Redmond: "Representative Madigan."

Madigan: "Mr. Speaker, I move for the adoption of the Adjournment Resolution."

Speaker Redmond: "Any discussion? Question's on the Gentleman's motion for the adoption of the Adjournment Resolution. Those in favor say 'aye'; 'aye'; opposed 'no'. The 'ayes' have it and the Resolution's adopted. Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I just got word from the northern part of the state that the weather is very, very bad. But anyway, I'd like to wish all of the Irish, Happy....St. Patrick's Day and all those who'd like to be.... Happy St. Patrick's Day. And I want to thank George Ryan also for supplying our shamrocks."

Speaker Redmond: "Representative Madigan. Mr. Clerk, will you explain the proposed program?"

Clerk O'Brien: "I'll need about 15 minutes to introduce Bills and Constitutional Amendments in Perfunctory Session."



Madigan: "Mr. Speaker, are there any further announcements? Are there any further announcements, Mr. Speaker?"

Speaker Redmond: "Any announcements? Anybody seek recognition?"

Madigan: "Mr. Speaker, I would like to call to the attention of the Body once again, a memorandum which you circulated today. If we could have the attention of the Members, Mr. Speaker?"

Speaker Redmond: "Please come to order."

Madigan: "If the Members would direct their attention to your memorandum of today which announces a deadline of April 2 for the introduction of Bills. The deadline for the introduction of Bills will be April 2nd which is approximately two-and-a-half weeks from today. However, pursuant to our new rules, all Members will have available to them the proposals, Member proposals, which can be filed at any time, either before April 2nd or after April 2nd. And the Member proposal is a fit subject for Committee consideration both during Session and out of Session and can lead to the adoption of a Committee Bill. So that if you have an idea that you wish to introduce and you feel you may not be able to meet the deadline for introduction of Bills, you can introduce it as a Member proposal. It will be journalized under your sponsorship. It will be referred to Committee, the Committee will take it up under their consideration during this Session. I think Mr. Kosinski has a.... the appropriate Committee."

Speaker Redmond: "Representative Kelly, or Totten, rather.

Representative Totten. Totten. Gentleman from...."

Totten: "Notre...Notre Dame. All right. Thank you, Mr. Speaker...."

Speaker Redmond: "New Jersey...New Jersey, originally."

Totten: "All right. Took office, or hocus. While we're on the subject of that memorandum, I wish you would consider that the April 5th date which you have listed as us being in Session, both day and evening, is also the day of township elections all over the state. And, as I hoped you would reconsider us being in Springfield on that day."

Speaker Redmond: "It's already been brought to my attention by Repre-



sentative Ryan, but he thought they were going to elect the mayor of Kankakee on the 5th. We will consider it and we'll see where we go with that. Will you turn on Representative Kelly's microphone?"

Kosinski: "Mr. Speaker, in reference to the announcement made by Leader Madigan just a moment, I was told today by George in the Reference Bureau that they have in excess of 5,000 Bills in process. With an April 2 cutoff date which will grind this to a halt, are they aware that a great amount of their efforts are to no avail?"

Speaker Redmond: "I have no idea. Representative Madigan."

Madigan: "Mr...Mr. Speaker, I'm glad that Representative Kosinski raised this point. This is precisely why we are emphasizing the the availability of the number of proposals because many of those Bill requests are made by Members who I'm sure don't anticipate that the Bill will be passed this Session. And we suggest to them that if they have ideas such as that they can be introduced as proposals and referred to a Committee and taken up by the Committee. And, Mr. Speaker, we would like to announce a schedule, a planned schedule, for next Tuesday. And the plan of the Speaker is to convene a floor Session at 1 o'clock Tuesday afternoon to convene a Democratic conference at 1:30 to schedule the 2 o'clock Committees to meet at 3 o'clock and the 4 o'clock meetings... Committees to meet at 5 o'clock. And then, of course, there is the St. Patrick-St. Joseph's Day Dinner at 7 o'clock. So, that... to repeat, we will convene a floor Session at 1 o'clock; a Democratic conference at 1:30; 2 o'clock Committees at 3 o'clock; 4 o'clock Committees at 5 o'clock."

Speaker Redmond: "Representative Ryan."

Ryan: "Thank you, Mr. Speaker. The Republicans will also have a conference at 1:30 on Tuesday."

Speaker Redmond: "Representative Dyer."

Dyer: "Mr. Speaker, I just wondered if the Majority Leader recalled that the statewide organization of the League of Women Voters adjusted their planned entertainment to....so as not to interfere with the St. Patrick-St. Joseph's Day Dinner. They moved theirs



up. Now does your proposal of the late Committee Meeting intrude into their reception?"

Speaker Redmond: "Clerk has reminded me that this weekend the House floor will be used by some youth group. We will take care of putting the billbooks away, but you have...I would suggest that you lock the drawer and put away all your personal items. Now, Representative Madigan."

Madigan: "Mr. Speaker, Representative Dyer has led us into a fit topic of discussion which is contained at the bottom of page 2 in your memo where you state that it will be your policy to keep the House in Session as needed, even if organizations have events scheduled in the evening. And I think that, Mr. Speaker, that this is a fine suggestion and I understand it's going to be communicated to the various lobbying groups across the state. Now, Mr. Speaker, I move that we adjourn till Tuesday at 1 o'clock in the afternoon."

