

Speaker Redmond: "The House will come to order. The prayer will be by Reverend Corneal Davis."

Davis: "Let us please pray. For the fear of the Lord is the beginning of knowledge. Eternal God, our Father, we pray that You would grant us wisdom to make the proper choices that we should make in the beginning of our session and then, O Lord, by this shall all men know that we're your disciples if we have love, one for the other. Grant us, O God, love, one for the other and we pray in the name of Jesus. Amen."

Speaker Redmond: "Messages from the Senate."

O'Brien: "A message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House in the adoption of the following Joint Resolution, to-wit: House Joint Resolution #3, concurred in by the Senate January 22, 1975, Kenneth Wright, Secretary.' A message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed a Bill of the following title, in the passage of which I am instructed to ask concurrence with the House of Representatives, to-wit: Senate Bill 34. Passed by the Senate January 23, 1975, Kenneth Wright, Secretary.'"

Speaker Redmond: "Introduction and First Reading of Bills."

O'Brien: "House Bill 220, Londrigan. A Bill for an Act to amend interest rate, an Act on judgments and executions. First Reading of the Bill. House Bill 221, Londrigan. A Bill for an Act to create an Act to require prompt payments by the State of Illinois for goods and services. First Reading of the Bill. House Bill 222, Londrigan. A Bill for an Act to amend Sections of the Illinois Pension Code. First Reading of the Bill. House Bill 223, Klosak. A Bill for an Act to amend Sections of the Illinois Horseracing Act. First Reading of the Bill. House Bill 224, Brinkmeier. A Bill for an Act to amend Sections of the School Code. First Reading of the Bill. House Bill 225, Shea et al. A Bill for an Act

to amend Sections of the Senior Citizens and Disabled Persons Property Tax Relief Act. First Reading of the Bill. House Bill 226, Shea et al. A Bill for an Act making an appropriation to the Department of Revenue. First Reading of the Bill. Introduction and First Reading of Constitutional Amendments. House Joint Resolution Constitutional Amendment #1, Duff. Resolved, by the House of Representatives of the Seventy-ninth General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of this State, at the general election next occurring at least 6 months after the adoption of this resolution, a proposition to amend Sections 8 and 12 of and to add Sections 12.1 and 12.2 to Article VI of the Constitution, the amended and added Sections and the applicable Schedule to read as follows: 'Article VI, The Judiciary. Section 8. Associate Judges. Each Circuit Court shall have such number of Associate Judges as provided by law. In the First Judicial District, unless otherwise provided by law, at least one-fourth the Associate Judges shall be appointed from, and reside, outside Chicago. The Supreme Court shall provide by rule for matters to be assigned to Associate Judges. Section 12. Appointment and Retention, Supreme Court and Appellate Courts, Circuit Courts upon Adoption. The following provisions shall govern the selection and tenure of Judges of the Supreme Court and all Appellate Courts, and shall also govern the selection and tenure of Judges of the Circuit Court of any Circuit which adopts this Section as provided in Section 12.1. For the purposes of this Section and Sections 12.1 and 12.2 the term "Judge" includes all Judges of the Supreme and Appellate Courts and all Judges and Associate Judges of the Circuit Courts.

a) Judges shall be appointed by the Governor from nominees submitted by Judicial Nominating Commissions.

b) The office of a Judge shall be vacant upon his death, resignation, retirement, removal or upon the conclusion of this term without retention of office. Whenever an additional Judge is authorized by law, the office shall be filled in the manner provided for filing, filling of a vacancy in the office.

