

HOUSE OF REPRESENTATIVES

SEVENTY-NINTH GENERAL ASSEMBLY

SEVENTY-FIRST LEGISLATIVE DAY

MAY 19, 1975



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

1.

Unknown: "Test. Test. Testing 1, 2 . . . test . . . testing . . .
testing 1, 2 . . . test . . . testing . . . testing . . . testing
1, 2, 1, 2 . . . testing . . . testing . . . testing 3, 4 . . ."

John Painter: "All those not entitled to the floor, will you, please,
go to the Gallery."

Unknown: "Hello, test 1, 2, 3 . . . testing . . . testing . . . testing
. . . phone and give me a little game . . . hello . . . hello . . .
give me a little game, Gregger, let's see what happens . . . testing
1, 2, 1, 1, 1, 1, 1 . . . O.K., when we get that . . ."

Speaker Redmond: "Now, may . . . I'm on the air . . . Representative
Geo-Karis, we're not yet in session, but . . . ah . . ."

Geo-Karis: "Now, this is a point of inquiry I have. Ah . . . Can you
tell me, Mr. Speaker, if we're supposed to have the last meeting
of the Energy Seminar, cosponsored by the Illinois Legislative
Council, together with the Energy Resources Commission tomorrow
evening at 8:00 o'clock? Do you plan an evening session?"

Speaker Redmond: "Yes."

Geo-Karis: "Therefore, I'm going to try and make arrangements perhaps
to postpone it. Thank you . . ."

Speaker Redmond: "We have . . . we have something in excess of 700
Bills and we have five days to go, and . . . ah . . ."

Geo-Karis: "We'll be in session."

Speaker Redmond: ". . . 160 a day or something like that."

Geo-Karis: "Well, I don't . . ."

Speaker Redmond: "We'll be in Session tomorrow night, yeah."

Geo-Karis: "Thank you very much, that's what I wanted to know, sir."

Speaker Redmond: "The House will be in order and the Members will please
be in their seats. We'll be led in prayer this morning by the
Reverend Krueger, the House Chaplain."

Reverend Krueger: "In the name of the Father, the Son and the Holy
Ghost. Amen. O Lord, bless this House to Thy service this day.
Amen. Dorothy Sayers said in 'A Matter of Eternity', 'the hatred of
work must be one of the most depressing consequences of the fall of
man'. Let us pray. Direct, O Lord, the work of this Legislature,
and guide all those to whom Thou hast entrusted it, that in their



various stations they may do Thee hearty service; and when their seemingly burdensome task is complete, they may render up their account with joy, both to Thy benefit and the benefit of the people who comprise this great State; through Jesus Christ our Lord.

Amen."

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

Jack 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 has adopted the following preamble and joint resolution in the adoption of which I am instructed to ask concurrence of the House of Representatives to wit'. Senate Joint Resolution 27, adopted by the Senate May 16, 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 adopted the following preamble and joint resolution in the adoption of which I am instructed to ask concurrence of the House of Representatives to wit'. Senate Joint Resolution # 28 adopted by the Senate May 16, 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 concurred with the House in the adoption of the following preamble and joint resolution to wit'. House Joint Resolution # 37 concurred in by the Senate May 16, 1975, Kenneth Wright, Secretary."

Speaker Redmond: "Representative Simms."

Simms: "Mr. Speaker would the Record please show that Representative Telcser has excused absence today as there is a death in their family."

Speaker Redmond: "The Record will so show. Senate Bills, First Reading."

Jack O'Brien: "Senate Bill 385, McClain, a Bill for an Act to amend a Section of an Act creating the Capital City Planning Commission. First Reading of the Bill."

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

Jack O'Brien: "House Bill 3019, Shea-Washburn, a Bill for an Act making an appropriation for additional funds for the furnishing of the



Legislative Staff. First Reading of the Bill. House Bill 3020, Beaupre, a Bill for an Act to amend Sections of the Illinois Municipal Code. First Reading of the Bill."

Speaker Redmond: ". . . Bills, Second Reading, House Bill 2997. Representative DiPrima, you want 2997 called? 2997, yeah."

Jack O'Brien: "House Bill 2997, a Bill for an Act to amend an Act to provide for the ordinary and contingent expense of the Illinois Veterans Commission. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Jack O'Brien: "None."

Speaker Redmond: "Third Reading. 2999."

Jack O'Brien: "House Bill 2999, Mulcahey, a Bill for an Act making a supplemental appropriation for the ordinary and contingent expense of the Board of Vocational Education and Rehabilitation Division. Second Reading of the bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Jack O'Brien: "None."

Speaker Redmond: "Third Reading. 15 . . . oh, no, that's Third Reading . . . Representative Shea."

Shea: "Mr. Speaker, I don't know if you've made the announcement on the names that are going to Mr. Telcser's father-in-laws' funeral, but can the Record show that there are excused absences for Representative Merlo, Berman, Garmisa, Capuzi, LaFluer and Winchester?"

Speaker Redmond: "The Record will so show. I've been advised that the Heart Association has got personnel in the First Aid office to take blood pressures. It is suggested by some that they should be done in the morning and in the evening. They'll be there when? House Bills, Second Reading, First Legislative Day, appears House Bill 2470 and on House Bills, Second Reading, is 2474. I understand they're companion Bills to be taken together. They represent . . . will you read the Bills, Mr. Clerk."

Jack O'Brien: "House Bill 2470, Catania, a Bill for an Act to amend the School Code. Second Reading of the Bill. Two Committee Amendments. Amendment #1 amends House Bill 2470 on page 1 by deleting line 17,



and inserting in lieu, thereof, 'the Materials Staff and Parents Support Programs were required for the support of fellow . . . follow-through programs'."

Speaker Redmond: "Representative Catania."

Catania: "Thank you, Mr. Speaker and Members of the House, I ask leave for House Bill 2470 to be moved from First Legislative Day to join its companion Bill, which it has been awaiting on Second Legislative Day, House Bill 2474, so that they can both be considered at this time?"

Speaker Redmond: "Any objections? It will be moved to House Bills, Second Reading."

Catania: "Thank you, Mr. Speaker. Committee Amendment #1 to House Bill 2470 is a technical Amendment to bring it into compliance with the appropriation companion Bill so that they can move together and so that 2470 can enable the Office of Education to administer the appropriation."

Speaker Redmond: "The Lady has moved the adoption of Amendment #1 to House Bill 2470. All in favor say 'aye', opposed 'no'; the 'ayes' have it, the Amendment's adopted. Any further Amendments?"

Jack O'Brien: "Amendment #2 amends House Bill 2470 on page 1 by deleting lines 14 and 15, and inserting in lieu, thereof, the following and so forth."

Speaker Redmond: "Representative Catania."

Catania: "Thank you, Mr. Speaker. Committee Amendment #2 is another technical Amendment. It substitutes for Office of the Superintendent of Public Instruction the Office of Education. I move the adoption of Committee Amendment #2."

Speaker Redmond: "The Lady has moved the adoption of Amendment #2 to House Bill 2470. All in favor say 'aye', oppose 'no'; the 'ayes' have it, the Amendment's adopted. Any further Amendments?"

Jack O'Brien: "No further Amendments."

Speaker Redmond: "No further Amendments. Third Reading. 2474."

Jack O'Brien: "House Bill 2474, Catania, a Bill for an Act making appropriation to the Office of the Superintendent of Public Instruction. Second Reading of the Bill. Two Committee Amendments. Amendment



Number 1 amends House Bill 2474 on page 1 by deleting lines 1 and 2, and inserting in lieu, thereof, the following and so forth."

Speaker Redmond: "Representative Catania."

Catania: "Thank you, Mr. Speaker, . . . ah . . . Committee Amendment Number 1 was adopted in Elementary and Secondary Education and is superseded by Committee Amendment #2, which was adopted in Appropriation's. I, therefore, move to table Committee Amendment #1."

Speaker Redmond: "The Lady has moved to table Committee Amendment #1. All in favor signify by saying 'aye', 'no' . . . Representative Deuster."

Deuster: "I'm . . . I'm sorry, I didn't . . . this was an Amendment adopted in Committee and I didn't hear what it does . . . what it did and . . . ah . . . what we are tabling. I hope you don't mind explaining it."

Catania: "Well, Representative Deuster, it was a technical Amendment. It substituted the words, 'Office of Education', for the words, 'Office of the Superintendent of Public Instruction'; and in Appropriation's the staff pointed out that somewhere along the line an effective date of July 1, 1976, had been put in the Bill, instead of an effective date of July 1, 1975. So the appropriation's Amendment does not only what the Education Committee Amendment does, but it corrects the date. So I'm tabling the first Amendment and I'm going to ask for the adoption of the second Amendment."

Deuster: "Thank you."

Speaker Redmond: "Opposed to the adoption say 'no'. The 'ayes' have it; and the Amendment is tabled."

Jack O'Brien: "Amendment Number 2 amends House Bill 2474 on page 1 by deleting lines 1 and 2, and inserting in lieu, thereof, the following and so forth."

Speaker Redmond: "Representative Catania."

Catania: "Thank you, Mr. Speaker. Amendment Number 2 does precisely what I just . . . ah . . . described for the Representative from Lake County, it changes the references to the Superintendent of Public Instruction to the Office of Education. In addition, it makes the



effective date July 1, 1975, instead of July 1, 1976. I move for the adoption of Committee Amendment #2."

Speaker Redmond: "The Lady has moved for the adoption of Committee Amendment #2 to House Bill 2474. All in favor say 'aye', opposed 'no'; the 'ayes' have it, the Amendment's adopted. Any further Amendments?"

Jack O'Brien: "No further Amendments."

Speaker Redmond: "No further Amendments. Third Reading. House Bills, Second Reading, appears House Bill 1013."

Jack O'Brien: "House Bill 1013, Katz, a Bill for an Act to amend an Act to regulate the practice of Public Accounting. Second Reading of the Bill."

Speaker Redmond: "Representative . . ."

Jack O'Brien: "One Committee Amendment amends House Bill 1013 on page 1, line 1 and 6, by deleting, '2', and inserting in lieu, thereof, '14' and so forth."

Speaker Redmond: "Representative Katz."

Katz: "Ah . . . Yes, Mr. Speaker, . . . ah . . . with regard to Committee Amendment #1 . . . ah . . . that I offered . . . ah . . . I would . . . ah . . . it has not yet been adopted and I would . . . ah . . . move . . . I do not want to go ahead with Committee Amendment 1, but want to offer instead Committee Amendment #2, I'm sorry, I want to offer instead Amendment #2. Would . . ."

Speaker Redmond: "The Gentleman offers Amendment #1 and moves to table it. All in favor indicate by saying 'aye' . . . Representative Duff."

Duff: "Well, Mr. Speaker, as long as it's a Committee Amendment, I think the floor would probably like to hear what the Gentleman wants to table."

Katz: "Yes. The Bill 1013 . . . ah . . . is a Bill that . . . ah . . . was part of a series that would have provided public members on each of the Licensing Board. Committee Amendment #1 was an amendment that would have provided . . . ah . . . 1 instead of 2 public members. What has happened, however, is that the Amendment was adopted by a very close vote . . . ah . . . and the Executive Committee by similarly close



vote rejected most of the series. Ah . . . In order to keep our Licensing Boards . . . ah . . . uniform and to follow a pattern . . . ah . . . I do not want to . . . ah . . . adopt Amendment #1, which would add public members to one Licensing Board in view of the fact that the Executive Committee rejected by a very close vote the same treatment of all the other licensed occupations; and what I propose to do instead in adding Amendment #2 is to provide public representation, but in a different kind of way and that is the reason, Representative Duff, for my tabling Amendment #1, because it would change and separate and treat accounting different than all of the licensed occupations, which I think would be . . . ah . . . not a good idea, it would destroy the uniformity of the pattern that we follow in the Department of Education and Registration."

Speaker Redmond: "The Gentleman has moved to table Amendment #1.

All in favor say 'aye', oppose 'no'; the 'ayes' have it, Amendment #1 is tabled. Any further Amendments?"

Jack O'Brien: "Amendment #2, Katz, amends House Bill 1013 by deleting lines 1, 2, 3 on page 1 and inserting in lieu, thereof, the following and so forth."

Speaker Redmond: "Representative Katz."

Katz: "Yes. The general objection . . . ah . . . in the Executive Committee was to including public members on each of the various Licensed Boards. The feeling was that the public members would not be qualified in the particular field and that it would be better to follow the pattern that we have always followed . . . ah . . . limiting the membership on the License Boards to those who are themselves part of the profession or occupation. Committee Amendment #2, in order to provide consumer input into the Department of Registration and Education, would do so without disturbing each of the License Boards. It would do so by simply establishing a Consumer Advisory Board composed of 7 members, no more than 4 whom can be of the same political party, and who will not be members of any of the professions or occupations licensed within the department, which Consumer Board would be in the position to monitor the Licensing Boards and advise



the department and advise the General Assembly if they feel that . . . ah . . . rules, regulations or laws would be appropriate to protect consumer interests in the various Licensed Boards and occupations; and the board would also submit an annual report to the General Assembly if they have any recommendations they want to make with regards to the question of the many licensed occupations and professions that fall within the Department of Registration and Education. This is what the Amendment does then, Mr. Speaker, and I would move the adoption of Amendment #2."

Speaker Redmond: "The gentleman has moved the adoption of Amendment #2 to House Bill 1013. All in favor say 'aye', . . . Representative Duff."

Duff: "Mr. Speaker, will the Gentleman answer a question?"

Speaker Redmond: "Yes, he will."

Katz: "Yes, certainly, yes."

Duff: "Who appoints this Consumer Advisory Board, Representative Katz?"

Katz: "The Governor appoints the Consumer Advisory Board, they are non-paying positions . . . ah . . . a majority . . . ah . . . no more than 4 can be a member of either political party, a 7-member board."

Duff: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I think some attention should be paid to this Amendment, and particularly if this is a concept under which the Gentleman intends to amend the other licensing Act. Could I have some attention, Mr. Speaker, please?"

Katz: "Mr. Duff, I . . ."

Duff: "I haven't finished yet, Mr. Katz."

Katz: "I wanted to tell you one thing that I thought you would want to know. This would be an over-all body. I don't have in mind amending all of the Acts. This would be an over-all . . . ah . . . board that would advise the Department of Consumer Affairs and Licensing, which has formerly been called the Department of Registration and Education on all licensed occupations and professions."

Duff: "I understand that. Mr. Speaker, and Ladies and Gentlemen of the House, . . . ah . . . I am wondering about several things on this Bill, and I think they are very much a matter of concern. If this



. . . if this Amendment . . ."

Speaker Redmond: "Representative Matijeich."

Matijeich: "Mr. Speaker and Members of the House, I'd like to make a point of order . . ."

Speaker Redmond: "State your point."

Matijeich: ". . . ah . . . and I may agree with Representative Katz in his concept, but . . . ah . . . still under Rule 34C, I believe that the Amendment does not confine itself to the subject matter, the subject matter of the Bill is the licensing of Public Accountants; and, therefore, I would ask for a ruling of the Chair if Amendment #2 violates Rule 34C?"

Speaker Redmond: "It's the opinion of the Chair that the point of order is well taken and that the Amendment goes far broader and beyond the . . . the purport of the original Bill. Representative Duff."

Duff: "Mr. Speaker, under the circumstances, I wonder if the Gentleman would want to reconsider Amendment #1?"

Katz: "Mr. Speaker, . . . ah . . . having voted . . . I will then, Mr. Speaker, in view of your ruling . . . ah . . . withdraw my offer of Amendment #2 . . . ah . . . having voted on the prevailing side with regards to Amendment . . . to Committee Amendment #1, I would ask that the vote be reconsidered . . . ah . . . by which my tabling motion of Committee Amendment #1 carried?"

Speaker Redmond: "Does the Gentleman have leave . . . wait . . . wait . . . wait . . . we've got to take care of Amendment #2, he has offered Amendment #2 and now . . ."

Katz: "Yes, and now . . ."

Speaker Redmond: ". . . and now he moves to table Amendment #2. All in favor signify by saying 'aye', oppose 'no'. Amendment #2 is tabled. Now, the Gentleman is recognized on Amendment #1."

Katz: "Ah . . . Mr. Speaker, having voted on the prevailing side . . . ah . . . and the vote by which Committee Amendment #1 to House Bill 1013 was tabled, I would ask leave to reconsider that vote?"

Speaker Redmond: "Gentleman has moved to reconsider the vote by which Amendment #1 was tabled."

Katz: "All right . . ."



Speaker Redmond: "All in favor say 'aye', opposed 'no'. The vote is reconsidered. Now, for . . ."

Katz: "Mr. Speaker, Committee Amendment #1 . . . ah . . . makes clear that in the determination within the Accountancy Board of Technical Questions that those determinations will be made only by the professional qualified members of the board; . . . ah . . . and that is . . . ah . . . what Committee Amendment 1 does, and I would urge the adoption of Committee Amendment #1."

Speaker Redmond: "Gentleman has moved the adoption of Committee Amendment #1 to House Bill 1013. All in favor say 'aye', oppose 'no'; the 'ayes' have it, the Amendment's adopted. Any further Amendments? Representative Totten."

Totten: "Thank you, Mr. Speaker. I believe there was a request for a fiscal note filed."

Speaker Redmond: "There was a request for a fiscal note filed by Representative Totten on this Bill, Mr. Katz."

Katz: "Excuse me, the fiscal note was filed, Mr. Speaker. It indicated that . . . ah . . . there was no . . . ah . . . economic impact. These are non-paying positions. The note has been filed, Representative Totten, I have felt the request was made . . . ah . . . by someone else; and I'm sorry that I didn't know it was by you. It was filed. I'd be glad to give it to you, but it indicates a very minimal fiscal impact, since there is no . . . these are non-paying positions."

Totten: "O.K., if you would just give me a copy of it, I would appreciate it."

Katz: "Yes, I'd be very pleased to do so. Now, Mr. Speaker, . . . ah . . . while I have the floor, I would ask leave to table two other Bills and I know that your anxious to . . ."

Speaker Redmond: "Proceed."

Katz: ". . . I would ask leave to table House Bill 1871 and House Bill 1872; and I am the principle sponsor of both of those Bills."

Speaker Redmond: "Any objections? Hearing none, leave granted. House Bills 1871 and 1872 are tabled. I've been advised that the fiscal note has been filed in the Clerk's office. House Bill 1013 has not



been filed, pardon me. Representative Katz, evidently, the fiscal note got lost, strayed or stolen."

Katz: "Oh, well, I'm sure I . . . I retained a copy of it and I will give one to the Clerk's office and also to Representative Totten."

Speaker Redmond: "When that's been done, will you advise the Chair and then . . ."

Katz: "Yes, I'll try to do that immediately and advise the Chair. I have it right in my hand and I'll do it within the next five minutes."

Speaker Redmond: "House Bill 1111, Representative Choate, do you want to consider that one?"

Jack O'Brien: "House . . ."

Choate: "Yeah."

Jack O'Brien: "House Bill 1111, a Bill for an Act to amend the Election Code. Second Reading of the Bill."

Choate: "Well, Mr. Speaker, and Ladies and Gentlemen of the House . . ."

Speaker Redmond: "Read the amendment . . . ah . . ."

Jack O'Brien: "Amendment . . . ah . . . this Bill has been read a second time previously. Amendment, Number 3, Choate, amends House Bill 1111 as amended and engrossed on page 2, line 6, and so forth."

Choate: "Ah . . . My . . . ah . . . my sheet shows me that this is Amendment #2 that we're talking about, Mr. Clerk. I think that it is Amendment 3. I think you're correct. Let me explain the Amendment."

Speaker Redmond: "Representative Choate."

Choate: "Amendment #3 amends the Bill as amended in the Committee and removes some technical errors. It also reverses, Mr. Speaker, the election schedule proposed for the odd numbered years. The Amendment retains the Municipal and Township Elections in the Spring of the year, as they are now, and with this changes the Bill drastically from the form that it was when it was introduced because these elections I had proposed be in the Fall. I had objections from people on both sides of the aisle, and especially from the Municipal Leagues, so I acceded to the request and now put the Municipal and Township Elections in the Spring of the year. So, consequently, the School Board Elections and other Non-partisan Elections are switched



from the Spring to the Fall. The Amendment changes the election schedule to accord with the recent decision of the Election Laws Commission and the proposed new Election Code as recommended by Members from both sides of the aisle in the House of Representatives and Members from both sides of the aisle in the State Senate. So, consequently, Mr. Speaker, I would suggest to the House that we adopt Amendment #3."

Speaker Redmond: "Gentleman has moved for the adoption of Amendment #3 to House Bill 1111. All in favor say 'aye', oppose 'no'. Representative Totten. Representative Totten."

Totten: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Redmond: "Indicates he will."

Choate: "No."

Speaker Redmond: "He indicates he won't. That's the second time that I've heard that. The other one was Repre . . . was Speaker Blair."

Totten: "Would somebody yield?"

Speaker Redmond: "Go ahead."

Totten: "I want . . . I want to understand these new dates, if I could go over them with you. The General . . . or the Primary Election in the even years now goes from when to when with this Amendment?"

Choate: "Well, it goes to May unless . . . ah . . . unless we by our actions in the Legislature changes . . . change the Primary date. Representative Totten, I'm sure you're well aware that the Legislature has considered on many occasions the changing of the Primary date from one month to the other and what have you, so I can't tell you exactly what the date will be until the Legislature is over and has taken final action as far as certifying when the Primary will fall."

Totten: "What other . . . what other elections would be with that Primary?"

Choate: "Same as they are now."

Totten: "Nothing different from what they are now?"

Choate: "No, not at all."