Speaker Redmond: "Following the Perfunctory is a suggestion of the Clerk, is that correct? Question's on the Gentleman's motion. Those in favor say 'aye'; 'aye'; opposed 'no'. The 'ayes' have it. Motion carries."

Clerk O'Brien: "House Bill 805, Williams. A Bill for an Act making a supplemental appropriation for the Water Resources Commission. First Reading of the Bill. House Bill 806, Holewinski. A Bill for an Act to protect the interest of potential real estate renters. First Reading of the Bill. House Bill 807, E. G. Stiehl. A Bill for an Act to amend the Vehicle Code. First Reading of the Bill. House Bill 808, Schuneman, Mautino. A Bill for an Act to amend Sections of an Act to provide insurance for employers who have been rejected by carriers. First Reading of the Bill. House Bill 809, Kane. A Bill for an Act vacating a highway easement in Sangamon County. First Reading of the Bill. House Bill 810, J. Dunn. A Bill for an Act in relation to the operation of self-service gasoline stations. First Reading of the Bill. House Bill 811, Ebbesen. A Bill for an Act to amend the Municipal Code. First Reading of the Bill. House Bill 812, Mahar. A



Bill for an Act to amend an Act in relation to tax upon persons engaged in the business of selling cigarettes. First Reading of the Bill. House Bill 813, Dawson. A Bill for an Act to amend Sections of the Chicago Regional Port District Act. First Reading of the Bill. House Bill 814, Shumpert. A Bill for an Act to provide loans to persons owning property in blighted and slum areas. First Reading of the Bill. House Bill 815, Shumpert. A Bill for an Act to provide loans to private property owners in certain urban areas. First Reading of the Bill. House Bill 816, Ryan. A Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 817, Polk. A Bill for an Act to amend the Mental Health Code. First Reading of the Bill. House Bill 818, Brummet. A Bill for an Act to amend Sections of the Soil and Water Conservation District Law. First Reading of the Bill. House Bill 819, Brummet. A Bill for an Act to amend Sections of the Structural Pets Control Act. First Reading of the Bill. House Bill 820, Kucharski, Skinner. A Bill for an Act to provide for home loans to any Illinois residents for the purpose of purchase of a first home. First Reading of the Bill. House Bill 821, Kucharski, Skinner. A Bill for an Act to make an appropriation to the Department of Finance. First Reading of the Bill. House Bill 822, Kelly. A Bill for an Act to amend Sections of an Act relating to alcoholic liquors. First Reading of the Bill. House Bill 823, Taylor. A Bill for an Act to amend the Chicago Teacher's Retirement Fund Article. First Reading of the Bill. House Bill 824, Kucharski, Catania. A Bill for an Act to amend the Fair Employment Practice Act. First Reading of the Bill. House Bill 825, Brummet, Kent. A Bill for an Act to amend the State Finance Act. First Reading of the Bill. House Bill 826, Mudd. A Bill for an Act to amend the Downstate Fireman's Pension Fund. First Reading of the Bill. House Bill 827, Schisler, Rigney. A Bill for an Act to amend the County Cooperative Extension Law. First Reading of the Bill. House Bill 828, Waddell, Deavers. A Bill for an Act to amend the Higher Education Student Assistant Law. First Reading of the Bill. House Bill 829, Waddell,



Friedland. A Bill for an Act to amend the Illinois Emergency Services and Disaster Agency Act. First Reading of the Bill. House Bill 830, Satterthwaite. A Bill for an Act to amend the Pension Code. First Reading of the Bill. House Bill 831, Terzich. A Bill for an Act to amend the Act relating to state parks. First Reading of the Bill. House Bill 832, Terzich. A Bill for an Act to repeal an Act to compel gas companies to pay interest on deposits. First Reading of the Bill. House Bill 833, Terzich. A Bill for an Act to amend the Public Utility Act. First Reading of the Bill. 834, Terzich. A Bill for an Act to repeal an Act establishing the Pyramid State Park. First Reading of the Bill. House bill 835, Terzich. A Bill for an Act to repeal DesPlaines River State Park Act. First Reading of the Bill. House Bill 836, Terzich. A Bill for an Act to repeal the Lincoln New Salem Home State Park Act. First Reading of the Bill. House Bill 837, Terzich. A Bill for an Act to repeal an Act designating the Glen O. Jones Lake. First Reading of the Bill. House Bill 838, Terzich. A Bill for an Act to repeal an Act concerning drovers. First Reading of the Bill. House Bill 839, Terzich. A Bill for an Act to repeal an Act named therein. First Reading of the Bill. House Bill 840, Terzich. A Bill for an Act to repeal the Lincoln Homestead and Monument Act. First Reading of the Bill. House Bill 841, Terzich. A Bill for an Act to amend the Civil Administrative Code. First Reading of the Bill. House Bill 842, Terzich. A Bill for an Act to amend an Act relating to the planning acquisition development and outdoor recreation resources and facilities. First Reading of the Bill. House Bill 843, Terzich. A Bill for an Act to repeal the National Mississippi River Parkway Act. First Reading of the Bill. House Bill 844, Terzich. A Bill for an Act in relation to the Governor's Office of Human Resources. First Reading of the Bill. House Bill 845, Greiman. A Bill for an Act to amend the Workmen's Compensation Act. First Reading of the Bill. House Bill 846, Greiman. A Bill for an Act relating to conveyance of real estate. First Reading of the