c) If a vacancy occurs in the office of Judge, the administrative director shall notify the chairman of the appropriate Nominating Commission, who shall immediately convene the Commission. The Commission may conduct informal meetings and hearings; but no formal action shall be taken by the Commission except upon concurrence of a majority of all members of the Commission. Within 28 days after delivery of the notice, the Commission shall submit a list of 3 qualified persons to the Governor. However, the Commission, by certifying in writing by its chairman to the Governor that additional time is required, may take additional time not in excess of 28 days. If there is more than one vacancy on the same court, the number of qualified persons listed shall be 3 times the number of vacancies. The Commission may determine and advise the Supreme Court that the number of qualified persons available is less than 3 times the number of vacancies. The Supreme Court may accept this determination and permit only the names of those available to be listed; otherwise it shall request the Commission to continue its search for qualified persons. The Governor, immediately upon receipt of the list, shall make it public. Not fewer than 28 nor more than 56 days after delivery of the list to the Governor, he shall appoint therefrom one person to fill each vacancy. If the Governor does not make the

appointment within 56 days, the Supreme Court shall make the appointment from the list. d) A Judge appointed to fill a vacancy shall serve an initial term ending on the first Monday in December following the next general election held after he has completed his one year in office. He may at that general election stand for the retention in office as herein-after provided. e) Not less than 6 months prior to the general election next preceding the expiration of his term in office, any Judge previously elected or appointed may file in the office of the Secretary of State a declaration of candidacy to succeed himself, and the Secretary of State, not less than 63 days prior to the election shall certify the Judge's candidacy to the proper election officials. At the election, the name of each Judge who has filed a declaration shall be submitted to the electors, separately and without party designation, on the sole question whether he shall be retained in office for another term. The election shall be conducted in the appropriate Judicial districts and circuits. The affirmative votes of three-fifths of the electors voting on the question shall elect him to the office for a full term commencing the first Monday in December following the election. Any Judge who does not file a declaration within the time herein specified, or, having filed, fails to, fails of retention, shall vacate his office on the first Monday in December following the general election next whether or not his successor shall yet have qualified. f) If an incumbent does not file a declaration of candidacy within the time specified above, the selection and appointment of his successor, if any, shall proceed immediately in the manner provided in this Section so that the successor may take office as soon as a vacancy occurs. g) Any law reducing the number

of Judges of the Appellate Court in any district or the number of Circuit or Associate Judges in any circuit shall be without prejudice to the right of Judges in office at the time of its enactment to seek retention in office. The reduction shall become effective whenever a vacancy in the affected unit occurs. Section 12.1 Circuit Courts. The Judges and Associate Judges of all Circuit Courts shall be elected, and vacancies in such offices may be filled by appointment for interim periods, in such manner as may be prescribed by law; except that the provisions of subparagraphs (e), (f) and (g) of Section shall... 12 shall apply to such Judges and Associate Judges as shall be elected under this Section. However, the electors of any Circuit may be, may by referendum adopt the provisions of Section 12 the governor, to govern the selection and tenure of Judges and Associate Judges of that Circuit. The electors of any Circuit shall vote on the proposition at the general election held not less than 3 months following the filing of petitions with the Secretary of State signed by not fewer than 5 per cent of the total number of electors who voted in the preceding general election in that Circuit, asking that the proposition be submitted to referendum. If a majority of votes cast on the proposition shall be in the affirmative, the provisions of Section 12 and 12.2 shall thereafter govern the selection and tenure of Judges and Associate Judges of the Circuit Court of the Circuit. Section 12.2. Judicial Nominating Commissions. There shall be Judicial Nominating Commissions in each Judicial district and in each Circuit which adopts the proposition pursuant to Section 12.1, for nomination of Judges or Associate Judges for the Supreme Court, Appellate

Court, and Circuit Courts, as follows: a) The Circuit Judicial Nominating Commission for each Circuit outside the first Judicial District, to make nominations for Circuit Court Judges in each respective circuit, shall consist of 6 persons who are not lawyers, no more than 3 of whom shall be members of the same political party, and 5 lawyers. b) The District Judicial Nominating Commission for each judicial district other than the First Judicial District, to make nominations for Appellate and Supreme Court Judges from each respective district, shall consist of 2 lawyers and 2 persons who are not lawyers from each Judicial District Nominating Commission within the district, elected by each Circuit Commission, and an additional non-lawyer member appointed by the Governor from any Circuit Commission within the district. District Judicial Nominating Commission members from any Circuit which does not have a Circuit Judicial Nominating Commission shall be elected and appointed in the manner provided in subparagraph (d) thru (g) of this Section; but, from and after the time there shall be a Circuit Judicial Nominating Commission in any Circuit, either by reason of an election under Section 12.1 or by reason of the establishment of such a Commission by law for the filing of vacancies pursuant to Section 12.1, the members of the District Judicial Nominating Commission from that Circuit shall be elected and appointed in the manner prescribed in this subparagraph. c) The First Judicial, First District Judicial Nominating Commission, to make nominations for the Appellate and Supreme Court Judges from the District, and for Circuit Judges and Associate Judges, if the electors of the Circuit adopt the provisions of Section 12.1, shall consist of 11 persons who are not lawyers, no more than 6 of whom shall be members of same political party, and ten lawyers. d) The non-

