

Doorkeeper: "Attention Members of the House of Representatives, the House will convene in fifteen minutes."

Doorkeeper: "All persons not entitled to the House floor, please retire to the gallery."

Speaker Redmond: "The House will come to order, Members please be in their seats. We will be led in prayer by the Reverend Krueger, the House Chaplain. The T.V. lights are not on."

Reverend Krueger: "In the name of the Father, Son and the Holy Ghost. Amen. O Lord, bless this House to Thy service this day. Amen. Edward Everett Hale said: 'I am only one, but still I am one. I cannot do everything; and because I cannot do everything I will not refuse to do something that I can do.' Let us pray. O Lord God almighty, who has bestowed upon the men and women of this earth talents and abilities by which they are enabled to serve Thee and their fellowmankind; grant to the Members of this Illinois House of Representatives the gift of courage, the wisdom of knowledge and the strength of fortitude that they may unceasingly persevere for that which is to the good of Thy people and Thy pleasure. Through Jesus Christ our Lord. Amen."

Speaker Redmond: "Roll Call for attendance. Reading of the Journal."

Clerk O'Brien: "119th Legislative Day, Thursday, April 27, 1978. The House met pursuant to adjournment, Speaker in the Chair. Prayer by Father William Krueger...."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I move that we dispense with the reading of the Journal and that Journal #119 of April 27, 1978 be approved as read."

Speaker Redmond: "Is there any discussion? You have heard the Gentleman's motion, the question is on the motion. Those in favor say 'aye', opposed 'no'. The 'ayes' have it and



the motion is carried. The Journal is approved without reading. Committee Reports."

Clerk O'Brien: "Representative Tipsword, Chairman of the Committee on Insurance, to which the following Bills were referred. Action taken May 2, 1978, reported the same back with the following recommendations. Do pass House Bill 2555, 2593....excuse me, House Bill 2555, House Bill 2933, House Bill 3193 and House Bill 3272. Do pass as amended House Bill 3283 and 3327. Representative Katz, Chairman of the Committee on Judiciary II, to which the following Bills were referred. Action taken May 2, 1978, reported the same back with the following recommendation. Do pass House Bills 2771, 2775, 2869, 3006 and 3277. Do pass as amended House Bills 2625 and 3004. Tabled in Committee pursuant to Rule 64(c), House Bill 2812. Representative Taylor, Chairman of the Committee on Cities and Villages, to which the following Bills were referred. Action taken May 2, 1978, reported the same back with the following recommendations. Do pass House Bill 2787, do pass as amended House Bill 2713. Do pass Consent Calendar House Bill 2928. Representative Pierce, Chairman of the Committee on Revenue, to which the following Bills were referred. Action taken May 2, 1978, reported the same back with the following recommendations. Do pass House Bills 2436, 2570, 2575, 2707, 2718, 2833 and 3119. Do pass as amended House Bill 1238, 2650, 3168, 3259 and 3279."

Speaker Redmond: "Representative Mudd."

Mudd: "Yes, Mr. Speaker, I would like to suspend the Posting Rules to hear House Bill 2842 and 3036 in Executive Committee on Thursday, May 4th."

Speaker Redmond: "Is there any objection? Hearing none the Attendance Roll Call will be used to suspend the Posting Rule. Representative Mudd, the Clerk needs a little more definite information. We've got it I guess, never mind."



Representative Giorgi, for what purpose do you arise?"

Giorgi: "Mr. Speaker, I think the Clerk wants to read the Agreed Resolutions."

Speaker Redmond: "Agreed Resolutions."

Clerk O'Brien: "Senate Joint Resolution #77, Richmond-R. Dunn and Birchler. House Resolution 806, Ryan-McBroom-Ted Meyers and Dan Houlihan. House Resolution 805, Ralph Dunn. House Resolution 803, Matejek. House Resolution 802, McClain. House Resolution 801, Darrow. House Resolution 800, Tuerk-Mudd. House Resolution 798, Lucco. House Resolution 797. Representative Giorgi."

Giorgi: "Mr. Speaker, Richmond, Senate Joint Resolution 77, Honors Coach Bob Bogle. House Resolution 797 by Lucco, wants to have May 19 through May 20, called Granite City Steel Day. 798 by Tuerk, mourns the passing of the former Mayor of Peoria. 800 by Darrow, talks about Ambassador Jacques Melsen. 801 by McClain, congratulates Richard Peters. 802 by Matejek, talks about someones birthday. 803 by Dunn, congratulates, Mr. and Mrs. Joe Vandom on their 60th Wedding Anniversary. 805 by Meyer, talks about a priesthood ordination. 806 by Ryan, talks about the Chicago Motor Club scholarship. And I move for the adoption of the Agreed Resolutions."

Speaker Redmond: "The question is on the Gentleman's motion for the adoption of the Agreed Resolutions. Those in favor say 'aye', opposed 'no'. The 'ayes' have it and the motion carried. The Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 799, Daniels and House Resolution 804, DiPrima."

Speaker Redmond: "Committee on Assignments. Representative Ryan, do you have any Republicans whose absence should be excused? We'll excuse them all if you wish."

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

Speaker Redmond: "Except the Leader and Skinner."



Ryan: "You are always very accommodating, Mr. Speaker."

Speaker Redmond: "Do we have Skinner here?"

Ryan: "Representative Abramson, Representative Hudson because of illness and Representative McCourt due to a death in the family."

Speaker Redmond: "Is there any objection to the absences being shown as excused? Hearing none it will be so shown. Representative Madigan, are there any Democrat absences excused? Representative Friedrich...wait a minute, Representative Lucco."

Lucco: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise to introduce a group of fine students from Lovington High School with their teacher, Mrs. Uphoff. They come from a district represented by Representative Johnson, Wikoff and Mrs. Satterthwaite. Glad to have you here."

Speaker Redmond: "Introduction, First Reading. Representative Friedrich."

Friedrich: "Mr. Speaker, I would like to move to suspend the appropriate rule so that the Rules Committee can have a meeting on House Bill 3372. That's the Legislative Reference Bureau Revisory Bill. In order that this Bill can be heard this afternoon and I would like to move that the rule be suspended so Rules Committee can meet and act on this one Bill without posting."

Speaker Redmond: "Did you discuss that with Representative Ryan?"

Friedrich: "Yes, and Representative Madigan."

Speaker Redmond: "And Representative Madigan. These are the Revisory Bills of the Reference Bureau, is that correct?"

Friedrich: "Right."

Speaker Redmond: "Is there any objection to the waiving of the Posting Rule? May the Attendance Roll Call be used... hearing no objections the Attendance Roll Call will be used for waiver of the Posting Rule. That's for the



Rules Committee. Members of the Rules Committee, can you come to the podium? Will you read the Bills, Mr. Clerk? Members of the Rules Committee."

Clerk O'Brien: "House Bill 3371, Skinner-Kent. A Bill for an Act to amend Sections of an Act to provide for the manner of proposing an Amendment...."

Speaker Redmond: "Maybe we better go into the Speaker's Office. Members of the Rules Committee to the Speaker's Office right now."

Clerk O'Brien: "First Reading of the Bill."

Speaker Redmond: "Representative Hart, will you take over the Chair while the Rules Committee is meeting, or are you in the Rules Committee? Come on, take over, 5 minutes."

Clerk O'Brien: "House Bill 3372, Friedrich. A 1978 Combined Revisory Act. First Reading of the Bill. House Bill 3373, Mahar-Katz. A Bill for an Act making appropriations to the 911 Emergency Telephone System Study Commission. First Reading of the Bill."

Speaker Hart: "Representative Johnson."

Johnson: "Mr. Speaker, I have two Bills, House Bill 2703 and 2704. 2703 has been re-referred to Judiciary I, from Higher Education. 2704 rereferred from Executive to Judiciary I, and I would like to ask leave of the House to suspend the Posting Rule...or the posting requirements so that we can have those heard by Judiciary I Committee this afternoon."

Speaker Hart: "Is there objection? Representative Madigan."

Madigan: "Mr. Speaker, who made the motion?"

Speaker Hart: "Representative Johnson made the motion, Representative Madigan."

Madigan: "Are those your two Bills?"

Johnson: "Yes."

Speaker Hart: "Is there objection? If not the Attendance Roll Call will be used for the motion. On the Calendar on page 9, under the Order of Constitutional Amendments,



Third Reading appears HJRCA 46. We're going to read that a third time."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment 46. Resolved, by the House of Representatives of the 80th General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution, a proposition to amend Sections 2 and 5 of Article IV of the Constitution to read as follows: Article IV. Section 2, Legislative Composition. (a) One Senator shall be elected from each Legislative District. Immediately following each decennial redistricting, the General Assembly shall divide the Legislative Districts as equally as possible into two groups. Senators from one group shall be elected for terms of six years and four years, and Senators from the second group for terms of four years and six years. The Legislative Districts in each group shall be distributed substantially equally over the state. (b) Three Representatives shall be elected from each Legislative District. Immediately following each decennial redistricting, the General Assembly by law shall divide the Legislative Districts into three groups. Representatives from one group shall be elected for terms of four years, four years and two years; Representatives from the second group, for terms of four years, two years and four years; and Representatives from the third group, for terms of two years, four years and four years. No political party shall limit its nominations to less than two candidates for Representative in any Legislative District. In elections for Representatives, including those for nomination, each elector may cast three votes for one candidate or distribute them equally among no more than three candidates. The candidates highest in votes shall



be declared elected. (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 occurs with more than twenty-eight months remaining in the term, the person appointed to fill the vacancy shall serve until the next general election, at which time a person shall be elected to serve for the remainder of the term. If the vacancy occurs with no more than twenty-eight months remaining in the term, 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 5. Sessions. (a) The General Assembly shall convene each year on the second Wednesday of January. The General Assembly shall be a continuous Body during the two-year period commencing with the convening of the Regular Session of each odd-numbered year. (b) The Governor may convene the General



Assembly or the Senate alone in Special Session by a proclamation stating the purpose of the Session; and only business encompassed by such purpose, together with any impeachments or confirmation of appointments shall be transacted. Special Sessions of the General Assembly may also be convened by joint proclamation of the presiding officers of both Houses, issued as provided by law. (c) Sessions of each House of the General Assembly and meetings of Committee, Joint Committees and Legislative Commissions shall be open to the public. Sessions and Committee meetings of a House may be closed to the public if two-thirds of the Members elected to that House determine that the public interest so requires; and meetings of Joint Committees and Legislative Commissions may be so closed if two-thirds of the Members elected to each House so determine. Schedule. This Amendment applies to the redistricting of 1981 and subsequent decennial redistricting and to the nomination and election of Senators and Representatives in 1982 and thereafter. Third Reading of the Constitutional Amendment."

Speaker Hart: "The next....Representative Waddell."

Waddell: "Mr. Speaker and Ladies and Gentlemen of the House, I rise for the purpose of an introduction. In the gallery back there are members of the Urbana High School, they are represented by Representatives Wikoff, Johnson and Satterthwaite."

Speaker Hart: "Senate Joint Resolution 31."

Clerk O'Brien: "Senate Joint Resolution #31. Senate Joint Resolution Constitutional Amendment. Resolved, by the Senate of the 80th General Assembly of the State of Illinois, the House of Representatives 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 six months after the adoption of this Resolution, a proposition to amend Section 2 of Article X





of the Constitution to read as follows: Article X. Education. Sections. Superintendent of Education. A Superintendent of Education shall be elected by the electors of the state and shall hold office for four years beginning on the second Monday of January after his election. To be eligible to hold the office of Superintendent of Public Instruction a person must be a United States citizen, at least 25 years old and a resident of this state for the three years preceding his election. The Superintendent of Education shall be the chief educational officer of the state having general supervisory responsibility in relation to public elementary and secondary schools, and shall, except as limited by law, establish goals, determine policies, provide for planning and evaluating education programs, recommend financing, and have such other duties and powers as provided by law. Transition Schedule. If this Amendment is approved by the electors of the general election in 1978, a Superintendent of Education shall be elected at the general election in 1980 for a term of two years and shall take office on the second Monday of January after his election at which time the State Board of Education shall cease to exist. Thereafter a Superintendent of Public Instruction shall be elected in 1982 and every fourth year thereafter for a term of four years. Adopted by the Senate April 6, 1978 by a three-fifths vote. Third Reading of the Constitutional Amendment."

Speaker Hart: "Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House, House Bill 3372 has been declared exempt by the Rules Committee and has been assigned to Judiciary I, by the Committee on Assignments. I would move that the proper rule be suspended that this Bill could be heard in Judiciary I this afternoon and it has been cleared by the Leadership on both sides of the aisle. It is the Legislative



Reference Bureau Revisory Bill and is normally not controversial."

Speaker Hart: "Is there leave? Leave to use the Attendance Roll Call on the Gentleman's motion. Leave is granted. On the Calendar on page 2 are House Bills, Second Reading and we're going to go to that order of business at this time. House....Representative Getty. Representative Getty, do you want House Bill 104 called on Second Reading? 1357, Representative Robinson. Is he in the chambers? Representative Robinson, do you want House Bill 1357 called on the Order of Second Reading?"

Robinson: "There are some Amendments being printed, if we could come back to it as soon as those are distributed."

Speaker Hart: "Very well. House Bill 1913, Representative Bowman. Do you want that one called on Second Reading? Not in the chambers. Representative Giglio, House Bill 1967, do you want that called on the Order of Second Reading?"

Giglio: "Yes."

Speaker Hart: "Read the Bill."

Clerk O'Brien: "House Bill 1967...."

Speaker Hart: "Representative Giglio, there has been a request for a fiscal note on House Bill 1967. Has the fiscal note been filed? We'll have to hold it then until you prepare and file the fiscal note with the Clerk. How about 1969, Jack? 1969, do you want that one called Representative Giglio? He says, go ahead."

Clerk O'Brien: "House Bill 1969, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Second Reading of the Bill, Amendment #1 was adopted in Committee."

Speaker Hart: "Are there any motions in regard to the Amendment?"

Clerk O'Brien: "No motions filed."

Speaker Hart: "Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."



Speaker Hart: "Third Reading. 1970, do you want that one called, Representative Giglio? Fiscal note has been requested, we'll have to hold that one similar to 1966. Has a fiscal note been filed on 2084? It is noted on the Calendar that it has been requested. All right we'll pass that one. How about 2418? Will the Gentleman in the gallery turn off the television lights, please? Thank you. Okay, we're down to 2447, Representative Mahar, do you want that one called on Second Reading? Read the Bill."

Clerk O'Brien: "House Bill 2447, a Bill for an Act to amend Sections of the Probate Act. Second Reading of the Bill, Amendment #1 was adopted in Committee."

Speaker Hart: "Are there any motions with respect to Amendment #1?"

Clerk O'Brien: "No motions filed."

Speaker Hart: "Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Representative Younge. Amends House Bill 2447 on page 2, line 26...."

Speaker Hart: "Is Representative Younge in the chambers?"

Clerk O'Brien: "Oh, I'm sorry, it is Representative Yourell."

Speaker Hart: "Representative Yourell. Representative Yourell is not in his seat.... Representative Mahar, what's your desire with reference to this Amendment?"

Mahar: "Thank you, Mr. Speaker. I just saw Representative Yourell there a moment ago but actually I think the Amendment is out of order since Amendment #1, actually corrects those things that he asked for his Amendment. And I would like to move the Bill if possible, and they said he was there just a moment ago."

Speaker Hart: "Well let's take it out of the record for a minute until he gets back. 2486, Representative Kane. Okay. Take that one out of the record. Representative Yourell.... Representative Yourell, we're considering an Amendment that you offered on House Bill 2447 and



Representative Mahar indicated that he thought your Amendment...either out of order or unnecessary in view of Amendment #1 which was placed on the Bill in Committee. Do you want to go talk to him about it? I don't know. It's been around here a long time. I don't see Representative Griesheimer here. Representative John Dunn, is he in the chamber? Where? Oh, okay. Do you want to go with 2490? Read the Bill, please."

Clerk O'Brien: "House Bill 2490, a Bill for an Act to amend Sections of the Game Code. Second Reading of the Bill, Amendment #1 was adopted in Committee."

Speaker Hart: "Are there any motions with regard to Amendment #1?"

Clerk O'Brien: "No motions filed."

Speaker Hart: "Are there any Amendments from the floor?"

Clerk O'Brien: "No further Amendments."

Speaker Hart: "Third Reading. 2491."

Clerk O'Brien: "House Bill 2491, a Bill for an Act to amend Sections of the Fish Code. Second Reading of the Bill, no Committee Amendments."