Bill. House Bill 847, Terzich. A Bill for an Act to amend Sections of the Civil Practice Act. First Reading of the Bill. House Bill 848, Greiman. A Bill for an Act to amend an Act relating to participation for citizenship. First Reading of the Bill. House Bill 849, Cunningham. A Bill for an Act to amend the Code of Criminal Procedure. First Reading of the Bill. House Bill 850, Cunningham. A Bill for an Act to amend the Revenue Act. First Reading of the Bill. House Bill 851, Terzich. A Bill for an Act to amend the Revenue Act. First Reading of the Bill. House Bill 852, Cunningham. A Bill for an Act to amend Section of an Act to revise the law in relationship to criminal jurisprudence. First Reading of the Bill. House Bill 853, Daniels. A Bill for an Act to amend the Workmen's Occupational Disease Act. First Reading of the Bill. House Bill 854, Daniels. A Bill for an Act to amend an Act for the protection of foundlings. First Reading of the Bill. House Bill 55, Daniels. A Bill for an Act to amend the Title and Sections of an Act concerning aliens. First Reading of the Bill. House Bill 856, Daniels. A Bill for an Act to repeal an Act to prevent alien landlords from including the payment of taxes and rent of farmlands. First Reading of the Bill. House Bill 857, Daniels. A Bill for an Act to repeal an Act to protect the labor of national and that of native and naturalized American citizens. First Reading of the Bill. House Bill 858. Ewing. A Bill for an Act relating to security interest. First Reading of the Bill. House Bill 859, Ewing. A Bill for an Act to amend Sections of an Act to revise the law in relation to attorneys and counselors. First Reading of the Bill. House Bill 860, Ewing. A Bill for an Act to amend the Civil Practice Act. First Reading of the Bill. House Bill 861, Ewing. A Bill for an Act to revise the law in relation to certain rights and duties arising from the deaths of persons. First Reading of the Bill. House Bill 862, Ewing. A Bill for an Act to amend the Civil Practice Act. First Reading of the Bill. House Bill 863, Ewing. A Bill for an Act to repeal an Act to revise the law in relation to Amendments. First Reading of the Bill. House Bill 864, Dunn.



A Bill for an Act to amend Sections of the Parental Act.
First Reading of the Bill. House Bill 865, Dunn. A Bill for
an Act to amend various Acts and make certain administrative
decisions. First Reading of the Bill. House Bill 866, Dunn.
A Bill for an Act in relation to the revival of judgments. First
Reading of the Bill. House Bill 867, Dunn. A Bill for an Act
to amend the Civil Practice Act. First Reading of the Bill.
House Bill 868, Terzich. A Bill for an Act to amend Sections of
an Act concerning the law, revision, commission. First Reading
of the Bill. House Bill 869, Terzich. A Bill for an Act to
amend an Act concerning the Law Revision Commission. First
Reading of the Bill. House Bill 870, Greiman, Holewinski. A
Bill for an Act in relation to residential mortgages. First
Reading of the Bill. House Bill 871, Stuffle, Byers. A Bill
for an Act to repeal sections of the School Code. First Reading
of the Bill. House Bill 872, Byers, Chapman. A Bill for an
Act to enact the High Blood Pressure Control Act. First Reading
of the Bill. House Bill 873, Greiman. A Bill for an Act to
amend Sections of the Illinois Public Library District Act.
First Reading of the Bill. House Bill 874, Greiman. A Bill
for an Act to amend the Illinois Local Library Act. First Reading
of the Bill. House Bill 875, Getty. A Bill for an Act to amend
Unified Code of Corrections. First Reading of the Bill. House
Bill 876, Catania. A Bill for an Act to require access to
certain information. First Reading of the Bill. House Bill 877,
Polk. A Bill for an Act to amend Sections of the Mobile Home
and Mobile Home Part Act. First Reading of the Bill. House
Bill 878, Tipword, Stuffle. A Bill for an Act to establish the
right of public school employees to organize and bargain collectively.
First Reading of the Bill. House Bill.....First Reading of
Constitutional Amendments."



Charles Aikman:

HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 22

RESOLVED, By the House of Representatives of the Eightieth General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of this State, at the general election next occurring at least 6 months after the adoption of this resolution, a proposition to amend Article IX of the Constitution by adding Section 11 thereto, the added Section to read as follows:

ARTICLE IX

Section 11. LIMITATIONS ON TOTAL OF STATE TAXES AND SHARE COMMITTED TO LOCAL GOVERNMENT - PROHIBITION OF MANDATE OF LOCAL PROGRAMS WITHOUT STATE FUNDING

(a) There is hereby established a limit on the taxes imposed by the legislature for any fiscal year. Effective with the first fiscal year beginning after approval of this Section by the electors, and for each fiscal year thereafter, the legislature shall not impose taxes of any kind which, together with all other revenues of the State, shall exceed 7 percent of the personal income of Illinois for that fiscal year except as provided in subsection (b) of this Section. "Personal income of Illinois" means the total income received by persons in Illinois from all sources, as defined and officially reported by the United States Department of Commerce or its successor agency. "Revenues of the State" means all public funds received by the State but does not include federal aid nor the contributions to and earnings of trust funds in the custody of the State Treasurer.