Totten: "O.K., on the Consolidated General Election in the odd years goes from when to when?"

Choate: "From the Fall to the . . . ah . . . Spring."



Totten: "And that would include what election?"

Choate: "Your Municipal, Township and Judicial."

Totten: "Municipal, Township and Judicial. O.K. Ah . . . the Non-partisan Election in the odd years goes from when to when?"

Choate: "It would go to the Fall election."

Totten: "And that would include what?"

Choate: "School Boards, Park Districts, Junior Colleges, Non-partisan, you know, only Non-partisan Elections."

Totten: "O.K., thank you. It answers my questions."

Choate: "I told you all you had to do was ask."

Speaker Redmond: "The gentleman has moved the adoption of Amendment #3 to House Bill 1111. All in favor say 'aye', oppose 'no'; the 'ayes' have it, the Amendment's adopted. Any further Amendments?"

Jack O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 1596. Representative Lauer, 1596."

Jack O'Brien: "House Bill 1596, a Bill for an Act relating to probation in court related services. Second Reading of the Bill. One Committee Amendment amends House Bill 1596 on page 3 by inserting after line 4 the following, Section 13, 'This Act is repealed as of December 31, 1976'."

Speaker Redmond: "Representative Lauer."

Lauer: "Mr. Speaker, this Amendment was adopted in the Committee and it is a termination Amendment. I have agreed to hold this Bill on Second Reading. So I would like to move for the adoption of Committee Amendment #1, but not have the Bill advanced to Third Reading today."

Speaker Redmond: "Gentleman has moved for the adoption of Amendment #1 to House Bill 1596. All in favor say 'aye', opposed 'no'; the 'ayes' have it. Any further Amendments?"

Jack O'Brien: "No further Amendments."

Speaker Redmond: "You want this held on Second Reading, is that correct?"

Lauer: "I would like to have it held on Second Reading, Mr. Speaker."

Speaker Redmond: "O.K. 1727, Representative Choate, do you want that one called? I've been advised that the fiscal note has been filed on 1013. Third Reading. 2097."



Jack O'Brien: "House Bill 2097, White, a Bill for an Act to amend an Act in relation to Chicago Park Districts."

Speaker Redmond: "Is Representative White . . ."

Jack O'Brien: "Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

White: "No. Mr. Speaker, there are no Amendments."

Speaker Redmond: "Representative White."

White: "There are no Amendments."

Jack O'Brien: "No Amendments."

White: "No."

Speaker Redmond: "No further Amendments. 2098. 2098."

Jack O'Brien: "House Bill 2098, a Bill for an Act to amend an Act concerning aquariums and museums in public parks. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Jack O'Brien: "None."

Speaker Redmond: "Third Reading. 2109, Representative Jones. Repe . . . 2119, Representative Totten. 2119."

Jack O'Brien: "He's not here today."

Speaker Redmond: "Totten is here."

Jack O'Brien: "Oh, I'm sorry. House Bill 2119, Totten, a Bill for an Act to create the Legislative Services Reorganization Act. Second Reading of the Bill. Amendment #1 was ordered to lie on the table. Amendment #2 was adopted; and 3 was adopted."

Speaker Redmond: "Representative Totten."

Totten: "Yeah, I think as I indicated last night when I moved it as far as I did, I don't think all the Sponsors or Amendments are here yet, and I . . . I think I'd just like to hold it for another day. If you're going to go back on Second Reading tomorrow, I'd like to pick it up then."

Speaker Redmond: "We will hold it. 2376, Representative McAuliffe here? 477, Representative Shea. Representative Leverenz here? 2697. We've got a live one."

Jack O'Brien: "House Bill 2697, Grotberg."

Speaker Redmond: "Representative Grotberg, 2697."



Jack O'Brien: "A Bill for an Act creating the Department of Children and Family Services. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Jack O'Brien: "Amendment #1, Grotberg, amends House Bill 2697 on page 1, line 1, by deleting, 'Add Section 582', and so forth."

Speaker Redmond: "Representative Grotberg."

Grotberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2697 needs some help by Amendment, and Mr. Speaker, and Ladies and Gentlemen of the House, after speaking with the Department of Children and Family Services and the Director this morning, Amendment #1 does not do the job. I would move, Mr. Speaker, therefore, to table Amendment #1, if you're listening or anybody that I've been talking to, and advance this to the order of Third Reading in the interest of time while I continue to negotiate with the Department. We have to get it on the Calendar on the order of Third Reading, and with you . . . with the leave of the House, I'll table that Amendment and just hang on to the skeleton Bill on Third."

Speaker Redmond: "Is . . . what your desire is is to have Amendment #1 which was previously adopted, you now want this tabled."

Grotberg: "It's never been adopted and so it's never been offered so I just . . ."

Speaker Redmond: "Well, it was offered, I take it, and you're now moving to table . . ."

Grotberg: "Right."

Speaker Redmond: ". . . table Amendment #1. All in favor say 'aye' . . . Representative Houlihan."

Houlihan: "Ah . . . John, if you bring this up to Third Reading, what happens if the negotiations that you're involved in with the department don't come up with a . . . ah . . . compromise which is acceptable to you?"

Grotberg: "Ah . . . If that happens, we will just vote it up or down or table the Bill or work on it in the Senate. We've been working . . . Jim, we've been working for a month now . . ."



Houlihan: "O.K."

Grotberg: ". . . and I think all in good faith that nobody got more . . ."

Houlihan: "I'm just concerned that if maybe the Amendment is not exactly what you want, will you give them an opportunity to maybe to try to get a sponsor to bring it up on Second Reading and . . ."

Grotberg: "No . . . no problem. Mr. Speaker, I . . ."

Speaker Redmond: "Gentleman has moved to table Amendment #1.

All in favor say 'aye', oppose 'no'; the 'ayes' have it, the Amendment's tabled. Representative Grotberg."

Grotberg: "Then I would just move to . . . advance the Bill to the order of Third Reading, Mr. Speaker."

Speaker Redmond: "Any further Amendments?"

Jack O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. We have a number of Bills on Third Reading that the Sponsors have requested be returned to the order of Second Reading for Amendments; and the first one is House Bill 2876, Representative Skinner. 2876 is the way it looks, but I don't see that on the call. I was reading the wrong page. 2876 on page 40, Representative Skinner."

Skinner: "Mr. Speaker, if . . . if it would be possible, I'd like to do 2871 first? I know I've got that Amendment . . ."

Speaker Redmond: "2871."

Skinner: ". . . and know what it is. Ah . . . I have to apologize to the House for the shape that House Bill 2871 is in. Unfortunately, the Reference Bureau amended the wrong Act. Ah . . . This is an Act . . . what we're trying to do is allow for the gradual dissolution of tuberculosis districts on the transfer of the duties and the tax authorizations to the county; and, unfortunately, there's so many Acts that amend the tuberculo . . . that create various tuberculosis districts that the Reference Bureau and I got mixed up and we missed the one that was in my county. Ah . . . House . . . Amendment Number 1 to House Bill 2871 . . . ah . . . absolutely guts the Bill and puts in the right Act and says that either 100 voters or the County Board may call a referendum to be held in a



General Election . . . ah . . . which will allow the abolition of the tuberculosis district in question, which would be coterminous with the county itself . . . ah . . . and transfer the duties of that tuberculosis district and the tax authority to the County Board of Health. I would ask the adoption of that Amendment."

Speaker Redmond: "Gentleman has asked leave to return House Bill 2871 to the order of Second Reading for the purpose of an Amendment, and he . . . will you read the amendment, Mr. Clerk?"

Jack O'Brien: "Amendment #1, Skinner, amends House Bill 2871 on page 1 by deleting lines 1 through 4 and so forth."

Speaker Redmond: "Representative Leverenz . . . Lechowicz, rather."

Lechowicz: "Thank you, Mr. Speaker, will the Sponsor yield to a question?"

Skinner: "Certainly."

Lechowicz: "Cal', does this amendment effect Cook County at all?"

Skinner: "Yeah, I don't know."

Lechowicz: "Well, would you keep it on the Second Reading 'til we find out because . . . ah . . . I believe we have a tuberculosis sanitarium in Chicago."

Skinner: "I know, but there's so many different districts. The odds are pretty good that it doesn't. There are about 5 or 6 different districts. I would be happy to find that out, and I would be happy to bring it back to Second Reading again to put a home-rule Amendment on it if, indeed, there's a possibility Cook County is effected, but I'd like to get the Bill into the shape that I thought it was in to start with."

Lechowicz: "That's fine."

Speaker Redmond: "Gentleman's moved the adoption of Amendment #1 to House Bill 2871. All in favor say 'aye', oppose 'no'; and the 'ayes' have it, the Amendment's adopted. Any further Amendments?"

Jack O'Brien: "Amendment #2, Kempiners, amends House Bill 2871 as amended in Section 35D and so forth."

Speaker Redmond: "Representative Kempiners."

Kempiners: "Ah . . . Is this . . . ah . . . Representative Skinner's Bill?"

Speaker Redmond: "Right. 2871."



Kempiners: "O.K. This Amendment basically would delete references made to the County Board of Health and putting instead the County Board . . . ah . . . having the responsibility for distributing funds once these . . . ah . . . tuberculosis districts are abolished; and I would move for its adoption."

Speaker Redmond: "Gentleman has moved for the adoption of Amendment #2 on House Bill 2871. All in favor say 'aye', oppose 'no'; the 'ayes' have it, the Amendment's adopted. Any further Amendments?"

Jack O'Brien: "No further Amendments."

Speaker Redmond: "No further Amendments. Third Reading. How about 2876, Representative Skinner?"

Skinner: "Mr. Speaker, I still haven't found the Amendment to this Bill, and so I hope that . . ."

Speaker Redmond: "Do you want this returned to the order of Second Reading and hold it there?"

Skinner: "O.K. that'll be fine."

Speaker Redmond: "Any objections to returning it to the order of Second Reading? No objections, 2876 is on the order of Second Reading and we'll hold it there."

Skinner: "Thank you."

Speaker Redmond: "1658. Is Representative Geo-Karis on the floor? 574. Representative Washington."

Jack O'Brien: "I did already."

Speaker Redmond: "That's not on Third Reading, is it?"

Jack O'Brien: "574 doesn't appear on the Calendar on Third Reading."

Speaker Redmond: "Representative Washington."

Washington: "Mr. Speaker, we passed that Bill . . ."

Speaker Redmond: "That's what I thought. Somebody wants to bring it back to Second Reading and amend it for you."

Washington: "It's passed."

Speaker Redmond: "It's out of the control of the House."

Washington: "Let's pass it again."

Speaker Redmond: "It's out of the control of the House. 20 . . . Representative Polk, 2720 . . . 24 on Consideration Postponed, Representative Deuster, are you here? Will you read the Bill, Mr. Clerk?"



Representative Deuster."

Deuster: "Ah . . . That doesn't expire today or does it, . . . ah . . ."

Speaker Redmond: "23rd."

Deuster: "The 23rd, well, Representative Hart, who I don't see on the floor, had a question and I . . . ah . . . really wouldn't want to take that up 'til he's here."

Speaker Redmond: "O.K., we'll take . . . we'll take that one out then.
2189. Representative Peters, is he here? 2189."

Peters: "Mr. Speaker, what had happened with 2189 is we did bring it back from Third to Second and we did table Amendment #1 on that Bill, and it did go back to Third Reading."

Speaker Redmond: "This is, evidently, an old list that we have."

Peters: "Evidently."

Speaker Redmond: "Has Amendment #2 been tabled?"

Peters: "There was only one Amendment on the Bill."

Speaker Redmond: "And the Bill is now in the shape in which you desire it, is that correct?"

Jack O'Brien: "The Bill indicates there are no Amendments adopted."

Peters: "Right. That's right. There was one adopted and then we brought it back and it was tabled, so there are no . . . now no Amendments on the Bill."

Jack O'Brien: "Clean."

Peters: "Correct."

Speaker Redmond: "Just want to leave it on Third Reading, I take it."

Peters: "Third Reading."

Speaker Redmond: "2169, Representative LaFluer. Didn't we do that, too?
2169, Representative LaFluer, is he here? Representative McPartlin."

McPartlin: "Ah . . . There is an Amendment that I was going to handle for Representative LaFluer on 2169. Ah . . . It's Amendment #3, and what it does, it . . . ah . . . takes out the constitutional and elected officers out of the certificate . . . certificate Bill; and I would move for the adoption."

Speaker Redmond: "Gentleman has moved that 2169 be returned to the order of Third Reading for the purpose of an Amendment. All . . . back to Second Reading for the purpose of an Amendment. All in favor say



'aye', oppose 'no'; the 'ayes' have it, it's returned to the order of Second Reading. Will you read the . . ."

Jack O'Brien: "Amendment Number 3, LaFluer, amends House Bill 2169 on page 1, line 18, by inserting after, 'time', the following and so forth."

Speaker Redmond: "Gentleman has moved the adoption of Amendment #3 to House Bill 2169. All in favor say 'aye', oppose 'no'; the 'ayes' have it, the Amendment's adopted. Any further Amendments?"

Jack O'Brien: "No further Amendments."

Speaker Redmond: "No further Amendments. Third Reading. 2270. Representative Beaupre, 2270."

Beaupre: "Mr. Speaker, I'm having a little trouble finding the Amendment, but basically it's rather a technical Amendment. Ah . . . What it does . . . ah . . . the Bill . . . ah . . . allows for the selling of group inland marine insurance. Ah . . . The first paragraph of the Bill indicates that no such policy is to be sold . . . ah . . . until there is a filing with the . . . ah . . . Department of Insurance."

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

Peters: "Excuse me, Mr. Speaker and Representative Beaupre, are we . . . are we taking 2270 back to Second Reading?"

Speaker Redmond: "We haven't done anything yet, I just called it. It's on Third Reading now and called Representative Beaupre."

Beaupre: "Ah . . . Representative Peters, that's correct. I intend to do . . . make such a motion."

Speaker Redmond: "Does the gentleman have leave? Hearing no objections, the order of Second Reading for 2270."

Jack O'Brien: "Amendment #2, Beaupre, amends House Bill 2270 by adding on page 1, line 19, after the word, 'approved', the following, 'or unless exempted by filing by such rules and regulations as may be promulgated by the Director'."

Beaupre: "I'm sorry, Representative Peters, I'm kind of sleeping this morning yet. Ah . . . The . . . the Amendment merely adds additional wording which would allow where the rules of the Department of Insurance do not require a filing . . . ah . . . that . . . ah . . . the policy forms or additions to the policies could be sold; and



I move adoption of the Amendment."

Speaker Redmond: "Gentleman's moved the adoption of Amendment #2 to House Bill 2270. All in favor say 'aye', oppose 'no'; the 'ayes' have it, the Amendment's adopted. Any further Amendments?"

Jack O'Brien: "No further Amendments."

Speaker Redmond: "No further Amendments. Third Reading. 2998. I'll have to hold that one for awhile. Representative Houlihan."

Houlihan: "Ah . . . Mr. Speaker, I think 2998 has been passed out over to the Senate. That was . . . ah . . . discussed yesterday."

Speaker Redmond: "It appears you're right."

Houlihan: "I think the Calendar is in error. Thanks, Representative Peters."

Speaker Redmond: "Yes, the one we're looking for is 2988. House Bills, Third Reading. In numerical order as they appear on the Calendar. House Bill 997, Representative Getty? Take that one out of the Record. 999, Representative Skinner. Is Representative Skinner here?"

Jack O'Brien: "House Bill 999, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Speaker, this Bill is jointly chief sponsored by Representative LaFluer and myself; and I wonder if he is on the floor? I can't see him. Ah . . . He might . . ."

Speaker Redmond: "I believe he's attending the funeral of Representative Telcser's father."

Skinner: "Oh my. O.K., well, do you want to put . . . do you want . . . is 999 . . ."

Speaker Redmond: "If it was my Bill, I would proceed."

Skinner: "Yes, well, I . . . I intend to proceed. The question is . . . yeah, now, we have 999 on the wall so everybody knows what the Bill is. Ah . . . This Bill is an expansion of House Bill 999 of two years ago. What that Bill did was equalize assessments for overlapping tax districts if there is a request from the local community, or local tax district, or local assessor or if the Department of Local Governmental Affairs decides to do so on its own. The Department did have a Bill in to this effect; and they . . . Representative, I believe,



Mugalian was the chief Sponsor of this and he very graciously decided to table his Bill in Committee and to go forth with this, and, in fact, if the Digest doesn't say he is a chief-joint Sponsor, I would ask permission to have him added at this time."

Speaker Redmond: "Any discussion? The question is, shall this Bill pass? All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? Have all voted who wish? Are you seeking recognition . . . have all voted who wish? The Clerk will take the Record. On this question there are 106 'ayes', no 'nays'; the Bill having received the constitutional majority is, hereby, declared passed. 1034."

Jack O'Brien: "House Bill 1034, Caldwell, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Redmond: "Representative Caldwell."

Caldwell: "Ah . . . Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Ah . . . House Bill 1034 is cosponsored by Representative John Leon and Harold Washington. Ah . . . This Bill addresses itself to a serious economic and social problem which plagues recipients of public aid, social security and unemployment compensation. It simply mandates that a fee of \$1 is the maximum that can be charged by financial institutions for cashing checks in these categories. The Bill was voted out of Judiciary Committee II by vote of 16 to nothing. This proposal in no way seeks to put currency exchanges out of business as its opponents contend, rather it is our contention that House Bill 1034 offers a realistic public relations vehicle for the industry to justify its reasons for existing. Debate in Committee established the fact that a fee of .50 cents would return a profit by cashing a check in any amount. Testifying in Committee as a proponent was Mr. Leon Finny, Executive Director of the Woodlawn Organization, who stated that the \$3 to \$4 fee, which many families pay for cashing their checks, causes many children to miss breakfast before going to school. It should be noted that the 600+ currency exchanges in Illinois thrive for the most part in predominantly black and other minority communities where the victims must have cash in order to pay some parts of their many obligations in order to . . .



to retain a degree of credibility. This is badly needed legislation since it will go far in relieving a serious social economic problem. I'll appreciate the support of the Membership, and I'll be glad to answer any questions."

Speaker Redmond: "Any questions? Representative Peters."

Peters: "Representative . . . will the Representative yield?"

Speaker Redmond: "Indicates he will."

Peters: "Representative Caldwell, in the . . . ah . . . Digest on House Amendment #1, or Number 2, I'm sorry, page 892 of the Digest, page 892 . . ."

Caldwell: "O.K."

Peters: ". . . ah . . . can you indicate to me what the charge is now for the cashing of a check?"

Caldwell: "Ah . . . Mr. Peters, the charge is currently 1 percent and in some instances, research indicated, a little more."

Peters: "And that 1 percent applies to all checks cashed regardless of where they are . . . each is from?"

Caldwell: "That's our understanding."

Peters: "And the attempt of this Bill is to differentiate between public aid or public assistance checks and all other checks?"

Caldwell: "That is correct."

Peters: "Now, in House Amendment #3, the Digest indicates that it removes a provision requiring the printing of a warning notice on checks. What is that warning notice, Representative?"

Caldwell: "Ah . . . the reason a bill is drafted . . . ah . . . and I requested that the Public Aid Department put a . . . ah . . . statement on there to the effect that the . . . ah . . . fee could not exceed \$1."

Peters: "Oh, I see that . . . I see. Thank you."

Speaker Redmond: "Any further questions? Representative Borchers."

Borchers: "Ah . . . Will the . . . ah . . . Sponsor yield?"

Speaker Redmond: "He indicates he will."

Borchers: "I . . . I'm under the impression in my area that . . . and I was curious about Chicago and your area . . . if it isn't true that also these . . . ah . . . people handle all the food stamps. They



buy . . . they have . . . they issue the food stamps, is that correct?"

Caldwell: "That is correct. I think they . . . there is some arrangements between the . . . the Welfare Department and the currency exchanges.

I'm not sure, however, that a fee is charged for this. I've . . .

I've heard that there was in the other instances, therein."

Borchers: "Well, I want to assure you there is a fee. So, in a sense, when they cash the check, and then get the food stamps, these people make a double fee. In my area, I don't know about Chicago, but in my area, because many of the people do not understand and the banks . . . ah . . . they can go to a bank, they go to the currency exchanges and they are charged excessive fees. So I want to also support the . . . ah . . . this Bill and I feel that this is a very needed step and in the right direction. So I solicit support of the House on this Bill."

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

Catania: "Thank you, Mr. Speaker and members of the House, just to briefly explain my vote, I wanted to point out that most of us can go and cash a check at our local supermarket for a charge of a nickel because we have an account there, or if we happen to have a charge account at a gas station, we can go and cash a check for free; but public aid recipients are put in the position of having to char . . . to be charged \$3 or \$4 . . . ah . . . each month to cash their checks, and \$3 or \$4 can pay for a good breakfast for a child for a week; and this is no small amount of money for a public aid recipient. This is one fairly straight forward and simple in which we can help these people and encourage them . . . ah . . . to get ahead. Ah . . . Just that the very problem of going to a currency exchange is . . . ah . . . a social hazard in my kind of a district. Ah . . . People are . . . in currency exchanges are kind of taking their life into their hands in the first place. They are in danger of having their money stolen right away, or the currency exchange clerks themselves are under considerable hazard. This is a real social problem that Representative Caldwell is seeking to solve with this Bill; and we do need a lot more



green lights up there to help along a little bit with this step in the right direction."

Speaker Redmond: "Representative Schoeberlein."

Schoeberlein: "Mr. Speaker, and Ladies and Gentlemen of the House, I notice by the Digest that this came out of Judiciary Committee Number II 15 to nothing. There are certainly Members of the Committee that should know something about this that their testimony that perhaps could help pass this Bill."

