

Speaker Shea: "The hour reaching 9:30, the House will now be in Session."

Charles Aikman: "Let us pray. Bless this House and all who work here. Amen."

Speaker Shea: "Amen. I sometimes think we start off with a filibuster. Proceed Mr. Clerk."

Clerk Sullivan: "Messages from the Senate."

Speaker Shea: "Messages from the Senate."

Clerk Sullivan: "A Message from the Senate by Mr. Kenneth 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 #79,"

Speaker Shea: "First Reading."

Clerk Sullivan: "No further Messages. House Bill 3275. Younge. Amends an Act concerning Public Utilities to require freight and passenger trains operated on main tracks shall be equipped with radio systems capable of allowing communications to emergency vehicles within two miles. First Reading of the Bill. House Bill 3276. Kelly. An Act to provide increased terms of imprisonment mandatory life imprisonment sentences for his third conviction of delivering certain controlled substances. First Reading of the Bill. House Bill 3277. Madigan et al. An Act making a supplemental Appropriation to the Illinois State Scholarship Commission. First Reading of the Bill. House Bill 3278. Luft, VanDuyne et al. An Act to amend Section 1 of an Act in relation to the compensation of emoluments of the Members of the General Assembly. Approved December, 1907 as amended. First Reading of the Bill. House Bill 3279. Palmer. An Act in relation to Judicial vacancies. First Reading of the Bill. House Bill 3280. Yourell. An Act to amend Section 1 of an Act in relation to the Compensation of emoluments of the Members of the General Assembly. Approved December 1907 as amended. First Reading of the Bill. House Bill 3281, Yourell. An Act to amend the mortgage escrow



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account Act. Approved March 28, 1975. First Reading of the Bill. House Bill 3282. Yourell. An Act to amend Section 1 of an Act in relation to the Compensation of emoluments of the Members of the General Assembly. Approved December, 1907, as amended. First Reading of the Bill. House Bill 3283. Yourell. An Act to require the imposition of mandatory prison sentence on the conviction of the commission of certain criminal offenses with the use of a firearm. First Reading of the Bill. House Bill 3284. Kosinski. An Act to limit the felony classification of crimes to those defined as forceful felonies in connection with the crimes of possession or sale of firearms or any connection with the rights to acquire firearms. First Reading of the Bill. House Bill 3285. Kosinski. An Act to amend Sections 10-2 and 10-4 of the Criminal Code of 1961. Approved July 28, 1961 as amended. First Reading of the Bill. House Bill 3286. Lundy et al. An Act to amend Section 2 of an Act to provide for the ordinary and contingent expenses of the Illinois State Scholarship Commission. Approved July 14, 1975. First Reading of the Bill. House Bill 3287. An Act to amend Section 21, 22, 30, 31, 37, 39, 40, 41, 42 and 44 of the Environmental Protection Act. Approved June 29, 1970 as amended; ~~First~~ Reading of the Bill. House Bill 3288. Yourell et al. An Act in relation to Sanitary Land Fills. First Reading of the Bill. House Bill 3289. Merlo et al. An Act requiring certain lottery funds to be deposited in the Common School Fund. First Reading of the Bill. House Bill 3290. Merlo et al. An Act to increase penalties for the crime of arson and make the sentence of imprisonment therefore mandatory. First Reading of the Bill. House Bill 3291. Pierce et al. An Act in relation to the use of aerosol sprays and providing a penalty for violation thereof. First Reading of the Bill. House Bill 3292. Pierce et al. An Act relating to beverage containers and amending an Act herein named. First Reading of the Bill. House Bill 3293. Mautino et al. An Act making an appropriation to the Department of Conservation. First Reading of the Bill.