(b) An Emergency Fund equal to two-tenths of one percent of the personal income of Illinois in each fiscal year shall be established. Revenues shall be allocated to this emergency fund and shall be included in the total level of allowable taxation as limited by subsection (a) of this Section. Expenditures from this fund shall be allowed only upon the Governor's declaration of an emergency situation and the affirmative vote of three-fifths of the members of each house of the legislature.



If it is determined that the amount in the Emergency Fund⁸⁴ is less than what is needed to meet an emergency situation taxes in excess of the limitation in subsection (a) may be imposed and collected only if all of the following conditions are met.

1. The Governor requests the legislature to declare an emergency.

2. The request shall be specific as to the nature of the emergency, the dollar amount of the emergency and the method by which the emergency will be funded.

3. Upon receiving this request the legislature declares an emergency in accordance with the specifications of the Governor's request by a 2/3 vote of the members elected to each house. The emergency must be declared in accordance with these provisions prior to incurring any of the expense which constitutes the specific emergency request. The tax limitation level may be exceeded only for the fiscal year in which the emergency is declared; in the next and subsequent fiscal years the tax limitation of subsection (a) of this Section shall again take effect.

Income earned from the funds maintained in the Emergency fund shall accrue to the fund. At the end of each fiscal year any balance in the Emergency Fund in excess of the amount estimated to be required by this subsection for the Emergency Fund for the succeeding fiscal year shall be distributed to the following:

1. The State Employees' Retirement System of Illinois
2. The Teachers' Retirement System of Illinois
3. The State Universities Retirement System
4. The Judges Retirement System of Illinois
5. The General Assembly Retirement System

The distribution of the excesses shall be determined by the Bureau of the Budget and shall be in the proportion that the actuarial reserve deficiency of each fund bears to the total of the actuarial reserve deficiency of all of those funds. If the actuarial reserve deficiencies of all of those funds are



eliminated the excess shall be used to retire general obligation bonds sold by the State.

(c) For any fiscal year, in the event that revenues of the State exceed the limit established in subsection (a) of this Section, the excesses shall be distributed to the following:

1. The State Employees' Retirement System of Illinois
2. The Teachers' Retirement System of Illinois
3. The State Universities Retirement System
4. The Judges Retirement System of Illinois
5. The General Assembly Retirement System

The distribution of the excesses shall be determined by the Bureau of the Budget and shall be in the proportion that the actuarial reserve deficiency of each fund bears to the total of the actuarial reserve deficiency of all of those funds. If the actuarial reserve deficiencies of all of those funds are eliminated the excess shall be used to retire general obligation bonds sold by the State.

(d) For any fiscal year beginning after the approval of this Section by the electors, that proportion of State expenditures paid to all units of local government and school districts shall not be reduced below that proportion in effect in fiscal year 1975 and no new program, or increase in the level of service under an existing program shall be mandated by the legislature to units of local government or school districts unless an appropriation has been made by the legislature to pay the costs of the mandated program or service.

Clerk O'Brien: "First Reading First Reading of House Joint
Resolution Constitutional Amendment #22."



Clerk O'Brien:

86.

HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 23

John Hall: RESOVLED, By the House of Representatives of the Eightieth General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of this State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution, a proposition to amend Sections 1, 2 and 3 of Article IV and Section 1 of Article XIV of the Illinois Constitution to read as follows:

ARTICLE IV

THE LEGISLATURE

Section 1. LEGISLATURE-POWER AND STRUCTURE

The legislative power is vested in a General Assembly consisting of a Senate of 59 members and a House of Representatives of 177 members elected by the electors from 59 Senatorial and 177 Representative Districts.

Section 2. LEGISLATIVE COMPOSITION

(a) One Senator shall be elected from each Senatorial District. Immediately following each decennial redistricting, the General Assembly by law shall divide the Senatorial Districts as equally as possible into three groups. Senators from one group shall be elected for terms of four years, four years and two years; Senators from the second group, for terms of four years, two years and four years; and Senators from the third group, for terms of two years, four years and four years. The Senatorial Districts in each group shall be distributed substantially equally over the State.

(b) Each Senatorial District shall be divided into three Representative Districts and one Representative shall be elected from each Representative District for a term of two years.

(c) To be eligible to serve as a member of the General Assembly, a person must be a United States citizen, at least 21 years old, and for the two years preceding his election or appointment a resident of the district which he is to represent.



In the general election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of the redistricting and reelected if a resident of the new district he represents for 18 months prior to reelection.

(d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial office with more than twenty-eight months remaining in the term, the appointed Senator shall serve until the next general election, at which time a Senator shall be elected to serve for the remainder of the term. If the vacancy is in a Representative office or in any other Senatorial office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds.