Speaker Hart: "Are there Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Hart: "Third Reading. Now we'll go back to 2447 and we were on the Order of Amendment #2. Representative Mahar."

Mahar: "Thank you, Mr. Speaker, I will defer to Representative Yourell."

Speaker Hart: "All right, Representative Yourell."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Amendment #2 to 2447 has obviously been corrected by Committee Amendment #1 to House Bill 2447. I now move to table House Amendment #2 to House Bill 2447."

Speaker Hart: "Amendment #2 will be withdrawn by the Sponsor. Are there any further Amendments?"



Clerk O'Brien: "No further Amendments."

Speaker Hart: "Third Reading. Representative John Dunn."

Dunn: "Thank you, Mr. Speaker. While there is a lull here, I would like to ask leave to suspend the proper posting requirement to have House Bill 2538 considered this afternoon in Appropriations I Committee. And this has been cleared on both sides of the aisle."

Speaker Hart: "Does the Gentleman have leave to use the Attendance Roll Call on his motion? Leave is granted. Representative Dunn, you have the next Bill on Second Reading. Do you want that called? House Bill 2539."

Clerk O'Brien: "House Bill 2539,....there is a request for a fiscal note, recently filed."

Speaker Hart: "All right. 2568, Representative Lucco."

Clerk O'Brien: "House Bill 2568....."

Speaker Hart: "Do you want 2568 called on Second Reading? All right."

Clerk O'Brien: "A Bill for an Act authorizing the Capital Development Board to grant a sewer easement. Second Reading of the Bill, no Committee Amendments."

Speaker Hart: "Are there any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Hart: "Third Reading. Representative Matijevich, do you want House Bill 2589 called on Second Reading? It's on the bottom of page 2."

Matijevich: "No, I've got one Amendment that should be down within minutes, I hope. But hold that until I get an Amendment."

Speaker Hart: "All right. 2600, Representative Sandquist. I don't see the Gentleman....take that one out of the record. 2605, Representative Levin. Representative Levin, do you want 2605 called on Second Reading? There has been a request for a fiscal note, we'll have to hold it and you should attend to that matter before it goes to Third Reading. You will have to supply a fiscal note."



Representative Kelly, are you ready on 2628, Second Reading? Read the Bill, please."

Clerk O'Brien: "House Bill 2628, a Bill for an Act to amend Sections of the Illinois Abortion Law. Second Reading of the Bill, no Committee Amendments."

Speaker Hart: "Are there any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Hart: "Third Reading. 2648."

Clerk O'Brien: "House Bill 2648, a Bill for an Act directing the Director of Administrative Services to sell and convey certain state owned real property. Second Reading of the Bill, no Committee Amendments."

Speaker Hart: "Are there any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Hart: "Third Reading. 2653, Representative Polk. Do you want to go with 2653? Read the Bill please."

Clerk O'Brien: "House Bill 2653, a Bill for an Act to amend Sections of the Illinois Farm Labor Contractor Certification Act. Second Reading of the Bill, no Committee Amendments."

Speaker Hart: "Are there any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Hart: "Third Reading. 2691, Representative Brady. Do you want to go with 2691 on Second Reading?"

Clerk O'Brien: "House Bill 2691....."

Speaker Hart: "Has the fiscal note been filed on this Bill? There is a request noted on the Calendar. All right we'll take the Bill out of the record. Representative Tipword, 2695. Read the Bill a second time."

Clerk O'Brien: "House Bill 2695, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill, fiscal note has been filed. Amendment #1 was adopted in Committee."

Speaker Hart: "Are there any motions with respect to Amendment #1?"

Clerk O'Brien: "No motions filed."



Speaker Hart: "Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Ryan. Amends...."

Speaker Hart: "Representative Ryan, Floor Amendment #2. Representative Ryan, this is your Amendment to Representative Tipsword's Bill 2695."

Ryan: "Could you take it out of the record for a minute please?"

Speaker Hart: "It has been requested that we take it out of the record for a minute. Is Representative Tipsword.... do you want to talk to Representative Ryan about that?"

Tipsword: "I don't know what it is."

Speaker Hart: "All right. Take the Bill out of the record for a minute. 2792. House Bill 2792."

Clerk O'Brien: "House Bill 2792, a Bill for an Act making appropriation to the Fourth Judicial Circuit Public Defender Project. Second Reading of the Bill, no Committee Amendments."

Speaker Hart: "Are there any Amendments from the floor? The Calendar indicates there was an Amendment on this Bill in Committee."

Clerk O'Brien: "This Bill has been to Third Reading previously and was brought back to Second Reading."

Speaker Hart: "All right."

Clerk O'Brien: "Amendment #1 was adopted previously."

Speaker Hart: "2792."

Clerk O'Brien: "Amendment #1 was adopted previously. Floor Amendment #2, Tipsword...."

Speaker Hart: "Representative Tipsword, Amendment #2."

Tipsword: "Mr. Speaker, Ladies and Gentlemen. This Amendment cuts the appropriation of the original Bill in half. The other half will be supplied by the local counties. I move adoption of this Amendment which reduces its appropriation by half."

Speaker Hart: "Is there any discussion? All in favor of adoption of Amendment #2, say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Are there further



Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Hart: "Third Reading. Representative Ryan."

Ryan: "Mr. Speaker, I would like to have leave to table my Amendment on 2695."

Speaker Hart: "Does the Gentleman have leave to withdraw Amendment #2 on.....read the Bill first, 2695."

Clerk O'Brien: "House Bill 2695, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Second Reading of the Bill, Amendment #1 was adopted in Committee."

Speaker Hart: "Are there any motions with respect to Amendment #1?"

Clerk O'Brien: "No motions filed."

Speaker Hart: "Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Representative Ryan...."

Speaker Hart: "Representative Ryan asks leave to withdraw Floor Amendment #2. Does he have leave? Leave is granted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Hart: "Third Reading. Representative Yourell...is he back in.....take that one out of the record. A fiscal note has been requested on 2794. 2798...same thing on that, there has been a request for a fiscal note, Representative Reilly, you will have to hold the Bill until you supply the fiscal note. 2800. All right. The Clerk...if I can have your attention a minute. Those of you who have Bills pending on Second Reading, there have been several requests filed this morning for fiscal notes on various Bills appearing on the Order of Second Reading. And the Clerk will now read the numbers of those Bills so that you will know if your Bill has had such a request and why it is going to be passed over when it is come to on the Order of Second Reading."

Clerk O'Brien: "Request for fiscal notes have been filed on House Bill 634, by Representative Telscer. House Bill





3200 by Representative Telcser. 3186 by Representative Telcser. 3113 by Representative Telcser. 2898 by Representative Telcser. 3129 by Representative Telcser. 3138 by Representative Telcser. 1970 by Representative Telcser. 3138 by Representative Skinner. 3164 by Representative Skinner. 3184 by Representative Skinner. 2570 by Representative Telcser. 2575 by Representative Telcser. 2707 by Representative Telcser. 2833 by Representative Telcser. 3119 by Representative Telcser. 3168 by Representative Telcser. 3259 by Representative Telcser. 3279 by Representative Telcser. 3187 by Representative Telcser. 3188 by Representative Telcser. 3163 by Representative Telcser. 3184 by Representative Telcser. 2695 by Representative Telcser. 2877 by Representative Telcser. 3129 by Representative Telcser. 3191 by Representative Telcser. 1967 by Representative Telcser. 2794 by Representative Telcser. 3112 by Representative Telcser. 3167 by Representative Telcser. 3192 by Representative Telcser. 3208 by Representative Telcser. 2935 by Representative Telcser. 2798 by Representative Telcser. 3111 by Representative Telcser. 3184 by Representative Telcser. 104 by Representative Telcser. 2605 by Representative Telcser. 2926 by Representative Telcser. 3165 by Representative Telcser. 3190 by Representative Telcser. 3204 by Representative Telcser. 3164 by Representative Telcser. 1967 by Representative Telcser. 3010 by Representative Telcser. 2539 by Representative Telcser. And 3202 by Representative Telcser."

Speaker Hart: "Okay, read the next Bill on Second Reading that doesn't have a request. We're at 2800, Jack. Representative McMaster, are you ready to go on 2800? All right, read the Bill."

Clerk O'Brien: "House Bill 2800, a Bill for an Act to amend Sections of an Act in relation to simultaneous tenure of



certain public offices. Second Reading of the Bill,  
no Committee Amendments."

Speaker Hart: "Are there any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Hart: "Third Reading. 2801, read the Bill."

Clerk O'Brien: "House Bill 2801, a Bill for an Act to amend  
Sections of Article XIII of an Act to revise the law  
in relation to township organization. Second Reading of  
the Bill, no Committee Amendments."

Speaker Hart: "Are there any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Hart: "Third Reading. 2850."

Clerk O'Brien: "House Bill 2850....."

Speaker Hart: "Representative Terzich. Representative Terzich....  
take 2850 out of the record. 2852, Representative Brummer.  
Is the Gentleman in his seat?"

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

Speaker Hart: "Wait a minute....wait a minute. I don't see  
Representative Brummer, he was here a few minutes ago  
but I don't see him now. Representative Brummer, do you  
want to call 2852 on Second Reading? Take it out of the  
record. 2855, Representative McMaster....call the  
Bill."

Clerk O'Brien: "House Bill 2855, a Bill for an Act to amend  
the Illinois Highway Code. Second Reading of the Bill,  
no Committee Amendments."

Speaker Hart: "Are there any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Hart: "Third Reading. 2867, Representative Mugalian,  
do you want that Bill called on Second Reading? Read  
the Bill please."

Clerk O'Brien: "House Bill 2867, a Bill for an Act to enlarge  
the corporate limits of the Metropolitan Sanitary  
District of greater Chicago. Second Reading of the Bill,  
no Committee Amendments."



Speaker Hart: "Are there any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Hart: "Third Reading. 2877, Representative Chapman... take it out of the record. 2875, Representative Dan Houlihan, do you want that Bill....hold it. Is anyone handling for the Committee on Human Resources, either House Bill 2877 or House Bill 2881?"

Clerk O'Brien: "Dave Robinson."

Speaker Hart: "Representative Robinson. Has the fiscal note been filed on both Bills?"

Clerk O'Brien: "Just on 81."

Speaker Hart: "All right. 2881, read the Bill a second time."

Clerk O'Brien: "House Bill 2881, a Bill for an Act to amend Sections of an Act concerning public utilities. Second Reading of the Bill, Amendment #1 was adopted in Committee."

Speaker Hart: "Are there any motions with respect to Amendment #1?"

Clerk O'Brien: "No motions filed."

Speaker Hart: "Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Hart: "Third Reading. Now we'll go back to Representative Brummer's Bill 2852. Read that Bill a second time."

Clerk O'Brien: "House Bill 2852, a Bill for an Act making appropriations to the Department of Agriculture. Second Reading of the Bill, no Committee Amendments."

Speaker Hart: "Are there any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Hart: "Third Reading. 2896, Representative Ryan. Representative Ryan, do you want to call 2896 on the Order of Second Reading. It is at the bottom of page 3."

Ryan: "Yes, that would be fine, Mr. Speaker."

Speaker Hart: "All right, read the Bill a second time."

Clerk O'Brien: "House Bill 2896, a Bill for an Act authorizing the Capital Development Board to consent to the annexation



of certain real property by the City of Kankakee. Second Reading of the Bill, no Committee Amendments."

Speaker Hart: "Are there any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Hart: "Third Reading. Representative Levin....the request for the fiscal note has not been....the fiscal note has not been filed on 2877. We will have to leave that one on Second Reading. Representative Yourell, 2898 there is no fiscal note filed. 2899, do you want to go with that one? 2899....hold it. 2912, are you ready to go with that one? Read the Bill please."

Clerk O'Brien: "House Bill 2912, a Bill for an Act to amend Sections of the Surface Mined Land Conservation and Reclamation Act. Second Reading of the Bill, Amendment #1 was adopted in Committee."

Speaker Hart: "Are there any motions with respect to Amendment #1?"

Clerk O'Brien: "No motions filed."

Speaker Hart: "Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2....."

Speaker Hart: "Who is the Sponsor of that?"

Clerk O'Brien: "McGrew. Amends House Bill 2912 on page....."

Speaker Hart: "Representative McMaster."

McMaster: "Mr. Speaker, may I ask what the status of Amendment #1 was, was that adopted?"

Speaker Hart: "It was adopted in Committee."

McMaster: "Thank you."

Speaker Hart: "It remains on the Bill. Okay, we've got Amendment #2 by Representative McGrew. Is the Gentleman on... yes. Representative McGrew."

McGrew: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 to House Bill 2912 affects only the provision of the Surface Mine Advisory Council. And the original legislation....it calls for the Director of the Mines and Minerals to automatically



be chairman and that only he can call meetings. What I purport to do in Amendment #2 is to frankly give this much more of the status of the Open Meetings Act. And that is #1, the council could elect from its membership a chair person. #2, there would be notice given before there would be hearings as there is not now any requirement whatsoever for hearings for public notice in advance of the meetings. #3, I say that a majority of the council may call a meeting in the original legislation....could I have a little order please? I can't hear myself here."

Speaker Hart: "Would you give the Gentleman some order please? Proceed."

McGrew: "Thank you, Mr. Chairman....or Mr. Speaker, excuse me. #3, I allow a majority of that Committee to call a meeting as well. It seems to me that the majority of that group should be able to call a meeting whenever it is deemed necessary by a majority of the Committee. #4, I would ask them to publish a report of their findings during that year. I would move for the adoption of Amendment #2."

Speaker Hart: "Representative McMaster."

McMaster: "Well, Mr. Speaker, I think we've faced a series of Amendments up through Amendment 6 or 7 by a group of individuals. It is not so much that I have a big problem with these Amendments, Mr. Speaker, the problem is that we are working on initial legislation to comply with the Federal Surface Mining Act that was signed into law last August. We feel that the House Bill 2912 as written is the first step in compliance with that Act. We feel that this series of Amendments might be usable when we write the final compliance or concurrence with the Federal Act but it is our feeling that these Amendments really do not belong in the initial piece of legislation."

Speaker Hart: "Representative Skinner."

Skinner: "Mr. Speaker, a lot of Members of the General Assembly are walking around with Sun Day buttons on. And that's



appropriate considering the Amendment....."

Speaker Hart: A lot of them are making a lot of noise in here too. Could we have a little order please? We're considering a very important Amendment on this Bill and if you'd hold down the conversations that are not pertaining to the Amendment we might get this matter heard before the Assembly. Proceed."

Skinner: "The Amendments....the very discreet Amendment that Representative McGrew has proposed is a Sun Shine Amendment. It's an Amendment to let people know what the Committee in question is going to do when the meetings are going to be held, require them to make reports. I can see no reason whatsoever that anybody could object to such an Amendment especially on Sun Day."

Speaker Hart: "Is there further discussion? Representative Matijevich."

Matijevich: "Could the Gentleman yield for a question?"

Speaker Hart: "He indicates that he would."

Matijevich: "Representative McGrew, I didn't hear all of what you said about the council. What does this do to the Lieutenant Governor's position?"

Speaker Hart: "Representative McGrew."

McGrew: "I'm sorry, I didn't know the Lieutenant Governor had a position."

Matijevich: "Doesn't he have some position with the Reclamation Council?"

McGrew: "No, he does not."

Matijevich: "Okay."

McGrew: "Yes, he does."

Matijevich: "That's all right."

Speaker Hart: "Is there further discussion? Representative Mudd."

Mudd: "Yes, Mr. Speaker and Members of the House, what Representative McMaster has pointed out was that this is the Bill that has been agreed on by all the large entities which deals



in this particular operation in industry in the State of Illinois. And at this time the Amendments proposed are not timely. I think that those things will be decided after the intitial legislation is drafted and therefore, after debate and so on in Committee where there was no opposition whatsoever, no opponents in Committee whatsoever. I would suggest that everyone defeat, this Amendment. And those that follow."

Speaker Hart: "Is there further discussion? Representative McGrew, do you wish to close? Representative McGrew."

McGrew: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I submit to you that Amendment #2 is indeed a Sun Shine Amendment as suggested by the Gentleman on the other side of the aisle. It simply provides for public notice, open meetings, the right of the individual members. As to the comment that this has been agreed upon, I think if you will look at the substance of the Bill this absolutely does not affect that in any way shape or form. I submit to you that the General Assembly is not a rubber stamp. We are indeed here to represent our people and they want to know what is going on in this nearly created Interagency Surface Mining Advisory Committee. I move for its adoption."