House Bill 3294. Flinn. An Act making an appropriation to the Department of Conservation. First Reading of the Bill. House Bill 3295. Flinn. An Act to add Sections 3-1, 12.12 and to amend Section 3-408 of the Illinois Vehicle Code. Approved September 29, 1969 as amended. First Reading of the Bill. House Bill 3296. Schraeder. An Act to amend Section 11-406 of the Illinois Vehicle Code. Approved, September 29, 1969 as amended. First Reading of the Bill. House Bill 3297. Mautino. An Act to authorize temporary use of highways and other roads in Illinois for the purpose of a bicentennial celebration. First Reading of the Bill. House Bill 3298. Mautino. An Act to amend Section 5-6 and 5-9 of the Park District Code. Approved July 8, 1977, as amended. House Bill 3299. Schlickman. An Act to amend Section 14 of an Act in regard to limitations Approved April 4, 1872 as amended. First Reading of the Bill. House Bill 3300. Schlickman et al. An Act to amend Section 4 of the Crime Victims Compensation Act. Approved August 23, 1973 as amended. First Reading of the Bill. House Bill 3301. Giorgi. An Act to authorize the Secretary of Transportation to convey certain real property in Winnebago County to Winnebago County. First Reading of the Bill. House Bill 3302. Cunningham et al. An Act making an appropriation to the Department of Conservation. First Reading of the Bill. House Bill 3303. Tipsword et al. An Act making an appropriation to the Department of Agriculture. First Reading of the Bill. House Bill 3304. Craig et al. An Act in relation to the reconversion of a Public Library District to a local Public Library amending certain acts named therein. First Reading of the Bill. House Bill 3305. Darrow et al. An Act making an appropriation to the Department of Transportation. First Reading of the Bill. House Bill 3306. Daniels et al. An Act to amend Section 1 of an Act in relation to the compensation of emoluments of the Members of the General Assembly. Approved December 1907, as amended. First Reading of the Bill. House Bill 3307. Macdonald et al. An Act to amend Section 1 of an Act in relation



to the compensation of emoluments of the Members of the General Assembly. Approved December 1907 as amended. First Reading of the Bill. House Bill 3308. Lechowicz et al. An Act amending Section 4-2 of the Juvenile Court Act. Approved August 5, 1965 as amended. First Reading of the Bill. House Bill 3309. Leinenweber et al. An Act to amend Section 12-215 of the Illinois Vehicle Code., Illinois Vehicle Equipment Law. Approved July 1, 1970 as amended. First Reading of the Bill. House Bill 3310. Anderson, Mautino, et al. An Act to amend Sections of the Illinois Valley Regional Port District Act. Approved December 20, 1971 as amended. First Reading of the Bill. House Bill 3311. Deuster. An Act to add Section 32.1 to and to amend Section 44 of the Dental Service Plan Act. Approved August 2, 1965 as amended. First Reading of the Bill. House Bill 3312. John Dunn et al. An Act to amend Section 5 of the Higher Education Cooperation Act. Approved September 11, 1972. First Reading of the Bill. House Bill 3313. Ryan et al. An Act to amend Section 24 of an Act to revise the law in relation to counties. Approved March 31, 1874 as amended. First Reading of the Bill. House Bill 3314. Katz et al. An Act to repeal Section 30-1 and 30-4a of the School Code. Approved March 18, 1961 as amended. First Reading of the Bill. House Bill 3315. Hanahan et al. An Act making a supplemental appropriation to the State Board of Education for the disbursement of certain monies. First Reading of the Bill. House Bill 3316. Schoeberlein et al. An Act authorizing the Forest Preserve District in Kane County to conveying certain real property in Kane County. First Reading of the Bill. House Bill 3317. Leverenz et al. An Act providing for lottery revenues to be distributed to counties. First Reading of the Bill. House Bill 3318. et al. An Act...Hanahan et al. An Act to amend Section 3, 4 and 6 and to add Section 4a of the minimum wage law. Approved December 6, 1971 as amended. First Reading of the Bill. House Bill 3319. McMaster et al. An Act to amend Section 14-151 of the Illinois Pension Code. Approved March 18, 1963 as amended. First Reading



of the Bill. 3320. Kornowicz et al. An Act to amend an Act concerning Public Utilities. Approved June 29, 1921 as amended. First Reading of the Bill. House Bill 3321. Kornowicz et al. An Act to amend an Act in relation to financing and operating railroads. Approved March 31, 1874 as amended. First Reading of the Bill. House Bill 3322. Collins et al. An Act to add Section 4.1 to and to amend Section 4 of the Nursing Homes, Sheltered Care Homes and Homes for the Aged Act. Approved July 17, 1945 as amended. First Reading of the Bill. House Bill 3323. Hanahan et al. An Act to amend Section 8.2 in an Act in relation to State Police. Approved July 20, 1949 as amended. First Reading of the Bill. House Bill 3324. Hanahan. et al. An Act to amend Section 14-153.1 and 14-171 of the Illinois Pension Code. Approved March 18, 1963 as amended. First Reading of the Bill. House Bill 3325. Schlickman. An Act to amend Section 5-5-3 of the Unified Code of Corrections. Approved July 26, 1972 as amended. House Bill 3326. Madison. An Act to make an appropriation to the Illinois Revenues Study Commission. First Reading of the Bill. House Bill 3327. Madison. An Act creating the Illinois Revenue Study Commission and defining it's powers and duties. First Reading of the Bill." Speaker Shea: "Resolutions."