(e) No member of the General Assembly shall receive compensation as a public officer or employee from any other governmental entity for time during which he is in attendance as a member of the General Assembly.

No member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created or the compensation for which shall have been increased by the General Assembly during that term.

Section 3. LEGISLATIVE REDISTRICTING

(a) Senatorial and Representative Districts shall be compact, contiguous and substantially equal in population.

(b) In the year following each Federal decennial census year, the General Assembly by law shall redistrict the House and Senate.

If no redistricting plan becomes effective by June 30 of that year, a Legislative Redistricting Commission shall be constituted not later than July 10. The Commission shall consist of eight members, no more than four of whom shall be members of the same political party.

The Speaker and Minority Leader of the House of



Representatives shall each appoint to the Commission one Representative and one person who is not a member of the General Assembly. The President and Minority Leader of the Senate shall each appoint to the Commission one Senator and one person who is not a member of the General Assembly.

The members shall be certified to the Secretary of State by the appointing authorities. A vacancy on the Commission shall be filled within five days by the authority that made the original appointment. A Chairman and Vice Chairman shall be chosen by a majority of all members of the Commission.

Not later than August 10, the Commission shall file with the Secretary of State a redistricting plan approved by at least five members.

If the Commission fails to file an approved redistricting plan, the Supreme Court shall submit the names of two persons, not of the same political party, to the Secretary of State not later than September 1.

Not later than September 5, the Secretary of State publicly shall draw by random selection the name of one of the two persons to serve as the ninth member of the Commission.

Not later than October 5, the Commission shall file with the Secretary of State a redistricting plan approved by at least five members.

An approved redistricting plan filed with the Secretary of State shall be presumed valid, shall have the force and effect of law and shall be published promptly by the Secretary of State.

The Supreme Court shall have original and exclusive jurisdiction over actions concerning redistricting the House and Senate, which shall be initiated in the name of the People of the State by the Attorney General.

ARTICLE XIV

CONSTITUTIONAL REVISION

Section 1. CONSTITUTIONAL CONVENTION

(a) Whenever three-fifths of the members elected to each



house of the General Assembly so direct, the question of whether a Constitutional Convention should be called shall be submitted to the electors at the general election next occurring at least six months after such legislative direction.

(b) If the question of whether a Convention should be called is not submitted during any twenty-year period, the Secretary of State shall submit such question at the general election in the twentieth year following the last submission.

(c) The vote on whether to call a Convention shall be on a separate ballot. A Convention shall be called if approved by three-fifths of those voting on the question or a majority of those voting in the election.

(d) The General Assembly, at the session following approval by the electors, by law shall provide for the Convention and for the election of two delegates from each Senatorial District; designate the time and place of the Convention's first meeting which shall be within three months after the election of delegates; fix and provide for the pay of delegates and officers; and provide for expenses necessarily incurred by the Convention.

(e) To be eligible to be a delegate a person must meet the same eligibility requirements as a member of the General Assembly. Vacancies shall be filled as provided by law.

(f) The Convention shall prepare such revision of or amendments to the Constitution as it deems necessary. Any proposed revision or amendments approved by a majority of the delegates elected shall be submitted to the electors in such manner as the Convention determines, at an election designated or called by the Convention occurring not less than two nor more than six months after the Convention's adjournment. Any revision or amendments proposed by the Convention shall be published with explanations, as the Convention provides, at least one month preceding the election.

(g) The vote on the proposed revision or amendments shall be on a separate ballot. Any proposed revision or amendments shall



become effective, as the Convention provides, if approved by a majority of those voting on the question.

SCHEDULE

If this amendment is adopted at the general election in November 1978, the existing Legislative Districts shall become Senatorial districts for the election of Senators. The General Assembly shall, in 1981, divide each Senatorial District into three Representative Districts. If such division has not been made by June 30, 1981, such division shall be made by a Legislative Redistricting Commission as provided in paragraph (b) of Section 3 of Article IV.

Clerk O'Brien: "First Reading of the Constitutional Amendment."

Charles Aikman: "House Joint Resolution Constitutional Amendment 24.

Van Duyne and Hart."



Charles Aikman:

HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 24

RESOLVED, By the House of Representatives of the Eightieth General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of this State, at the general election next occurring at least 6 months after the adoption of this resolution, a proposition to amend Section 9 of Article VII of the Constitution to read as follows:

ARTICLE VII

Section 9. SALARIES AND FEES.

(a) Compensation of officers and employees and the office expenses of units of local government shall not be paid from fees collected. Fees may be collected as provided by law and by ordinance and shall be deposited upon receipt with the treasurer of the unit. Fees shall not be based upon funds disbursed or collected, nor upon the levy or extension of taxes. However, when a county officer collects or extends taxes for other units of local government, the county may charge the other units of local government its the actual cost therefor which cost shall be apportioned among the several units involved proportionately on the basis of the amounts of taxes collected for the respective units.

(b) An increase or decrease in the salary of an elected officer of any unit of local government shall not take effect during the term for which that officer is elected.

SCHEDULE

This amendment shall take effect on the first day of January in the year following its adoption.