Speaker Hart: "All right the Gentleman has moved for the adoption of Floor Amendment #2. All in favor of the Amendment say 'aye', the opposed 'no'. We'll have a Roll Call. Have a Roll Call vote on this Amendment. All those in favor of the Amendment signify by voting 'aye', those opposed by voting 'no'. Have all voted who wished? Representative McGrew to explain his vote."

McGrew: "Just briefly, Mr. Speaker. I'm a little bit amazed that the reaction of many people here, I can't believe that we as a Body can sit here and say that we will not provide public notices for hearings, that we will not give this body the right to select their own director and



that we will not even have a majority of that group have the right to call a hearing; nor will the public know what the deliberations were in that hearing. That's all this Amendment does. I submit to you...you best pick it up and read it, it is very much in Open Meeting Act. I don't understand why we don't have many of the newspapermen down here raising cane as they often do on all of these types of meetings. It is very simply the right of the public to know what is going on."

Speaker Hart: "Have all voted who wished? Take the record. Representative Skinner."

Skinner: "Well, I definitely want everybody to have a chance to vote on whether there is open meetings or not. And I would ask for a poll of the absentees."

Speaker Hart: "Representative Bradley wants to be recorded as 'aye'. Poll the absentees. Representative Mudd."

Mudd: "I believe we're talking about two different things here. If we're going to poll the absentees on every Amendment... this has got to be a dilatory movement. I believe that this...formation of this Commission and the implementation of this Act is governed under the Open Meetings Act. They're covered, they have to operate out in the open, everything they do is under scrutiny and I say that this is a dilatory act on this Bill."

Speaker Hart: "Representative McGrew."

McGrew: "Mr. Speaker...."

Speaker Hart: "On a point of order. What's your point?"

McGrew: "My point of order is, the Gentleman spoke in debate and is not allowed to explain his vote."

Speaker Hart: "Your point is well taken."

McGrew: "Well, I appreciate....make that point earlier."

Speaker Hart: "Representative Mudd on a point of order."

Mudd: "I believe....I know that I don't think I moved out of bounds. I was speaking to the motion made by the other Representative on polling the absentees."





Speaker Hart: "All right. I have already ruled on the point. We're going to poll the absentees. Representative Leverenz, 'aye'. It has been suggested that we dump this Roll Call and take another one. Representative Ryan objects. We will go with this one. Poll the absentees. Representative McGrew."

McGrew: "If we want to do that why don't we just have an oral vote on it. Oral verified vote."

Clerk O'Brien: "Abramson...."

Speaker Hart: "Well, we'll poll the absentees first. That's the usual procedure."

Clerk O'Brien: "Adams, E.M. Barnes, Beatty, Brady, Brandt, Caldwell, Cunningham, Daniels, Corneal Davis, DiPrima, Gaines, Garmisa, Griesheimer...."

Speaker Hart: "DiPrima, 'aye'."

Clerk O'Brien: "Hanahan, Dan Houlihan, Hudson, Huff, Emil Jones, Klosak, Lucco, Madigan, Madison, Mann, Peggy Smith Martin, Matejek, McAuliffe...."

Speaker Hart: "McAuliffe votes 'no'."

Clerk O'Brien: "McCourt, McLendon, Meyer, Molloy, Nardulli, Pierce...."

Speaker Hart: "Pierce, 'aye'."

Clerk O'Brien: "Porter, Pouncey...."

Speaker Hart: "Just a minute. Adams, 'no'."

Clerk O'Brien: "Pouncey, Rigney, Schoeberlein...."

Speaker Hart: "Schoeberlein votes 'no'."

Clerk O'Brien: "Schuneman, Shumpert, Stearney, E. G. Steele, Taylor, Tipsword, Van Duyne, Younge...."

Speaker Hart: "Representative Younge votes 'no'."

Clerk O'Brien: "Yourell."

Speaker Hart: "Yourell, 'aye'."

Clerk O'Brien: "Mr. Speaker."

Speaker Hart: "Representative Boucek."

Boucek: "Mr. Speaker, change my 'aye' to 'no'."

Speaker Hart: "Change his 'aye' to 'no'. Representative Meyer."



Meyer: "Mr. Speaker vote me 'no' please."

Speaker Hart: "Representative Meyer votes 'no'. Representative Simms."

Simms: "Change me from 'aye' to 'no'."

Speaker Hart: "Change the Gentleman from 'aye' to 'no'. Representative....."

Clerk O'Brien: "Wait a minute."

Speaker Hart: "Okay, hold it for a minute. Simms goes from 'yes' to 'no'. Representative Beatty wants to be recorded as voting 'aye'. Representative Schuneman, 'no'. Schuneman, 'no'. Lucco, 'aye'. Are there any other additions or corrections? All right what is the count? Representative Pullen."

Pullen: "Change me to 'aye' please."

Speaker Hart: "Representative Pullen votes 'aye'. Give me the count again, Jack. Representative Bennett, did you seek recognition? Okay. Wait a minute somebody. On this question there 64 'ayes', 74 'no' and the motion is lost. Are there further Amendments? Representative McGrew, do you have a question?"

McGrew: "Mr. Speaker, I realize that you're voting on this and I have never seen a Chair use partially 'yes' but I would appreciate it if you would at least give me the common courtesy that has been offered to the Membership of this House and that includes a verification. Now, when I'm standing here with my light on and my hand in the air, I assume that is normally what it is for before you announce a Roll Call."

Speaker Hart: "You will get your verification and I....you would have gotten it without unnecessary remarks about my vote on this Bill. If you want to come up here and talk to me about that I would like for you to do it. We will now proceed with the verification of the Negative Roll Call."

Clerk O'Brien: "Adams, Anderson....."



Speaker Hart: "Just a minute. Did you ask for an oral verification, Representative McGrew, or do you want.....Representative McGrew."

McGrew: "Yes, Sir, I did."

Speaker Hart: "We'll have a Oral Verified Roll Call. All right all those not entitled to the floor please retire to the gallery or some other place. We're going to have an Oral Verified Roll Call. All of the Members will please be in their seats for this Roll Call. Proceed with the Oral Verified Roll Call."

Clerk O'Brien: "Abramson, pass. Adams, 'no'."

Speaker Hart: "Adams, 'no'. Push your button."

Clerk O'Brien: "Anderson."

Speaker Hart: "Anderson, 'no'."

Clerk O'Brien: "Antonovych."

Speaker Hart: "Antonovych, 'aye'."

Clerk O'Brien: "E.M. Barnes, pass. Jane Barnes."

Speaker Hart: "Jane Barnes votes 'no'."

Clerk O'Brien: "Bartulis."

Speaker Hart: "Bartulis, 'no'."

Clerk O'Brien: "Beatty."

Speaker Hart: "Beatty, 'aye'."

Clerk O'Brien: "Bennett."

Speaker Hart: "Bennett, 'aye'."

Clerk O'Brien: "Birchler."

Speaker Hart: "Pass."

Clerk O'Brien: "Bluthardt."

Speaker Hart: "Bluthardt votes 'no'."

Clerk O'Brien: "Boucek."

Speaker Hart: "Boucek votes 'no'."

Clerk O'Brien: "Bowman."

Speaker Hart: "Pass."

Clerk O'Brien: "Bradley, 'aye'. Brady, pass. Brandt."

Speaker Hart: "Pass."

Clerk O'Brien: "Brady, 'aye'."



Speaker Hart: "Brady, 'aye'."

Clerk O'Brien: "Breslin."

Speaker Hart: "Breslin, 'aye'."

Clerk O'Brien: "Rich Brummer."

Speaker Hart: "Brummer, 'aye'."

Clerk O'Brien: "Don Brummet."

Speaker Hart: "No."

Clerk O'Brien: "Byers, pass. Caldwell, pass. Campbell."

Speaker Hart: "Campbell, 'aye'."

Clerk O'Brien: "Capparelli, pass. Catania, pass. Chapman."

Speaker Hart: "Chapman votes 'aye'."

Clerk O'Brien: "Christensen."

Speaker Hart: "Christensen votes 'no'."

Clerk O'Brien: "Collins."

Speaker Hart: "Collins, 'no'."

Clerk O'Brien: "Conti, 'present'."

Speaker Hart: "How did he vote? 'Present'."

Clerk O'Brien: "Cunningham."

Speaker Hart: "Not here."

Clerk O'Brien: "Pass. Daniels, pass. Darrow."

Speaker Hart: "Darrow, 'aye'."

Clerk O'Brien: "Corneal Davis, pass. Jack Davis."

Speaker Hart: "No."

Clerk O'Brien: "Dawson."

Speaker Hart: "Dawson, 'aye'."

Clerk O'Brien: "Deavers, pass. Deuster."

Speaker Hart: "Representative Deuster wants to vote 'aye'."

Clerk O'Brien: "DiPrima."

Speaker Hart: "DiPrima, 'aye'."

Clerk O'Brien: "Domico."

Speaker Hart: "Domico votes 'aye'."

Clerk O'Brien: "Doyle."

Speaker Hart: "Doyle, 'aye'."

Clerk O'Brien: "John Dunn, pass. Ralph Dunn."

Speaker Hart: "Ralph Dunn, pass."



Clerk O'Brien: "Dyer."

Speaker Hart: "Dyer, 'aye'."

Clerk O'Brien: "Ebbesen."

Speaker Hart: "Ebbesen, 'aye'. How do you vote? 'No'. Votes 'no'. Somebody push Representative Ebbesen's button on his desk."

Clerk O'Brien: "Edgar."

Speaker Hart: "Edgar votes 'aye'."

Clerk O'Brien: "Epton."

Speaker Hart: "Epton, 'no'."

Clerk O'Brien: "Ewell, pass. Ewing."

Speaker Hart: "Representative Ewing votes 'no'."

Clerk O'Brien: "Farley, pass. Flinn."

Speaker Hart: "Flinn, 'no'."

Clerk O'Brien: "Friedland."

Speaker Hart: "Friedland, 'no'. Emphatically."

Clerk O'Brien: "Friedrich."

Speaker Hart: "Friedrich votes 'no'."

Clerk O'Brien: "Gaines, pass. Garmisa, pass. Geo-Karis."

Speaker Hart: "The Lady votes 'aye'."

Clerk O'Brien: "Getty."

Speaker Hart: "Getty, 'aye'."

Clerk O'Brien: "Giglio, pass. Giorgi."

Speaker Hart: "Aye."

Clerk O'Brien: "Giorgi, 'aye'. Greiman."

Speaker Hart: "Greiman votes 'no'. Push your button please."

Clerk O'Brien: "Griesheimer."

Speaker Hart: "Representative Greiman. Greiman votes 'aye', push your button. Switch Representative Greiman, okay. Griesheimer, 'no'."

Clerk O'Brien: "Hanahan, pass. Harris."

Speaker Hart: "Harris votes 'yes'."

Clerk O'Brien: "Hart."

Speaker Hart: "Somebody push my button, 'no' please."

Clerk O'Brien: "Hoffman, pass. Holewinski, 'aye'. Dan Houlihan."



Speaker Hart: "Somebody push Representative Holewinski's 'aye' button please. Thank you. Dan Houlihan, pass."

Clerk O'Brien: "Jim Houlihan."

Speaker Hart: "Houlihan, 'aye'."

Clerk O'Brien: "Hoxsey."

Speaker Hart: "Hoxsey, 'no'."

Clerk O'Brien: "Hudson, pass. Huff."

Speaker Hart: "Huff, 'aye'."

Clerk O'Brien: "Aye. Huskey."

Speaker Hart: "No."

Clerk O'Brien: "Jacobs."

Speaker Hart: "No."

Clerk O'Brien: "Jaffe."

Speaker Hart: "Jaffe, 'aye'."

Clerk O'Brien: "Johnson."

Speaker Hart: "Johnson, 'aye'."

Clerk O'Brien: "Dave Jones."

Speaker Hart: "No, he votes 'no'."

Clerk O'Brien: "Emil Jones, pass. Kane."

Speaker Hart: "Kane, 'aye'."

Clerk O'Brien: "Katz."

Speaker Hart: "Katz, 'aye'."

Clerk O'Brien: "Keats."

Speaker Hart: "Keats, 'no'."

Clerk O'Brien: "Kelly."

Speaker Hart: "Kelly, 'aye'."

Clerk O'Brien: "Kempiners."

Speaker Hart: "Kempiners votes 'no'."

Clerk O'Brien: "Kent."

Speaker Hart: "Kent votes 'no'."

Clerk O'Brien: "Klosak."

Speaker Hart: "Klosak, 'no'."

Clerk O'Brien: "Kornowicz, pass. Kosinski votes 'present'.

Kozubowski, pass. Kucharski."

Speaker Hart: "Kucharski, 'aye'. 'No'."



Clerk O'Brien: "No."

Speaker Hart: "He votes 'no'."

Clerk O'Brien: "Vinson."

Speaker Hart: "Vinson votes 'no'."

Clerk O'Brien: "Laurino."

Speaker Hart: "Laurino, 'no'."

Clerk O'Brien: "Lechowicz."

Speaker Hart: "Aye."

Clerk O'Brien: "Leinenweber."

Speaker Hart: "No."

Clerk O'Brien: "Leverenz."

Speaker Hart: "Present."

Clerk O'Brien: "Levin."

Speaker Hart: "Levin votes 'aye'."

Clerk O'Brien: "Lucco."

Speaker Hart: "Lucco, 'aye'."

Clerk O'Brien: "Luft."

Speaker Hart: "Luft, 'no'."

Clerk O'Brien: "Macdonald."

Speaker Hart: "Mrs. Macdonald votes 'present'."

Clerk O'Brien: "Madigan."

Speaker Hart: "Pass."

Clerk O'Brien: "Pass."

Speaker Hart: "Madigan, 'present'."

Clerk O'Brien: "Madison."

Speaker Hart: "Pass."

Clerk O'Brien: "Mahar."

Speaker Hart: "Mahar, 'no'."

Clerk O'Brien: "Mann, pass. Marovitz."

Speaker Hart: "Marovitz votes 'aye'."

Clerk O'Brien: "Lynn Martin."

Speaker Hart: "The Lady votes 'aye'."

Clerk O'Brien: "Peggy Smith Martin, pass. Matejek."

Speaker Hart: "Matejek, 'present'."

Clerk O'Brien: "Matijevich."



Speaker Hart: "Matijevich, 'aye'."

Clerk O'Brien: "Mautino, pass. McAuliffe."

Speaker Hart: "No."

Clerk O'Brien: "McBroom."

Speaker Hart: "McBroom, 'no'."

Clerk O'Brien: "McClain."

Speaker Hart: "McClain, 'aye'."

Clerk O'Brien: "McCourt, pass. McGrew, 'aye'. McLendon, 'present'.  
McMaster."

Speaker Hart: "No."

Clerk O'Brien: "McPike."

Speaker Hart: "McPike, 'aye'."

Clerk O'Brien: "Meyer."

Speaker Hart: "Meyer, 'aye'."

Clerk O'Brien: "Miller."

Speaker Hart: "Miller, 'no'."

Clerk O'Brien: "Molloy."

Speaker Hart: "No."

Clerk O'Brien: "Mudd."

Speaker Hart: "Mudd votes 'no'."

Clerk O'Brien: "Mugalian."

Speaker Hart: "Aye."

Clerk O'Brien: "Mulcahey."

Speaker Hart: "Aye."

Clerk O'Brien: "Murphy."

Speaker Hart: "Murphy votes 'aye'."

Clerk O'Brien: "Nardulli, pass. Neff."

Speaker Hart: "Neff, 'aye'."

Clerk O'Brien: "O'Brien, pass. R.V. Walsh."

Speaker Hart: "Walsh, 'no'."

Clerk O'Brien: "Pechous."

Speaker Hart: "Pechous, 'aye'."

Clerk O'Brien: "Peters. Peters, 'no'."

Speaker Hart: "Peters, 'no'."

Clerk O'Brien: "Pierce. Pierce, 'aye'. Polk. Polk, 'no'."





Porter."

Speaker Hart: "Polk, 'no'."

Clerk O'Brien: "Porter, pass. Pouncey."

Speaker Hart: "No."

Clerk O'Brien: "Pullen."

Speaker Hart: "No."

Clerk O'Brien: "Reed."

Speaker Hart: "Reed votes 'no'."

Clerk O'Brien: "Reilly."

Speaker Hart: "Reilly, 'aye'."

Clerk O'Brien: "Richmond, pass. Rigney."

Speaker Hart: "No."

Clerk O'Brien: "Robinson."

Speaker Hart: "Aye."

Clerk O'Brien: "Ryan."

Speaker Hart: "Ryan, 'no'."

Clerk O'Brien: "Sandquist."