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

McCourt: "Yes, Mr. Speaker. Mr. Speaker, I'd like to explain my 'no' vote on this. It would seem to me that under the present system, the Department of Financial Institutions does set up a regulation under which the currency exchanges must . . . must operate. It seems to be . . . another . . . ah . . . method of getting into the operation of a private business. Ah . . . I think that this Bill deserves a 'no' vote; and I hope it does not pass."

Speaker Redmond: "Representative Borchers."

Borchers: "Mr. Speaker and Members of the House, . . . ah . . . in explaining my vote, I've stood and watched the cashing of checks, and I want to point out it's just not the elderly, it's not just the welfare, it's the elderly with Social Security, and some of these people are barely able to make a living to live right now. Some of them are trying to keep the homes, pay the taxes, and this is a very heavy drain upon them. I have also observed the handling of these people. In some cases it's quite insulting. They're . . . they are treated by some of the people that . . . ah . . . handle the funds as if they're dirt under their feet. I could care less for the attitude that I have personally observed. I might point out, and I don't want to lose any votes or be facetious, but if you notice that Representative Mann or I are on the same Bill here, and it can't be all ba . . . it's got to be pretty good when we're both on the same one."

Speaker Redmond: "Representative Katz."

Katz: "Now, Mr. Speaker, and Ladies and Gentlemen of the House, in support of the Bill . . . ah . . . you know, we don't want public aid recipients to cash their checks in bars and to use their money for alcohol, the



money that should be going to their children. As Representative Catania pointed out, you know, don't have places where they can cash checks as many of us do. The currency exchanges are so plentiful in Illinois that it's long been noted that there are not banks around because the currency exchanges do so much of the work that in other states is done by banks, and in the inner city particularly, the banks are almost nonexistent; and I think one of the prices really that the currency exchanges ought to pay for the privilege the State gives them for being sort of modified banking institutions is to cash checks, not for nothing, because that's what Representative Caldwell has provided, but for a modest fee that is commensurated with the size of the check and the obvious economic need of the welfare recipient. So if we don't want them cashing checks in bars, this Bill is a good way to see that they cash it and have the money available for their family; and I would urge an 'aye' vote."

Speaker Redmond: "Representative Gaines."

Gaines: "Mr. Speaker, I wish to speak on behalf of this Bill. You know, most of the currency exchanges in black communities are absentee owned. The owners have no interest or concern about the community in which they bleed. Now, you talk about wantin' black folks to come up by their boot straps and use their grants in constructive manners, and then you allow outsiders to come in and bleed them before they get their money; and I know a lot of you who'd be voting to cut down on welfare grants or to put restrictions on people on welfare, yet, you could vote to let somebody take a big hunk off the top. Now, I can't understand that. Now, if you feel that the welfare recipients should do a better job of budgeting their money, then you ought to take these leashes off their back. So when I look up and see you voting against welfare raises, I know you're nothing but a fraud."

Speaker Redmond: "Representative Kosinski."

Kosinski: "Mr. Speaker, and Ladies and Gentlemen of the House, may I speak to the Bill?"

Speaker Redmond: "Proceed."

Kosinski: "And possibly give another reason why this passed out of Judiciary II on a vote of 15 to nothing. My people and many of our people are

saddled with the responsibility of providing welfare, welfare checks and that sort of assistance to the depressed. Now, as much as it costs my taxpayers money to provide these checks, I want the welfare recipient to get maximum out of that donation to his need. In consequence, I do not want an accelerated rip off from the top of this amount. It's little enough what we give them, and we don't want \$3 or \$4 taken from that amount, we want our tax money used to the purpose that it was put; and I vote 'yes' for this Bill."

Speaker Redmond: "Have all voted who wish? Representative Barnes."

Barnes: "Thank you very much, Mr. Speaker. In speaking in behalf of this Bill, I would address the attention of some of the Members to an article that appears in today's Chicago Sun Times and for the benefits of some of those who have not had a chance to read that article. The fourth largest industry in this State, the fourth largest industry in this State is the Department of Public Aid, it's public welfare; and when we are into something like that, and then we allow some people to take off the top to make a profit on the ever-emerging and ever-upward spiral of costs as it relates to the industry, then allow for private industry to take that off the top, and then complain about the amount of public money that has to be put into that industry, I think it's a contradiction of what we are attempting to do. I think that a fair and equitable fee is proposed in this legislation, and there is no reason for currency exchanges not to go along with this kind of a proposal, to charge 1 percent for a public recipient to cash his check, it seems to me it's really reprehensible. Most of us, most of us and the people that benefit from those kind of fees turn right around and deal with the banks where they can charge their . . . they can cash checks for nothing. They can either do that or take it down to their friendly local supermart and cash their checks for .5 cents. I know because I do it myself; and I think that in this regard where the people are trying to eke out the minimal . . . minimal . . . ah . . . existence on their checks to be required to have a large fee. I think it's something that we do not want to support. I want to solicit your 'aye' vote to pass this good Bill."



Speaker Redmond: "Representative Neff."

Neff: "Thank you, Mr. Speaker. In explaining my vote, I'm certainly voting 'yes' on this legislation . . ."

Speaker Redmond: "Representative Neff."

Neff: ". . . I think that now that we do have the required number of votes, it's good legislation; and I don't see why we don't have more green lights up there, because this legislation is protecting some of the people that we should be trying to protect."

Speaker Redmond: "Have all voted who wish? The Clerk will take the Record. On this question there's 93 'ayes', 17 'nays'; and the Bill having received the . . . Representative McCourt."

McCourt: "I think this is a very important Bill, significantly important; and I'd like for a verification."

Speaker Redmond: "Representative Collins, for what purpose do you arise?"

Collins: "Well, Mr. Speaker, I did have my light on to speak on this Bill and explain my vote; and my . . . is it timely? All right, thank you, thank you, sir. I think this is a very important piece of legislation, and an excellent piece of legislation. When you consider that here are people who are receiving a minimal . . . ah . . . amount of money to maintain a standard of living, and then to think that if we don't pass legislation like this, we're merely throwing these people to the wolves, the money changers, who can charge them any amount of money that they wish to cash these checks. This is, certainly, more reasonable legislation; and I think the Sponsor needs to be commended. He came to this Bill, with this Bill, with a spirit of compromise. He introduced this Bill to provide for a .25 cent charge on cashing these checks; and I don't think that would have been unreasonable, but in an effort to serve the people who need help in this area, he compromised this Bill and raised it .75 cents all the way to \$1 for cashing these checks; and these are people who can least afford, can least afford to spend their money for these services. They don't have banks to go to, they don't have anywhere to go . . . to cash their checks, and here we're saying cash their check for a \$1, the check is good, the . . . the expense of cashing this check is certainly not going to be anywhere as near as that amount of money. I think this is



a real service that we can provide for people who need the help; and I urge every Member of this House to get on this Bill. This is excellent legislation. I can't understand any red lights on this Bill; and I would ple . . . plead with the Members to give . . . put more green lights up there."

Speaker Redmond: "We'd better dump this Roll Call in the light of the discussion. The question is, shall this Bill pass? All those in favor vote 'aye', oppose vote 'no'. Representative Duff."

Duff: "Well, Mr. Speaker, I also had . . . ah . . . my light on before and I would just like to point out that we passed one of the biggest appropriations in this State for public aid; and we also, by this Legislature, allow the currency exchanges to be a very, very profitable business; and every time we give a check to somebody on public aid, should we, in effect, be giving a check to the currency exchanges? Should we allow the currency exchanges for an improper profit to take a full days food out of the mouth of a child? I think this is a very good piece of legislation; and I think that we should get the votes up there; and I would hope that . . . ah . . . the Representative who asked for a verification would perhaps reconsider that."

Speaker Redmond: "Representative Cunningham."

Cunningham: "Mr. Speaker, and Ladies and Gentlemen of the House, I found Representative Schoeberlein's suggestion the Judiciary II Members defend their vote rather refreshing. I was on Judiciary II, I voted for this good Bill then, not because of the Sponsor, entirely, but because I felt that the Bill had a good deal of merit. It makes no sense that the sovereign State of Illinois cannot protect its wards against and on a reasonable charge for cashing a check. As has been pointed out by others, the rest of us get the chance to cash checks for little or nothing. I would say to those of you who are blessed by check-cashing industry people in your district, and I'm not going to mean mouth the check cashers, except to say, that they should take some and leave some. If they persist in making charges that are beyond the capacity of the recipients to pay, it becomes the duty of the State at that point to provide an alternative means of cashing checks. It was suggested



during the discussion before Judiciary II that it might be feasible for the State of Illinois through the Treasurer's Office at various locations in Chicago to cash the checks for free. I would endorse that suggestion . . . ah . . . we do not want to put the State in the business of cashing checks, we're in this . . . we believe in private enterprise, but a \$1 to cash a check seems to me, for those of us in southern Illinois, a substantial amount. I would urge and hope that more get on this . . . the Bill for that reason. It's fair, it's right, and it should pass."

Speaker Redmond: "Representative Deuster."

Deuster: "Well, to briefly explain my 'yes' vote, I would hope that . . . ah . . . some of those who are not voting and who may be voting 'present' from middle class areas, where the normal person is able to even have his check mailed to the bank and to cash small checks at the grocery store or the liquor store or the service station, . . . ah . . . we have to recognize that other people don't have the same situation. We must try to help out the poor. We have had legislation in which we have had discussions about the social obligations of professional people, such as doctors and lawyers, and I think we recognize they all do make a small effort to try and help . . . ah . . . the downtrodden and the poor. I think this is an instance in which the financial institutions ought to not quietly oppose this, but ought to support it, recognizing that they too have a social obligation. I think this is a reasonable Bill; and I urge your 'aye' votes on there, so we'll avoid any verification, we'll put this over overwhelmingly."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Chairman, . . . ah . . . Mr. Speaker, if you get a \$300 for public aid in a high rent area, it's gonna' cost \$3 to cash it. Now, this year and last year . . . last year we passed the cost-of-living increase, and I think the question is pretty clearly put, who do you think ought to get the money? Do you think it ought to go in the mouths of the kids or do you think it ought to go to the currency exchanges? No one is suggesting the currency exchanges do not provide valuable services, but it seems to me that if any of us had to take



our \$12 to \$15,000 yearly check to the local currency exchange and pay them \$120 to \$150 to get it cashed that we'd be a little disturbed. Ah . . . State checks just don't bounce, at least not yet. It seems to me that this is an eminently fair Bill; I hope people will vote for it."

Speaker Redmond: "Have all voted who wish? The Clerk will take the Record. On this question there's 95 'ayes', 11 'nay'; the Bill having received the constitutional majority is, hereby, declared passed. 1035."

Jack O'Brien: "House Bill 1035, Yourell, a Bill for an Act to amend an Act to create sanitary districts and remove obstructions in Des Plaines and Illinois Rivers. Third Reading of the Bill."

Speaker Redmond: "Representative Yourell."

Yourell: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 1035 removes the 3,650,000 gallons annual exemption from the Industrial Waste Surcharge. The reason for it is that the Federal Water Pollution Control Act of 1973, which is commonly known as Public Law 92-500, provides grants for the construction of sewage treatment works in the amount of 75 percent of the cost of construction. However, these funds will not be available unless the United States Environmental . . . E.P.A. is assured that each recipient of waste treatment services will pay his proportionate share of the cost of the operation and the maintenance; and the only two factors in determining that proportionality for industrial surcharge are strength and volume. The existing State statute authorizes surcharge for industrial users to be applied to the excess over 3,650,000 gallons annually. This exemption is based on volume only; therefore, those industries discharging less than the stated amount are completely exempt from the industrial waste surcharge, even though the contaminants in the discharge may be a very high strength resulting in the disproportionately higher cost for treatment. In order to receive proportionally among industrial users, the exemption must be . . . must be removed; and I ask you for a favorable Roll Call."

Speaker Redmond: "Any questions? The question is, shall this Bill pass? Those in favor indicate by voting 'aye', oppose vote 'no'. Have all



voted who wish? The Clerk will take the Record. On this question there's 121 'aye', 122 counting Representative Barnes, VanDuyne 'aye', 123, no 'nays'; the Bill having received the constitutional majority is, hereby, declared passed. 1037."

Fredric Selcke: "House Bill 1037, a Bill for an Act to amend Section 4.13 of an Act to create sanitary districts and remove obstructions from the Des Plaines and Illinois Rivers. Third Reading of the Bill."

Speaker Redmond: "Representative Capparelli."

Capparelli: "Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 1037 amends the Chicago Sanitary District Act. It exempts from Civil Service any apprentice or trainee intern programs funded wholly by the State or Federal Government; and I recommend a do pass."

Speaker Redmond: "Any discussion? The question is, shall this Bill pass? Those in favor vote 'aye', oppose vote 'no'. Have all voted who wish? Have all voted who wish? Representative Duff."

Duff: "Well, I rise to explain my vote, Mr. Speaker, just from the . . . it is very difficult to tell from the Digest, but just reading from it, it takes out of Civil Service any apprentice, trainee or intern programs funded wholly or in part by the State or Federal grants; and I guess that means, in effect, that we can pay at the State and Federal level for employees who can be hired on a patronage basis in the City of Chicago, and I can't read it any differently from the synopsis."

Speaker Redmond: "Representative Madigan."

Madigan: "Mr. Speaker, Members of the House, in response to Representative . . ."

Speaker Redmond: "Give the gentleman order."

Madigan: "In response to Representative Duff's inquiry, Brian, with the current Civil Service status of the positions, the sanitary district is precluded from participating in programs such as these which are wholly funded with Federal money. If the restriction is lifted for these three areas, then the district will be able to participate with the Federal funding. Absent this Bill, they cannot take advantage of Federal programs which are now available."

Duff: "Well, can there be Civil Service . . . ah . . . applications made?"



Madigan: "Certainly, but you see you're only talking about apprenticeship, intern and training programs. After completion of these programs, then you have Civil Service examinations available."

Duff: "Thank you."

Speaker Redmond: "Have all voted who wish? The Clerk will take the Record. On this question 104 'aye', 6 'nay'; the Bill having received the constitutional majority is, hereby, declared passed. 1041."

Fredric Selcke: "House Bill 1041, a Bill for an Act to amend an Act in relation to State finance. Third Reading of the Bill."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1041 creates a matured bond and coupon fund as special fund in the State Treasury. It also provides for payment into such fund of any money returned to the Treasury by a payment, agent or for State bonds or interest coupons not presented for payment. It provides for payment from the fund in event of subsequent presentation. This Bill was heard in the Revenue Committee; it passed out 22 to nothing. I ask for your favorable consideration."

Speaker Redmond: "Any discussion? The question is, shall this Bill pass? Those in favor vote 'aye', oppose vote 'no'. Have all voted who wish? The Clerk will take the Record. On this question there's 126 'aye', no 'nay'; the Bill having received the constitutional majority is, hereby, declared passed. 1042."

Fredric Selcke: "House Bill 1042, a Bill for an Act making appropriation for the payment of matured bonds and interest coupons. Third Reading of the Bill."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1042 appropriates \$200,000 from the Matured Bond and Coupon Fund to the State Treasurer for the payment of the matured bonds and coupons as a revolving fund; and I move for its adoption."

Speaker Redmond: "Any discussion? The question is, shall this Bill pass? All those in favor vote 'aye', oppose vote 'no'. Have all voted who wish? The Clerk will take the Record. On this question there's 119 'aye', no 'nay'; the Bill having received the constitutional majority



is, hereby, declared passed. 1043."

Fredric Selcke: "House Bill 1043, Farley, see here, an Act in relation to regulation and certification of farm labor contractors. Third Reading of the Bill."

Speaker Redmond: "Representative Farley, can 1043, --44, and --45 be heard together?"

Farley: "Yes, with leave of the House, I would ask that these would be . . ."

Speaker Redmond: "Any objections. Leave . . . discuss 1043 . . . ah . . . read 1044."

Fredric Selcke: "House Bill 1044, an Act to amend an Act relating to employment offices and agencies. Third Reading of the Bill. House Bill 1045, an Act to amend an Act to revise the law in relation to private employment agencies and so forth. Third Reading of the Bill."

Speaker Redmond: "Representative Farley."

Farley: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, these were Representative Lemke's Bills . . . ah . . . they came out of the Spanish Speaking Commission. 1043 creates the Illinois Farm Labor Contractors Certification Act. It requires persons who recruit and transport farm workers to be certified with the Department of Labor. It goes into definition and . . . ah . . . provides for penalties if these requirement are not met. 1044 . . . ah . . . amends the Acts relating to this . . . ah . . . offices and employment agencies. It requires that a copy of a statement to be filed with the State Employment Service and the Department of Labor, also to be given each farm worker prior to recruitment, and that copy be in English or the language in which the farm worker is fluent. It also defines farm worker. 1045 . . . 1045 defines farm worker and changes the violations of a Class A to . . . from a Class C to a Class A misdemeanor if they fail to provide such . . . ah . . . such . . . ah . . . statements to be filed with the Department of Labor; and I would move for a favorable Roll Call."

Speaker Redmond: "Any discussion? Representative Borchers."

Borchers: "Would the Sponsor yield?"

Speaker Redmond: "Indicates he will."

Borchers: "I was just curious if there was anything in either of these two



Bills that might . . . ah . . . and in the forms that they have to fill out that would indicate or asked the question whether they are legal or illegal aliens?"

Farley: "No, they would not, Borchers."

Borchers: "Nevertheless, its . . . well, I think this is a supplemental Bill, with the one we just passed; and I think it's an excellent Bill, myself."

Speaker Redmond: "Any further questions? The question is, shall these Bills pass? All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? The Clerk will take the Record. On this question there's 119 'yes', 5 'nay'; and the Bills having received the constitutional majority are, hereby, declared passed. The Chair recognizes Representative Neff. Representative Neff? Representative Neff."

Neff: "Ah . . . Mr. Speaker, I'd like to ask for permission to have a recess for three quarters of an hour for the purpose of a Republican Conference. This Conference will be held in Room 114."

Speaker Redmond: "Any objections? Three quarters of an hour recess, Room 145, is that correct or 124 . . ."

Borchers: "12:45."

Speaker Redmond: "12:45."

Borchers: "Ah . . . 14:45, we'll be back, Mr. Speaker."

Speaker Redmond: "O.K. Republicans will be conferring, and the Democrats will eat. 114, wasn't it, Representative Neff? The room number?"

Neff: "Yeah, 114."

Speaker Redmond: "114. Can't even get the Clerks here on time. The House will be in order. Committee Reports."

Jack O'Brien: "Mr. Lechowicz from the Committee on Appropriations I to which House Bill 241 was referred. Reported the same back with the recommendation that the Bill do not pass. Mr. Lechowicz from the Committee on Appropriations I to which House Bill 1872 was referred. Reported the same back with the recommendation that the Bill do not pass. Mr. Lechowicz from the Committee on Appropriations I to which House Bills 941, 1350, 1711, 1816 and 2121 were referred. Reported the same back with Amendments, thereto, with the recommendation the Amendments be adopted and the Bills as amended do pass. Mr. Lechowicz from the Committee on Appropriations I to which House Bills 171, 253,



339, 415, 725, 1329, 1504, 1796, 1829, 2559, 2972 and 2996 were referred. Reported the same back with the recommendation that the Bills do pass. Mr. Lechowicz from the Committee on Appropriations I to which House Bills 1614, 2927, 2965 and 2966 were referred. Recommend the Bills be assigned to Interim Study Calendar. Mr. Merlo from the Committee on Insurance to which Senate Bill 319 was referred. Reported the same back with the recommendation that the Bill do pass. Consent Calendar."

Speaker Redmond: "Messages from the Senate."

Jack 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 has passed Bills of the following titles and passage of which I'm instructed to ask concurrence of the House of Representatives to wit'. Senate Bills 541, 559, 561, 562 passed by the Senate, May 14th, 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 Bills of the following titles and the passage of which I'm instructed to ask concurrence of the House of Representatives to wit'. Senate Bill 646 passed by the Senate, May 15th, 1975, Kenneth Wright, Secretary. A message by . . . from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has passed Bills of the following titles and the passage to which I'm instructed to ask concurrence of the House of Representative to wit'. Senate Bills 601, 605, 608, 609, 612, 617, 650, 651, 652 and 653 passed by the Senate, May 15th, 1975, Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has passed Bills of the following titles and the passage of which I'm instructed . . . instructed to ask concurrence of the House of Representatives to wit'. Senate Bills 619, 621, 626, 638, 639, 640, 642, 645, 647, 648 and 649 passed by the Senate, May 15, 1975, Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has passed a Bill of the following title and passage of which I'm instructed



to ask concurrence of the House of Representatives to wit'. Senate Bill 656 passed by the Senate, May 15th, 1975, Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm direct to inform the House of Representatives that the Senate has passed Bills of the following titles and the passage of which I'm instructed to ask concurrence of the House of Representatives to wit'. Senate Bills 655, 657, 658, 659, 662, 663, 664, 667, 668, 669, 671, 675, 676, 688, 691, 693 and 694 passed by the Senate, May 15th, 1975, Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has passed Bills of the following titles and the passage of which I'm instructed to ask concurrence of the House of Representatives to wit'. Senate Bills 695, 698, 701, 703, 704, 705, 706, 707, 709, 712, 713, 716, 717, 720, 725, 727, 728, 731, 732, 734, 742, 749, 750, 751, 753, 772, 773, 779, 780, 781, 783, 785, 786 passed by the Senate, May 16th, 1975, Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has passed Bills of the following titles and the passage of which I'm instructed to ask concurrence of the House of Representatives to wit'. Senate Bills 67 . . . Senate Bills 789, 790, 791, 793, 794, 796, 797, 798, 799, 804, 805, 806, 822, 827, 836, 839, 840, 841 and 856 passed by the Senate, May 16th, 1975, Kenneth Wright, Secretary."