Charles Aikman: "First Reading of Constitutional Amendment."

Clerk O'Brien: "No further business, the House now stands adjourned."



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
1	1:00	Speaker Redmond	House to order
1		Reverend Krueger	
1		Speaker Redmond	
1,2		Clerk O'Brien	Messages from the Senate
2		Speaker Redmond	
2		Madigan	Excused absences
2		Speaker Redmond	
2		Epton	Excused absences
2		Speaker Redmond	
2,3	1:09	Clerk O'Brien	Introductions & First Readings
3		Speaker Redmond	
3		J. Houlihan	H.B. 127-Motion-Return to 2nd
3		Speaker Redmond	
3		Clerk O'Brien	H.B. 127 - Second Reading
3		Speaker Redmond	
3		Houlihan	Amendment #1
3		Speaker Redmond	Amendment adopted
4		Clerk O'Brien	Amendment #2
4		Speaker Redmond	
4	1:14	Houlihan, J.	
4		Speaker Redmond	
4,5		Houlihan, D.)	
5		Houlihan, J.)	
5		Speaker Redmond	
5		Houlihan, J.	
5		Speaker Redmond	Amendment adopted
5		Clerk O'Brien	Amendment #3



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
5		Speaker Redmond	
5		Houlihan, J.	
5		Speaker Redmond	Amendment adopted. Third Reading
6		Clerk O'Brien	
6	1:18	Schlickman	Point of order
6		Speaker Redmond	
6		Bradley	
6		Speaker Redmond)	
)	
6		Geo-Karis)	
6		Speaker Redmond)	
)	
7		Collins)	
7		Speaker Redmond	Third Reading
7		Schuneman	
7		Clerk O'Brien	H.B. 259-Third Reading
7		Schuneman	Amendment #1
7		Speaker Redmond	
7		Houlihan, D.)	
)	
7	1:20	Schuneman)	
7		Speaker Redmond	Amendment Adopted
7		Clerk O'Brien	Amendment #2
7		Speaker Redmond	
8		Schuneman	
8		Speaker Redmond	
8		Kane	
8		Speaker Redmond)	Amendment adopted-Third Reading
)	
8		Clerk O'Brien)	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
8		Speaker Redmond)	
8		Greiman)	
9		Speaker Redmond	
9	1:25	Clerk O'Brien	H.B. 65-Amendment #2
9		Greiman)	
9		Speaker Redmond)	
9		Schlickman)	
10		Greiman)	
10	1:28	Speaker Redmond	Amendment adopted-Third-Hold on 2nd-fiscal note
10		Clerk O'Brien	H-B-91-2nd H.B. 181-2nd Reading
11		Speaker Redmond	
11		Hanahan	St. Pat's Tickets
11		Speaker Redmond	
11		Clerk O'Brien	H.B. 241-2nd-No Committee Amend.
11		Speaker Redmond	Third Reading
11		Clerk O'Brien	H.L. 324-2nd-No Com. Amen.
11		Speaker Redmond	
11		Mudd	
13		Speaker Redmond	Out of the record
13	1:37	Clerk O'Brien	H.B. 14-Third Reading
13		Speaker Redmond	
13		Yourell	Leave to return to 2nd
13		Speaker Redmond	
13	1:40	Clerk O'Brien	Amendment #1
13		Speaker Redmond	
13		Younge	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
13		Speaker Redmond	
13		Yourell	
14		Speaker Redmond	
14		Schlickman)	
14	1:42	Younge)	
14		Speaker Redmond	
14		Yourell)	
15		Schlickman)	
15		Speaker Redmond	Amendment adopted-Third Reading
15		Clerk O'Brien	H.B. 110-Third Reading
15		Speaker Redmond	
15		Johnson	Leave to return to 2nd
15		Speaker Redmond)	
15		Deuster)	
15		Speaker Redmond	Leave granted-hold till printed
15		Johnson	
15	1:47	Deuster	
15		Clerk O'Brien	H.B. 158-3rd Reading
15		Speaker Redmond	
16,17		Greisheimer	
17		Speaker Redmond	
17		Kosinski)	
17		Greisheimer)	
17		Speaker Redmond	
17,		Houlihan, D.)	
18	1:50	Greisheimer)	
19		Speaker Redmond	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
19		Wycoff)	
19) Greisheimer)	
19		Speaker Redmond	
19		Schlickman)	
20) Gresiheimer)	
20		Speaker Redmond	
20	1:55	Jones, E.	
20		Speaker Redmond	
21,22		Greisheimer	To close
22		Speaker Redmond	H.B. 168 passed
22		Clerk O'Brien	H.B. 181-Third Reading
22		Jaffe	
22		Speaker Redmond	
22		Clerk O'Brien	H.B. 181-Third Reading
22		Speaker Redmond	
22		Schlickman	
22		Speaker Redmond	
22,23		Jaffe	To close
23		Speaker Redmond	
23		Telcser	
23		Speaker Redmond	H.B. 181 passed
23		Clerk O'Brien	H.B. 226-Third Reading
23		Speaker Redmond	
23	2:05	Miller	Sponsor
23		Speaker Redmond	
24,25		Simms	
25		Speaker Redmond	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
25		Deuster	
25		Speaker Redmond	
25	2:10	Ewing	
25		Speaker Redmond	
25		Madison)	
)	
25		Miller)	
25		Speaker Redmond	
25		Matijevich	unauthorized persons
27		Speaker Redmond	
27, 28		Mahar)	
)	
28	2:15	Miller)	
28		Speaker Redmond	
28	2:17	Schuneman	
28		Speaker Redmond	
28		Geo-Karis	
29		Speaker Redmond	
29		Mulcahey)	
)	
29		Miller)	
29		Speaker Redmond	
29		Friedland	Move previous question
29		Speaker Redmond	
29,30	2:20	Miller	To close
30		Speaker Redmond	H.B. 226-lost
30		Clerk O'Brien	H.B. 237-Third Reading
30		Speaker Redmond	
30		Kane	
31		Speaker Redmond	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
31		Schlickman)	
31	2:27	Kane)	
31		Speaker Redmond	
31	2:27	Peters	
31,32		Speaker Redmond	H.B. 237 passed
32		Johnson	Recorded as 'no' H.B. 226
32		Speaker Redmond	
32		Dawson	'No' on H.B. 226
32		Speaker Redmond)	
33		Kempiners)	Point of personal privilege
33		Speaker Redmond	
33		Matijevich	Point of order
33		Speaker Redmond	
33,34		Kempiners	Continues
34		Speaker Redmond	
34,35	2:30	Collins	Point of personal privilege
35		Speaker Redmond	
35		Matijevich	
35		Speaker Redmond	
35,36		Bluthardt	Point of personal privilege
36	2:35	Speaker Redmond	
36		Telcser	
36		Speaker Redmond	
36		Kane	Point of order
36		Speaker Redmond	
36,37	2:36	Telcser	Continues
37		Speaker Redmond	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
37		Madison	Parliamentary Inquiry
38		Speaker Redmond	
38		Matijevec	
38		Speaker Redmond	
38	2:40	Willer	
38		Speaker Redmond	
38		Geo-Karis	
38		Speaker Redmond	
38		Matijevec	Leave to return H.B. 242 to 2nd
39		Speaker Redmond	Leave granted
39		Clerk O'Brien	Amendment #1
39		Speaker Redmond	
39		Levin	
39		Speaker Redmond	
39	2:45	Levin	
39		Speaker Redmond	
39,40		Houlihan, D.)	
40		Levin)	
40		Speaker Redmond	
40		Levin	To close
41		Speaker Redmond	Amendment adopted-3rd Reading
41		Clerk O'Brien	H.B. 324-2nd Reading
41		Speaker Redmond	
41		Clerk O'Brien	Amendment #1
41		Speaker Redmond	
41		Winchester	Leave to table