Speaker Hart: "Sandquist, 'no'."

Clerk O'Brien: "Satterthwaite."

Speaker Hart: "Satterthwaite, 'aye'."

Clerk O'Brien: "Schisler."

Speaker Hart: "Schisler, 'no'."

Clerk O'Brien: "Schlickman."

Speaker Hart: "No."

Clerk O'Brien: "Schneider, 'aye'. Schoeberlein, 'no'. Schuneman."

Speaker Hart: "Schuneman, 'no'."

Clerk O'Brien: "Matula, 'no'. Sharp."

Speaker Hart: "Sharp, 'aye'."

Clerk O'Brien: "Shumpert."

Speaker Hart: "Shumpert votes 'no'."

Clerk O'Brien: "Simms."

Speaker Hart: "Simms, 'no'."

Clerk O'Brien: "Skinner."

Speaker Hart: "Skinner, 'aye'."

Clerk O'Brien: "Stanley."



Speaker Hart: "Stanley, 'no'."

Clerk O'Brien: "Stearney, pass. Steczo."

Speaker Hart: "Steczko, 'aye'."

Clerk O'Brien: "E.G. Steele, pass. C.M. Stiehl, pass. Stuffle."

Speaker Hart: "Stuffle, 'aye'."

Clerk O'Brien: "Sumner."

Speaker Hart: "Sumner votes 'no'."

Clerk O'Brien: "Taylor, pass. Telcser, 'no'. Terzich, 'no'.  
Tipsword, pass. Totten, 'no'. Tuerk, 'no'. Van Duyne,  
pass. Vitek, 'aye'. Von Boeckman, 'aye'. Waddell, 'no'.  
W. D. Walsh, 'no'. Wikoff, 'no'. Willer, 'aye'.  
Williams, 'aye'. Winchester, 'no'. Wolf, 'no'. Younge,  
'no'. Yourell, pass. Mr. Speaker, pass."

Speaker Redmond: "Representative Younge, would you push your  
switch please? Representative Stiehl, for what purpose  
do you rise?"

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

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

Stiehl: "Vote me 'no'."

Speaker Redmond: "Representative Ralph Dunn."

Dunn: "Mr. Speaker, record me as 'no'."

Speaker Redmond: "Rich Bowman. How is Representative Bowman  
recorded?"

Clerk O'Brien: "Bowman."

Speaker Redmond: Will you press your switch, Representative  
Dunn? Representative Dunn and Stiehl, will you press  
your switch?"

Clerk O'Brien: "Representative Bowman is recorded as not voting."

Bowman: "Vote me 'aye' please."

Speaker Redmond: "Representative Catania....did you press your  
switch? Anyone else that wants to vote? Representative  
John Dunn. Press your switch. Catania voted 'aye'.  
Representative Giglio, how do you vote, Sir? Giglio."

Giglio: "Aye."

Speaker Redmond: "Conti, Representative Conti, how do you vote?"



Press your switch. Representative Gene Hoffman. Is there anyone else desires....Representative Lee Daniels."

Daniels: "No."

Speaker Redmond: "Representative Thomas Hanahan. 45(b) says to press your switch and orally announce how you want to.....Representative Hanahan. Push the switch."

Clerk O'Brien: "Hanahan, 'aye'."

Speaker Redmond: "Representative Byers. Press the switch."

Clerk O'Brien: "Byers votes 'aye'."

Speaker Redmond: "Representative Byers votes 'aye'. Representative James Taylor. Representative James Taylor votes 'aye'. Representative Walsh, Robert Walsh. Representative..... will you press your switch."

Clerk O'Brien: "He was voted 'no', did he change? Robert Walsh."

Speaker Redmond: "Robert Walsh."

Clerk O'Brien: "Robert Walsh is 'no' to 'aye' then."

Speaker Redmond: "Does anyone else desire to vote? Representative Birchler. Representative Birchler votes 'aye'. Anyone else desire to vote? Representative Davis, 'aye'. Representative Flinn...I can't hear your thumb. 'Aye'. Representative Macdonald."

Clerk O'Brien: "Change from 'no' to 'aye'."

Speaker Redmond: "Macdonald."

Macdonald: "Please change my vote to 'no'."

Speaker Redmond: "Did you change your switch? Your switch is open. According to the rules we're supposed to rise and orally state how we desire to vote and then we press the switch. Representative O'Brien. Representative Peggy Smith Martin. Peggy Smith Martin. Martin."

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

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

Martin: "Please record me 'aye'."

Speaker Redmond: "Will you press your switch, Mrs. Martin?"

Representative Kozubowski. Kozubowski."

Kozubowski: "Record me 'no' please."



Speaker Redmond: "Press your switch. The switches are still open, vote your switch. Representative Gene Barnes. Will somebody....I guess it's against the rules, do you want to suspend the rules and let somebody else vote Representative Barneal's switch. Leave is denied. You've got to press your own switch. Kane."

Kane: "A point of order, I thought the reason why we instituted this kind of a vote verification is that we would go through the Roll Call once and then that was it."

Speaker Redmond: "The rules provide that when it is all completed to ask if any other Members desires to vote or any Members desires to change his vote. That's in the rules, 45(b). No other Members desire to change his vote, is that correct? The Clerk will take the record. On this question there are 73 'aye' and 71 'no' and the motion prevails. Amendment #2 is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, McGrew. Amends House Bill 2912 on page 6 by deleting line 4 through 6 and so forth."

Speaker Redmond: "Representative McGrew."

McGrew: "Thank you very much, Mr. Speaker. Amendment #3 affects only the part of the statute that pertains to the federal definition of prime agriculture land. In this case we're trying to give the Department of Agriculture a little larger voice in the reclamation procedure for prime agriculture land. Frankly, we feel that the Director of Mines and Minerals will attempt to do a very conscientious job but it seems like it is kind of a conflict of interest to appoint a gentleman of that position who is and should be a miner and then tell him to police the mine for a reclamation. All we're trying to do is to say that the Agriculture Committee would, or the Agriculture Department would have written concurrence that they shall proceed with the reclamation procedure. I move for its adoption and will answer any questions."



Speaker Redmond: "Representative McMaster."

McMaster: "Mr. Speaker and Ladies and Gentlemen of the House, the Department of Agriculture participated in the writing of this Bill as it was originally introduced. The Bill calls for all of the Interagency Committee, which includes the Department of Agriculture, to report to the lead agency which will be the Department of Mines and Minerals with their advice in regard to issuance of permits on prime agriculture land. And let me point out that under the federal rules and regulations all of Illinois will be considered prime agriculture land. I feel that the Department of Agriculture has accepted this Bill as written and they are in agreement with it as written. Therefore, I see no necessity for this Amendment."

Speaker Redmond: "Any further discussion? Representative McGrew to close."

McGrew: "Well, thank you, Mr. Speaker. We think this is a very essential approach to implement the interim program. By contacting the specific pieces it permits you, we feel we're avoiding the duplication of services and the agency with the most expertise in a specific area will be the one to make the recommendation. It gives the Department of Agriculture a little larger voice in the makeup of this Committee as it pertains to strip mining prime agriculture land only. I move for its adoption."

Speaker Redmond: "The question is on the Gentleman's motion for the adoption of Amendment #3. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 52 'ayes', 72 'no' and the motion fails. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, McGrew. Amends House Bill 2912 on page 1, line 1 and 6 and so forth."

Speaker Redmond: "Representative McGrew."



McGrew: "Thank you very much, Mr. Speaker. Amendment #4 addresses the situation not spoken to in any way shape or form in the enacting legislation. And that is slag mining or mining the slag piles or re-mining or whatever you want to call it. Currently they exist all over the State of Illinois, a great number of slag piles that are once again becoming economically feasible to extract the coal from them; the remains of what was the initial mining process. We feel that this Amendment would correct that situation, would call for reclamation of the slag mines and it would also provide for the bonds necessary to insure that we did indeed reclaim the land under the slag or gob piles. It does specifically include that when we amend it on page 5, by inserting 'reopen' and not just 'open' a new mine. That is the attempt, the way we discussed it and the purport of the Amendment. I move for its adoption."

Speaker Redmond: "Representative McMaster."

McMaster: "Mr. Speaker and Ladies and Gentlemen of the House, let me point out that the Illinois Department of Environmental Protection Agency will handle the coal mine waste files that Mr. McGrew is talking about. Again this is something that we feel will be written into the final concurrence with the Federal Act and does not belong in the initial Act. We are giving the control of the gob piles or waste piles as they are called to the Illinois Department of Environmental Protection Agency. I would ask that this Amendment not be adopted."

Speaker Redmond: "Any further discussion? Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I have a question of the Sponsor of the Amendment."

Speaker Redmond: "Proceed."

Mautino: "Representative McGrew, how does this affect those slag piles which are owned by private individuals as in



the case of many insistences in downstate Illinois? For example in Bureau County the slag piles are owned by private individuals. How does that affect them?"

McGrew: "It would only affect them to the extent that they would begin to attempt to re-mine it or extract the coal from it: otherwise, it would fall under the auspices of the Environmental Protection Agency. As I tried to point out, the part that we feel covers the slag provision is when we're saying that we are reopening a mine. In other words, if you are again going in and trying to extract mines and minerals."

Mautino: "My problem occurs that there is coal below the city of which I live in. There are slag piles owned by individuals that sit above these coal mines that will probably never get mined but there is always a possibility. Who would have control over those slag piles that are owned by an individual, if in fact they did start up mining again later?"

McGrew: "If they should attempt to mine the slag piles, it would indeed fall under the provisions of this Act with Amendment #4. Without it there would be no...they would not be addressed in any way shape or form."

Mautino: "Thank you."

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

McGrew: "Well, thank you, Mr. Speaker. This Amendment does as I have suggested, includes slag piles, the re-mining or reopening of mines under the reclamation standard and I move for its adoption."

Speaker Redmond: "The question is on the Gentleman's motion for the adoption of Amendment #4. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? The Clerk will take the record. On this question there are 46 'ayes', 71 'no' and the motion fails. Any further Amendments?"



Clerk O'Brien: "Floor Amendment #5, McGrew. Amends House Bill 2912 on page 5, line 25 and so forth."

Speaker Redmond: "Representative McGrew."

McGrew: "Mr. Speaker, this one is very similar to #4, I would move to accept the Roll Call on #4...on #5 with permission of the House."

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

McMaster: "Let me point out again, Mr. Speaker and Ladies and Gentlemen of the House...."

Speaker Redmond: "He wants the same Roll Call that he had on Amendment #4. He wanted the same Roll Call that he had on #4. Hearing no objections, leave is granted. Use the same Roll Call on this Amendment that there was on Amendment #4. Any further Amendments?"

Clerk O'Brien: "Amendment #6, McGrew. Amends House Bill 2912 on page 4 by deleting line 22 and 23 and so forth."

Speaker Redmond: "Representative McGrew."

McGrew: "Well, thank you very much, Mr. Speaker. This is perhaps one of the most important Amendments that I'm offering. This deletes provisions twice that appear in the Act, to say nothing in this Act shall be...any more stringent than the Federal Law. It seems to me that the State of Illinois should be indeed considering our own strip mining reclamation and we should not be tied unequivocally to the Federal Law. If we decide to have rules, regulations or laws that are more stringent, I think this would indeed mess up that procedure. We would not have any right to become involved whatsoever. I think that the Sponsor of this Bill introduced and passed a very good strip mine reclamation law, two Sessions ago. This would make each certain provision of that Act and would prevent us from getting better strip mine reclamation while this interim legislation is on the books."





Speaker Redmond: "Representative McMaster."

McMaster: "Let me point out, Mr. Speaker and Ladies and Gentlemen of the House. And this is given to me by the head of the Institute for Environmental Quality who has much more legal expertise than I do. It is his opinion that in the case of a conflict between federal and state laws, the more stringent standard will prevail. For example, if our standards are more stringent than the feds, we will prevail. This is according to Section 17(a), (j), lines 253 to 255 in the Bill as introduced. We already have it in there, I feel that this is unnecessary and will only clutter up the Bill unnecessarily. I would urge a 'no' vote."

Speaker Redmond: "Any discussion? Representative McGrew to close. Representative Mugalian."

Mugalian: "Well, thank you, Mr. Speaker. I hope that the Assembly will notice this Amendment. It is a very important one and for two separate reasons I think we should adopt this Amendment overwhelmingly. We should not be bound by what the Federal Government thinks is suitable for Illinois. Illinois is unique as is every other state and for us to sit back and say that we will accept whatever regulations the Federal Government deems necessary in a national law that affects the entire country, I think it is an abdication of our responsibility. I see most of us believe that Illinois should solve its own problems. And to say that our regulations cannot be more stringent than federal ones would be an abandonment of our responsibilities to the citizens of Illinois. We should enact laws where necessary, we should not enact them when not necessary but we surely shouldn't say, Federal Washington, you decide what's best for Illinois. I urge an affirmative vote."

Speaker Redmond: "Representative Lucco for a moment here. Representative Lucco."



Lucco: "Yes, thank you, Mr. Speaker. There has been a fine group of 8th grade students and chaperons from St. Patrick's School in Decatur up in the balcony practically all morning and we would like to introduce them. They are represented by Representatives Tipword, John Dunn and Bennett. Nice to have you here."

Speaker Redmond: "Those in the back row look a little old. Representative Mudd."

Mudd: "Yes, Mr. Speaker and Members of the House, I certainly believe that this is a very important Amendment. The Federal Government when putting guidelines out for the entire country take into consideration--they have a strong Environmental Commission also--they take into consideration many different facets of regulation. One of which is, how does our regulations meet with consumer cost. How many things are reasonable and what is unreasonable. I submit to you that if we keep drafting stringent regulations from environmentalists in this State of Illinois that we're going to push utility cost, we're going to keep our coal market out of the country, we're going to do a number of things. And I think it is time that we vote Amendments like this down and save the taxpayers and the consumers and the State of Illinois millions of dollars."

Speaker Redmond: "Representative Schneider."

Schneider: "Thank you, Mr. Speaker and Members of the House. What could be more ludicrous than last comments? We have talked for a long time about the State of Illinois and local control. We've talked about balancing out what is realistic in terms of our economy and terms of our environment at a local level. And now when the argument cuts the other way it's all of a sudden important and acceptable to adopt an Amendment that allows the Federal Government to make a decision. Federal Government doesn't know anything as far as I can tell about the impact of



pollution and agriculture as we have seen happen in Illinois, to which much land has been laid to waste simply because of the fact that we have not tempered our interest in the economy and make it consistent with our effort to preserve the open areas and to maintain a healthy environment. So I think it is very important that we make it clear that for those of you who for many years have argued substantially, and I think very effectively many times for local control, ought to take a good look at the distinctions between a national government that tries to adopt Amendments that relate to fifty states, from Alaska to the tip of Florida and one that deals with the southern part of Illinois and the northern part. It is far more substantial in my mind to say that we as Legislators and we of the state can view more precisely, effectively and accurately about the impact of a certain concept as it relates to the environment. So, I think the Amendment is very sound and I think it is very important. And I would solicit an 'aye' vote."

Speaker Redmond: "Representative Bowman."

Bowman: "Mr. Speaker and Ladies and Gentlemen of the House, the subject matter of this Bill and the subject matter as this Amendment addresses itself to is generally contingent upon the areas of mining and agriculture. Those are two industries that are of paramount importance to the State of Illinois. Now when the Federal Government designs its regulations, it has to do so with an eye towards the average state or the average circumstance. And I don't think you'll find very many other states in the country that has the kind of vital agriculture and mining sectors existing side by side. And I think that it is important that the responsibility for taking the Leadership and regulation in this area be vested in the citizens of Illinois and to the elected Representatives and through this government. And I think



that if we fail to adopt this Amendment we are essentially throwing in the towel and telling the feds it's okay to do whatever they want with this. And in the event that the feds decide to get out of the regulation business all together, then we would be left holding the bag and we wouldn't have anything on the books here at all. So I think that if we are going to retain local control and if we're going to retain the ability to balance the interest between agriculture and mining, we've got to adopt this Amendment. Thank you."

Speaker Redmond: "Representative McMaster. Representative McGrew."

McMaster: "Now, if I may, Mr. Speaker....I didn't have my light turned on."

Speaker Redmond: "For what purpose do you arise, Representative McGrew?"

McGrew: "Thank you, Mr. Speaker. A point of order. I believe the Gentleman has already spoken in debate."

Speaker Redmond: "Did he?"

McMaster: "Mr. Speaker, it is my Bill."

Speaker Redmond: "If he did, you're right. Scouts honor, did you speak before, Representative McMaster? Scouts honor."