Speaker Redmond: "Senate Bills, First Reading."

Jack O'Brien: "Senate Bills 511, Shea, a Bill for an Act making an appropriations to the State Comptroller. First Reading of the Bill."

Speaker Redmond: "Representative Madigan."

Madigan: "Yeah, House will come to order and is shown on the Calendar for the day. We will now go to the order of Special Order of the day, House Bill 2769, which will be on the order of Second Reading; and the Chair recognizes Representative McPartlin. House Bill 2769. For what purpose does the Gentleman from Cook, Mr. Washington, arise?"

Washington: "Just an inquiry, Mr. Speaker. We have two orders of the day, I notice, or one order and two Bills. Ah . . . Do you have any indication how long we'll spend on those two items?"



Madigan: "No, I don't. I understand there are 15 Amendments on this first Bill."

Washington: "I can see that you don't."

McPartlin: "Well, Mr. Speaker and Members of this House, . . . ah . . . House Bill 2769, there have been five Amendments already put on and the fifth was actually withdrawn, so . . . ah . . . we . . . we could start with Floor Amendment #6 by Representative Griesheimer."

Fredric Selcke: "Amendment #6, Griesheimer, amends House Bill 2769 as amended in Section 58.4 and so forth."

Madigan: "For what purpose does the Gentleman from Cook, Mr. Lechowicz, arise?"

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, on a point of order. I believe Representative Berman has filed with the Clerk some Amendments on this Bill, and he has been asked to attend the . . . as in . . . in official capacity funeral of . . . ah . . . Art' Telcers' relative; and I want a ruling from the Chair whether he's going to be able to come back it up for his Amendments or not?"

Madigan: "Mr. Lechowicz, his is Amendment #14 . . ."

Lechowicz: "Yeah."

Madigan: ". . . and we're on 5, and I did not receive any indication from the Speaker as to whether we'd put this over until tomorrow. We'll consult with him in the meantime, though."

Lechowicz: "All right, thank you."

Madigan: "We'll apprise him with the problem. Is Mr. Griesheimer on the floor? Let's pass that Amendment. What's the next Amendment?"

Fredric Selcke: "Amend . . ."

Madigan: "For what purpose does the Gentleman from Cook, Mr. Kosinski, arise?"

Kosinski: "A point of information. Would it be at all possible for the Clerk to quickly give us resumes of 1, 2, 3 and 4 so we'll know where we're going?"

Speaker Madigan: "Well, I don't know if he's capable of synopsisizing the Amendments. Why don't you give a copy of them to . . . what's the next amendment, 6?"

Fredric Selcke: "The next Amendment is #7, and that's Mr. Jaffe's amend-



ment."

Speaker Madigan: "For what purpose does the Gentleman from Kane, Mr. Hill, arise?"

Hill: "Mr. Speaker, for an inquiry. If we . . . ah . . . go over some of these Amendments and just let them lie on the table and then go to the next one, doesn't the possibility exist that there's going to be a severe conflict along the line and possibly the first Amendment, and I don't know what these Amendments do, wouldn't fit into the Bill then? I think we've got a problem."

Madigan: "Mr. Hill, I'll recognize Representative Shea to respond to your inquiry."

Shea: "Well, yesterday because of the importance of this Bill of which I'm one of the chief Cosponsors, I made a motion that this Bill be set for a special order of hearing. I don't think there's a Member that didn't know it was going to be set at this time, and there was an announcement the other day that if Members were not on the floor on the order of Second Reading when their Member . . . when their Amendments were up, that they would be tabled, but I think that this is a very important Bill. Does anybody know where Mr. . . . is Mr. Griesheimer here today? But I . . ."

Madigan: "The Clerk informs me that Mr. Griesheimer does not appear on the attendance Roll Call."

Shea: "Well, I can't think of . . . ah . . . you know, you can't just let this Bill sit forever and ever, so I would make a motion that the Amendment . . . the Gentleman's Amendment lie on the table."

Madigan: "For what purpose does the Gentleman from Franklin, Mr. Hart, arise?"

Hart: "Well, I don't . . . I've got several Amendments with my Bill, and I don't think they're all numbered, and I wondered what . . . if you could tell me which one Mr. Griesheimer's is, . . ."

Madigan: "Where does it say? Mr. Griesheimer's is #5?"

Hart: "Well, what does it say?"

Madigan: "#6, and the Clerk will read the Amendments."

Fredric Selcke: "Amendment #6, amends House . . ."



Hart: "What about number 5, what . . . I thought we started on that one?"

Fredric Selcke: "No."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr.

McPartlin."

Fredric Selcke: "5 was withdrawn."

McPartlin: "# . . . 5 was withdrawn in Committee. Now, what

I can do, I can give you a breakdown on what happened on the first floor Amendments."

Madigan: "All right."

Hart: "Well, I didn't ask for that. I just wanted . . . I wanted to identify my Amendment for the ones that we're being deliberated."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Shea."

Shea: "Might I roughly, for the Members of the House, go through what the Amendments are? Number . . ."

Madigan: "Mr. Shea, let me get some order, and would the Members please be apprised at . . . Mr. Shea will now attempt to . . . ah . . . explain the current status of the Bill. Mr. Shea."

Shea: "I'd like to read these and in the meantime, if I could get a Page, if he'd xerox this and put it on each Members desk it might help."

Madigan: "Is there a Page available? Mr. Shea."

Shea: "House Amendment #6 . . . or . . . Amendment #6 is a floor Amendment by Mr. Griesheimer. It's a policy Amendment. It restricts the roster of physicians and lawyers in the . . . who are available for the panel to those whose principle office of practice is within the circuit. #7 is a floor Amendment by Mr. Jaffe, which is a policy Amendment. It adds a provision prohibiting increase in medical malpractice insurance until July 1, 1976 or, Aaron, and I ask this, I can only tell you what I think the Amendments are and perhaps I . . . I don't want to get involved if I'm misleading somebody on what an Amendment I think it says. After reading it, I'd like to have somebody get up and correct me. 8 is a floor Amendment that livit . . . limits the recovery to \$5,000 per plaintiff. 9 is a floor Amendment by Mr. Leinenweber, which is a procedure Amenit . . . or Amendment, which permits parties to select by unanimous agreement the physician or attorney members of the panel or both. If such agreement is at-



tained, the parties do not have to go through the formal selection and strike procedures. As drafted would permit the selection of any physician or attorney even if not on the roster. #10 is a floor Amendment by Mr. McClain, which provides the physician and attorney members of the panel will serve without compensation except for actual expenses and costs. #11 is a floor Amendment by Mr. Hart. It replaces the text added by Committee Amendment #3. It requires the Medical Society, which has supplied names for the physician rosters to make its best good faith efforts to provide a qualified physician to consult with . . . and testify for any party which accepted the determination of the panel upon the request of such party. 12 is a floor Amendment by Mr. Leinenweber. Again it replaces the text of Amendment #3, same as Ammdment #11 except that the right to request witnesses from the Medical Society, is limited to parties who have accepted a unanimous determination. #13 is a floor Amendment by Mr. Leinenweber, the same as Amendment #11, except technically the Amendment does not let . . . delete, as I get it, the language already in the Bill. 14 is by Berman, amends the language added by Floor Amendment 8. If that Amendment is adopted, restricts application of the 5,000 ceiling on recovery to medical services for which the doctor bills the patient 500 or less. 15 is a floor Amendment. It deletes requirements that only doctors licensed to practice medicine in all its branches may be selected to be on the physician roster. It permits any licensed physician to be selected by the chief judge for the roster."

Madigan: "For what purpose does the Gentleman from Cook, Mr.

Kosinski, arise?"

Kosinski: "May I ask a point of clarification from the Sponsor of the Bill?"

Madigan: "You wish to ask the Sponsor a question? The Sponsor indicates that he will yield."

Kosinski: "Mr. Shea, in terms of malpractice suits, were there any Amendments which gave a statute of limitations to such suits?"

Shea: "That's in . . . that's in another Bill."

Kosinski: "Thank you."

Shea: "Mr. . . . ah . . . would you direct that . . . let Mr. Daniels answer



that question."

Madigan: "The Chair recognize the Gentleman from Dupage, Mr. Daniels."

Daniels: "I wanted to just back up a little bit, Gerry, and go through the . . . ah . . . Amendments 3 through 5 so to give them backing. Why don't you ask your question again, Roman."

Kosinski: "I was curious, Mr. Daniels, whether there's any statute of limitation provided in any of the Bills as to limitations on which such a suit could be instituted."

Daniels: "Yes, we have a field dealing with that point, but . . . ah . . . not in 2769, which is the subject of this . . . ah . . . discussion. But . . . ah . . . Representative Shea, Mr. Speaker, can we . . . ah . . . just cover briefly what has happened to this point and make sure that the body understands which Amendments have been adopted by the . . . by the floor to this point in time?"

Shea: "All right, #1 was the Committee Amendment, and that was adopted on the floor; and that really, in effect, rewrites the Bill. It provides for a medical review panel in all malpractice cases. It requires a determination by panel as to liability and damages before going to trial, the decision of the panel is binding only upon unanimous consent of the parties, however, a unanimous determination of the panel requires an election by the parties within 28 days as to whether it would be bound. If only one party rejects the unanimous decision, that party is subject to the penalty if he does not win the subsequent trial. It provides for the mechanics and the procedures for selecting of the panel consisting of a physician, an attorney and a judge. Amendment #2 was a technical Amendment that provided that if the panel is rejected, a unanimous panel decision is rejected that will really start the point and time for any action under Section 41, where the party that proceeds against a unanimous decision may be liable . . . liable for the cost of the action. Amendment #3, which I believe has been adopted, provides for the Medical Society to provide a list of doctors willing to consult with the malpractice plaintiffs and serve as witnesses. Now, part of Amendment #1, which Mr. Hart, pointed out to me and I . . . that was put in there on page 8

of the Amendment, which is Section 2 of the Bill, we said, in effect, no action for damages or injuries can be brought for more . . . arising out of the patient care shall be brought more than two years after the date of which the claimant knew or through the use of reasonable diligence should have known or received notice in writing of the existing injury or death for which the damages are sought in the action, whichever date occurs first; but in no event shall such action be brought more than five years after the date on which the act occurred or the emission or occurring selection to such action to have been cause . . . cause the injury of . . . or death. So what it says, in effect, is there's an absolute outside five-year limit and two years after the person should have reasonably known or did find out about the injury."

Madigan: "Mr. Shea, Representative Leinenweber has indicated that he will handle Representative Griesheimer's Amendment so that Representative Shea withdraws his motion . . ."

Shea: "Absolutely."

Madigan: ". . . to lay that Amendment on the table and the Chair recognizes the Gentleman from Will, Mr. Leinenweber, for Amendment #6."

Leinenweber: "All right, thank you, Mr. Speaker, Amendment #6 limits the selection of the doctor and the attorney member of the three-man pan . . . review panel to attorneys and physicians whose practices conducted within the . . . ah . . . particular circuit, and I think that it's a very good Amendment for the reason that what the review panel, in a sense, is is a blue-ribbon jury. The main issue in a malpractice suit is whether or not the defendant position . . . ah . . . exercise the standard of care for the medical profession in the particular community. So I think that the very least that the panel should be selected from the community and the best community standard would be . . . ah . . . the already existing circuit. So I do think that this Amendment #6 is a good Amendment, because it will provide a blue-ribbon panel representative of the community which has the requirement to determine whether or not the standard of care exercised was that existing in that particular community. So I would adopt



Amendment #. . . I would move to adopt Amendment #6."

Madigan: "The Chair recognizes the Gentleman from Franklin, Mr. Hart."

Hart: "Well, I think . . . ah . . . we're gonna' have some problems on the floor with some of these Amendments because the people from the northern part of Illinois don't understand the southern part of Illinois' makeup and . . . ah . . . lack of physicians which would be available. It's very fine to . . . ah . . . to suggest an Amendment like this where there is a large number of doctors, specialists and others available who would be . . . ah . . . willing to participate in this, but I think it's unnecessarily limiting of . . . because in southern Illinois in the first and second circuits, for instance, the doctor/patient ratio is very, very poor and I think it would be . . . ah . . . a limitation which we don't need, which would not add anything to the effectiveness to the Act; and I think it could be . . . ah . . . perhaps as far as the lawyers are concerned that part of it would be acceptable, but there are areas where in counties, for instance, where there really . . . ah . . . are not enough doctors to even . . . even make this amendment anywhere practical and so . . . I . . . I think that it . . . it's a good idea, but I don't think it's workable in southern Illinois; and I would move . . . I would ask that either the Amendment be withdrawn or tabled or held for further deliberations and maybe . . . be . . . remove the physician part of it and leave it . . . limit it only in its application to lawyers."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Shea."

Shea: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I think Dick Hart . . . Hart said it as well as I could've and he knows from where he speaks, but all the information I have is that this would put in . . . an almost impossible burden on some of our downstate circuits with the shortage of physicians and I would support his . . . his position."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Peters."

Peters: "Mr. Speaker, Ladies and Gentlemen of the House, just to concur in the comments made . . . ah . . . by the previous two Speakers in regard of this Gentleman. I think it does not, again to repeat, appreciate



the situation downstate in terms of the practice of medicine and the other part of the Amendment, which applies to attorneys, I . . . I'm not sure whether if I'm in a particular circuit, I would want to be limited to . . . to picking my attorney in this kind of a case from a particular . . . particular circuit. I think I, as an individual, ought to have the right to pick a lawyer from any part of the State who I think is qualified and confident to handle my case; and I would urge defeat of this Amendment."

Madigan: "The Chair recognizes the Gentleman from . . . the Chair recognizes the Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker, and Ladies and Gentlemen of the House, I fully agree with the prior Speaker and the Speaker from the other side of the aisle. I feel this Amendment would be very discriminatory. I do not believe the doctors themselves from a particular circuit want to be involved just themselves, because today they might be judging one of their own and tomorrow one of their own might be judging them; and I think it would be very discriminatory and unfair to the patient relationship; and, therefore, I speak against the Amendment."

Madigan: "The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Ah . . . I wonder if anyone knows the population of the smallest circuit in Illinois, and the identity of it?"

Madigan: "To whom are you directing your question, Mr. Skinner?"

Skinner: "To whomever might answer it."

Madigan: "No one appears to be ready to answer your question, Mr. Skinner."

Skinner: "Then I would suggest this Amendment perhaps ought to be withdrawn, because that sounds to me like a fairly relevant question."

Madigan: "The Chair recognizes the Gentleman from Dupage, Mr. Hoffman."

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

Madigan: "The Gentleman from Dupage, Mr. Hoffman, has moved the previous question. The question is, shall the main question now be put? All those in favor signify by saying 'aye', oppose . . . the 'ayes' have it. Debate has been closed. The Chair recognizes the Gentleman



from Will, Mr. Leinenweber, to close debate."

Leinenweber: "Thank you, Mr. Speaker, very briefly to answer some of the arguments made on this side of the aisle. This Amendment does not restrict the attorney or the doctor on the particular case to one in a circuit, it has nothing to do with it. It, merely, it restricts the makeup of the review panel, which reviews the case. Now, nobody is entitled to select their doctor or their lawyer, they merely do so under the terms of the Bill from panels supplied under the terms of the Act and by striking out those that are unacceptable. The only purpose of the amendment was to limit the scope of the panel to the particular community because of the feeling that the . . . it is the de . . . the community standard that is the issue, and if you're going to have a blue-ribbon panel, the panel ought to come from that community."

Madigan: "The question is, shall Amendment #6 to House Bill 2769 be adopted? All those in favor signify by voting 'aye', all those oppose by voting 'no'. The Chair recognizes the Gentleman from Cook, Mr. Gaines, to explain his vote."

Gaines: "Well, I'm urging everyone to vote 'no' on this because we have a large group of distinguished black doctors and lawyers in Chicago, but very few in the rest of the State, and I'm quite sure that their knowledge shouldn't be wasted by not being able to be put on any of these reviewing panels, so they also have black citizens throughout the State."

Madigan: "Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there are 9 'ayes', 79 'nos', 1 voting 'present'; and Amendment #6 to House Bill 2769 is not adopted. Are there further Amendments?"

Fredric Selcke: "Amendment . . . Amendment #7, Jaffe, amends House Bill 2769 on page 5 by inserting between lines 10 and 11 the following and so forth."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Jaffe."

Jaffe: "Ah . . . Mr. Speaker and Members of the House, what Amendment #7 does is that it mandates that no insurance company issuing medical malpractice insurance within this State shall, between the effective



date of the amendatory Act of 1975 and July 1, 1976, in other words, for a period of a year, charge any rate for any medical malpractice insurance which is higher than the rate in effect on January 1, 1975, which is this year. Ah . . . We're . . . we're freezing the rates on medical malpractice. No policy for malpractice insurance shall be cancelled for any reason between the effect of this date of this amendatory Act of 1974 and January 1st of 1976. Reason for this Amendment is really quite simple. Even though the Legislature has been working very diligently to solve this particular issue, . . . ah . . . we pick up the papers and we read that the insurance companies have told us that their gonna' go up in their rates regardless of what we do by 89 percent. You know, I get to the point to where I believe that this crisis that we're having, and I'm somewhat convinced that this might be an industry-created crisis much like the oil crisis which we went through several months ago. I think that the Legislature ought to have time to study the problem, and while the Legislature is studying this problem, I think we ought to freeze the insurance company rates. You know this Bill was heard in our Committee. It's strange. We've heard from the doctors, we've heard from the lawyers, but we have heard nothing from the insurance companies outside of the fact that they're going to increase rates. The insurance companies are hiding under a rock while they let the Legislature, and the doctors and warriors fight this out; and I think we ought to hold the insurance companies . . . ah . . . to be a little bit responsible. You know, let's face it, the cost of the increase gets passed out to the consumer . . . ah . . . anyway, the people are gonna' have to pay this price. I think that we ought to freeze them for at least a period of a year. We ought to study this particular problem and then move on from there. Ah . . . Let me say to you that the doctors who were down here last week, who I talked to about this particular Amendment, were all in favor of it and I would urge its adoption."

Madigan: "The Chair recognizes the Gentleman from Dupage, Mr.

Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, addressing to Amendment #7, I think that the Sponsor of this Amendment has a



good idea and I happen to agree with many of the things that he said, that possibly the medical malpractice crisis has been brought on by an increase in insurance rates through the efforts of the various insurance companies throughout the State of Illinois and throughout the United States. However, I see some definite problems in Amendment #7. I see some problems with impairment of contracts and violations of the due process clauses of the Constitution of the State of Illinois and the United States; and also the definitions as to any of the items here that may be what is meant by any rate. Does it mean that an individual doctor's rates cannot be increased, or does it mean that the rates charged any class of doctors cannot be increased, or does it mean that the highest existing rate as of January 1975 cannot be increased? Now, I'm a little concerned if we adopt this Amendment that we may be harming what I consider to be a very good Bill. We have another Bill coming up that . . . that may go into some of this and hopefully correct the problem. Consequently, I urge you to vote 'no' on the adoption of this Amendment for the reason stated."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Beatty."

Beatty: "Well, Mr. Speaker, I'd like to also agree with the previous Speaker . . . ah . . . I believe that this Amendment borders on being unconstitutional, and if not, here we want to freeze an industry into a fixed rate, and their coverage may be extended and they may be . . . have a much broader exposure; and I don't think that it's . . . ah . . . it's the proper action of the Legislature to proceed in this manner, and I believe we should defeat this Amendment. Although the Sponsor, I believe, has good intentions with it."

Madigan: "The Chair recognizes the Gentleman from Will, Mr. Kempiners."

Kempiners: "Thank you, Mr. Speaker. Will the Sponsor of the Amendment yield to some questions?"

Madigan: "The Sponsor indicates that he will yield."

Kempiners: "Ah . . . Representative Jaffe, could I ask a few questions about the Amendment?"

Jaffe: "As . . . as many as you wish."

Kempiners: "O.K., well, I don't have that many; but I'm kind of wondering



"how, it's pretty easy for this Legislature to prohibit something, but it's another to enforce the prohibition, . . . ah . . . could you tell me . . . ah . . . how you would enforce . . . ah . . . the prohibition against cancellation or . . . ah . . . enforce an increase in fees? Ah . . . Most of the malpractice insurance companies . . . or the insurance companies offering this type of legislation are not chartered in Illinois to the best of my knowledge, so what sanctions would you . . . ah . . . employ to enforce your Amendment?"

Jaffe: "Well, you know, we do have an Insurance Department, and . . . and in answer to your question and to the other Gentlemen, I would like to say that, you know, the State of Illinois did regulate insurance company rates up until a couple of years ago, and then we went out of that particular business. So I do believe that the State has the right to regulate rates. I also believe that the Insurance Department would have rights in the other direction, and when you're telling me that most of these insurance carriers are outside of State, you know, one of them happens to be Hartford Insurance Company, which I think is the biggest insurance carrier of all; and, certainly, they, you know, they write other types of policies within this particular State, and I think the insurance company can well take care of that."

Kempiners: "Well, you're counting on the Department of Insurance then to become a . . . a rate review agency and I'm not sure that in a case like this they have the . . . ah . . . facilities to . . . to . . . ah . . . to review these rates, do they?"

Jaffe: "Well, I think that up until a few years ago they did have the . . . facilities to do so and they did do so; and I think the Legislature was wrong when we took that power away from them. I think we ought to get into that . . . this because I think that the insurance companies just do too many things that are unconscionable, and I think we ought to hold them to task for those things."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Miller."