Clerk Sullivan: "House Joint Resolution Constitutional Amendment 39. Resolved by the House of Representatives of the Seventy-ninth General Assembly of the State of Illinois, the Senate concurring herein. That it shall be submitted to the electors of this State at the general election next occurring at least six 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. Except in circuits which have adopted the alternative judicial selection procedure provided by Section 12.1. Associate Judges shall be appointed by the Circuit Judges in each circuit as the



Supreme Court shall provide by rule. In the First Judicial District, unless otherwise provided by law, at least one-fourth of the Associate Judges shall be selected from and shall reside outside Chicago. The Supreme Court shall provide by rule for matters to be assigned to Associate Judges. Section 12, Election and Retention. (a) Supreme, Appellate and Circuit Judges shall be nominated at primary elections or by petition. Judges shall be elected at general or judicial elections as the General Assembly shall provide by law. A person eligible for the office of Judge may cause his name to appear on the ballot as a candidate for Judge at the primary and at the general or judicial election by submitting petitions. The General Assembly shall prescribe by law the requirements for petitions. (b) The office of a Judge shall be vacant upon his death, resignation, retirement, removal or upon the conclusion of his term without retention in office. Whenever an additional Appellate or Circuit Judge is authorized by law, the office shall be filled in the manner provided for filling a vacancy in that office. (c) A vacancy occurring in the office of Supreme, Appellate or Circuit Judge shall be filled as the General Assembly may provide by law. In the absence of a law, vacancies may be filled by appointment by the Supreme Court. A person appointed to fill a vacancy 60 or more days prior to the next primary election to nominate Judges shall serve until the vacancy is filled at the second general or judicial election following such appointment. (d) Not less than six months before the general election preceding the expiration of his term of office, a Supreme, Appellate or Circuit Judge who has been elected to that office may file in the Office of the Secretary of State a declaration of candidacy to succeed himself. The Secretary of State, not less than 63 days before the election shall certify the Judge's candidacy to the proper election officials. The names of Judges seeking retention shall be submitted to the electors separately and without party designation, on the sole question whether each Judge shall be retained in office for another term. The retention elections shall be conducted at general elections in the appropriate Judicial



District, for Supreme and Appellate Judges, and in the circuit for Circuit Judges. The affirmative vote of three-fifths of the electors voting on the question shall elect the Judge to the office for a term commencing on the first Monday in December following his election. (e) A law reducing the number of Appellate or Circuit Judges shall be without prejudice to the right of the Judges affected to seek retention in the office. A reduction shall become effective when a vacancy occurs in the affected unit. (f) In any circuit which has adopted the alternative selection procedures provided by Sections 12.1 and 12.2 those procedures supersede the procedures provided by this Section. Section 12.1 Alternative Selection procedure for Judges and Associate Judges of Circuit Courts. (a) The electors of any Circuit may by referendum adopt the provisions of this Section and Section 12.2 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 at the next 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 this Section and Section 12.2 shall thereafter govern the selection and tenure of Judges and Associate Judges of the Circuit Court of that Circuit. (b) In circuits subject to this Section Judges and Associate Judges shall be appointed by the Governor from nominees submitted by Judicial Nominating Commissions. (c) The Office of a Judge or Associate Judge shall be vacant upon his death, resignation retirement, removal or upon the conclusion of his term without retention in office. Whenever an additional Judge or Associate Judge is authorized by law, the office shall be filled in the manner provided for filling a vacancy in the office. (d) If a vacancy occurs in the office of Judge or Associate Judge in a circuit subject to this Section, the administrative director shall notify the chairman of the Judicial Nominating Commission



for that circuit, 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 Commissions, 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 promptly from the list. (e) A Judge or Associate 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 one year in office. He may at that general election stand for retention in office as hereinafter provided. (f) Not less than 6 months prior to the general election next preceding the expiration of his term of office, any Judge or Associate 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 his candidacy to the proper election officials. At the election the name of each Judge or Associate 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 elections shall be conducted in the appropriate judicial 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 or Associate Judge who does not file a declaration within the time herein specified, or, having filed, fails of retention, shall vacate his office on the first Monday in December following the general election, whether or not his successor shall yet have qualified. (g) 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 the vacancy occurs. (h) Any law reducing the number of Judges 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 12.2 Judicial Nominating Commissions. (a) There shall be Judicial Nominating Commissions in each Judicial Circuit which adopts the proposition pursuant to Section 12.1 for nomination for Judges and Associate Judges for the Circuit Courts. (b) The Judicial Nominating Commission for each Circuit outside of the First Judicial District, to make nominations for Circuit Court Judges and Associate 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. (c) The Judicial Nominating Commission for the Circuit composed of the First Judicial District to make nominations 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, nor more than 6 of whom shall be members of the same political party and 10 lawyers. (d) The non-lawyer members of each Judicial Nominating Commission shall be