McMaster: "Yes, certainly I did respond."

Speaker Redmond: "That takes care of it. Anything further? Representative McGrew to close."

McGrew: "Thank you very much, Mr. Speaker. The previous Gentlemen, Representative Schneider, was very very accurate in saying that this is indeed a states' rights issue, I would submit to you that whatever comes out of this Bill, whatever laws we pass, whatever rules we promulgate or the General Assembly ratifies or okays, it is entirely up to the Members of the General Assembly. It is we that will accept the responsibility. This Amendment simply says that we will not be tied unequivocally and indefinitely to the federal standards. What the Sponsor of



the Bill spoke, he suggested that indeed the Federal Governor....the courts have ruled that when the two laws are in conflict, the most stringent applies. That is very very accurate except when we specifically excluded as we are doing in this Amendment...or this Bill, we are specifically saying that, if they are in conflict that we will not be anymore stringent than the federal law. I think that is a very very poor practice, it is a poor beginning for a great concept. I submit to you that Amendment #6 should be adopted. I do move so."

Speaker Redmond: "The question is on the Gentleman's motion for the adoption of the Amendment. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? The Clerk will take the record. On this question there are 53 'aye' and 66 'no' and the motion fails. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, Stuffle-McGrew. Amends House Bill 2912 on page 1, line 1 and 6 and so forth."

Speaker Redmond: "Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members, Amendment #7 seeks to open up to public access the comments of the members of the Interagency Committee that are created under this legislation. The Amendment would provide that the comments made by the individuals, in the same time frame as Representative McMaster's Bill, would have to be sent to the affected areas where mining would take place under permit applications. Under this Amendment municipalities, townships or counties could request a review of the remarks of the members of the Committee. This would open the process greater to public accountability. The hearings would be conducted concurrently with the hearings already provided for in the legislation."

Speaker Redmond: "Representative McMaster."

McMaster: "Well, Mr. Speaker and Ladies and Gentlemen of the House, let me point out...we already have this requirement



in current law, in the State of Illinois. It does not change that in any way. Any County Board has a right to call for a hearing and this legislation does not change that in any way. Again, I recognize what the Gentlemen are thinking. We do already provide it, we do not remove that permission from local government to become involved. We did that in the Act that we passed in 1974 and it is completely unnecessary since we already do it."

Speaker Redmond: "Representative Schneider."

Schneider: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It wasn't too long ago when Tom McMaster and I came together and worked on an Agriculture Committee and others....dealing with the very question we're discussing now and that is, the hearing procedures that deal with regulations in the EPA and I know this may be a little bit different but the concept is the same. And one of the complaints that came out of that southern part of the state, I'm sure out of Tom's district was that the farmers and those people affected by EPA regulations were not given adequate access to hearing process. I can also recall that the EPA reopened hearings as the result of that pressure. What this proposal does then is satisfy that need one more time. It is another safety valve, it applies specifically and directly to the area that's affected. I don't see anything wrong with this and I'm surprised that there is opposition by Tom on this proposal. It is a good proposal, a good Amendment and I'm going to ask its adoption."

Speaker Redmond: "Anything further? Ready for the question? The question.....the question is on the adoption of the Amendment. Representative Stuffle, pardon me."

Stuffle: "Yes, if I could close I would point out that this is not the same hearing process that is in the current law at all. This provides, it has...the Interagency Committee operates and considers permit applications



that the views of the members of that Committee will be known to the public when they are made. The public is brought in at the time things are being done on these applications, not at the tail end as Representative Schneider pointed out incorrectly. More people are given access and more people are given rights to review under this Amendment than is currently the case. The option, the alternative to this and I can guarantee you what will happen will be more people going to court, more litigation, more cost and more problems for individual states, the State of Illinois, counties and townships. It is already happening in my district. Representative Campbell and Edgar can tell you it's happening there too. It's going to continue to happen if we don't open up this process to the people. I urge the adoption of Amendment #7."

Speaker Redmond: "Question is on the Gentleman's motion for the adoption of Amendment #7 to House Bill 2912. Those in favor vote 'aye', opposed vote 'no'. In case any Member is having difficulty seeing maybe it's because they left their glasses up here at the Clerk's Office. Anybody leave their glasses up here? Shake down the thunder from the sky. Representative McGrew."

McGrew: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In brief explanation of my vote I would like to point out that this does indeed do away with the duplicity of two different hearings and does point out that we could hold these concurrently; and therefore, we would be cutting out the necessity of holding a second hearing before we would issue the permit. I suggest an 'aye' vote."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there are 60 'aye' and 66 'no'....Representative Stuffle."

Stuffle: "Would you poll the absentees?"

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



absentees, Mr. Clerk. Will you poll the absentees?"

Clerk O'Brien: "Abramson, Bluthardt, Brandt, Breslin, Byers, Caldwell, Capparelli, Daniels, Corneal Davis, Dawson, Deavers, Deuster, Domico, Doyle, Ewell, Farley, Flinn...."

Speaker Redmond: "Representative Flinn, 'aye'."

Clerk O'Brien: "Gaines, Garmisa, Geo-Karis, Giglio, Griesheimer, Hanahan, Harris, Dan Houlihan, Hudson, Emil Jones, Leverenz, Lucco, Madigan, Madison, Mann, Marovitz, McCourt, McLendon, Meyer, Robert Walsh, Porter, Pouncey...."

Speaker Redmond: "Representative Pouncey, 'aye'. Representative Byers, 'aye'. Representative Breslin, 'aye'. Representative Bluthardt, 'no'. Representative Stearney... back up, Representative Bluthardt, 'no'. Stearney, 'no'. Representative Marovitz, 'aye'. Representative Robert Walsh, 'aye'. Representative Doyle, 'aye'. Representative Vitek, 'aye'. I think we better dump this Roll Call. Will you clear the....the question is on the Gentleman's motion for the adoption of Amendment #7. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Representative Mautino votes 'aye'. Have all voted who wished? The Clerk will take the record. On this question there are 65 'aye', 76 'no'. The Gentleman's motion fails and the Amendment is not adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Senate Bills, Third Reading. Category of appropriations 1602. Second."

Clerk O'Brien: "Senate Bill 1602, a Bill for an Act to amend Sections of an Act to provide for the ordinary and contingent expense to the General Assembly. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. Constitutional Amendments, Third Reading. House Joint Resolution Constitutional





Amendment #11."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #11, this Resolution has been read a third time previously."

Speaker Redmond: "Representative Friedrich. Out of the record. House Joint Resolution Constitutional Amendment #12, Representative Giorgi."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #12, this Amendment has been read a third time previously."

Speaker Redmond: "Out of the record. House Joint Resolution Constitutional Amendment #44, Representative Totten. Representative Totten...out of the record. House Joint Resolution Constitutional Amendment #46, Representative O'Brien. Out of the record. Senate Joint Resolution #31, Representative Terzich."

Clerk O'Brien: "Senate Joint Resolution #31, this Constitutional Amendment has been read a third time previously."

Speaker Redmond: "Representative Terzich. Huffen and puffen. Representative Terzich."

Terzich: "Yes, Mr. Speaker, before we proceed with Senate Joint Resolution Constitutional Amendment #31, I would like to have my Cosponsor, Representative Stuffle close."

Speaker Redmond: "Representative Stuffle."

Terzich: "All right, he will close, Mr. Speaker."

Speaker Redmond: "Oh, I see."

Terzich: "I would like to introduce this Bill and its Resolution, which I think is one of the most important of this General Assembly. I'm asking each and every Member of the Illinois House to support the proposed Constitutional Amendment to return the position of State School Superintendent to an elected office. Do we have to accept the concept of an appointed superintendent after being disillusioned by the unparalleled mismanagement under Illinois' first appointed superintendent? We have learned at great expense that the politics of appointing someone and the politics of that person maintaining his appointment



is no less political than the public contest of an elected office. This Constitutional referendum would be healthy in that the citizen would be compelled to think about the fundamental principle of self government. Can the adult voter be trusted to make direct discussions on the education of his children? I say, yes, they can. I think a lot of parents and educators will feel the same way. Please give them the opportunity to decide this question in November by voting 'aye' for Senate Joint Resolution #31."

Speaker Redmond: "Representative Griesheimer."

Griesheimer: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It is our responsibility as Legislators to review matters, ideas and thoughts presented to us with the idea of amending the Constitution periodically. Our responsibility is to pass a proposed Amendment, pass it on to the voters and give the voters an opportunity to vote it up, 'yes' or down and then become the generic law of the land of this particular state. When we knowingly produce an Amendment which is faulty on its face, we are not doing our job or justice to the public. In this particular instance, yesterday I attempted to amend this particular Constitutional Amendment so that it would be in proper order. This was rejected by this House. The House today must stand knowingly presenting a potential Constitutional Amendment to the voters which will neither be complete or proper. And in fact this Constitutional Amendment will probably do more possible damage than it could ever do good. Every person in this state whether they have children or not are concerned with the well-being of their children while they are attending public school. By law and by Constitution our schools are under the jurisdiction of the Superintendent of Public Instruction and at the present time the State Board of Education. This Bill attempts to change this



so that it would be strictly under the supervision of an elected State Superintendent of Education. But I suggest to you, what will happen to our school system if this superintendent dies, resigns or is killed one day after he is elected, this would be the only Constitutional Officer in the State of Illinois that did not have a constitutionally provided for replacement policy. This would do no good to the system, would cause chaos in education, it will not in any way present a better situation than we have today. If you want to vote for responsibility then we must vote in opposition to this Bill or this Resolution and give the Sponsors of it an opportunity to represent it at a later date properly drafted. If you don't care about the responsibility to the voters and properly taking care of the Constitution of this state then the proper vote would be 'yes'. I urge a 'no' vote."

Speaker Redmond: "Representative Matijeovich."

Matijeovich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I'm listed as a Cosponsor of this Resolution.... of a Resolution to elect a Superintendent of Public Instruction; however, as I sat on the floor when this issue came up before, I have had second thoughts about this issue. And for some reason...first I want everybody to know that Representative Griesheimer is totally correct. It would be in error if we presented to the voters on a ballot a Constitutional Resolution that is faulty....that is defective on its face. I think the voters, when they would discuss that Resolution would laugh at us as a Legislature, that we couldn't present to them...the voters, a Resolution that was totally correct in its form. It is defective, number one. Number two, I think it is totally in error...when we present to the voters a Resolution that would fan... fan the fires that would most certainly come up when we



would debate it by the people in the referendum, the issues of segregation of desegregation. I think that would be totally in error. We would be contributing, I think, in going backwards. Again I think also that we cannot change the system that we have from appointed to elected system of electing a Superintendent only because we don't like the job that the present Superintendent is doing. Remember that there were many in the Constitutional Convention that wanted a change because they didn't like the way the elected Superintendent was doing. So we do not answer anything by changing again. I don't think we have to change the system. I think we would make it more political; so I have taken a change in heart. I really think that we must allow the present system to operate again. There will be other Superintendents come along, they'll be appointed....they'll be other Superintendents I think that will do a good job. We do nothing by making this change now in offering it to the people I think the debate by the people would end up in chaos. It would just fan emotional fires that we don't have to fan and I would urge your sound defeat of this Resolution."

Speaker Redmond: "Representative Luft, are you seeking recognition?"

Well you've been recognized. Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House, I don't question the sincerity of either of the two last Gentlemen that spoke. But I have checked this matter out with some of the best legal minds in this state and in my opinion, and in their opinion, the absence of a Section in this Amendment to provide for the filling of a vacancy does not make it unworkable. Certainly hundreds of offices in the state, the filling of vacancies is provided for by statute and there is absolutely no reason why the filling of a vacancy for the State Superintendent of Schools cannot be arranged for by a statute. Only a week



ago or more we passed an identical Resolution of this kind. But let me tell you, since that time one of the biggest bureaucracies in the state has really been busy putting the pressure on Members of this House. I know at least one Member who has been threatened that if he does not vote 'no' against this Amendment, that he will be deprived of some services from the Office of Mr. Cronin. Now to me this is bureaucracy at its worse. When we get a bureaucracy that starts threatening Members of this Legislature then I think it is time to abolish it. We were told at the Constitutional Convention how we were going to take education out of politics. All right, we took it out of politics. It isn't Republican or Democrat anymore, it is Cronin politics, that's what it is. And here you see a man that is running a one-party system and forcing his ideas of education on this whole state. Two-thirds of your real estate taxes and a third of your state taxes are going for public education. It certainly is the most important function that this state does in providing public education to all of the children of this state. And I'm proud of it for that but it is the peoples' business and in my opinion, if you want to put something on the merit system you let the people have voice in what happens. Certainly desegregation is one of the issues here, not because of segregation itself but because it has been meted out unfairly and unevenly and along arbitrary basis...issue by issue. In our town it has cost the taxpayers thousands of dollars for one thing, only to find out when they got it done they were dealing with another bureaucrat who said, 'Oh, I'm sorry we've changed our mind we have to do something else.' We've got school children walking past one school to go to another. We've built new buildings and still we can't satisfy the people over there who are out of politics now and untouchable. It certainly does not make



sense in a country where we believe in government by the people to have a government by appointment. Nothing... let me repeat, nothing is a more important function of this state or anymore of the peoples business than public education. Let's give it back to the people and if you think it is putting it back in politics, I say it is giving it back to the people where it belongs."

Speaker Redmond: "Representative Madison."

Madison: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I find myself in a rather peculiar position, Mr. Speaker, in opposing this Resolution. And I'm in a peculiar position: number one, because I'm neither in favor nor do I oppose the election of a State Superintendent. However, I am against this Resolution for two reasons. The first and foremost reason, Mr. Speaker, is because whether or not the Superintendent is elected or appointed is not the central issue in this debate and it has never been. The central issue has been whether or not the schools in the State of Illinois would be desegregated and on what basis. And for that reason I am thoroughly convinced, that in an election campaign regarding a State Superintendent being elected, will be fraught with everything but the central issues. The issues in that campaign will not be the qualifications of the candidate, the issues in that campaign will not be quality education for the school children, the issue in that campaign will be to bus or not to bus. I know it and you know it. We can have anybody run for that position and say that he was against busing for racial balance and in all likelihood he would probably win. That is the first and foremost reason I am against this Resolution. Secondly, this Resolution, Mr. Speaker, as it has it has been pointed out very vividly, it's faulty on its face. And I can't believe this House would be a party to sending to the voters of this state a question



of referendum on a ballot that is technical in nature and therefore not worthy of even consideration. Now I listened to the speaker that preceded me talk about the possibilities for remedy. Well, I'm not a lawyer, Mr. Speaker, but I can read and as I read the Constitution of this state, Article V, Section 7, it tells me very vividly that every state officer of this state...there is a provision for a filling of a vacancy. The Superintendent of Education, an elected position, would be a state officer and this Resolution does not provide for the filling of that vacancy. That, Mr. Speaker, indicates to me that this Resolution is faulty. And I don't believe that it is precedent in law or in statute for the Legislature setting up the wherewithal to fill a vacancy of a state officer. I don't know in this state that that situation has ever existed. So I would appeal to you to vote against this Resolution. If you want an elected Superintendent then let's do it the right way and let's do it for the right reason."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. The last Gentleman is right, he did not go to law school. Now it is too bad that this red herring has been dragged across this fine Joint Resolution by the two Gentlemen from Lake—because I know the first Gentleman from Lake who spoke so eloquently about the so-called defects in this — when he was in law school he probably had a course in what is called equity. Because one of the oldest equitable principles is the maxim law appores a vacuum, which means very simply that where there is no provision for replacement in the law, that a provision will be devised. And according to the intent of the Constitution, which is very clear if you read Section 7 of Article V, which calls for a vacancy in other elective offices. So it is very simply a red herring and I would like to tell you



an experience that the Legislators in the 42nd District of which I am privileged to be one head. Approximately one month ago we were invited by the school administrators of all of the school districts in Will County to have a breakfast meeting with them. There were about a hundred and fifty of them representing all the school districts in Will County in attendance. And we asked for a show of hands on how they wanted us to vote on this Constitutional Amendment. It was one hundred and fifty to nothing in favor of returning to the elective system. There was not a single administrator present in that room which represented each and every school district that was for retaining the present system. It is certainly easy to understand why they feel that way. One of the most common complaints of all citizens of this state...all the voters of this state is that bureaucracies of our government are just not responsive to them. And why are they not responsive? It is very simple because they are not accountable to the voters of this state. Who can you blame if the Office of Education does something that you don't like? You can blame Con Con, you can't blame the Governor. The Governor says, 'I didn't appoint Mr. Cronin.' You go to the Board Members and you don't vote for them they are appointed by the Governor. There is no one that you can blame for this office and that is philosophically against representative government. This is a good Constitutional Amendment, it's in proper form and there is no reason to drag this red herring. If you're against it vote 'no' because you're against the elective system but don't vote 'no' based upon this red herring."