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

Madigan: "The Sponsor indicates that he will yield."

Miller: "Representative Jaffe, in . . . ah . . . freezing the insurance rate, have you thought about the possibility of . . . ah . . . freezing



the amount of claims paid in a given year as well . . . and why don't you do that in your Amendment?"

Jaffe: "Well, you know, I . . . I don't think that your . . . that, you know, that your question is sort of relevant to my . . . ah . . . amendment, because you, you know, how can you tell when a doctor is going to cut off the wrong leg."

Miller: "Mr. Speaker, briefly in addressing myself in opposition to the Amendment, there has been a definite proof by the insurance companies that there has been a drastic increase in the amount of dollar claims paid over the last five years, and in endeavoring to freeze the rate, we're going to put the companies out of business, and then the doctors and everybody else will be unable to buy insurance . . . ah . . . for medical malpractice; and I encourage a 'no' vote."

Madigan: "The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Will the Sponsor yield to a question?"

Madigan: "The Sponsor indicates that he will yield."

Skinner: "Are you inferring that this malpractice insurance crisis is similar to the so called mass transportation crisis of a year and a half ago that hasn't developed yet and apparently disappeared?"

Jaffe: "Cal' . . ."

Madigan: "For what purpose does the Gentleman from Moultrie arise, Mr. Stone?"

Stone: "A point of order, Mr. Speaker, that is not proper question on this Amendment."

Skinner: "Well, I think it is, Mr. Chairman, I . . . Mr. Speaker, I . . ."

Madigan: "Mr. Skinner, would you . . . ah . . ."

Skinner: ". . . if any of you remember . . ."

Madigan: ". . . confine yourself to . . . of the Bill."

Skinner: ". . . I'm only trying to put this in the context of claim . . . approach . . ."

Stone: "Mr. Speaker, Mr. Speaker."

Madigan: "Mr. Stone."

Stone: "I raise a point of order. I would like a ruling, sir."

Madigan: "Mr. Skinner is out of order."



Skinner: "I'm sorry, I guess I should've said, does this Amendment speak to a crisis? Is that what I should have said?"

Madigan: "Mr. Jaffe."

Jaffe: "Let me say to you, Cal', that we've been told that there is a crisis, I don't know if there is been . . . there has been crisis . . ."

Skinner: "Well, do you think . . ."

Jaffe: ". . . if I indicated to you, this was heard by . . . ah . . . our Committee. Ah . . . No one from the insurance companies came forth to say, in fact, that there were crisis. To my knowledge, no one in this Legislature has been able to go into any insurance companies books and find out what they're doing with medical malpractice. I don't think anybody in the State actually knows about it, and I think it's about time the State looked into it."

Skinner: "O.K., it's no more serious then?"

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Farley."

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

Madigan: "The question is, shall the main question now be put?"

All those in favor signify by saying 'aye', oppose . . . the 'ayes' have it. The question is, shall the main question now be put? All those in favor signify by voting 'aye', all those oppose by voting 'no'. The question is, shall the main question now be put? Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there are 114 'ayes', 5 'nos', and no voting 'present'; and the main question shall now be put. The question is, shall Amendment #7 to House Bill 2769 be adopted? All those in favor signify by saying 'aye', oppose . . . on this question all those in favor will signify by voting 'aye', all those oppose by voting 'no'. The question is on the adoption of Amendment #7. The Chair recognizes the Gentleman from Cook, Mr. Grieman, to explain his vote."

Grieman: "Well, Mr. Speaker, I was merely going to comment, and I don't want to unduly burden it because I do read numbers up there, . . . ah . . . this Bill came out of Committee 19 to 1, I was the one dissenting vote in . . . in Committee on the whole Bill; and the dissent was based on the fact that we just do not have appropriate facts and figures in



this area. There is a rushed judgment in this matter, and unless we slow ourselves down, unless we determine what really is the right way, you know there . . . every State is treating this . . . ah . . . is define this problem. I don't know what the problem . . . what the right response is. Indiana has one way, New York, last Friday, adopted . . . adopted a Bill . . ."

Madigan: "For what purpose does the Gentleman from Cook, Mr. Beatty, arise?"

Beatty: "I don't believe the Speaker is talking to the Amendment, I think he's out of order."

Greiman: "Ab . . . absolutely to the Amendment. This Amendment will . . ."

Madigan: "Will the . . . would the . . . ah . . ."

Greiman: ". . . freeze this issue . . . for a . . . for a while."

Madigan: ". . . would the Gentleman . . . ah . . . address his remarks to the Amendment?"

Greiman: "I will. This will give us the appropriate time to lock in the insurance companies to consider an appropriate remedy to have the medical profession continue to give the quality health care that they have given over the years and to give it without fear of going through bankruptcy because they make a wrong prescription or slip with a knife or leave the sponge in; and I think this is a valid Amendment, I think it's a constitutional Amendment, I think it makes sense. It gives up some deliberations, some consideration. Thank you."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Jaffe, to explain his vote."

Jaffe: "Ah . . . Mr. Speaker, I really wanted to respond to some of people who said that this is going to put the insurance companies out of business. Let me say to you that Hartford is the biggest writer of . . . of medical malpractice in this state. No one is going to put Hartford out of . . . out of business, nor are they going to put any other insurance company out of business. I . . . I think that we're going to have to come to . . . to, you know, to grips with ourselves . . . ah . . . and decide whether or not the insurance lobby runs this Legislature or whether the Legislature runs this Legislature for the people; and I would urge an 'aye' vote."



Madigan: "Have all voted who wish? The Clerk will take the Record. On this question there are 35 'ayes', 84 'nos', 3 voting 'present'; and Amendment #7 is not adopted. Are there further Amendments?"

Fredric Selcke: "Amendment #8, Shea, amends House Bill 2769 as amended by inserting between Sections 2 and 3 of the following and so forth."

Madigan: "Who's the Sponsor?"

Fredric Selcke: "Shea."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I think this Amendment and one that follows could be the whole heart or guts of this Bill. This Bill . . . er . . . this Amendment seeks to limit recovery to \$500,000. If this Amendment gets on, I intend to support another Amendment that will require that the Medical Society or the Department of R. and E. have physicians available to testify for those plaintiffs that must proceed past this panel. I think it's time that we in the General Assembly stop thinking about the special interests groups, be they lawyers or doctors and get down to the heart of what we're trying to do today. We don't want to be like several other States, where the malpractice crisis has gotten to the point where there's not adequate medical protection for the people of the State. Now, I'm a lawyer, and I said in Committee and I'll say on this House floor, that lawyers and doctors have no absolute right to practice in this State, be it a lawyer or doctor, it's a privilege granted by this State to practice in the State of Illinois; and we can put certain limitations on those privileges. Now, I feel that a \$500,000 limitation on the recovery will insure that all doctors can buy adequate insurance so that they can practice medicine in all its branches; and I didn't quite understand the import of some of the things we're doing here today, but I had a doctor explain to me, I think, in very succinct terms, He said that one of the people that were just coming out of after finishing their intern and all the other things that doctors must go through, said that doctors are getting to the point where either they want to go someplace like the military or into teaching, but don't want



to get themselves involved in going out and practicing law or I mean practicing medicine because of what it opens up for them, what possible position it can put them in with regards to their families and their futures. I think that this is a good Amendment. I think it's absolutely constitutional, and I would appreciate the support of the Membership."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Palmer, does not wish to speak. The Chair recognizes the Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Well, Mr. Chairman, this Amendment . . . or the Amendment in the identical form was presented to the House Judiciary I Committee and was beaten down by an overwhelming vote of 18 to 3; and I think a vote in that percentage is justified on this Amendment #8. The problem that was presented to the Judiciary Committee and to the Subcommittee that heard this particular Bill, House Bill 2769, was the problem that our doctors are beset by a large number of small unmeritorious malpractice suits to such an extent that their insurance carriers, and they, themselves, were being overburdened and could not carry on. So the purpose of House Bill 2769 was to attempt in some way to screen the suits to keep out the unmeritorious, to keep out the small suits that eat up the large percentage of the insurance premium dollar. Now, I tell you a suit worth more than \$500,000, and there are occasionally, but very seldom, occasionally there is such a suit, for example, I would suggest a person whose spinal column is severed by an errant knife might just be such a law suit, a suit worth more than \$500,000, almost by definition is a large meritorious law suit, not a small unmeritorious law suit that House Bill 2769 is aiming at screening out; and I would merely reiterate what Representative Jaffe indicated on the previous Amendment, which I oppose, that neither the Subcommittee nor the Committee itself received any testimony from the insurance industry that the large blockbuster type of law suit that they must defend, the type that involves a severed spinal column and paraplegia or quadriplegia that this . . . there was no evidence at all submitted that this is a type of suit that they were . . . the problem of dealing with was raised requiring some legislative



help, instead all along it has been the large number of unmeritorious suits so called scraped together by ambulance chasing types of lawyers that was raised as the specter that required suppression. So I suggest to you that this Amendment, #9 . . . #8, limiting awards to \$500,000 or less not only is unconstitutional but is not needed and is inconsistent with House Bill 2769. So I ask that this Amendment be defeated."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Daniel Houlihan."

Houlihan: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I rise to, on this occasion, on this rare occasion when I do this, to respectfully disagree with my Majority Leader. I happen to think that House Bill 2769 . . . ah . . . in its present state and without this Amendment is a very substantial Bill. It represents a very serious attempt by the Sponsors of this legislation to come to grips with a very, very serious problem. The malpractice review panel and the companion Bill which will mandate a reduction of the Statutes of Limitations on these types of claims are substantial steps, but as far as Amendment #8, which will put an absolute limitation of \$500,000, I submit this is too fast and too soon, and that we do not have the statistical information to justify this kind of a limitation. It's too easy to oversimplify this and to make it a fight between lawyers and between doctors. I suggest that we should now start thinking about the victims. The victim of either incompetence or negligence must take a child who can no longer walk and talk because of the negligence of a doctor, \$500,000 may not maintain that child who may need medical attention for the rest of his or her life. Now, this is very serious. The premise in this Amendment is that as a result of this Amendment, there will be a reduction in insurance premiums to doctors and in consequence a reduction in health care services, the cost of health care services to the consumer; but, Ladies and Gentlemen, that is the premise; but there is no guarantee that that will be the result. Now, absent that guarantee, I feel that representing the people here, not representing the lawyers or representing the doctors, but representing the people, this would be an extremely ill-



advised step to take; and I urge the defeat of this Amendment."

Madigan: "The Chair recognizes the Gentleman from Dupage, Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, this probably is one of the most important, or is the most important Amendment that we will deal with concerning House Bill 2769. I've listened with great concern over the comments by the prior two Speakers, and I rise to support the adoption of Floor Amendment #8. I've gone through the process in looking at the question of constitutionality, the question of need, I've sat on the Judiciary Committee and served on the Subcommittee when we heard testimony relating to the needs for \$500,000, contrary to the . . . one of the previous Speakers, there was great deal of testimony solicited or placed before the Subcommittees on the high verdicts that are being rendered in the State of Illinois and throughout the United States. The Medical Society is very much in favor of the limitation of \$500,000, and that in and of itself is not a fact that one should say that we should vote for the adoption of this Amendment. But, Ladies and Gentlemen of the House, I encourage you to think about a situation of an emergency where a physician or a surgeon is faced with an on-the-spot decision on whether or not he should take a chance, whether or not in his medical judgment he should make a decision that may be a risk, but one that he thinks in his good judgment will be for the benefit of the patient. I submit to you with the vast size of judgments that are being rendered throughout the United States that if we do not adopt this Amendment, we are tying the hands of the people that we need the most in an emergency situation, and that is the surgeon or the physician. This morning on television there was an article or a program which dealt with the medical malpractice crisis, and it recited that in the eastern States there is a group of neurosurgeons who are also professors in one of hospitals and medical schools, and between those seven neurosurgeons there were suits ranging up to \$34,000,000 pending against some of the top neurosurgeons in our country. Ladies and Gentlemen of the House, I submit to you that this \$500,000 limitation is necessary. I submit to you that we must adopt it in order to protect the high standard



of medical care that we are used to in the State of Illinois. Don't tie the hands of the physician or the surgeon at the time that he may have to take that gambled risk, take that educated risk to save the life of a patient. I submit that House Amendment . . . ah . . . Floor Amendment #4 should be adopted; and I solicit your favorable vote."

Madigan: "The Chair recognizes the Gentleman from Franklin, Mr.

Hart."

Hart: "Oh, thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. I think the previous Speaker . . . ah . . . might well solve his problem by thinking about a good Samaritan Amendment, but I think he's off base on really what this does, and I agree with Representative Leinenweber and Representative Houlihan . . . ah . . . that this Amendment should be defeated. In fact, I'm glad there has been bipartisan opposition, but I think the Amendment is a little cynical and also it does not take into consideration the special damages that may exist in the individual case. I think it makes a bad Bill out of an otherwise exemplary effort on the part of the Sponsor of the Bill, but this isn't an Amendment to benefit lock . . . dor . . . I mean, doctors and lawyers, so much as it is to . . . were to the detriment of the individual who may have a case as Representative Leienweber says of substance, material substance. Consider the . . . the executive who is making a large salary, for instance, who becomes completely disabled. I know of no instance in the law when . . . where a . . . where a common law action has a statutory maximum and I would urge that this . . . ah . . . Amendment be defeated."

Madigan: "The Chair recognizes the Lady from Lake, Mrs. Geo-Karis.

The Chair recognizes the Gentleman from . . . from Macon, Mr. Borchers."

Borchers: "Mr. Speaker and fellow Members of the House, I'd like to remind you that just a few days ago in our papers was a story of a neurosurgeon who . . . ah . . . who . . . ah . . . lost a case in court, I believe as I recollect, it was \$1,500,000, the largest settlement by . . . given by a jury. Ah . . . The insurance coverage he had was \$1,000,000. Ah . . . He would have to then pay, and the story concerned this part particularly, out of his own pocket \$500,000;



and this was putting him into a . . . obviously a tremendous . . . ah . . . difficult financial position. We have to look at the overall picture of this nation. It is true that some may be hurt, but we have to consider the fact that the greater majority have good done to them by these people. Mistakes will be made, but we cannot hold the mistakes . . . ah . . . against the neurosurgeon or the physician or a regular surgeon that is attempting to do the best he can by his patient. We're . . . we are going to have to draw the line somewhere and I personally feel that this \$500,000 limit is the beginning on the line that this the logical place to help in this crisis that is developing in our country."

Madigan: "The Chair recognizes the Gentleman from Moultrie, Mr. Stone."

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

Madigan: "The question is . . . the question is, shall the main question now be put? All those in favor signify by voting 'aye', all those oppose by voting 'no'. The question is, shall the main question now be put? Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there are 106 'ayes', 7 'nos', no voting 'present'; and the main question shall now be put. The . . . Clerk recognizes . . . recognizes the Gentleman from Cook, Mr. Shea, to close the debate."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I'm sure that everybody on the floor understands the Amendment; and I ask you to please think about insuring that we have adequate medical facilities and care for everyone in the State; and I'd appreciate an 'aye' vote."

Madigan: "The question is, shall Amendment #8 to House Bill 2769 be adopted. All those in favor signify by voting 'aye', all those opposed by voting 'no'. The Chair recognizes the Gentleman from Cook, Mr. Lechowicz, to explain his vote."

Lechowicz: "Thank you, Mr. Speaker, I tried to seek recognition to ask the Sponsor of the Amendment a question, and I do appreciate this opportunity to do so in explaining my vote if the Sponsor would respond. I notice that Amendment #4 limits to recovery the \$500,000 per plaintiff, and my question is whether we've limited this type of



recovery for any other type of insurance policy in this state?"

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Shea, to explain his vote."

Shea: "Not to my knowledge."

Madigan: "The Chair recognizes the Gentleman from Lawrence, Mr.

. . . Art, I'm sorry, . . . ah . . . Mr. Lechowicz."

Lechowicz: "Well, if that's the case, Mr. Speaker, I can't see why we should limit the recovery to \$500,000 on . . . on a malpractice suit. I don't know if this is special legislation or what, but, in turn, I think what you're doing is limiting the dollar amount that's available to a person who in turn may be seriously injured for the rest of his life as was pointed out by Representative Houlihan. I know of a specific instance that happened in my area where a family was run over by a bus and, in turn, one of the children were . . . was killed instantaneously, the other was taken to a hospital under emergency treatment, but, unfortunately, the treatment that that boy received made him permanently disabled for the rest of his life; and, in turn, if this Bill . . . or if this Amendment is adopted to this Bill, that family would only be reimbursed \$500,000. Unfortunately, the medical expenses that that family was exposed to in conjunction with amount of medication supposedly which this child is currently undertaking would not even touch the surface of this dollar amount. I would hope that the Membership of this body would take that in . . . into consideration when your limiting the dollar amount that will be received by a person who unfortunately is placed in this situation; and I vote 'no'."

Madigan: "The Chair recognizes the Gentleman from Lawrence, Mr. Cunningham, to explain his vote."

Shea: "Mr. Speaker, may I . . . have one thing?"

Cunningham: Well, Mr. Speaker, and Ladies and Gentlemen of the House, my light was on by accident, but I don't want to pass up this opportunity to observe that you folks use numbers as though they were going out of style, you're not . . . you're not describing the State deficit in the spending. \$500,000 is a lot of money, and the cases are so rare that go over that that you could count them on one hand. If you'd ask



the lawyers in this room, and presumably we have the cream of the Bar assembled here, how many have recovered judgments of more than \$150,000 during their career, you wouldn't have three that stood up; and a \$500,000 is a reasonable figure. It offers some compensation. It's possible there might be a circumstance where there'd be a great injustice, but the potential for good for all the people is so much greater by having some limit that we might have sense in the figures as to the insurance premiums that have to be born ultimately by the consumer, that I suggest that it's a happy compromise, vote green."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Shea, to explain his vote."

Shea: "I just wanted to add one thing when we talked about that, I wanted to add that in Workman's Comp., we have certainly limited what working people can get."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Duff, to explain his vote."

Duff: "Mr. Speaker, and Ladies and Gentlemen of the House, first of all on the standpoint of limitation of . . . of recovery. Under a common law tort, there has never been any limitation in Illinois. Under a statutory right, which we have for as an example of Workman's Compensation or Wrongful Death, we have placed limitations upon them. That . . . and that is in the case where the State gives up something or the individual gives up something in return for a cause of action. On common law tort there has never been a limitation in the history of this State, and it's questionable constitutionally. The . . . ah . . . doctors should be concerned about the spurious claims that are brought against them, and the spurious claims do not get judgments in excess of \$500,000. I would indicate to those . . . Representative Cunningham made a comment. Just quite by accident a couple of years ago, I got a default judgment in Sangamon County for \$500,000; and much to my great surprise, it was the largest judgment that was ever granted in this county at that time. Now, incidently, . . ."

Madigan: "For what purpose does the Gentleman from Moultrie, Mr. Stone, arise?"

Stone: "A point of order, Mr. Speaker, that has nothing to do with explaining



the vote on this matter. I'm quite pleased that the Gentleman got such a great judgment down here, because that means his fee was large, but that has nothing to do with this Amendment."

Duff: "It was reversed, Representative Stone."

Madigan: "Mr. Duff . . ."

Duff: "The point I'm trying to make is . . ."

Madigan: ". . . Mr. Duff, the timer indicates that . . . the time allotted to you is coming to a close."

Duff: "Well, I was interrupted, Mr. Speaker, but I would just say that there are not very many cases where there are judgment in excess of \$500,000; and the ones where it is applied are the ones where it is the most needed."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Jaffe, to explain his vote."

Jaffe: "Mr. Speaker and Members of the Hoouse, I . . . I think this is a good indication of what happened in Committee. You know, no one is really talking to us about the number of judgments that we've had in Illinois over \$500,000 in medical malpractice suits. Now, from my own research I can tell you I don't think that we've had 12 in the entire history of this State of Illinois. Ah . . . Yet we're falling out of the balcony . . . ah . . . to vote for this particular Amendment to curb the rights of people. I say to my colleagues who say to me that we can't curb premiums because that would be unconstitutional, let me tell you that would be constitutional, but I don't think that this would be constitutional because this is a common law action. As Representative Duff indicated, Workman's Comp. is not comparable because Workman's Comp. was never a common law action. This is a common law action. This is unconstitutional and I think we're catering to the insurance industry."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Rayson, to explain his vote."

Rayson: "Well, thank you, Mr. . . . ah . . . Speaker, I'd just like to explain my vote, 'no' vote, in this fashion. Ah . . . I was Chairman of the Subcommittee, Representative Getty, Representative Daniels and I worked assiduously on this Bill. We're sort of under the gun to help



get out a kind of a Bill that Representative Shea, Representative McPartlin and others help cooperate and . . ."

Madigan: "For what purpose does the Gentleman from Moultrie, Mr. Stone, arise?"

Stone: "Mr. Speaker, a point of order. The Gentleman is not speaking to the Amendment; and if I may, Mr. Speaker, be allowed one half minute. The last three Roll Calls we've had here, have taken us approximately 45 to 50 minutes. On Roll Call, the Roll Call was 35 'yes', 84 'no'; the next was 9 'yes', 104 'no'; on this one it's 87 'yes', 31 'no'. A vote hasn't changed in the last five minutes. Now, the news out on the radio and television is that if this body passes one Bill every five minutes between this morning at 9:00 o'clock and working 'til 11:00 o'clock every night through Friday at 11:00, that we will just barely . . . ah . . . Mr. Speaker, just barely get through our Calendar. Now, this is an important Amendment. I realize that, but the vote is 87 to 32; and I think it's ridiculous that we stand here and try to explain an 87 to 32 Roll Call."