lawyer members of each Circuit Commission and of the Commission for the First Judicial District shall be appointed by the Governor with the advice and consent of the Senate. The Governor shall designate one of the non-lawyer members of each Commission as chairman. The chairman may vote only in case of a tie. The term of any chairman shall be 3 years unless his remaining term as a member of the Commission expires sooner. The non-lawyer members shall reside in the Circuit or District for which they are appointed.

e) The lawyer members of each Circuit Commission and of the Commission for the First Judicial District shall be chosen by secret ballot by those lawyers admitted to practice in Illinois whose principal offices are in the appropriate circuit, in such manner as shall be provided by rules which shall be adopted by the Supreme Court. The lawyer members shall reside in the Circuit or District for which they are chosen. f) If appointing the initial members of each Commission, the Governor shall divide the non-lawyer appointees into 2 groups and shall designate one group to serve for 3 years and one to serve for 6 years. As near as may be, the groups shall be equal in number and the members of one political party in any group shall not exceed the numbers of the rest of the group by more than one. The initial lawyer members shall be divided into 2 groups equally as near as may be, in such manner as the Supreme Court shall provide, one group to serve for 3 years and one to serve for 6 years. Thereafter the terms of all members shall be 6 years. g) A vacancy in the office of chairman of members of the Commission shall be filled for the unexpired term in the same manner and subject to the same qualifications as those originally chosen. h) No person who holds any

office under, or is an employee of, the United States or this State or any municipal corporation or political subdivision of this State or who holds any official position in a political party is eligible to serve on a Judicial Nominating Commission. Compensation for service in the State militia or armed forces of the United States for such a period of time as may be designated by rule of Supreme Court shall not be considered as a disqualification. No member of a Judicial Nominating Commission may be nominated or appointed to judicial office for a period of 3 years from the last day of his service on the Commission. A member, having served a full term of 6 years on a Commission, may not be selected to serve on a Commission during the next 3 years. i) Members of the Commissions shall not receive any compensation for their services but shall be entitled to reimbursement for necessary expenses. The General Assembly shall appropriate funds to the Supreme Court for such reimbursement and for other administrative expenses of the Commission. The Commissions may conduct such investigations and employ such staff members as may be necessary to perform their duties. Schedule. If approved by the electors, these amendments shall take effect the next day following a proclamation of the result of the vote. First Reading of the Amendment. House Joint Resolution Constitutional Amendment #2, Cunningham. 'Resolved, by the House of Representatives of the 79th General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of this State for adoption or rejection at the general election next occurring at least six months after the adoption of this resolution, a proposition to amend Section 6 of Article IV of the Illinois Con-



stitution to read as follows: Article IV, the Legislature. Section 6, Organization. a) A majority of the members elected to each House constitutes a quorum. b) On the first day of the January session of the General Assembly in odd-numbered years, the Secretary of State shall convene the House of Representatives to elect from its members a Speaker of the House of Representatives as presiding officer, and the Governor shall convene the Senate to elect from its members a President of the Senate as presiding officer. If a majority of the members of the House are of one party, the chairman of the state central committee of that party shall convene a caucus of the members of the House of that party before the second Wednesday in January of odd-numbered years and shall preside over the selection of a nominee of that party for the office of Speaker and all of the members of the House of that party shall be legally bound to vote for that nominee in the election of a Speaker. If no party has a majority of the members of the House, a ballot of the members shall be taken with members casting their votes for such candidates for the office of Speaker as may have been nominated and any member receiving at least 89 votes on that ballot shall be Speaker. If no member receives as many as 89 votes on the first ballot, a second ballot shall be taken with the members casting their votes only among those members who received the two highest numbers of votes on the first ballot and in the event of a tie for the highest number of votes on the first ballot, only those tied for first shall be considered on the second ballot. The member who receives 89 votes, or a majority of the votes cast if there are only two members eligible on the second ballot, shall be Speaker. If there are more than