Speaker Redmond: "Representative Gene Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. During the debate on the House Joint Resolution 15, on the same issue, I pointed out that in response to the 1970 Constitution the School Problems Commission held





hearings around the state and devised the present legislation under which our State Board of Education operates. In 1973 we provided that the Governor would appoint a State Board and they in turn would appoint the Superintendent. That...the present modus operandi was created by this Body and many of you who are sitting here today were part of the Body at that time. We created the Board in its present image and we have the power through the legislative process to change that image. The fact of the matter is that I have yet to hear one complaint which is directed at the way the legislation was drafted and the way the Board operates. I hear generalities, like the bureaucracy, Cronin politics, too many high paid people, too much this, too much that. Well you and I know from our own experience with state government in the Code Departments under the Governor, we hear exactly the same thing. The Department of Registration and Education are unresponsive and so we get involved. I think the big complaint is, Ladies and Gentlemen, is that we don't feel, as Members of the General Assembly, that we have been fairly treated and that we have been given the kinds of courtesy that we're used to receiving from other agencies. Perhaps that may be true, but you have to remember that the folks who are running that office now have been involved in that office for four years. I would suggest to you that that is no reason for changing the basic structure of how we handle education at the state level. Forty-nine states in this union including Illinois have a State Board of Education. It seems to me that there are a lot of very good reasons why we should keep the State Board the way it is and there are very few reasons other than personality, petty politics...kinds of reasons that have been made here today why we should abolish it. And for that reason, Ladies and Gentlemen of the House, I stand in opposition to this Amendment."



Speaker Redmond: "Representative McClain."

McClain: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I stand in support of this Resolution and I'd like to explain....it comes down to a basic philosophical point. I think there is an irony in our system of education and in fact the whole United States. It seems like we have a philosophy to stress education at almost every level. You will hear us get up on the floor and say more money ought to be spent on education because kids are our natural resource. However, we continually increase the budget, give kids more education and then we take more elective positions away from them and make them appointed. Whether it be Judges, Circuit Clerks, Superintendents of Education and you can go on and on. It seems to me to be a dichotomy in the entire system that we have. If indeed knowledge will always guide ignorance and guide a government then indeed the more knowledgeable and the more we educate our kids the more freedom and the more opportunities we ought to have in them the people really having some guidance in the whole system. For me....that's why I'm for the elected Educational Superintendent, it is purely because the dichotomy is too great. We cannot have now an average of a high school graduate throughout the State of Illinois and make appointive positions whereas, twenty years ago when the average education was 7th grade and we had all elected positions. That's a dichotomy that is too great and because of that simple philosophical reason I urge you to vote 'yes'."

Speaker Redmond: "Representative McAuliffe."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, I would urge you to vote 'yes' on this for one basic simple reason. Last summer I tried unsuccessfully for a month to get an appointment with Mr. Cronin. He is the most arrogant of administrators in the state. If



he won't talk to Members of the General Assembly you can imagine what disdain he must hold for teachers and for teacher representatives and for the citizens in general. And this is one good way of getting rid of a bad administrator and a very arrogant one at that, and I'm all for it."

Speaker Redmond: "Representative Sandquist."

Sandquist: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to strongly urge you to vote 'no' on this Amendment and let me tell you why. First of all, I happen to disagree with my learned colleague from Joliet about this red herring. I think what Representative Griesheimer has said is entirely true. We're giving the voters a defective Amendment. And at best is what we're doing is saying; well, the courts of equity are going to set this up and direct it. That is no way for us to legislate. However, I want to say this, I want to agree with my compatriot from down in Joliet. Let's vote it on the merits not on the fact that we've got a disadvantage Amendment. Let's really vote on the merits and the merits is why we should vote 'no' are very simply this; first of all, we should not put the issue of busing in an election campaign. That is not the way to settle it, there is Constitutional rights involved and we certainly shouldn't do that. And secondly, I would like to emphasize what Representative Hoffman said. The Board of Education has been in service for four years now and everything that is said here is really not a complaint about the Board or about the way that it is set up....some people don't happen to like the way the present Superintendent of Education is operating. But they don't say anything about the Board and the way education has been taken out of politics. Well, to me that reminds me about somebody saying, 'Don't throw the baby out with the bath water.' What you're trying to do here today is throw the bath water out because you don't like the baby. That's



not the way to do it and I urge a 'no' vote."

Speaker Redmond: "Representative Conti."

Conti: "Mr. Speaker and Ladies and Gentlemen of the House, I move the previous question."

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

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

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

This is probably as important as Amendment that we will hear this Session along with the Property Tax Amendment. The effort yesterday to put restrictions on this Constitutional Amendment could have been made a week ago, a day ago or a month ago. And there is no question that we can, if there is a problem legislatively, by statute provide that the Governor or whoever we want appoint a replacement in the case of vacancy. That is a smoke screen in my opinion brought about at the last hour to kill this Amendment. It ought to be considered on its merits. A week ago I received a letter from the Chairman of the State Board of Education in which he made only two arguments against this Amendment. The first argument was that all the other states have appointed Superintendents; therefore, we should. The second argument was that this would be a step backward. Those, my friends, were his only arguments, he did not even embellish those. I might point out as many of you know and many of you have done, you've worked with elected Superintendents as well as the appointed Superintendents. I've spent several years working on the Senate Staff, working with two elected Superintendents and here, as a Member of the House with an appointed one. I can tell you from firsthand, evidence, first hand experience that in the elected office things were more open, people got in the door. If politics were involved and politics ought to be involved then we



ought to still be electing the Superintendent. The case is not the same now, some people would like to focus the whole issue on the personality of Dr. Cronin. He is not the only issue. He is not the issue per se, he is only part of the problem. I don't think there would be the problem of the Washington office still being open after the Office of Education agreed to close it if we had an elected Superintendent because he would be bound by his word to us and he would be bound to the people. There would not be the problems of the travel misuse, the misspending of dollars appropriated by this General Assembly and tax from the people if we had an elected Superintendent. He would have to be accountable more so to both Bodies. I think the argument made by the good government people that somehow everything that is appointed is good government is ridiculous because good government is only as good as what the people will support. They don't support appointments. To the argument that says, three years is not long enough to give this appointed idea a chance...I say that three years has proven bad enough and four or five or six years can only prove worse. We spend 1.8 billion dollars a year at the current time on education from state money. The greatest line item in any budget in Illinois at this time is for the school aid formula. The people know that the money is being spent, they don't like the way it is being spent, they don't like what is going on in the office of Education. And as I said, it's not just directed at Dr. Cronin, it is directed at the whole idea of appointing this office. I think that you know from what has been said here of the many surveys taken in the various districts that the people overwhelmingly want to see this office elected. No smoke screen should be thrown up at the eleventh hour. It ought to be voted out here on its merits, it ought to be given an overwhelming vote, And I



urge you for all the reasons cited by the proponents of this Amendment to pass it on to the people of Illinois without any further delay...without delaying it to 1980."

Speaker Redmond: "The question...Representative Simms."

Simms: "Well, Mr. Speaker I rise in support of Senate Joint Resolution #31."

Speaker Redmond: "The previous question moved and carried. The question is, shall the House adopt Senate Joint Resolution #31. All those in favor vote 'aye', opposed vote 'no'. 107 votes required. Representative Gaines to explain his vote."

Gaines: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As a graduate of the University of Illinois, I majored in political science and at that time we had an elected Superintendent of Public Instruction. If I thought that this Bill would be debated on its merit in the districts I probably would be voting for it. But it is not going to be discussed on its merits, it's going to be a vehicle by which persons vent their spleens on one side or the other about desegregation. And in that field that a subject this important should be brought out to the public when the climate is not right for the merits to be debated on their merits. In my district persons who believe in elected Superintendents could not support it because they would be construed as supporting an anti-integration program. And people in other districts who might be in favor of an appointed Superintendent couldn't support it because they would be accused of being in favor of busing. So I do not feel that the climate is right for this Amendment to get an argument or debate on its merits. Therefore I am voting 'no'."

Speaker Redmond: "Representative Simms to explain his vote."

Simms: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in support and I'm going to cast a vote for this Resolution. My vote is not aimed at Dr. Cronin because



frankly I cannot tell the difference between he and any of the other carpetbaggers that have been brought into Illinois from the east coast to administer state government. But frankly, it's because I believe the people of Illinois have the right to elect their public officials. And as Representative Stuffle indicated, this is a precious right that the individuals of this state have and should have. The present system has not worked. The citizens of Illinois have not been happy with the appointed State School Board and their Superintendent. My district, Rockford, District 205, the second largest district in the State of Illinois, passed a Resolution urging the passage of this Constitutional Amendment to go on the ballot. And for these reasons I feel the citizens of Illinois have the right to return to the system of electing a State Superintendent of Schools that will be responsive to the people of the State of Illinois; not a select group of bureaucrats that may choose to bring someone else in from out of state to administer the state school system that is in dire need of direction. I vote 'yes'."

Speaker Redmond: "Representative Huff, one minute to explain his vote."

Huff: "Thank you, Mr. Speaker. I'm explaining my 'aye' vote because I think the educational professionals, such as Dr. Cronin and Dr. Hannon are doing nothing more than playing games with this school issue. I've heard some of the Representatives talk about integration and desegregation. Of course it is going to be discussed, but I believe that whether we have a elected Superintendent or a appointed Superintendent we cannot escape the question of integration desegregation. But I believe that with the healthy discussion of that issue that we will find ourselves seeing that the issue eventually gives way to something that has never been spoke (sic) here, and that's qualify education. And



I think that if I do nothing more than raise my voice to that issue that we should. And we take the erroneous position that this argument is going to be....."

Speaker Redmond: "Representative Schlickman. The time had expired, you only have one minute."

Schlickman: "Mr. Speaker and Members of the House....."

Speaker Redmond: "Representative Schlickman, one minute to explain your vote."

Schlickman: "Mr. Speaker and Members of the House, in 1970 the cause of education and the welfare of our children were advanced substantially by the Constitutional Convention of the people of the state ratifying an Education Article that took education out of partisan politics and provided that the state shall be the primary source of financing public education. Now, Mr. Speaker and Members of the House, what the delegates said and what the people said was, we don't want candidates for the Office of Public Instruction going around this state having to raise hundreds of thousand dollars by contacting book sellers and other purveyors of educational materials. And we don't want candidates for the Office of Public Instruction going around promising patronage in that office to insure their nomination or election. What they did say was, we want long range planning for education. And they weren't getting it, we weren't getting it from elected Public Superintendents of Instruction. And no wonder, Mr. Speaker and Members of the House, in support of that Education Article and in support of the elimination of the elected position and in place of it, an appointed position...that Article got support of past elected Superintendents of Public Instruction, specifically Mike Bakalis and Ray Page. They were right then, Mr. Speaker, and they are right now and I urge a 'no' vote."

Speaker Redmond: "Representative Beatty to explain his vote."

Beatty: "Mr. Speaker and Members of the House, the real issue





here is rather the voice of the people acting through the elected Representatives will be heard and whether the law will be followed. The "moore" Amendment to the School Code prohibits the State Superintendent from requiring transportation or busing to achieve racial balance. But Dr. Cronin is indirectly trying to accomplish this when you can't do it directly. And he has been found through the court decision in the western part of the state to be acting incorrectly. If we have a School Superintendent who doesn't want to follow the law then the only way to replace him is to start electing the School Superintendents so the voice of the people can be heard directly and make and decide if they want a man in there that doesn't follow the law and do what the law states it should do. I vote 'aye'."

Speaker Redmond: "Representative Byers to explain his vote. One minute."

Byers: "Thank you, Mr. Speaker. I think there are several things that we should keep in mind on this. One, the Legislature controls the appropriation process for the Office of Education. I'm going to be offering some Amendments to cut back their budget, we'll have a chance at that time to direct some of our activities towards the Office of Education. Secondly, Representative Terzich did not answer in debate about how much this is going to cost the taxpayers of the State of Illinois to put this on the ballot this fall. It's going to cost millions of dollars and also it should be known that the last three elected State School Superintendents support appointed selection that we have now. I think we should give this more time to work and I think that it will work out well. Vote 'no'."

Speaker Redmond: "Representative Terzich. One minute to explain your vote."

Terzich: "Yes, Mr. Speaker....it doesn't cost millions of dollars



to put this on the ballot. But all the educators that I've talked to have unanimously supported this Resolution. If we want to bring education to our children...now we're saying our educators don't know what they are doing is wrong. We've made numerous contracts with the Superintendent. If the Constitutional Convention made this appointed, then by gosh, they did make a mistake. Since when...the education of our children on one elected office that we cannot elect that person to direct the educational system for the State of Illinois is absolutely ridiculous. We should support this Bill...we can't even talk to the current Superintendent; how in the heck can the people get to talk to him? So at least let's give them a chance, let's support this Bill and get the 107 votes to pass it out of the House."

Speaker Redmond: "Representative Deuster, one minute to explain his vote."

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, there are two basic emotions that can motivate you, either a faith or a fear. And I have some timid pansies from the educational community call on me; and they said, 'We're afraid that the people might elect a politician like you, and a politician like every Member of this House of Representatives. We're also afraid that the people might elect somebody who is indebted to the teachers union.' And some of the colleagues have said, 'I'm afraid that the people might elect a racist and others say, 'I'm afraid that the people might elect someone like Michael Bakalis.' Well, I'm proudly casting an 'aye' vote because I think the people have got some common sense and I'm casting the same kind of vote that I voted on the merits of Election Judges by the people. I believe in merit selection of the State Superintendent of Education by the parents, by the taxpayers who are paying the freight and by the voters of this great state. And I would urge more



'aye' votes and I think if this does fail it will be a perfect example to all of us of how the educational policy in the State of Illinois is set by a bunch of lobbyists and bureaucrats representing an entrenched hierarchy here and I think it is about time we changed that. Cast a vote for faith in the people. Thank you."

Speaker Redmond: "Representative Younge, one minute to explain her vote."

Younge: "Mr. Speaker, may I defer to Representative Huff?"

Speaker Redmond: "Representative Huff, one minute to explain his vote."

Huff: "Thank you, Mrs. Younge and thank you, Mr. Speaker.

Very briefly as I was trying to say, I think the present system has failed. Those who talk about the money.... look at the fact that we spend a billion dollars in the Chicago School System and yet we turn out functional illiterates by the thousands. I think we should change the system and I would urge an 'aye' vote. Thank you."

Speaker Redmond: "Have all voted who wished? Representative Geo-Karis. One minutes to explain your vote."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I heartily concur with my colleague, Representative Leinenweber, in his explanation that this Resolution can stand on its face. I have no quarrel with Superintendent Cronin. And my position of voting for this Amendment is simply on the basis that I've been consistent in wanting the people to decide whether they want an elected Superintendent, whether they want one appointed by the Board of Education...the State Board of Education. Obviously we've had many complaints and I think if we're going to let the people decide and I certainly want them to decide on merit selection of Judges, I have to be consistent here and I certainly vote for this Amendment."

Speaker Redmond: "Representative Ewell, one minute to explain his vote."



Ewell: "Mr. Speaker, Ladies and Gentlemen, in this day and age when all of us are moving toward a civil service for the state police, Code Departments, for the Executive Departments, some type of merit employment for the Secretary of State...we now seek to plunge the most important thing that we have in our lives, and that's the education of our children on to a quagmire of political morass every four years. How could we do this to our children? Where can we reach stability, where can there be a five year plan, a four year plan? But instead we'll have to go day to day, hour by hour and donation by donation. This is no way to educate our children; certainly they deserve more. It's easy to hide behind slogans and say that I believe this particular thing will work simply because it is elected. But again, over and over and over again we have found out that educational priorities demand a little more than four years in a particular office. If they had amended it to say that we want the person to have ten years so that we can have some stability, I would agree; but let us not do this to our children. Let us not at this time take away the only stabilizing influence in their life. And I would plead with you for a 'no' vote on an issue that deserves to be answered on a moral plain rather than the popular plain of today."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there are 95 'aye', 64 'no'....Representative Terzich."

Terzich: "I would like....we would like to have a poll of the absentees."

Speaker Redmond: "Poll the absentees."

Clerk O'Brien: "Abramson, Hudson, Dave Jones, Emil Jones...."