Madigan: "Mr. Rayson, would you confine your remarks to the subject matter of the Amendment?"

Rayson: "Well, thank you. I wasn't recognized earlier on debate, but I just want to say that the lawyers and the doctors that have talked to us said that if we get 2769, the basic Bill, we can live with it. Now, that that's a quote, 'We can live it', the matter pertaining to this kind of Amendment to put a floor on the awards can be met at a later time; and since there are . . . ah . . . severe constitutional questions, we can wait and look into this matter at a later time. Our priority is the passage of 2769 in its needed state, and not with all of these Amendments, including this."

Madigan: "The Chair recognizes the Gentleman from Franklin, Mr. Hart, to explain his vote."

Hart: "Well, thank you very briefly I just wanted to say, and I really wonder about the vote on the board, the Committee defeated this Amendment 18 to 3. I think certainly, I hope the body respects that . . . that position of the Committee, who heard the Bill. In my judgment, this Amendment won't tend to solve the medical malpractice crisis; and I'm afraid



if the Amendment stays on, that there might be at least 30 or so votes that the Sponsor may need on Third Reading that he's not going to get. I'm not going to vote for a Bill, regardless if it's 90 percent good, if I think it's 10 percent unconstitutional, it's not going to get my vote."

Madigan: "Have all voted who wish? The Clerk will take the Record.

On this question there are 95 'ayes', 33 'nos', 6 voting 'present'; and Amendment #8 to House Bill 2769 is adopted. Are there further Amendments? The Clerk informs me that Amendment #3, Committee Amendment #3, was never adopted. So that I would suggest, Mr. Shea, that . . . ah . . . a motion be made for the adoption of Committee Amendment #3. The Chair recognizes Mr. Shea."

Fredric Selcke: "Committee Amendment #3 amends House Bill 2769 as amended and so forth."

Madigan: "For what purpose does the Gentleman from Cook, Mr. Epton, arise?"

Epton: "I'm sorry, Mr. Speaker, and Ladies and Gentlemen of the House, I didn't mean to interrupt Mr. Shea, but in an effort to make our batting average a little better, I'd like leave to table House Bills 1708, 1710 . . ."

Madigan: "Ah . . . Bernie, could we wait for just minute?"

Epton: ". . . Happy to."

Madigan: "I'll go . . . come back to you, thank you. Mr. Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #3 says in effect that the Medical Society will provide its best efforts to supply physicians to testify for plaintiffs. I think that along the line, I'd like to move for the adoption of this, and along the line there are several other Amendments that go right to this one; and I think we can more fully demate . . . debate them at that time; so I move for the adoption of Committee Amendment #3."

Madigan: "Is there any discussion? There being no discussion, the question is, shall Amendment #3 to House Bill 2769 be adopted? All those in favor signify by saying 'aye', oppose . . . the 'ayes' have it; and Amendment #3 is adopted. Are there further Amendments?"



Fredric Selcke: "Amendment #9, Leinenweber, amends House Bill 2769 as amended on page 2, line 4 and so forth."

Madigan: "The Chair recognizes the Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. Amendment #9 amends House Bill 2769 by permitting the parties in the event they agree unanimously . . . ah . . . to in effect select the members . . . the attorney and the physician members of the panel. Now, anybody who's done any arbitration work, and I would say that the panel created under 2769 is somewhat analogous to an arbitration panel, knows that it is relatively common practice and is . . . is was in . . . and is within the rules of the American Arbitration Association that the parties may if they unanimously agree select their own panel to hear the case. It may very well be that the . . . the list furnished the respective parties might not be agreeable to either party so that they would want to agree to select somebody not on the panel. This is in line with . . . ah . . . with good practice . . . accepted practice in the industry; and I would move the adoption of Amendment #9."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Shea."

Shea: "Mr. Speaker, and Ladies and Gentlemen of the House, I have one question of the Sponsor if he'll yield."

Madigan: "The Sponor indicates that he will yield."

Shea: "As drafted, this Amendment per . . . permits the selection of attorneys and physicians even though they are not on the roster, is that correct, sir?"

Leinenweber: "That would be correct."

Shea: "All right, I rise to support the Amendment."

Leinenweber: "Thank you."

Madigan: "Is there further discussion? There being no further discussion, the question is, shall Amendment #9 to House Bill 2769 be adopted? All those in favor signify by saying 'aye', oppose . . . the 'ayes' have it; and Amendment #9 is adopted. Are there further Amendments?"

Fredric Selcke: "Amendment #10, McClain, amends House Bill 2769 as amended."



Madigan: "The Chair recognizes the Gentleman from Adams, Mr.

McClain."

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

Ah . . . Amendment #10 is a policy Amendment. All it does is strikes lines 30 through 35 and it places in lieu, thereof, 'that the members of the panel shall serve serve without compensation, except that they shall receive their actual expenses for travel and other costs incurred in the performance of their duties'; and I'd move to adopt the House Amendment #10."

Madigan: "Is there any discussion? There being no discussion, the question is, shall Amendment #10 to House Bill 2769 be adopted? All those in favor signify by saying 'aye' . . . for what purpose does the Gentleman from Cook, Mr. Jaffe, arise?"

Jaffe: "I just wanted to ask . . . ah . . . Representative McClain . . . which . . . I have something in front of me that says . . . ah . . ."

Madigan: "You wish to ask the Sponsor a question?"

Jaffe: "Yes."

Madigan: "The Sponsor indicates that he will yield."

Jaffe: "Does . . . does your Amendment say that the physician and the attorney members of the panel will serve without compensation, is that it?"

McClain: "Ah . . . Representative Jaffe, that's not quite accurate, they will be compensated for . . . ah . . . actual expenses for travel and . . . ah . . . and other costs incurred, like, for instance, if it's room . . . ah . . . or food, but, of course, not like \$250 a day or \$350 a day or something. It'd be for actual costs and for travel."

Jaffe: "Well, if you're just talking about actual expenses and costs, who do you thing you're really going to get to serve, if you're gonna' have . . . ah . . . hearing that takes three days or a week, with a physician or an attorney?"

McClain: "Dedicated lawyers and dedicated physicians."

Jaffe: "I think you're dreaming, Mike."

McClain: "Thank you."

Madigan: "Is there further discussion? There being no further discussion, the question is, shall Amendment #10 to House Bill



2769 be adopted. All those in favor signify by saying 'aye', opposed . . . the question is, shall Amendment #10 be adopted? All those in favor signify by voting 'aye', all those opposed by voting 'no'. The Chair recognizes the Gentleman from Dupage, Mr. Daniels, to explain his vote."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, the thing that concerns me the most about Amendment #10 is the fact that I agree with one of the things that McClain says that we obviously . . . Representative McClain that we obviously have dedicated physicians and dedicated lawyers, but I think we have to face the reality of the situation that some of the people serving on the board are going to be people that have been extremely busy, and have a great amount of time that . . . ah . . . they devote to their private practices. I don't think that we should not encourage these people to serve on this board, and in the spirit of having a Medical Review Panel consisting of a highly qualified doctor and lawyer, I think that we should . . . ah . . . have expenses and compensation . . . ah . . . for them. Consequently, I do oppose and solicit your opposition to Floor Amendment #10."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Daniel Houlihan."

Houlihan: "Thank you, Mr. Speaker. In explaining my vote on this Amendment, I would suggest to the Membership the failure to adopt this particular Amendment may well make the whole Medical Review Panel, which will be set up under this Bill, wholly unworkable. If we are going to get into a situation where we are striving to avoid the cost and expense of trial and yet are going to burden the parties with the cost and expense of a pretrial, I suggest that we are flying in the face of what the intent of the Bill is. This is reasonable. What Representative McClain said that we are going to have to rely upon dedicated lawyers and dedicated doctors is a call to all of us in the respect of professions to come to grips with this problem; and I don't think that we can be cynical about this. I think that we must ask the professions to put forth their best faith and to work with us, this Legislature, in resolving a problem which effects our entire society. I urge you to vote 'yes' for this Amendment."



Madigan: "The Chair recognizes the Gentleman from Adams, Mr.

McClain, to explain his vote."

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

Ah . . . Representative Dan Houlihan hit the nail right on the head.

This Amendment means that both parties to this suit or this review in front of the malpractice panel will not be incumbered upon to pay for costs beyond actual costs to have those members of the malpractice panel preview this issue. I'd urge you as a matter of policy to accept this Amendment. Thank you."

Madigan: "For what purpose does the Gentleman from Dupage, Mr.

Daniels, arise?"

Daniels: "Just . . . just to advise the Chair and the Members of the House,

I've just been advised that the Illinois State Medical Society supports this Amendment. So I feel that if they support the Amendment, and they're representing the profession of . . . ah . . . medicine that I too then would support the Amendment based upon their expertise and, consequently, I've changed my vote from 'no' to 'yes'."

Madigan: "Have all voted who wish? Have all voted who wish?"

The Clerk will take the Record. On this question there are 106 'aye', 23 'nos', 1 voting 'present'; and Amendment #10 to House Bill 2769 is adopted. Are there further Amendments?"

Fredric Selcke: "Amendment #11, Hart, amends House Bill 2769 . . ."

Madigan: "The Chair recognizes the Gentleman from Franklin, Mr.

Hart."

Hart: "Ah . . . Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. This provides that when there has been a finding or determination by the Medical Review Panel and that . . . ah . . . determination is . . . ah . . . rejected by a party, then . . . ah . . . the . . . they can request the Medical Society to provide them a witness for consultation and if necessary for testimony at the trial. I see no reason why anybody would object to this. I would point out to the Membership that the next Amendment, which is Representative Leinenweber's, has one added word in it, which requires that there be a unanimous determination, but I . . . I think that this is a good Amendment without that additional word; and I would ask for the



support of the House in . . . ah . . . adopting this Amendment to the Bill."

Madigan: "Is there any discussion? Is there any discussion? There being no discussion, the question is, shall . . . the Chair recognizes the Gentleman from Cook, Mr. Shea."

Shea: "Will the Sponsor yield for a question?"

Madigan: "The Sponsor indicates that he will yield."

Shea: "Mr. Hart, there's a couple of questions in the wording. This would require the witness to be supplied even though the panel did not have a unanimous decision, is that correct?"

Hart: "That is right, that's the difference between this Amendment and the one that's going to be offered if this one would lose by Representative Leinenweber."

Shea: "All right, then when you say provide an expert witness, what, instead of just the witness, an expert witness . . ."

Hart: "Well, it's from a roster of practicing physicians, so it would be an expert . . . ah . . . it would be a practicing physician."

Shea: "Well, I . . . I'd have to oppose the Amendment, Dick, because . . . ah . . . coming from a panel less than a unanimous decision."

Hart: "Well, I think you can live with it. I'll say that. I think it's . . . it probably is a little more fair in the sense that it would . . . ah . . . give the same opportunity to . . . to a person in a 2 to 1 decision or even a 3 to nothing decision against him as it does . . . ah . . . no, in a 2 to 1 decision as it would in a 3 to . . . 3 to nothing, and really if the . . . ah . . . if the . . . if the concept is good, I think it's good in this respect, just as good as it would be if the decision was unanimous against him."

Madigan: "The Chair recognizes the Gentleman from Will, Mr. Sangmeister."

Sangmeister: "Mr. Speaker, I . . . ah . . . an inquiry here as to whether we're proceeding correctly. I believe we adopted Committee Amendment #3 that covers this particular topic. Now, if we adopt either #11 or #12, where are we in relationship to Amendment #3, which covers the same topic?"

Madigan: "Mr. Sangmeister, would you consult with Mr. Shea, and we



will stand . . ."

Sangmeister: "Does it strike it?"

Madigan: ". . . at ease . . ."

Sangmeister: "All right, I'm sorry, . . . it's been explained. It strikes 3 then, all right, fine."

Shea: "As I understand it, it . . ."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Shea."

Shea: "Excuse me, the Amendment is drafted . . . it says that in Section 58A by deleting subparagraph 5 and inserting in lieu, thereof, a new one. So what we're talking about by Mr. Hart's Amendment is taking that paragraph and inserting a complete new language."

Madigan: "Further disucssion? Ah . . . The Chair recognizes the Gentleman from Franklin, Mr. Hart, to close the debate."

Hart: "Well, only for the purpose of clarification. Amendment #3, Committee Amendment, which . . . ah . . . floor hasn't adopted for some reason, but has subsequently been, as I read it . . . ah . . . makes it applicable only in the case that there is a unanimous determination by the Medical Review Panel, which is rejected by a party. Ah . . . My Amendment would strike that out and make it applicable where there is a decision that would not necessarily have to be unanimous, it could be 2 to 1. So . . . ah . . . I think it's just as fair for the Medical Society to provide help and expertise in that regard as it would be to request it or to require it only in the case of a . . . ah . . . unanimous decision. After all the . . . ah . . . the one instance might be that the one voting with the particular person involved might have been the doctor, and . . . ah . . . I just think that this is more fair to provide it in any case, rather than only in the case of the unanimous decision; and I would ask that the Amendment be supported."

Madigan: "The question is, shall Amendment #11 to House Bill 2769 be adopted? All those in favor signify by voting 'aye', all those opposed by voting 'no'. The Chair recognizes the Gentleman from Will, Mr. Leinenweber, to explain his vote."

Leinenweber: "Say, I think this is a good Amendment, because I think you will probably find in actual practice that the less than unanimous



decisions will be over the amount of money to be awarded, not over liability. So you're going to have a situation where there'll be a less than unanimous decision in favor of an injured person and, of course, the reason for the, and it's recognized by the Medical Society, the reason for . . . ah . . . requiring them to supply a list and in the . . . in the case of Amendment #11, in addition to use a good a faith efforts to get a witness for them is because of the difficulty that injured people have in getting . . . ah . . . medical people to go into court. Now, we have, by virtue of the fact that a decision is in favor of the injured person, you have a presumptively legitimate law suit in which he . . . he needs some help from a expert medical point of view at a trial. So I think it's a good Amendment. I think it should be adopted."

Madigan: "The Chair recognizes the Gentleman from Franklin, Mr. Hart, to explain his vote."

Hart: "Yes, very briefly, Mr. Speaker, I would just like to point out to the Membership that Colorado has adopted a similar position in its medical malpractice. Idaho, Missouri, Arizona, Nevada, New Jersey, New Mexico, New York, Ohio, Virginia and Washington, many of them have . . . ah . . . similar provisions such as this and . . . ah . . . I think Representative Leinenweber's point was very good that the . . . ah . . . less than unanimous decision might not necessarily be based at all on whether or not there was valid cause of action, but only on what it was worth."

Madigan: "Have all voted who wish? The Clerk will take the Record. On this question there are 39 'ayes', 51 'nos', 3 voting 'present'; and Amendment #11 to House Bill 2769 is not adopted. Are there further Amendments?"

Fredric Selcke: "Amendment #12, Leinenweber, amends House Bill 2769 . . ."

Madigan: "The Chair recognizes the Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. Amendment #12 is similar to Amendment #11 as explained by the . . . the pas . . . the Sponsor of Amendment #11, only the additional requirement is that there



must be a unanimous determination before the Medical Society must make available a list of those physicians willing to testify and upon request that the Society must use their best efforts to provide a qualified physician to consult with and if requested, to testify at trial. Again, for the same reasons that #11 . . . was . . . ah . . . adopted . . . or . . . ah . . . was presented, #12, it is, however, more restrictive. It's . . . but I move it's adoption."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Shea."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I know there's a lot of people that oppose this Amendment, but I said that if Amendment #8 went on this Bill, I would support this Amendment. Now, I think that if we have placed a limitation, that we ought to insure every way possible to have expert testimony at these trials; and I would support this Amendment."

Madigan: "Is there further discussion? There being no further discussion, the question is, shall Amendment #12 to House Bill 2769 be adopted. All those in favor signify by saying 'aye', oppose . . . the 'ayes' have it; and Amendment #12 is adopted. Are there further Amendments?"

Fredric Selcke: "Amendment #13, Leinenweber, amends House Bill 2769 as amended and so forth."

Madigan: "The Chair recognizes the Gentleman from Will, Mr. Leinenweber."

Leinenweber: "I move to table Amendment #13."

Madigan: "Mr. Leinenweber has moved to table Amendment #13, is there leave? Leave being granted, Amendment #13 is tabled. Are there further Amendments?"

Fredric Selcke: "Amendment #14, Berman, amends House Bill 2769 as amended in Section 3 and so forth."

Madigan: "Is Mr. Berman in his chair? His law partner, Mr. Maragos, indicates that he will handle the Amendment."

Maragos: "Ah . . . Mr. Speaker and Members of the House, . . . ah . . . Amendment #14, now that # . . . #8 has been adopted, states that the application . . . the restrictions of the application



of \$500,000 ceiling on recovery for medical services for which a doctor will bill the patient will apply when it's \$500 or less, but if the bill is higher than that, then the limit of \$500,000 will apply; and I move for its adoption."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Shea."

Shea: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, this is just another way of gutting Amendment #8; and I'd oppose it."

Madigan: "The Chair recognizes the Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, I oppose it for a different reason. I have known of cases where the doctors cut off the wrong leg; and the price for cutting the leg was \$150. So I don't feel that this Amendment is very good, but there's an Amendment coming from Representative Maragos that I think will solve the question and remodel Amendment 8 because, personally, I never did think Amendment #8 really covered the subject."

Madigan: "Is there further discussion?"

Maragos: "No, the Amendment is self-explanatory as for discussion; and I move for its adoption."

Madigan: "The question is, shall Amendment #14 to House Bill 2769 be adopted. All those in favor signify by saying 'aye', oppose . . . the 'nos' have it; and Amendment #14 is not adopted. Are there further Amendments?"

Fredric Selcke: "Amendment #15, McClain, amends House Bill 2769 . . ."

Madigan: "The Chair recognizes the Gentleman from Adams, Mr. McClain."

McClain: "Thank you, Mr. Speaker, . . . ah . . . Amendment #15 to House Bill 2769 is a simple Amendment. At the present time, the roster or the malpractice panel is made up of one circuit judge, one practicing physician and one practicing attorney. The roster of the practicing physician . . . ah . . . is limited to physicians practicing medicine in all of its branches, which means an M.D. This deletes and excludes . . . ah . . . from being even potentially on the roster much less a member of the panel, chiropractors, osteopaths, dentists. The purpose of this Amendment is to at least permit those professions to be on the roster. From that roster, a chief judge may select one of a number



of individuals. What I'm trying to do is broaden the base of the roster and to make it more flexible and, I think, more fair; and I move for the adoption of Amendment #15 to House Bill 2769."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Jaffe."

Jaffe: "Will the Gentleman yield to a question?"

Madigan: "The Sponsor indicates that he will yield."

Jaffe: "Mike, what you're saying over there, say you go to a dentist and he pulls out the wrong tooth, you cannot have a dentist on that particular panel, but you can have a gynecologist, is that correct? If you . . . if you . . ."

McClain: "All depends on what tube . . . ah . . . in . . ."

Jaffe: "I didn't hear his answer."

McClain: "I . . . I couldn't hear the exact question."

Madigan: "Mr. Jaffe, would you restate your question?"

Jaffe: "Well, I . . . well, the question merely was, if you went to a dentist and he pulled your wrong tooth, when you have this panel . . . ah . . . made up, you could not have a dentist on that particular panel, but you could have a gynecologist, right?"

McClain: "That's correct."

Jaffe: "Well, Mr. Speaker I rest my case, . . ."

McClain: "You said . . ."

Jaffe: ". . . I vote 'no'."

McClain: "You vote 'no'?"

Madigan: "Is there further discussion? There being no further discussion, the question is, shall Amendment #15 to House Bill 2769 be adopted? For what purpose does the Gentleman from Will, Mr. Kempiners, arise?"

Kempiners: "Would the Gentleman yield?"

Madigan: "The Sponsor indicates that he will yield."

Kempiners: "Mike, you and I have gone in this before . . . ah . . . is there any way in the procedure you're . . . or whatever the procedure is, is there any way that a chiropractor can serve on a panel that is evaluating . . . ah . . . a highly technical M.D.?"

McClain: "Ah . . . Representative Kempiners . . ."

Kempiners: "What I'm asking, are there . . . there inherent protections



in the way the system is designed?"

McClain: ". . . no, and you and I just talked about it a minute ago . . . ah . . . that would be something that . . . that I, personally, would believe you'd have to trust a Chief Judge in doing in trying to pick a specialist in the field to which the malpractice case is directed to . . . ah . . . and . . . ah . . . but certainly that could happen but, likewise, I fail to really understand, obviously, I wasn't listening close enough to Representative Jaffe . . . ah . . . and I misanswered his question, so . . . ah . . . it should have been 'yes' for Representative Jaffe, but I told you that . . . ah . . . and during our communication that I would certainly be willing to try to restrict it there. I'm afraid that we would get into a habit of just drawing some kind of a massive chart and saying for 'X' injury, 'X' kind of physician must be on the panel, and I'm afraid that wouldn't work. So my answer to you would . . . that we would have to rely on the . . . ah . . . the . . . ah . . . strength of the Chief Judge."

Kempiners: "I . . . I sometimes, you know, don't have as much faith in judges as you do, but my main concern would be, in this case, that . . . ah . . . an action taken on one part of the body often times has effect on other parts, and I would be concerned that a chiropractor who is specializing in treatment of back injuries . . . ah . . . you know, through some misapplication of . . . ah . . . or bad decision could be serving on . . . ah . . . a neurosurgeon's panel; and I'm not so sure that that's what you intend. There's something we wouldn't want."