two members eligible on the second ballot and no one of them receives 89 votes, a third ballot shall be taken with the members casting their votes only among the members receiving the two highest numbers of votes on the second ballot and in the event of a tie for the highest number of votes on the second ballot, only those tied for the highest number shall be considered on the third ballot. The number receiving... The member receiving the highest number of votes on the third ballot shall be the Speaker. If the highest number of votes on the third ballot is received by more than one member, the Secretary of State shall select the Speaker from among their number by lot. c) For purposes of power of appointment conferred by this Constitution, the Minority Leader of either House is a member of the numerically strongest political party other than the party in which the Speaker or the President belongs, as the case may be. d) Each House shall determine the rules of its proceedings, judge the elections, returns and qualifications of its members and choose its officers. No member shall be expelled by either House, except by a vote of two-thirds of the members elected to that House. A member may be expelled only once for the same offense. Each House may punish by imprisonment any person, not a member, guilty of disrespect to the House by disorderly or contemptuous behavior in its presence. Imprisonment shall not exceed beyond twenty-four hours at one time unless the person persists in disorderly or contemptuous behavior. First Reading of the Constitutional Amendment. Introduction and First Reading of Bills. House Bill 227, Jaffe et al. A Bill for an Act to amend Sections of the School Code. First Reading of the Bill. Mr. Tipsword in the Chair."

Tipsword: "If there's no objection, the House will be at ease until the call of the Chair. The House will come to order. Introduction and First Reading of Bills."

O'Brien: "House Bill 228, Geo-Karis. A Bill for an Act to amend Sections of the School Code. First Reading of the Bill. 228."

Tipsword: "Message from the Senate."

O'Brien: "Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, to-wit: Resolved, by the Senate of the 79th General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the Senate adjourns on Thursday, January 30, 1975, it stand adjourned until Tuesday, February 4, 1975, at 11:30 o'clock a.m.; and when the House of Representatives adjourns on Wednesday, January 29, 1975, it stand adjourned until Tuesday, February 4, 1975, at 4:00 o'clock p.m."

Tipsword: "Speaker's Table. There being no further business, Representative Shea moves that the House stand adjourned until 4 p.m. on Tuesday, February 4."

HOUSE OF REPRESENTATIVES

SEVENTY-NINTH GENERAL ASSEMBLY

TWELFTH LEGISLATIVE DAY

JANUARY 29, 1975

PERFUNCTORY SESSION



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

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HOUSE OF REPRESENTATIVES

JANUARY 29, 1975



GENERAL ASSEMBLY  
STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

January 29, 1975

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<u>TIME</u>	<u>SPEAKER</u>	<u>INFORMATION</u>
10:58	Speaker Redmond	Come to order.
11:00	Davis	Prayer.
11:00	Speaker Redmond	Messages from the Senate.
11:01	Jack O'Brien	Reading of Messages from the Senate.
11:01	Speaker Redmond	Introduction of Bills.
11:01	Jack o'Brien	Reading of Bills.
11:04	Jack O'Brien	Introduction & First Reading of Constitutional Amendments.
11:04	Jack O'Brien	House Joint Resolutions. Reading of Constitutional Amendments.
11:23	Jack O'Brien	Introduction & First Reading of Bills.
11:23	Tipsword in Chair	
11:24	Speaker Tipsword	House at ease.
11:35	Speaker Tipsword	Come to order.
11:35	Jack O'Brien	First Reading of Bills.
11:35	Speaker Tipsword	Messages from the Senate.
11:35	Jack O'Brien	Reading of Message.
11:36	Speaker Tipsword	House adjourned.



GENERAL ASSEMBLY

STATE OF ILLINOIS  
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