Speaker Redmond: "Representative Emil Jones votes 'no'."

Clerk O'Brien: "Laurino...."

Speaker Redmond: "Representative Laurino votes 'aye'."



Clerk O'Brien: "Mann, Marovitz...."

Speaker Redmond: "Representative Marovitz, 'no'."

Clerk O'Brien: "McCourt, Peters, Porter, Robinson...."

Speaker Redmond: "Representative Robinson votes 'no'."

Clerk O'Brien: "No further."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Speaker, it is hard for me to believe that the Office of Education could be run worse under an elected Superintendent, so I would like my vote changed to 'aye'."

Speaker Redmond: "Record Representative Skinner as 'aye'.

97 'ayes', 67 'no'. Representative Terzich."

Terzich: "I ask Postponed Consideration, Mr. Speaker."

Speaker Redmond: "The Gentleman requests a Postponed Consideration. House Joint Resolution Constitutional Amendment #11."

Clerk O'Brien: "House Joint Constitutional Amendment #11, this Amendment has been read a third previously."

Speaker Redmond: "Representative Friedrich."

Friedrich: "Mr. Speaker, I have two similar Amendments; one was #11 and one was #14 and I agreed in the Committee on Executive that if #14 passed I would table this. I so move at this point."

Speaker Redmond: "Does the Gentleman have leave to table Amendment #11? Hearing no objections, #11 is tabled. Representative Waddell."

Waddell: "Mr. Speaker, I move to table House Bill 2810, that's my Bill."

Speaker Redmond: "Does the Gentleman have leave to table 2810? Hearing no objections leave is granted. Announcements? Any announcements? Any Committee Chairmen? Representative Yourell."

Yourell: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Counties and Townships will meet immediately after adjournment in Room 304. If we're all prompt we shouldn't be there longer than forty-five minutes."

Speaker Redmond: "Any other? Representative Madigan."



Madigan: "Mr. Speaker, I would suggest that the two o'clock Committees meet at three o'clock and the four o'clock can meet at five o'clock."

Speaker Redmond: "Representative Geo-Karis. One thing at a time."

Geo-Karis: "Mr. Speaker, there was a Bill that came out of rules, House Bill 3278 last Thursday and the Committee on State Government....posting and checked with Mr. Ryan and Mr. Madigan and they agreed that I can ask to suspend the rules and have immediate posting."

Speaker Redmond: "What Committee is that?"

Geo-Karis: "The Committee on State Government."

Speaker Redmond: "Who is that, Representative Kane?"

Geo-Karis: "Yes and I've talked with Mr. Kane and Mr. Houlihan already."

Speaker Redmond: "Representative Geo-Karis has moved that the posting rule be waived for the select Committee on State Government. Is there any objection? What is the Bill number, Representative Geo-Karis?"

Geo-Karis: "3278."

Speaker Redmond: "3278. Representative Martin, do you want to explain your conduct previously? I think some Members are kind of curious. Representative Schlickman do you raise an objection? Does she have unanimous consent? Hearing no objection the Attendance Roll Call will be used to waive the posting notice. Representative Martin."

Martin: "Mr. Speaker, I would like to table the following Bills. House Bill 2734, 2959, 2960, 2961, 2664, they are in other Bills now."

Speaker Redmond: "Does she have any...I assume you are the Sponsor. Those aren't Giorgi's Bills are they?"

Martin: "Only half of them."

Speaker Redmond: "The Bills are tabled. Representative James Houlihan."



Houlihan: "Mr. Speaker and Ladies and Gentlemen of the House, the House Committee on Government Organization has a very brief meeting to deal with one Bill, the Bill which Representative Geo-Karis has suspended the posting rules. We recessed until immediately after the Session, I would ask all the Members to come over to 02. We will have our meeting at 02 immediately after adjournment and then you can get on to your other Committees. I can assure you that it won't take very long to dispose of Representative Geo-Karis's matter and it is the only matter before the Committee. If we don't have a quorum we just can't act on the matter and we ought to give Representative Geo-Karis a chance to have her Bill heard."

Speaker Redmond: "Any motion? Representative Roman Kosinski."

Kosinski: "Motions. To discharge Judiciary II Committee on House Bill 4572. I made these remarks to the General Assembly and specifically to the 115 Cosponsors of the Habitual Criminal Act, the three time loser Bill. If you remember, in the course of acceptance of House Bill 1500, an X penalty by a Senate action, our Habitual Criminal Act, our legislative intent was aborted. Unfortunately, the Judiciary II Committee will hear no more Bills, we had no quorum present last night or this morning and our Bill to change back to our original legislative intent lies in Committee. I need the necessary votes to bring it out on to the House floor. Thank you."

Speaker Redmond: "Representative Katz."

Katz: "The Gentleman is correct, the Judiciary II Committee went until about 8:30 last night, we were not able to reach Mr. Kosinski's Bill. I have no objection to the motion to discharge."

Speaker Redmond: "Is there any objection? Hearing none the Attendance Roll Call will be used. Representative Ann Willer. Representative Willer, where are you? Where are you Representative Willer?"



Willer: "Yes, thank you, Mr. Speaker. Pursuant to Rule 66, House Rule 66, I would ask the House to discharge House Bill 2428 from Executive Committee to be heard immediately on Second Reading. Well, Mr. Speaker. Mr. Speaker."

Speaker Redmond: "Representative Mudd."

Mudd: "Well...."

Speaker Redmond: "Did we...."

Willer: "I asked....yes."

Speaker Redmond: "Representative Ann Willer has a motion, pursuant to Rule 66, to discharge Executive Committee on 2428 and advance to the Order of Second Reading. Representative Ryan."

Ryan: "Mr. Speaker, I really don't see any need for this motion. I think the Committee meets tomorrow or Thursday don't they? Why would you want to discharge before the Committee meets?"

Speaker Redmond: "Representative Willer."

Willer: "Well, I went before the Committee last week and did not get enough votes."

Ryan: "I object then, Mr. Speaker."

Willer: "Well, I don't think this is a precedent, Mr. Speaker."

Speaker Redmond: "Representative Johnson."

Johnson: "Yes, Mr. Speaker, I would support Representative Willer's motion. She has had an opportunity to present it to Committee and it was defeated and it's a good Bill and we ought to discharge the Committee and get it out here."

Speaker Redmond: "Representative Mudd."

Mudd: "Yes, Mr. Speaker and Members of the House, I object to discharging Committee. We have one day left, the Bill has had a hearing and I suggest that if she wants to hear it again, it's still in Committee and we'll deal with it properly."

Speaker Redmond: "Representative Willer."

Willer: "Mr. Speaker, am I out of order in asking for this motion"





to discharge?"

Speaker Redmond: "No, you are not. I'll put the question."

Willer: "Well, then I'm going to pursue it and ask for a vote from the House...."

Speaker Redmond: "The Lady has moved to discharge the Executive Committee from consideration of House Bill 2428. Those in favor vote 'aye', opposed vote 'no'. It takes 89 votes. Representative Willer."

Willer: "Mr. Speaker, I guess I've never had a chance to explain what this is about. I would like the Members to know what 2428 is at least so they would know whether they want to vote to move to discharge or not."

Speaker Redmond: "Proceed."

Willer: "2428 applies the same principle as House Bill 333. It deletes abortions from the medical coverage for state employees, not dependents, just to state employees. I feel, as I said in Committee, it's a form of equity, we did it to public aid recipients. It's the same principle applied tax money being used because we pay the total cost of employees coverage, so it is; therefore, tax monies used for abortions and I would ask the House and certainly those who supported 333 to support me on this."

Speaker Redmond: "Have all voted who wished? Representative Skinner."

Skinner: "Mr. Speaker, I didn't vote for House Bill 333 but I think it is totally illogical for anyone who did, not to vote for Representative Willer's Bill. If we are not going to pay for needed abortions for those who are on welfare there is no justification whatsoever for paying for abortions for state employees. None whatsoever."

Speaker Redmond: "Have all voted who wished? Have all voted who wished? All voted who wished? Representative Deuster."

Deuster: "Just a parliamentary inquiry. How many votes are...."



Speaker Redmond: "89."

Deuster: "89, I see. Thank you."

Speaker Redmond: "The Clerk will take the record. Representative Johnson."

Johnson: "Poll the absentees."

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

Clerk O'Brien: "Abramson, Adams, E.M. Barnes, Bartulis, Breslin, Caldwell, Campbell, Corneal Davis, Ralph Dunn, Ewell, Friedrich, Gaines, Garmisa, Geo-Karis, Giglio...."

Speaker Redmond: "Representative Giglio, 'aye'."

Clerk O'Brien: "Hart...."

Speaker Redmond: "Representative Friedrich, 'aye'."

Clerk O'Brien: "Holewinski, Hudson, Huff, Huskey, Dave Jones, Emil Jones, Klosak, Kornowicz, Kozubowski...."

Speaker Redmond: "Kozubowski, 'aye'. Representative Madison, 'aye'. James Taylor, 'aye'. Representative Taylor Pouncey, 'aye'. Representative Huskey, 'aye'. Representative Christensen, 'aye'. Representative Geo-Karis."

Geo-Karis: "Mr. Speaker, I have to be consistent so I have to vote 'aye'."

Speaker Redmond: "Aye. Representative Hanahan, 'aye'. Kornowicz, 'aye'. How many have you got Mr. Clerk? Representative Ralph Dunn, 'aye'. Representative Bartulis, 'aye'. Anyone else? 97 'aye', 32 'nay' and the motion carries, the Committee is discharged. The Bill is placed on the Order of Second Reading. Any other motion? Representative Polk."

Polk: "Mr. Speaker, in pursuant to Rule 66, I move to discharge Committee on Judiciary II on House Bill 2653. Last evening when the Bill was called unfortunately it was extremely late and there were only eleven people left in the Committee and I think the Chairman of the Committee will speak to the....to my motion."

Speaker Redmond: "Representative Katz, speak to the motion."



Katz: "I have no objection to the allowance to the motion, the Gentleman is correct. It was about 8:30 and there was almost no one there at that point, they had just left. I believe the motion is....."

Speaker Redmond: "On this question; those in favor vote 'aye', opposed 'no'. The 'ayes' have it. 89 votes. Those in favor vote 'aye'...the Parliamentarian won't let me do that. Have all voted who wished? Have all voted who wished? The Clerk will take the record. Have all voted who wished? Representative Breslin."

Breslin: "Have you taken the Roll Call on that?"

Speaker Redmond: "Not yet."

Breslin: "Okay."

Speaker Redmond: "The Clerk will take the record. On this question there are 108 'aye'....Representative Schlickman."

Schlickman: "Well, Mr. Speaker, this is a Legalized Gambling Bill and I'm going to ask for a verification."

Speaker Redmond: "The Gentleman has requested a verification of the Affirmative Roll Call. Representative Schlickman."

Schlickman: "Is it 89 or 107?"

Speaker Redmond: "107."

Schlickman: "I thought so. Verification."

Speaker Redmond: "That's what Epstein says that you thought. It's not on the Calendar, Mr. Polk. Representative Schlickman was right again. Making it the first time. The Gentleman has requested a verification of the Affirmative Roll Call. Mr. Clerk. Representative Polk."

Polk: "Well, Mr. Speaker, I will be glad to withdraw and put it on the Calendar for tomorrow and explain the Bill to Mr. Schlickman."

Speaker Redmond: "Thank you very much. Representative Brummer. That was withdrawn and will be on the Calendar tomorrow at which time it will take 89 votes. Any further motion? Representative Madigan."

Madigan: "Mr. Speaker I would like to move to validate the



posting which has been set for the Executive Committee hearing tomorrow. The Executive Committee has posted 61 Bills, of course our rules provide a limit of 50 and I would now move to validate that posting, Mr. Speaker."

Speaker Redmond: "Is there any objection? Hearing no objection we'll use the Attendance Roll Call to suspend Rule 18 and validate the posting. Representative Lechowicz on motions. House Bill 2643."

Lechowicz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move that we suspend the appropriate rule to discharge the Revenue Committee on further consideration on House Bill 2643. House Bill 2643 freezes the assesses beginning in 1980..at the 1979 assessment level statewide on certain categories of real estate property. The specified property receiving the freezing limited to single family dwellings and apartments containing six units or less. The 1980 assessments could not rise above the 1979 levels, '79 being the date for the next quadrennial assessment for most of the state. Property with character use changes after 1979 assessments would not qualify for the freeze. Any improvements made to the property would not qualify for the freeze. Finally the freeze in assessments would change if the ownership of the property changes. House Bill 2643 represents an attempt at legislative statewide consideration for the taxpayers. I firmly believe that this Bill would be upheld based upon the Illinois Supreme Court decision, Hoffman vs. Clark, which the case was decided in 1977. I firmly believe that this is probably one of the most critical issues facing this state and the residents as far as the escalating rates of increases in assessments in real estate property. This Bill is a very worthwhile attempt of the state to the homeowners of this state...small homeowners, up to six units of apartments or less, that we would ask for your consideration."



Speaker Redmond: "Is there any discussion? The question is on the motion to discharge. 89 votes. Representative Beatty."

Beatty: "Mr. Chairman, I would like to speak against this motion. I don't understand what our Leadership is doing here, I think they are setting a very poor example for the rest of the House. We've got a Committee system here but you would never know it. Here is Representative Lechowicz, part of the Leadership...can't get a Bill out of Committee and they are in the Leadership and now they are bringing it here before the House. They get a fair hearing, they kill all those Bills in rules of everyone else and he wants to discharge Committee and I understand he has the same provisions on another Bill. He should have watched the clock and the Calendar. We're never going to get out of here."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "I don't know about the clock or any Calendars, Mr. Speaker, but I'll just have that person address himself to varied situation.....serious situation not only in Cook County but throughout this state. You're talking about peoples taxing dollars and what they are paying in real estate taxes. And I will be more than happy to debate this issue in any county or any portion in this state. This is the most critical issue that is facing this General Assembly and you're telling me about....."

Speaker Redmond: "Representative Beatty on a point of order. State your point."

Beatty: "Mr. Chairman, he should stick to the motion not..."

Speaker Redmond: "That's correct. The question is on the Gentleman's motion to discharge. Representative Skinner."

Skinner: "Let me speak to the motion then. The House Revenue Committee is doing everything in its power to kill the property tax. They are passing out no administrative reform whatsoever. For that reason it seems to me that the



House Revenue Committee should be arguing in favor of Representative Lechowicz's Bill instead of against Representative Lechowicz's Bill. Because as surely as I stand here if his Bill passes it will do as much to kill the property taxes as any other Bill they passed out this past week."

Speaker Redmond: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, we heard this Bill yesterday in Revenue. It was a very close vote, some of us have had a change in heart and we believe that the taxpayers do need some relief and I support this motion."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Mr. Speaker, I'm going to support this motion but I'll tell you, I was about to get up here and speak... that the reason that some of these Bills aren't getting out of Committee is because we're standing on the floor too long. I've got an Appropriation Committee that is going to meet, we met for four hours last week until we got so tired and then we were criticized in the meeting that we were leaving to go to a cocktail party. I'll tell you, after you hear four hours of Appropriations Committee work you want to have a cocktail. So, I would hope that this is the last motion we have. Put the motions on the Calendar and we'll get to them later."

Speaker Redmond: "The question is on the Gentleman's motion to discharge. Those in favor of the motion vote 'aye', opposed vote 'no'. Representative Mugalian to explain his vote."

Mugalian: "Mr. Speaker, we've heard a lot of rhetoric in this House for years and years about the Committee system and usually a motion of this kind is made on the grounds that there was not a fair hearing or that there were not enough people there. Let me tell you for the record, that there was 100% attendance in that meeting. Every



Democrat was there if not an original Member it was somebody that was appointed to take the place of somebody who couldn't be there. Every Democrat on that Committee was represented. It had a full hearing and it failed."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there 104 'aye' and 12 'no' and the motion carries, the Committee is discharged. The last one, 3183. 2743 is out of order, Representative Stanley. 3183. There is no procedure to discharge the rules so that one...that motion is out of order. Representative Lechowicz on 3183. Representative Stanley for what purpose do you rise?"

Stanley: "I would like a ruling from the Parliamentarian on that, I'm not sure that I understand that."

Speaker Redmond: "There is no procedure in this Session for discharging the Rules Committee."

Stanley: "I would like to make a motion to overrule the Chair."

Speaker Redmond: "Representative Lechowicz. House Bill 3183."

Lechowicz: "Mr. Speaker, in order to promote the time of the House and get into Committee I withdraw the motion at this time."

Speaker Redmond: "The motion is withdrawn. Representative Madigan."