McClain: "Sir, no, I . . . I understand that and I'm . . . ah . . . I'm not endorsing that kind of concept, what I'm trying to do is for an issue where a dentist makes an error and is in a malpractice suit, that we don't have a gynecologist be in on the panel. All I'm trying to do is give the Chief Judge that discretion, but . . . I . . . I understand your concern."

Kempiners: "I understand, but I think that language could be tightened up, however."

McClain: "I'd be in favor of that. I . . . what I try to do is fluctuize the roster."



Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Beatty."

Beatty: "Mike, does this Bill . . ."

Madigan: "You wish to ask the Sponsor a question?"

Beatty: "Yes, I do."

Madigan: "The Sponsor indicates he will yield."

Beatty: "Thank you. Mr. McClain, did you indicate that this Amendment allows the chiropractors to be on the panel?"

McClain: "Ah . . . In essence you could go that far, what . . . what this does is it permits a chiropractors, osteopaths, physicians practicing medicine in all different branches, in other words, M.D.'s, and dentists to be on the roster. From that roster, the Chief Judge choses a practicing physician."

Beatty: "Do you know how much training in medicine a chiropractor must have to be licensed in the State of Illinois?"

McClain: "Ah . . . Yeah, but I think it's immaterial to the . . . to the roster, but what they need, I believe, is a Bachelor's Degree and three years at an accredited school."

Beatty: "So they have to attend medical school of some sort to become a chiropractor?"

McClain: "Ah . . . Representative Maragos says 'yes'."

Beatty: "Thank you."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Palmer."

Palmer: "No question, Mr. Speaker, but I can see, and we'll have to go for this Amendment, but I can see the great amount of . . . of problems that might arise where a . . . in a malpractice suit where a surgical technique is accused of as being wrong and a cardiac either a transplant or a cardiac or heart bypass as they do at Pres. St. Luke. It would seem to me that hardly a general practitioner who may know something about books . . . in books about cardiology . . . ah . . . might know something about that, but would have no knowledge in so far as the fields of surgical techniques are concerned where the charge, of course is well . . . negligence or willfulness. Perhaps we'll have to go with this, maybe this is the best we've got right now, and maybe we should rely upon the Chief Judge."

Madigan: "The Chair recognizes the Gentleman from Kankakee, Mr.



Beaupre."

Beaupre: "Mr. Speaker, and Ladies and Gentlemen of the House, it appears to me that we're missing the issue on this Amendment. The Amendment really is permissive. What it, in effect, says is that the Chief Judge who's handling the panel can decide what kind of expert is best suited to make a determination in this case. It might be a case that involves the extraction of a tooth dealing with a dentist, and in that case it would be much better for the judge to have the opportunity to select from the roster someone who has is an expert in that field. It might very well be a case involving a chiropractor who is being charged with improprieties in his practice, and under those circumstances, it might very well be best that a chiropractor be selected by the Chief Judge of the panel. It's strictly permissive. It's something that needs to be in this Bill; and . . . ah . . . and I think we're missing the point. This is not an argument between who's better qualified to handle medical cases, chiropractors or physicians or dentists or whatever, it merely allows the judge to have the opportunity to select the appropriate expert; and I would suggest that we adopt the Amendment."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Miller.
Mr. Miller on the Republican side."

Miller: "Will the Sponsor yield, please?"

Madigan: "The Sponsor indicates that he will yield."

Miller: "Representative McClain, do you include . . . ah . . . podiatrists in your list of . . . ah . . . people qualified to serve on the panel?"

McClain: "Yes, sir."

Miller: "Thank you."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Peters."

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

Madigan: "The question is, shall the main question now be put? All those in favor signify by saying 'aye', opposed . . . the 'ayes' have it; and the main question will now be put; and the question is, shall Amendment #15 to House Bill 2769 be adopted? All those in favor signify by voting 'aye', all those oppose by voting 'no'. The Chair recognizes the Gentleman from Adams, Mr. McClain, to explain his vote."



McClain: "Thank you, Mr. Speaker; and maybe I'm not making myself perfectly clear to quote a friend of Ben Polk's, but what this . . . what this Amendment does is it permits on the roster all physicians now to be on the roster so that at least the Chief Judge of the parties may chose who may be on the malpractice panel. It is only a fair maneuver. It is not . . . not, I repeat, a special interest block of legislation. It is only so that the people, the plaintiff and the defendant before the malpractice panel may get a fair hearing on the injury alleged. It is only that and nothing more; and I'd urge a favorable vote."

Madigan: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question . . . for what purpose does the Gentleman from Adams, Mr. McClain, arise?"

McClain: "Excuse me, Mr. Speaker, would you poll the absentees, please?"

Madigan: "The Clerk will poll the absentees."

Fredric Selcke: "Arnell. Eugene Barnes. Berman. Bluthardt. Boyle. Bradley."

Madigan: "The Chair recognizes the Gentleman from . . . from McLean, Mr. Bradley."

Bradley: "I'd like to be recorded as voting 'aye'."

Fredric Selcke: "Bradley 'aye'."

Madigan: "Record the gentleman as 'aye'. Continue with the poll of the absentees."

Fredric Selcke: "Brandt. Brummet. Caldwell."

Madigan: "Caldwell 'aye'. Brummet 'aye'."

Fredric Selcke: "Brummet 'aye'."

Madigan: "For what purpose does the Gentleman from Cook, Mr. Jaffe, arise?"

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

Madigan: "How is the Gentleman recorded?"

Fredric Selcke: "The Gentleman is recorded as voting 'no'."

Jaffe: "After consultation with the Sponsor of the Amendment, I think it does just opposite of what he explained it to do; and, therefore, I'm going to change my vote to . . . to 'aye'."

Madigan: "Change the Gentleman from 'no' to 'aye'. How is Mr.



. . . ah . . . there are four people seeking recognition and I would suggest that we take a new Roll Call. The question is, shall Amendment #15 to House Bill 2769 be adopted? Have all voted who wish? The Clerk will take the Record. On this question there are 62 'ayes', 48 'nos', 3 voting 'present'; and Amendment #15 to House Bill 2769 is adopted. Are there further Amendments?"

Fredric Selcke: "Amendment #16, Maragos, . . ."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Maragos."

Fredric Selcke: ". . . amends House Bill 2769 and so forth."

Madigan: "Mr. Maragos on the Democratic side, 21."

Maragos: "Mr. Speaker and Members of the House in its fallible wisdom, not infallible, fallible wisdom this House adopted Amendment #8 limiting and setting up a policy decision to limit the recovery that a plaintiff may have or an injured person may have under this statute out of this Bill. However, if it does pass the House, I feel that the ceiling of \$500,000 is not a realistic figure, and I think that it should be increased to go to a higher sum where after all the costs are paid that the injured party who is deserving of that amount above anywhere near \$500,000 should get it clear; and, therefore, I would like to overcome Amendment #8 by adoption of Amendment #16 to increase the plaintiff entitlement to the sum of \$750,000, because all, we may not have as previously stated, only 10 cases or 20 cases in the history that have involved more than \$100,000 or \$200,000, still when one case is justified that party or the family should not be limited to the amount, therefore, I increase it to \$750,000; and I move for the adoption of Amendment #16."

Madigan: "The Chair recognizes the Gentleman from Stevenson, Mr. Brinkmeier."

Brinkmeier: "Yes, Mr. Speaker, would the Sponsor of this Amendment yield to one question?"

Madigan: "The Sponsor indicates that he will yield."

Brinkmeier: "Well, I'll have to express my ignorance here, but I would like to know approximately how much of this total amount would that person receive after the cost has been taken out of say a \$500,000 settlement,



approximately how much would a normal case would that person receive?"

Maragos: "Receive . . . the judgment is \$750,000, normally he should have at least a half a million in his hand, but that's the cost, but more importantly what I want to bring out here is the fact that the premium which has been con . . . condemned and which is the issue here the insurance companies that they cannot make a go of it because of the financial strain. I would like to state that the amount of the premiums to the physicians and surgeons involved will not be that much greater from the amount of \$500,000 to \$750,000. So, therefore, overall, whereas, the physicians and surgeons will not be hurt, they could also give a better relief to the injured party who would be seeking redress; and, therefore, I ask for the ceiling to be lifted to \$750,000."

Madigan: "The Chair recognizes the Gentleman from McLean, Mr. Deavers."

Deavers: "Mr. Speaker, would the Gentleman yield for a question?"

Madigan: "The Sponsor indicates that he will yield."

Deavers: "Sam, I hear a lot about the fact that \$500,000 isn't enough, and now you want to go to \$750,000; and I assume that is totally for the benefit of the claimant. Now, as a lawyer and a person, who I'm sure handles some of these kinds of cases, would you accept a 10 percent fee to a maximum of \$500,000 to handle one of these?"

Maragos: "Ah . . . Mr. Deavers, I'd be glad to take 10 percent fee, and I'd like to inform you that I don't handle this type of actions, so, therefore, I have no conflict of interest involved here."

Deavers: "Thanks, sir."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Shea."

Shea: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I oppose the Amendment. I thought that the \$500,000 limitation was a good Amendment. I think it does the job, and I think that we should stay with that."

Madigan: "The Chair recognizes the Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, I think in view of the inflation situation we have, \$750,000 is not an unreasonable amount, it's a fair amount, particularly if there is



malpractice which results in making a vegetable out of an individual and creating a great hardship, not only financial for his family, but the traumatic impact of a . . . of a hardship like that cannot be replaced by money. But I certainly think that the doctors have a right to be considered and \$750,000 is not unrealistic; and I respectfully ask the . . . the adoption of this Amendment; and I'd like to say, I, too, do not handle any cases of such magnitude, so it's not a conflict of interest. I'm speaking of the people involved. Until it happens to you or your family, you don't realize what a trauma it is. I know of a case where the wrong leg was cut off a child. You cannot replace the child, the child's leg . . . and the other leg shouldn't have been cut off, but that's what happened. Now, how do you replace that for a youngster? Do you give that . . . youngster the same opportunity to make a living, that our medical profession can make? No. I think it's a very realistic amount; and I urge respectfully the adoption of \$750,000 of Amendment #16."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Daniel Houlihan."

Houlihan: "Thank you, Mr. Speaker. Obviously, any figure of limitation we put on is at some point going to be arbitrary. But I would point out that in Amendment #8 the figure of \$500,000 is completely arbitrary. It is not backed up by any hard evidence by the Sponsors of this Bill or the Sponsor of the Amendment; and while \$750,000 is also arbitrary, it comes about as a result of picking a figure out of the air without any real justification; and by increasing it to \$750,000, we at least make this Bill more palatable, and perhaps we're being more realistic as Representative Geo-Karis has pointed out. For somebody who's going to have to rely on what the award is to maintain, for example, an injured child for the rest of that child's life, because of the terrible injuries of incompetence or neglect because of the physician, I simply think that this more reasonable. It makes the Bill more palatable; and I would urge the adoption of the Amendment."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Stearney."

Stearney: "Mr. Speaker, and Ladies and Gentlemen of the House, I, too,



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speak in favor of this Amendment. I say, however, there should be no limitation on the amount of damages, and I give you this for example, you take a young individual 25 years old, perhaps he's in the construction trade earning \$20,000 a year, and you assume that through an act of malpractice he loses his leg or some other limb or he becomes unable to work. Now, he has a life span of at least until 70, and he will be working until the age of 65, that means 40 years. 40 times 20 is \$800,000, and that's not counting, not assuming, the fact that we have inflation or that he will have raises in pay. So, in other words, he is the individual that is being hurt. It is not the lawyers, and I think many individuals are seeing a limitation on this as being one way to get at the lawyers. We are hurting the people by voting on such a limitation; and I may add that the insurance industry has not said nor satisfies any Member of this House that they are going to reduce the premiums for the do . . . doctors malpractice insurance. They are going to do anything of the kind. In other words, they've let the doctors carry the ball. The doctors are the facade in this matter, but it is the insurance industry that is going to benefit. Now, I say, if they wanted a limitation, they should put forth some quick ^{pro quo} protocol, they should say they are going to reduce the premiums and to the hospitals, in turn, which would reduce the pre . . . the care and hospitalization for an individual going into a hospital or being treated by a doctor. Until they do such a thing, they should not have a limitation. But, in the meantime, I say we should vote for this Amendment, because it is more sensible and much more reasonable than House Amendment #8.

Thank you."

Madigan: "The Chair recognizes the Gentleman from Moultrie, Mr.

Stone."

Stone: "Mr. Speaker, the number on this Bill is 2769. If we spend much more time trying to beat or adopt these Amendments, I guarantee you that we will never get to it on Third Reading. Now, this Amendment is quite simple, I think that all of us know what it means . . ."

Madigan: "For what purpose does the Gentleman from Cook, Mr.

Greiman, arise?"



Greiman: "Mr. Speaker, the Gentleman from Moultrie is not speaking to the . . . to the Amendment. He is speaking to the . . . to some outrageous procedural computation that he keeps making every 20 minutes, and he is out of order."

Madigan: "Ladies and Gentlemen, could we proceed to a Roll Call on this Amendment by agreements? The question is, shall Amendment #16 to House 2769 be adopted? All those in favor signify by voting 'aye', all those oppose by voting 'no'. For what purpose does the Gentleman from Kane, Mr. Hill, arise?"

Hill: "Well, Mr. Speaker, I, first of all, I realize the question could be called out of order, but can the Sponsor or any other Member of this body answer one question? I'm not an attorney, I have nothing to do with insurance. How many cases in the last year or two years has anyone collected over \$200 or \$300,000 in a suit like this? Does anyone know . . . in the State of Illinois? I think that's . . . ah . . . germane to all of this."

Madigan: "Is there anyone who wishes to answer Mr. Hill's question? Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there are 41 'ayes', 78 'nos', 3 voting 'present'; and Amendment #16 to House Bill 2769 is not adopted. Are there further Amendments?"

Jack O'Brien: "Amendment #17, Lauer, amends House Bill 2769 as amended in Section 3 and so forth."

Madigan: "The Chair recognizes the Gentleman from Logan, Mr. Lauer. For what purpose does the gentleman from Dupage, Mr. Daniels, arise?"

Daniels: "Has Amendment #17 been passed out?"

Madigan: "Mr. Clerk, has the Amendment been distributed? The Clerk indicates that the Amendment has not been distributed. Ladies and Gentlemen, the House will be at ease while we wait for the Clerk to distribute the Amendment, which I understand was just filed. The Chair recognizes the Gentleman from the . . . the Gentleman from Cook, Mr. Shea."

Shea: "Mr. Speaker, I'm wondering if you might look at 17 and 18 and see if they are germane to this Bill. What they seek to do is set



a limitation on the amount of recovery that an attorney may make; and I don't see where they are germane to this particular issue."

Madigan: "Mr. Shea, Mr. Shea, in the opinion of the Chair, Amendment 17 and 18 are germane to the Bill, and we will wait for the Clerk to distribute them. The Clerk indicates the Amendment #17 has been distributed. Is there anyone who does not have a copy of the Amendment, they can come to the Clerk's desk and pick it up. The Chair recognizes the Gentleman from Logan, Mr. Lauer."

Lauer: "Thank you, Mr. Speaker, Amendment #17 is a very simple Amendment. It . . . It actually strikes the heart of the whole question of malpractice. It is a consumer Amendment, because it would assure that the major part of the award that was granted to the recipient would stay in the hands of the recipient. The result of Amendment #17 would limit contingency fees to attorneys . . . ah . . . for the plaintiff to charge a maximum of 10 percent of the amount recovered in such an action or \$50,000, whichever is less. I would like to point out that the Speakers on the . . . ah . . . previous Amendment, that is Amendment #16, we're talking about a \$20,000 annual income, and a \$500,000 award invested at 5 percent interest would yield \$25,000 per year. Now, I would not like to see the erosion of that award by excessive attorneys fees . . . ah . . . based on excessive contingency. Since we're talking in pretty good sized figures and since we're talking about the basis of annual income, it seems to me that . . . that in order to protect that annual income of somebody who is maimed by a malpractice action would retain the maximum amount of . . . ah . . . that award that would be possible and for that reason, I move for the adoption of Amendment #17."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Shea."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I respect the Sponsor of this Amendment and I am looking for the words to explain this Amendment, but I'm absolutely opposed to it. I think that this would just reduce the chance of people that were injured in these types of suits from ever getting lawyers to represent them, and some of these complicated suits, it takes 2 and 3 years just to prepare the suit and the amount of time that's involved in it; I'd be opposed



to this Amendment."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Daniel Houlihan."

Houlihan: "Mr. Speaker, and Ladies and Gentlemen of the House, in my opinion the net effect of Amendment #17 will be to kill this Bill. When this legislation started out in Committee, it represented an attempt to work together between the legal and the medical professions without slurring on the other and to seek to come to grips with what is the major problem in this State. However, if we go this far having now put the limitation on, and now go further, then the net effect of this Bill is to simply blame the lawyers; and I submit, it's not a simple matter, it's a simplistic approach to what is a complex problem. The question of fees is something that is peculiarly personal to client and attorney; and I join the Sponsor of the legislation in opposing this Amendment."

Madigan: "The Chair recognizes the Gentlemen from Cook, Mr. Duff."

Duff: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, in . . . in certain ways I agree with the Sponsor of this Amendment, because I think unquestionably, if we're getting into the rare, rare occasions where we're talking about a \$1,000,000 judgment, it would surely seem that something like a \$330,00 would be exorbitant . . . ah . . . and I think that perhaps there are . . . ah . . . some ways that that could be done. But this Amendment, think of most of the cases, think of most of you, who . . . and most of your constituents who may have something that they think is a legitimate claim. What will it average? It will probably average about \$3,000 and it will probably be difficult to prove; and if limit the contingencies of the lawyer in the \$3,000 case to \$300, more than half of which come . . . goes into his overhead for his secretary and his investigation and his files, then you're, in effect, saying to a lawyer for that \$3,000 fee, and believe me that \$3,000 judgment could be very, very important to a lot of people, you're saying to him, we want you to take this on a risk, that is, on a contingency, and work on it for a year and a half or two years for a net fee to you of \$150 or less. Now, if, in fact, the contingency judgment in the enormous case is extreme, it



hardly under the Amendment points to the average case, where the lawyer is taking it on the basis, that if he loses, he gets nothing, and if he wins, he gets a third, but believe me, Jack, on your average small case, a 10 percent fee will cause most lawyers not even to do it."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Kosinski."

Kosinski: "Mr. Speaker, may I address a question to the Sponsor of the Amendment?"

Madigan: "The Sponsor indicates that he will yield."

Kosinski: "I think I understand the thrust of this Amendment, it's directed towards the large cases of the large settlements. However, in the main, it would be apparent to me that most settlements are of a much smaller nature than you presume. Wouldn't this have a reverse action to what you intend in that it would . . . ah . . . insure that attorneys will hig . . . ask for the highest possible damages to insure some sort of reasonable payment for their efforts?"

Lauer: "I think not, Mr. Kosinski, I think maybe the net effect might be to have lawyers instead of urging clients to enter malpractice suits. It might . . . encourage them to recommend to . . . to clients that unless they have a reasonably provable case that probably the case is frivolous and that the . . . the suit should not be entered. I'm sure that the net effect of the Amendment would be to reduce the number of malpractice cases by a considerable number."

Kosinski: "Would it reduce those cases because a . . . an attorney on a \$3,000 claim couldn't possibly survive or handle the case for \$300 and the person would be out for \$2,700?"

Houlihan: "I don't know, Mr. Kosinski, because, frankly, I have not heard . . . ah . . . of those \$3,000 malpractice claims. Apparently, these are not the ones that make the newspapers, because we rarely hear of . . . of any that's less than \$50,000 . . . ah . . . in its claim."

Kosinski: "Mr. Speaker, may I address the Amendment? It would appear to me, Mr. Speaker, and Ladies and Gentlemen of the House, although Mr. Lauer's Amendment is of a good intent, I think in the final analysis the preponderance of cases will be under those majestic cases we read



about in the news; and I think this would have a reverse effect to what he wishes; and I will be opposed to the Amendment."

Madigan: "Is there any further discussion? There being no further discussion, the question is, shall Amendment #17 to House Bill 2769 be adopted? All those in favor signify by saying 'aye', oppose . . . in the opinion of the Chair the 'nos' have it; and Amendment #17 is not adopted. Are there further Amendments?"

Jack O'Brien: "Amendment #18, Lauer, amends House Bill . . ."

Madigan: "The Chair recognizes the Gentleman from Logan, Mr. Lauer, . . . for what purpose does the Gentleman from Cook, Mr. Davis, arise, Mr. Davis."

Davis: "Ladies and Gentlemen of the House, I'd like to present to the General Assembly two groups, one from the Douglas . . . Douglas School in Chicago, and the other one is from the Pre-School. The Douglas is in the 26th District represented by Mr. Taylor, Washington, and Pouncey; and the 22nd is my own district with the distinguished Lady on the other side, Miss Catania and McLendon and Davis. Will the class for the schools still stand."

Madigan: "The Chair recognizes the Gentleman from Logan, Mr. Lauer, on the Amendment."

Lauer: "Thank you, Mr. Speaker, now for those in the legal profession that we're so worried about in Amendment #17, I present #18. Amendment #18 would limit the amount of fees collected or . . . ah . . . the amount of fees that a . . . an attorney can charge in a malpractice case to 10 percent or \$50,000, whichever is greater. Now, there is still a maximum limitation based upon the \$500,000 maximum claim that is . . . that was amended into the Bill here a little while ago; but it does give a . . . a certain latitude for negotiations, but it does assure that on the larger claims, such as . . . as Mr. Kosinski pointed out, that there is a maximum figure and that the amount of the award in the main to the recipient of the award is not going to be eroded to the extent that there will not be a sufficient income that is based upon the investment of the maximum award so that the individual who is subject to one of these major claims will not have an adequate amount to provide for his . . . his



care and comfort throughout the term of his disability, which may very well be his life. I think that Amendment #18 is certainly not unrealistic and while I certainly am not crying any great big salty tears that Amendment #17 was defeated, I would request your serious consideration of Amendment #18."