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
41		Speaker Redmond	
41		Schlickman	
41		Winchester	
41		Speaker Redmond	Amendment #1 tabled
42	2:50	Clerk O'Brien	Floor Amendment #2
42		Speaker Redmond	
42		Winchester	
42		Speaker Redmond	
42		Mudd	No objections
42		Speaker Redmond	
42		Schlickman	
42		Winchester	
42		Speaker Redmond	
43		Houlihan, D.)	
43	2:53)	
43		Schlickman)	
43		Speaker Redmond	
43		Winchester	
43	2:55	Speaker Redmond	H.B. 324--Amend #2--adopted.3rd
44		Clerk O'Brien	H.B. 110--Amendment #1
44		Speaker Redmond	
44		Deuster	
44		Speaker Redmond	
44,45		Satterthwaite)	
46)	
46		Deuster)	
46		Speaker Redmond	
46	3:00	Matijeovich	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
46		Speaker Redmond	
46		Kelly	
47		Speaker Redmond	
47		Speaker Redmond	
47,		Chapman)	
)	
48		Deuster)	
48		Speaker Redmond	
48		Deuster)	Ask leave to amend on its face
)	
48		Speaker Redmond)	
48		Matijeovich	
48		Speaker Redmond	Not granted-out of record
48		Speaker Redmond)	
)	
48		Skinner)	
49		Speaker Redmond	Senate Bills 2nd - SB 178
49		Clerk O'Brien	S.B. 178
49		Speaker Redmond	Third Reading
49		Greisheimer	Parliamentary Inquiry
49		Speaker Redmond	
49		Griesheimer	
49		Speaker Redmond	H.B. Third Reading
49		Clerk O'Brien	H.B. 244
49	3:12	Speaker Redmond	Out of the record
49		Bradley	Table H.B. 7 & 8
49		Speaker Redmond	
49		Ebbesen	
50		Speaker Redmond	H.B. Third Reading
50		Clerk O'Brien	H.B. 270