Madigan: "Mr. Speaker, Mr. Speaker, by way of announcements, there will be a meeting of the Democratic Members of the Labor Committee in my office immediately after Session. Are there any further announcements, Mr. Speaker?"

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

Lechowicz: "On 2642...that was discharged wasn't that Mr. Speaker? It only needed 89 votes."

Speaker Redmond: "Right."

Lechowicz: "Thank you."

Speaker Redmond: "Ready to adjourn? Representative James Houlihan. I think Representative Matijevich is absolutely



correct, we're keeping ourselves here on the floor so long that we're not able to get to Committee work. Representative James Houlihan."

Houlihan: "Mr. Speaker, because of the many conflicts the Members have with Committees: this afternoon, the Committee on Government Organization, which recessed until after the Session...we will recess until tomorrow morning at eleven o'clock."

Speaker Redmond: "Representative Madigan, the Clerk advises me that he needs about five minutes to read Committee Reports."

Madigan: "Mr. Speaker, I would suggest that the two o'clock Committees meet at three-thirty and that the four o'clock Committees meet at five-thirty. And I now move that we adjourn until twelve o'clock tomorrow allowing five minutes to the Clerk for Housekeeping Bills."

Speaker Redmond: "The question is on the Gentleman's motion. Those in favor say 'aye', opposed 'no'. The 'ayes' have it and the motion carries. After five minutes of Perfunct we will stand adjourned until noon tomorrow."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate concurred with the House in adoption of the following Joint Resolution, to wit: House Joint Resolution 76 together with an Amendment. Concurred in by the Senate as amended May 3, 1978. Kenneth Wright, Secretary. Committee Reports. Representative Schneider, Chairman of the Committee on Elementary and Secondary Education to which the following Bills were referred. Action taken May 2, 1978, reported the same back with the following recommendations. Do pass House Bill 2684, 2946 and 2891. Do pass as amended House Bills 2560, 2619, 2757, 2903, 3187 and 2916. Representative James Houlihan and Kane, Chairmen from the Committee on Government Organization to which the following Bills were





referred. Action taken May 3, 1978, reported the same back with the following recommendations. Do pass House Bills 3228, 3339 and 3340. Representative Pierce, Chairman from the Committee on Revenue to which the following were referred. Action taken May 2, 1978, reported the same back with the following recommendations. Do pass House Bill 3281, 3220, 2736 and 2763. Do pass as amended House Bill 788. Representative Garmisa, Chairman of the Committee on Transportation to which the following Bills were referred. Action taken May 2, 1978, reported the same back with the following recommendations. Do pass House Bills 1446, 2598, 2746, 2749 and 2844. Do pass as amended House Bills 2548, 2591, 2708, 2793 and 3350. Representative Hart, Chairman from the Committee on Financial Institutions to which the following Bills were referred. Action taken May 2, 1978, reported the same back with the following recommendations. Do pass House Bill 3051. Do pass as amended House Bill 2958. Introductions and First Reading. House Bill 3374, Edgar et al. A Bill for an Act to amend an Act to provide for the ordinary and contingent expense of the Department of Public Health. First Reading of the Bill. House Bill 3375, Winchester. A Bill for an Act to make supplemental appropriation to the ordinary and contingent expense for the Bureau of the Budget. First Reading of the Bill. No further business, The House now stands adjourned until noon tomorrow."



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	1.
1	12:00	Speaker Redmond	House to order	
		Reverend Kruegar	Prayer	
		Speaker Redmond		
		Clerk O'Brien	Reading of the journal	
		Matifevich	Move to dispense	
2		Speaker Redmond	Motion carries	
		Clerk O'Brien	Committee reports	
		Speaker Redmond		
		Mudd		
3		Speaker Redmond		
		Giorgi		
		Speaker Redmond	Agreed Resolutions	
		Clerk O'Brien		
		Speaker Redmond		
		Giorgi		
		Speaker Redmond	Resolution adopted	
		Clerk O'Brien	General Resolutions	
		Speaker Redmond	Committee on assignment	
4		Ryan	Excused absence	
		Speaker Redmond		
		Lucco	Introduction	
		Speaker Redmond		
		Friedrich	HB 3372 suspend rule	
5		Speaker Redmond	Leave granted	
	12:16	Clerk O'Brien	HB 3371, 1st HB 3372, 3373	
		Speaker Hart		
		Johnson	Leave to suspend rules	



## GENERAL ASSEMBLY

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<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	2.
		Speaker Hart		
		Madigan	Question	
6		Speaker Hart	Attendance roll call used	
7-8		Clerk O'Brien	HJRCA #46, 3rd	
		Speaker Hart		
		Waddell	Introduction	
		Speaker Hart		
9		Clerk O'Brien	SJR #31, 3rd	
		Speaker Hart		
10		Freidrich	HB 3372 motion	
		Speaker Hart	Leave granted	
		Robinson		
		Speaker Hart		
		Clerk O'Brien	HB 1967, 2nd	
		Speaker Hart	Fiscal note hold	
		Clerk O'Brien	HB 1969, 2nd #1 adopted	
11		Speaker Hart	3rd reading	
		Clerk O'Brien	HB 2447, 2nd #1 adopted	
		Speaker Hart		
		Clerk O'Brien	Floor Amendment #2	
		Mahar		
		Speaker Hart	TOOR	
	12:35	Clerk O'Brien	HB 2490, 2nd #1 adopted	
		Speaker Hart	3rd reading	
		Clerk O'Brien	HB 2491, 2nd no CA	
		Speaker Hart	3rd reading	
		Mahar		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	3.
		Speaker Hart		
		Yourell	HB 2447 #2 move to table	
13		Speaker Hart	#2 withdrawn 3rd reading	
		Dunn, J.	HB 2538 leave to suspend posting	
		Speaker Hart	Leave granted	
		Clerk O'Brien	HB 2539 fiscal note	
		Speaker Hart		
		Clerk O'Brien	HB 2868, 2nd no CA	
		Speaker Hart	3rd reading	
		Matijevich		
14		Speaker Hart		
		Clerk O'Brien	HB 2628, 2nd, no CA	
		Speaker Hart	3rd reading	
		Clerk O'Brien	HB 2648, 2nd, no CA	
		Speaker Hart	3rd reading	
		Clerk O'Brien	HB 2653, 2nd, no CA	
	12:42	Speaker Hart	3rd reading	
		Clerk O'Brien	HB 2695, 2nd #1 adopted	
		Speaker Hart		
		Clerk O'Brien	Floor Amendment #2	
		Speaker Hart		
		Ryan	TOOR	
		Speaker Hart		
		Clerk O'Brien	HB 2792, 2nd, no CA	
		Speaker Hart		
		Clerk O'Brien	#1 adopted floor amendment #2	
		Speaker Hart		



4.

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
		Tipsword	
16		Speaker Hart	#2 adopted, 3rd reading
		Ryan	Leave to table #2 HB 2695
		Clerk O'Brien	Reads Bill again
		Speaker Hart	#2 withdrawn 3rd reading
17		Clerk O'Brien	HB 634, 3200, 3186, 3113, 2898, 3129, 3138, 1970, 3138, 3154, 3184 regarding filing fiscal notes
8		Clerk O'Brien	HB 2800, 2nd, no CA
		Speaker Hart	3rd reading
		Clerk O'Brien	HB 2801, 2nd, no CA
		Speaker Hart	3rd reading
		Clerk O'Brien	HB 2852
		Brummer	TOOR
		Speaker Hart	
		Clerk O'Brien	HB 2855, 2nd, no CA
		Speaker Hart	3rd reading
		Clerk O'Brien	HB 2867, 2nd, no CA
19		Speaker Hart	3rd reading
		Clerk O'Brien	HB 2881, 2nd, #1 adopted
		Speaker Hart	3rd reading
		Clerk O'Brien	HB 2852, 2nd, no CA
		Speaker Hart	3rd reading
		Ryan	
		Speaker Hart	
20		Clerk O'Brien	HB 2896, 2nd, no CA
		Speaker Hart	3rd reading



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	5.
		Clerk O'Brien	HB 2912, 2nd, no CA	
		Speaker Hart	3rd reading	
		Clerk O'Brien	Floor Amendment #2	
		Speaker Hart		
		McMasters	Question	
		Speaker Hart		
21	12:55	McGrew	Amendment #2	
		Speaker Hart		
		McMasters		
		Speaker Hart		
22		Skinner		
		Speaker Hart		
		Matijevich	Yield	
		McGrew		
		Speaker Hart		
23		Mudd		
		Speaker Hart		
		McGrew	To close	
		Speaker Hart		
24		McGrew	Explain vote	
		Speaker Hart		
		Skinner	Poll absentees	
		Speaker Hart		
		Mudd		
		Speaker Hart		
		McGrew	Point of order	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	6.
		Speaker Hart		
		Mudd	Point of order	
25		Speaker Hart		
	1:07	McGrew		
		Speaker Hart		
		Clerk O'Brien	Rolls absentees	
		Speaker Hart		
		Boucek	Change 'aye' to 'no'	
		Speaker Hart		
26		Meyer	Vote 'no'	
		Speaker Hart		
		Simms	Change to 'no'	
		Speaker Hart		
		Pullen	Change to 'aye'	
		Speaker Hart	64 'ayes' 71 'no'	
		McGrew		
		Speaker Hart	Verify neg. roll call	
		Clerk O'Brien		
27		Speaker Hart		
		McGrew		
28-29-30		Speaker Hart	Oral verified roll call	
31-32-33				
34		Clerk O'Brien		
		Speaker Redmond		
		Stiehl	Vote 'no'	
		Dunn, R.	'No'	
		Speaker Redmond		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	7.
		Bowman		
	1:29	Speaker Redmond		
		Giglio	'Aye'	
35		Speaker Redmond		
		Daniels	'No''	
		Speaker Redmond		
		Clerk O'Brien		
		Speaker Redmond		
		Taylor		
		Speaker Redmond		
		Macdonald	Change to 'no'	
		Speaker Redmond		
		Martin, P.	Record 'aye'	
		Speaker Redmond		
		Kozubowski	Vote 'no'	
36		Speaker Redmond		
		Kane	Point of order	
		Speaker Redmond	Motion prevails #2 adopted	
		Clerk O'Brien	Floor Amendment #3	
		Speaker Redmond		
		McGrew		
37		Speaker Redmond		
		McMaster		
		Speaker Redmond		
	1:35	McGrew		
		Speaker Redmond	Motion fails	
		Clerk O'Brien	Floor Amendment #4	





<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	8.
		Speaker Redmond		
38		McGrew		
		Speaker Redmond		
		McMaster		
		Speaker Redmond		
39		Mautino	Question	
		McGrew		
		Speaker Redmond		
		McGrew	To close	
		Speaker Redmond	Motion fails	
40		Clerk O'Brien	Floor Amendment #5	
		Speaker Redmond		
		McGrew	Wants some roll call	
		Speaker Redmond		
		Clerk O'Brien	#6	
		Speaker Redmond		
		McGrew		
41		Speaker Redmond		
		McMaster		
		Speaker Redmond		
	1:45	Mugalian		
		Speaker Redmond		
42		Lucco	Introduction	
		Speaker Redmond		
		Mudd		
		Speaker Redmond		
43		Schneider		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	9.
		Speaker Redmond		
44		Bowman		
		Speaker Redmond		
		McMaster		
		Speaker Redmond		
		McGrew	Point of order	
		McMaster		
		Speaker Redmond		
45		McGrew	To close	
		Speaker Redmond	Motion fails	
		Clerk O'Brien	Floor Amendment #7	
		Speaker Redmond		
		Stuffle	Amendment #7	
		Speaker Redmond		
46		McMaster		
		Speaker Redmond		
	1:55	Schneider		
		Speaker Redmond		
47		Stuffle	To close	
		Speaker Redmond		
		McGrew	Explain vote	
		Speaker Redmond		
		Stuffle	Poll absentees	
48		Speaker Redmond		
		Clerk O'Brien		
		Speaker Redmond	Dump roll, motion fails 3rd	
		Clerk O'Brien	SB 1602, 2nd no CA	



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<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	10.
49		Speaker Redmond	3rd reading	
		Clerk O'Brien	HJRCA #11	
		Speaker Redmond	TOOR	
		Clerk O'Brien	SJRCA #31	
		Speaker Redmond		
50		Terzich		
		Speaker Redmond		
51		Griesheimer		
		Speaker Redmond		
52		Matijevich		
		Speaker Redmond		
53-54		Friedrich		
	2:16	Speaker Redmond		
55		Madison		
		Speaker Redmond		
56		Leinenweber		
		Speaker Redmond		
57		Hoffman		
58		Speaker Redmond		
		McClain		
		Speaker Redmond		
59		McAuliffe		
		Speaker Redmond		
60		Sandquist		
		Speaker Redmond		
		Conti	MPQ	
		Speaker Redmond		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	11.
61-62		Stuffle	To close	
		Speaker Redmond		
		Simms		
		Speaker Redmond	SJRCA 31	
		Gaines	Explain vote	
		Speaker Redmond		
63	2:35	Simms	Explain vote	
		Speaker Redmond		
64		Huff	Explain 'aye' vote	
		Speaker Redmond		
		Schlickman	Explain vote	
		Speaker Redmond		
65		Beatty	Explain vote 'aye'	
		Speaker Redmond		
		Byers	Explain vote	
		Speaker Redmond		
66		Terzich	Explain vote	
		Speaker Redmond		
67		Deuster	Explain voge	
		Speaker Redmond		
		Younge	Defers to Huff	
		Speaker Redmond		
		Huff	Explain vote	
		Speaker Redmond		
		Geo-Karis	Expalin vote	
		Speaker Redmond		
68		Ewell	Explain vote	



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	12.
		Speaker Redmond		
		Terzich	Poll absentees	
69	2:47	Clerk O'Brien	Polls absentees	
		Speaker Redmond		
		Skinner	Change to 'aye'	
		Speaker Redmond	97 'aye' 65 'no'	
		Terzixh	PPC	
		Speaker Redmond		
		Clerk O'Brien	HJRCA #11	
		Speaker Redmond		
		Friedrich	Move to table	
		Speaker Redmond		
		Waddell	HB 2810 move to table	
		Speaker Redmond		
		Yourell	Announcement	
		Speaker Redmond		
70		Madigan		
		Speaker Redmond		
		Geo-Karis	HB 3278 suspend ruels	
		Speaker Redmond		
		Martin, L.	Leave to table HB 2734, 2959, 2960, 2961, 2664	
		Speaker Redmond		
71		Houlihan, J.	Announcement	
		Speaker Redmond		
	2:52	Kosinski	Motion HB 2572	
		Speaker Redmond		

Katz



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<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	13.
		Speaker Redmond		
72		Willer	HB 2428 motion	
		Speaker Redmond		
		Mudd		
		Speaker Redmond		
		Ryan	Object	
		Willer		
		Speaker Redmond		
		Johnson	Support	
		Speaker Redmond		
		Mudd	Object	
		Speaker Redmond		
73		Willer		
		Speaker Redmond		
		Skinner		
		Speaker Redmond		
		Deuster	Parl. inquiry	
74		Speaker Redmond		
		Johnson	Poll absentees	
	3:00	Clerk O'Brien	Polls absentees	
		Speaker Redmond		
		Geo-Karis		
		Speaker Redmond		
		Polk	HB 2652 motion	
		Speaker Redmond		
75		Katz	No objections	
		Speaker Redmond		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	14.
		Breslin		
		Speaker Redmond		
		Schlickman	Verification	
		Speaker Redmond		
		Polk	Withdraw Bill	
		Speaker Redmond		
76		Madigan	Motion	
		Speaker Redmond		
		Lechowicz	HB 2643 motion	
77		Speaker Redmond		
		Beatty	Against	
		Speaker Redmond		
		Lechowicz		
		Speaker Redmond		
		Beatty	Point or order	
78	3:08	Skinner		
		Speaker Redmond		
		Ewing	Support	
		Speaker Redmond		
		Matijevich	Support	
		Speaker Redmond		
79		Mugalian		
		Speaker Redmond	Motion carries	
		Stanley	Asks for ruling	
		Speaker Redmond		
		Lechowicz	Withdraw motion	
		Speaker Redmond		



<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>	15.
		Madigan	Announcement	
		Speaker Redmond		
		Lechowicz		
80		Speaker Redmond		
		Houlihan, J.	Announcement	
		Speaker Redmond		
		Madigan	Move adjourn - 12:00 Thurs.	
		Speaker Redmond	House adjourn - 5 min. per funct	
81		Clerk O'Brien		