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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 member shall reside in the Circuit for which they are appointed. (e) The lawyer members of each Judicial Nominating Commission shall be chosen by secret ballot by those lawyers admitted to practice in Illinois whose principal offices are in the appropriate circuit in such a manner as shall be provided by rules which shall be adopted by the Supreme Court. The Lawyer members shall reside in the Circuit for which they are chosen. (f) In 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 number of the rest of the group by more than one. The initial lawyer members shall be divided into 2 groups equal 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 or 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 the armed forces of the United States for such period of time as may be determined by rule of the Supreme Court shall not be considered 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



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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 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 Commissions. 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 proclamation of the result of the vote. First Reading."

Speaker Shea: "Gentlemen and Ladies of the House. We're going to interrupt the proceedings for a minute to swear in a new Member of the Illinois General Assembly, House of Representatives. Judge Craven will swear in Representative Marco Domico to take the place of Representative John D'Arco."

Judge Cravens: "Raise your right hand please, repeat your name."

Domico: "I, Marco Domico."

Judge Cravens: "Do solemnly swear."

Domico: "Do solemnly swear."

Judge Cravens: "That I will support the Constitution of the United States."

Domico: "I will support the Constitution of the United States."

Judge Cravens: "And the Constitution of the State of Illinois."

Domico: "And the Constitution of the State of Illinois."

Judge Cravens: "And that I will faithfully discharge the duties."

Domico: "I will faithfully discharge the duties."

Judge Cravens: "Of the Office of State Representative."

Domico: "Of the Office of State Representative."

Judge Cravens: "To the best of my ability."

Domico: "To the best of my ability."

Judge Cravens: "Congratulations."

Shea: "Smile. Agreed Resolutions."

Clerk Sullivan: "House Resolution 675. Daniels."



Speaker Shea: "On the Agreed Resolutions, Representative Domico."

Domico: "Mr. Speaker."

Speaker Shea: "Representative Domico."

Domico: "Mr. Speaker and Ladies of the House. I do pass the

Resolutions of the House...as agreed, of the House."

Speaker Shea: "The Gentleman from Cook, moves for the adoption of the agreed Resolutions. All in favor will say 'aye'. Opposed 'nay'. The 'ayes' have it, the Resolution is adopted. First Reading. Further Resolutions."

Clerk Sullivan: "House Resolutions 676. Griesheimer, House Resolution 677. Griesheimer."

Speaker Shea: "Further Resolutions."

Clerk Sullivan: "House Joint Resolution 81. Griesheimer. House Joint Resolution 82. Griesheimer."

Speaker Shea: "First Reading and Introduction."

Clerk Sullivan: "House Bill 3328. Griesheimer et al. An Act in relation to the reporting of cumulative appropriations date on the Legislative Calendars. First Reading of the Bill. House Bill 3329. Birchler et al. An Act relating to the requirement of annual information in returns of the Service Occupation Tax Act, Retailers Occupation Tax Act and the Hotel Operator's Occupation Tax Act. First Reading of the Bill."

Speaker Shea: "The Gentleman from Madison, Re Representative Lucco on House Bill 1347. The Gentleman moves that House...Former Representative Horace Calvo was the Chief Sponsor and Representative Lucco moves that he have permission of the House to become the Chief Sponsor of House, bill 1347. Are there objections? Hearing none, the record will indicate that Representative Lucco is now the Chief Sponsor of House Bill 1347. Introductions and First Readings."

Clerk Sullivan: "House Bill 3330. Griesheimer. An Act making appropriations to the Office of the Auditor General. First Reading of the Bill. House Bill 3331. Greisheimer. An Act to Add Section 38.1 to the Civil Administrative Code of Illinois. Approved March 7, 1917 as amended. First Reading of the Bill."



Speaker Shea: "Death Resolutions."

Clerk Sullivan: "House Resolution 674. Washburn."

Speaker Shea: "The Gentleman from Cook, Mr. Yourell moves for the adoption of the Death Resolutions. All in favor say 'aye'. The 'ayes' have it and the Resolution is adopted. Representative Birchler moves that the House now stand adjourned until March 19, at 9:30 a.m. All in favor say 'aye'. The House stands adjourned."