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
50		Speaker Redmond	
50		Jaffe	Explains H.B. 270
50		Speaker Redmond	
51		Houlihan, D.)	
)	
51		Jaffe)	
51		Speaker Redmond	
51	3:15	Jaffe	To close
51		Matijevich	
51		Speaker Redmond	H.B. 270 passed
51		Deuster	Leave to table H.B. 78
51		Speaker Redmond	Tabled
51		Clerk O'Brien	H.B. 282-3rd Reading
51		Speaker Redmond	
51		Brummet	
51	3:16	Speaker Redmond	H.B. 282 passed
51		Clerk O'Brien	H.B. 283-3rd Reading
51		Speaker Redmond	
52,53		Lucco	
53		Speaker Redmond	
53		Polk	
53		Speaker Redmond	Passed
53		Clerk O'Brien	H.B. 301-3rd Reading
53		Speaker Redmond	
53,54,55		Van Duyne	
55		Speaker Redmond	
55	3:25	Simms	Opposes
55		Speaker Redmond	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
55		Willer	
56		Speaker Redmond	
56		Geo-Karis	Oppose
57		Speaker Redmond	
57	3:28	Davis, J.	Oppose
57		Speaker Redmond	
57,		Sandquist)	
)	
58		Van Duyne)	
58		Speaker Redmond	
58	3:30	McMasters	Oppose
59		Speaker Redmond	
59		Skinner	
59		Speaker Redmond	
59		Mautino	
60		Speaker Redmond	
60	3:35	Mudd	
60		Speaker Redmond	
60		Schlickman	Moves previous question
60		Speaker Redmond	
60,61		Van Duyne	To close
61		Speaker Redmond	
61		Speaker Redmond	
61		Lechowicz	Poll absentees
61		Speaker Redmond)	
)	
62	3:38	Clerk O'Brien)	
62		Speaker Redmond	
62		Byers	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
62		Speaker Redmon	
62		Skinner	
62		Speaker Redmond	Bill lost
62		Clerk O'Brien	H.B. 331-Third Reading
62		Speaker Redmond	
62		Flinn	
63		Speaker Redmond	Passed
63		Clerk O'Brien	H.B. 339-Third Reading
63		Speaker Redmond	
63	3:42	Yourell	
63		Speaker Redmond	Passed
64		Clerk O'Brien	H.B. 398-Third Reading
64		Speaker Redmond	
64	3:45	Catania	Sponsor
64		Speaker Redmond	
64,65		Keats)	
)	
65		Catania)	
65		Speaker Redmond	
65		Miller)	
)	
66		Catania)	
66		Speaker Redmond	
66		Freidrichs)	
)	
67		Catania)	
67		Speaker Redmond	
67		Peters)	
)	
68		Catania)	
68		Speaker Redmond	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
68		Speaker Redmond	
68		Mahar	Moves previous question
68		Speaker Redmond	
68	3:55	Catania	To close
69		Speaker Redmond	
69		Waddell	Explains vote-no
69		Speaker Redmond	
69		Brummer	
69		Speaker Redmond	H.B. 398 lost
70		Clerk O'Brien	H.B. 388-Third Reading
70		Speaker Redmond	Passed
70		Clerk O'Brien	H.B. 481-2nd-No Com. Amen.
70		Speaker Redmond	Third Reading
70		Clerk O'Brien	Agreed Resolutions
70		Speaker Redmond	
70,71		Lechowicz	
71		Speaker Redmond	
71		Sharp)	
71		Lechowicz)	
71		Speaker Redmond	Resolution adopted
71		Mulcahey	Leave-record no - H.B. 256
71		Speaker Redmond	
71		Meyer	
72		Speaker Redmond	
72	4:01	Lechowicz	
72		Speaker Redmond	
72		Clerk O'Brien	H.J.R. #22



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
72		Speaker Redmond)	
73		Meyer)	
73		Ryan	
73		Speaker Redmond	Resolution adopted
73		Lechowicz	Move to suspend-H.J.R. 21-rule
73		Speaker Redmond	Leave granted
73		Ryan	
73		Speaker Redmond	
73,74		Daniels	
74	4:05	Speaker Redmond	H.J.R. 21 adopted
74		Lechowicz	
74		Speaker Redmond	Resolution adopted
74		Telcser	H.B. 398-leave to vote 'aye'
74		Speaker Redmond	
74		Clerk O'Brien	H.J.R. 20
74		Speaker Redmond	
75		Lechowicz	
75		Speaker Redmond	
75		Clerk O'Brien	S.J.R. 25-adjournment resolution
75		Speaker Redmond	
75		Madigan	
75		Speaker Redmond	
75		Geo-Karis	
75		Speaker Redmond	
75		Clerk O'Brien)	
76		Madigan)	
76		Speaker Redmond)	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
76	4:12	Totten	
77		Speaker Redmond	
77		Kosinski	
77		Speaker Redmond	
77		Madigan	Announcements for Tues Com. Meet.
77		Speaker Redmond	
77	4:15	Ryan	
77		Speaker Redmond	
77		Dyer	
78		Speaker Redmond	
78		Madigan	Moves adjournment
78		Speaker Redmond	Recessed for perfunctory
78,79,80,81,82		Clerk O'Brien	Reads House Bills First Readings
83,84,85		Chas. Aikman	Reads HJR Constitutional Amend. 22
85		Clerk O'Brien	
86,87,88,89,90		John Hall	H.J.R. Constitutional Amend 23
91		Chas. Aikman	H.J.R. " " 24
91		Clerk O'Brien	House stands adjourned