Madigan: "The Chair recognizes the Gentleman from Will, Mr. Leinenweber."

Leinenweber: "I have one question for the Sponsor."

Madigan: "The Sponsor indicates that he will yield."

Leinenweber: "Representative Lauer, if there was a \$52,000 judgment or claim awarded by the panel, would the fees be \$50,000 under Amendment #18?"

Lauer: "Under Amendment #18, the lawyer and client would have an opportunity before the suit to negotiate between the . . . the point of 10 percent and \$50,000 and, of course, this would depend on what the original claim might have been."

Leinenweber: "That wasn't an answer to the question. I said what if there was an award of \$52,000, what would the fee be if there was no other arrangement between the client and the . . . ah . . . and the attorney?"

Lauer: "I would say that we do have a caveat emptor so that the client certainly have checked with his lawyer what . . . ah . . . what the maximum fee that the lawyer in the case was going to charge no matter what."

Leinenweber: "I don't think that's a very good Amendment, and that wasn't an answer to the question."

Madigan: "Is there further discussion? There being no further discussion, the question is, shall Amendment #18 to House Bill 2769 be adopted? All those in favor signify by saying 'aye', all those opposed . . . in the opinion of the Chair the 'nos' have it; and Amendment #18 is not adopted. Are there further Amendments?"

Jack O'Brien: "No further Amendments."

Madigan: "There being no further Amendments . . . for what purpose does the Gentleman from Dupage, Mr. Daniels, arise?"

Daniels: "Well, we just wanted to inform the House, that we're happy that 17 and 18 lost, because we had an Amendment being prepared that any



farmer out of Mr. Lauer's district who's sued for medical malpractice be limited to \$50 recovery."

Madigan: "There being no . . . for what purpose does the Gentleman from Logan, Mr. Lauer, arise?"

Lauer: "I'd like to point out to the Speaker that we have a situation of . . . of . . . ah . . . that amounts to blackmail going . . . going on in the House, because of black hand . . . ah . . . or hand in the black glove put upon the desk this proposed Amendment that would limit the recovery to \$50, so I . . . I will have to admit that all of the farmers in my district feel threatened."

Madigan: "There being no further Amendments, the Bill will be moved to the order of Third Reading; and since the Bill was read a second time on May 10, it will now be called for hearing on the order of Third Reading and the Chair recognizes the Gentleman from Cook, Mr. Shea. For what purpose does the Gentleman from Kankakee, Mr. Ryan, arise?"

Ryan: "Well, Mr. Speaker, . . . ah . . . I would move to waive the appropriate rules so that can be done, if there's a rule that has to be waived here. As I understand, you don't feel there has to be one waived, is that right or . . . to have this Bill called on Third Reading?"

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Shea."

Shea: "I think if the Bill . . . it could be read a third time mechanically today, but in order to have it done, we would have to suspend the rule. I think . . . isn't it Rule 34B or it's . . ."

Madigan: "The motion has been made by Mr. Ryan . . ."

Shea: "I . . . I want to make sure which the . . . which one it is."

Madigan: "37. The motion having been made by Mr. Ryan to suspend Rule 37 to provide for the hearing of House Bill 2769 on the order of Third Reading today. All those in favor will signify by voting 'aye', all those oppose by voting 'no'. For what purpose does the Gentleman from Cook, Mr. Downs, arise?"

Downs: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, I think that we are entitled to an explanation as to why we are suspending the rules to hear House Bill 2769 heard out of any order.



Perhaps there's something I don't understand. I'd like to know why this Bill is more important than the many, many others that are of great importance to us."

Madigan: "The Chair recognizes the Gentleman from Kankakee, Mr. Ryan."

Ryan: "Well, certainly, Mr. Speaker, thank you, and Ladies and Gentlemen of the House, as you all know, we do have a crisis in the State of Illinois and almost across the country. About . . . where there is two hospitals closed in the suburban Chicago area that are on in emergency basis only . . . ah . . . the physicians are very concerned about this and they're . . . they would like to get this Bill out of here. I think it's in good taste to do it before we do end up with our doctors not taking care of the people as they need to be. We've handled this Bill. We know what it's about; and I think it would be fair enough to call it at this time."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Walsh."

Walsh: "Well, I just wanted to make the point, Mr. Speaker, that the Speaker has ruled . . . ah . . . irrespective of Rule 37, the Speaker has ruled that where a Bill has been amended that it will not be called for one legislative day, and . . . ah . . . so this is not only in contradiction to Rule 37, but it is also in direct contradiction of rulings that the Speaker has made . . . ah . . . over and over again."

Madigan: "Mr. Walsh, I've been informed by the Parliamentarian that in his opinion . . . these have not been rulings by the Chair, but rather the exercise of the practice on the part of the Chair, I'm informed by the Parliamentarian."

Walsh: "All right, practice on the part of the Chair, but . . . ah . . . it has been a consistent practice."

Madigan: "The motion is to suspend the rules. Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there are 73 'ayes', 38 'nos', 1 voting 'present'; and the motion to suspend the rules to hear House Bill 2769 on the order of Third Reading today is lost; and, therefore, the Bill will be



placed on the order of Third Reading. On the order of special order of the day, House Bills, Second Reading, appears House Bill 899. The Chair recognizes the gentleman from Cook, Mr. Duff."

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

Madigan: "For what purpose does the Gentleman from Cook, Mr. Maragos, arise?"

Maragos: "For a point of announcement, Mr. Speaker, if I have leave. Mr. Speaker, I'd like to announce that the Revenue Committee has a special meeting here this evening, will meet here on the floor of the House during the supper hour, which will be announced by the Speaker at a later time. We have witness coming from other parts of the . . . ah . . . state and since we have to hear them, we have to meet during the supper hour; and I would, therefore, admonish all the Members of the House Revenue Committee to have supper brought in so we can go through the supper hour and conclude our business. Thank you."

Jack O'Brien: "House Bill 899, a Bill for an Act making appropriation to the Supreme Court. Second Reading of the Bill. One Committee Amendment amends House Bill 899 on page 1, line 7, by deleting, '\$18,000,000', . . ."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Duff."

Duff: "Mr. Speaker, and Ladies and Gentlemen of the House, . . . ah . . . the other day when this Bill was called up . . . ah . . . so that I could explain the Committee Amendment, which reduced the amount of the appropriation from \$18,000,000 to \$300,000, there was a question raised as to the effect that would have on the substantive Bill. Ah . . . the purpose of setting the amount at \$300,000 is to allow the Chief Administrative Officer of the Supreme Court the period of time to tool up for the necessary steps which must be taken as a part of the implementation of the entire program of a state-wide probation system; and response to the question was raised, I do have and will offer as Amendment #1 to House Bill 900 an . . . an Amendment which will meet the objections that were raised by the Majority Leader at the time. Because of that at this time I will move the adoption of Amendment #1 to House Bill 899."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Shea."



Shea: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I think we ought to look at this and its companion Bill very closely. The Sponsor seeks to reduce the Amendment by some \$18,000,000 to take it back from \$18,000,000 to \$300,000; and says he will then, if he can, get House Bill 900 back from Third Reading to Second Reading, offer an Amendment to read . . . to change the effective date of the Act; but let me assure you that if we go ahead and go along with this, what we are committing ourselves to do is to make an expenditure of some \$18 to \$22,000,000 a year down the road next year or the year after that, and I don't know where the money is going to come from. I wrote the Administrative Officer of the Supreme Court, Mr. Gulley, a letter after I saw the fiscal note that was attached to the Bill; and in that I requested to find out where the \$18,000,000 was going to be spent in which counties and in which jobs, and Mr. Gulley's statement to me was if I can find it, and I read from a letter dated May 14th, 'I am not in a position at this time to accurately predict what the cost of a state-wide system would be. Several groups, including the Illinois Law Enforcement Commission, the Commission . . . Council on Criminal Diagnostics, the John Howard Society and others, have estimated the cost to be between \$18 and \$24,000,000 per year. I have not made an accurate analyses of the cost involved, because I do not have the staff capabilities to do so; and I have not felt that it would be logical for me to ask the Legislature to appropriate that amount of money to make such an analysis to my office until such time as the authority is vested in me by statute'. So what I think we're being asked to do with this Amendment is to give the Supreme Court \$300,000 to find out what the effect and cost of House Bill 900 would be and if we're passing 900 and 899 together we would, in effect, be probably committing ourselves to an expenditure of some \$25,000,000 a year, year after year, and the \$300,000 is just a way of finding out whether it's \$20 or \$25,000,000. I think this is a bad Amendment. If we're going to go for a program, let's vote the dollars to do it, and get on with it or let's be honest with ourselves and say that the program isn't worth \$18,000,000 or is it . . . or it is and do what I think is the right thing. I think this is a bad Amendment



and should be defeated."

Duff: "Mr. Speaker, I'll wait 'til I sum up, if I may."

Madigan: "The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speak . . . Speaker, I think it's entirely appropriate that this Amendment be adopted in the House, and that we leave it to the Senate to decide whether this is a good or a bad Bill. After all, they are the ones that have decided we can throw away \$35 to \$55,000,000 a year in this state, because of the misfeasance of the Director of the Department of Local Government Affairs, and it just doesn't matter. They just reconfirm it."

Madigan: "Let the Record show that Representative Giorgi has arrived in the Chamber. Is there further discussion? The Chair recognizes the Gentleman from Cook, Mr. Barnes."

Barnes: "Thank you very much, Mr. Speaker, would the Gentleman yield to a question?"

Madigan: "The Sponsor indicates that he will yield."

Barnes: "The question . . . ah . . . I have of the Sponsor is the same one that I propounded to him and the Committee where this was heard; and the question is, if we accept this Amendment, isn't it, in fact, going . . . ah . . . through the back door to the other \$17,700,000 that the witness for this particular program admitted it would probably be needed to carry out the program as . . . ah . . . outlined in the substantive Bill?"

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Duff."

Duff: "I would remind, Representative Barnes, that the Amendment came out of his Committee with a vote of 18 to 1 . . . ah . . . in favor of it. Ah . . . I feel that at the time I adequately explained as did Judge Gully, well, let me finish, Representative Barnes, if I may, you asked the question, please."

Madigan: "Proceed, Mr. Duff."

Duff: "The . . . ah . . . fact is that in order to implement a state-wide probation system, we must allow the Chief Administrative Office of the Supreme Court, while he is vested with the power to establish a state-wide probation system, functions including the



determination of qualifications for personnel, the appropriate salaries for probation officers and other personnel and training requirements, assisting the court in determining the number of probation officers, assisting each circuit in preparation for operations under the act, and many other functions, which would be necessary in the gathering of statistical information and coming to implementing decisions. Now, let it not be misunderstood, a state-wide probation system under any premise that we try to accomplish it will be expensive, in terms of dollars expended. It is also a fact that if this Bill passes, not in this fiscal year, but in the next fiscal year, we will have a substantial expenditure to meet. Both Governor Ogilvie and Governor Walker have committed to self . . . themselves to this kind of program. I would point out, for example, that in 1973, Cook County spent \$13,000,000 on probation, including all probation services, adult probation and juvenile probation. Ah . . . When Cook County alone is spending \$13,000,000 and a large portion of their costs will be taken away from them under this Bill, you can readily see why it would be expected in a future year to have . . ."

Madigan: "For what purpose does the Gentleman from Cook, Mr.

Barnes, arise?"

Barnes: "Thank you very much, Mr. Speaker, in all due respect to the Sponsor's response to my question, if I had wanted a speech, I would ask for it. I asked you a question that I had propounded to you in the Committee where it was heard. Now, for you to go on and give me a speech about what's involved in the total program is not what I asked you, I asked you, isn't it a fact that you stated in the Committee on Appropriations that this \$300,000 being committed in this Amendment would in fact open the door to the total amount of some \$18,000,000 with the adoption of this Amendment? I believe this is what you stated in the Committee, and I simply wanted you to clarify that fact."

Madigan: "Mr. Duff, Mr. Duff, the Chair recognizes Mr. Duff, Duff."

Duff: "Mr. Speaker, I wonder if you could ask the Gentleman on the switchboard to leave my light open while I'm answering questions, because it's just slowing us down when he keeps turning it off. Ah



. . . I can answer your question, Representative Shea, there's no back door to this. I'll tell you right out front . . . well, you want to ask your question again, you don't like the way I'm answering it?"

Barnes: "Well, it's not that I don't like the way you're answering it, but I'm not Shea, I'd appreciate it."

Duff: "Sir? I . . ."

Barnes: "I'm not Shea."

Madigan: "He'd like you to address him . . ."

Duff: "Oh, I'm sorry, Representative Barnes, I'm sorry. You look alike, I just wondered . . ."

Barnes: "I take that . . . I take that as a compliment."

Duff: "And I'm sure he does. Representative Barnes, it isn't any back door, it's right out front. I'll make the flat categorical statement that the implementation of this Bill in future fiscal years will require an expenditure at the state level of that amount of money, but it is not reasonable to . . . not to say at the same time that when I propose a substantive Bill, as you will hear it, that the cost savings to the counties in many ways including the reduction of probation will be reduced far below the expenditure that we make, in total effect."

Madigan: "The Chair recognizes Mr. Barnes."

Barnes: "Thank you very much, Mr. Speaker; may I speak to the Bill, Mr. Speaker . . . to the Amendment?"

Madigan: "Proceed, Mr. Barnes."

Barnes: "I think in all due respects to the . . . ah . . . Sponsor, and I think he's at . . . attempting to do a very honorable thing in . . . in his own mind, but I think for him to come in with Amendments as he did in the Appropriation's II Committee and to come in with an Amendment here and now on the House floor and say that this Amendment . . . the Amendment is only \$300,000 and this is what we should be voting on here today, I think is not being perfectly honest in its total form, because, in fact, with the adoption of this Amendment and the adoption of the House Bill 900, we will be, in fact, committing some \$18 to \$22,000,000; and I think everyone in this Chamber should



realize that fact, and if the sponsor of this program feels strongly enough about it that he should address it from that point and not to try to becloud the fact by saying it will only cost \$300,000. I think this is a bad Amendment, and I think the total program should be voted down."

Madigan: "Is there further discussion? There being no further discussion, the Chair recognizes the Gentleman from Cook, Mr. Duff, to close the debate."

Duff: "Thank you, Mr. Speaker, . . . ah . . . I will reiterate . . . this is no deceitful trick, this is . . . I'm saying that this \$300,000 appropriation in conjunction with the Amendment we will make to House Bill 900 is . . . will be required this year for the implementation. I also will tell this House that in future years, a state-wide probation system will be expensive. There is no question about that, and I will explain in conjunction with the other Bill how that Bill will also save millions of dollars in direct and indirect costs in the State of Illinois both to counties, circuits and to the people of Illinois in their correction system. I would point out in response to what the Majority Leader said on terms of the . . . ah . . . letters from the Administrative Officer of the Illinois Code . . . Courts that while Judge Gulley has indicated that he cannot speak to the \$18,000,000 figure, I have information which has been developed over the last four years by the now defunct Council on the Diagnosis and Evaluation of Criminal Defendors, the John Howard Association and the League of Women Voters on the precise cost and the total expenditures that have been made . . . ah . . . over the last . . . in . . . over the last several years in the area of probation. So we do know, rather fully, what we're talking about here in terms of cost and savings. I would also point out that in the fiscal note, which I was asked to file on this letter, Judge Gully said, 'I have determined that the cost to the State for full-time state-wide probation services program would be \$18,300,000, about \$18,000,000 for the payment of salaries and \$300,000 for administrative expenses! He said further in his letter, more recently a week later, to Representative Shea he said, 'as you are probably aware the accompanying appro-



priation Bill, House Bill 899, has been amended in Committee to request an appropriation of \$300,000 for fiscal year '76', and he very clearly said and he spelled out in the details of how that money would be used, and he very clearly indicated his support for it. I would also indicate to you that there is support for these bills by the Executive Board of the County Officials Association, the State-Wide Probation Association, the Taxpayers Federation of Illinois, the League of Women Voters, the Chicago Crime Commission, the John Howard Association and many, many others. I will ask for a favorable Roll Call on Amendment Number 1 to House Bill 899."

Madigan: "The question is, shall Amendment #1 to House Bill 899 be adopted? All those in favor signify by voting 'aye', all those opposed by voting 'no'. The Chair recognizes the Gentleman from Cook, Mr. Shea, to explain his vote."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, if we vote this Amendment on, what we are doing, in effect, is voting for an \$18,000,000 down the line a year or two; and I don't know who in Heaven's name is going to sit here and vote the taxes to pay for it. It's so simple to start one of these programs off, but then when it comes to time to vote an increase in the income tax or vote an increase in the sales tax, there's none of us that want to stand up here and offer those kind of Amendments. Now, what we're, in effect, doing here is voting to provide a method where this State is going to spend another \$25 or \$26,000,000 down the line. I think this is a very bad Amendment; and I would hope that there'd be a few more 'no' votes up on that board."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Lechowicz, to explain his vote."

Lechowicz: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Very briefly House Bill 899 is being considered right now as really out of order because a total cost of the probation system now born by the counties is really difficult to calculate. But let me just briefly review to you what our staff analysis of this Bill is and what the total fiscal impact to this State will be. It says, 'However, a total probation system includes salaries of probation



officers, in-service training costs, salaries of support personnel, psychiatric and psychological services, foster boarding home costs, detention loan expenses, office, rent, commodities and equipment.' Just like to also remind this House that the fiscal note, which has been filed, on House Bill 2123 projects a total probation service cost at \$25,000,000. I would strongly recommend a 'no' vote on this Amendment, and even possibly a 'no' vote on the Bill because it's lacking in the implications that are involved. Thank you."

Madigan: "Have all voted who wish? The Chair recognizes the Gentleman from Cook, Mr. Duff, to explain his vote."

Duff: "Well, Mr. Speaker, there is some misunderstanding being spread on this and I also have noticed some staff Members on the other side of the aisle going around pushing on lights. I would indicate to them that they have put some lights on some Members who have told me they didn't want to be voted that way . . . ah . . . and, consequently, we do have difficulties in this; I will vote for a verification, ask for a verification. In the meantime, let me say that there is no question at all that there will be fiscal implications in a state-wide probation system. There is no question at all that the State of Illinois, particularly the small counties, need this desperately. There is no question at all that this is the proper method to approach implementing the program and deferring the vote 'til the future. Now, if Representatives, who have spoken against this, want to try to pass an . . . a . . . an appropriation this year for \$18,000,000, I would hope that they would stand up and say that they're committed to that. I will tell them this that if the \$18,000,000 was put on as an appropriation this year, it could not possibly be all spent, there is no way it could be done. I would also indicate to those who refer to the costs that it cost \$9,000 a year to keep a man in an . . . in an Illinois institution and it costs \$650 a year to keep them under an adequate probation system. I would further point out in the counties that have had successful professional probation systems, they have reduced their recidivism dramatically of first-time offenders from as much as 70 percent to 40 percent of people who don't go back to jail. Now, this Bill is



supported by the State-Wide Probation Officers and the Executive Board of the County . . . ah . . . Boards, and it is one which . . . you . . . many of you have voted for over the years. It is not a new idea, nor is it a new program. If this Amendment fails, I will have to ask for a Roll Call on \$18,000,000; and I will ask for it, but I guarantee you that the \$18 can't be spent in its entirety so why force me into that situation? I would also ask that the people who have voted lights that they shouldn't have that they put them on 'present' to save us some time."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr.

Lundy, to explain his vote."

Lundy: "Thank you, Mr. Speaker and Members of the House, briefly to explain my vote, been an awful lot of discussion about issues that are not really involved in this Amendment. There can be differences of opinion about whether we should have a state-wide unified probation system with . . . ah . . . state-mandated professional standards. That's what's involved in the substantive Bill that this appropriation accompanies. There can also be differences of opinion about whether we ought to spend \$18 or \$25,000,000 to pay for a unified state-wide probation system. That will be the issue if and when this Bill without the Amendment comes to Third Reading. But what's at issue at this Amendment is whether we ought to appropriate \$18,000,000 when the Administrative Office of the Illinois courts, which would be administering this program says it won't need that much in the first year; and that's what Judge Gulley testified before Appropriation's II when this Bill was heard. He said, 'Yes, I believe in a unified state-wide system; yes, I believe in the State paying the cost of that system, but very frankly I can't spend \$18,000,000 in the first year. My best estimate of what I can spend is what's requested in this Amendment'. So why should we vote \$18,000,000 in appropriations when the Administrative Officer of the Illinois courts have told us they can't use that much in the first year of this program. For the life me, the only reason I can see for opposing this Amendment, which would reduce . . . reduce the cost of this appropriations Bill, is to make it harder to pass the appropriations



Bill; and I don't think that's a legitimate reason for opposing the Amendment. The Administrative Office has said they can't spend the money in the next fiscal year, so why should we appropriate it for them, let's appropriate what they tell us they can spend. That's what that . . . that's what this Amendment would do; and I ask for an 'aye' vote."

Madigan: "Have all voted who wish? The Chair recognizes the Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Mr. Speaker, I'd just like to point out that if we continue to appropriate these kinds of sums we're going to have to vote an income tax increase or a sales tax increase; and those people that are voting green will have to be the first ones to go back to their constituents and say, 'Yes, I advocate an income tax increase, I in . . . advocate a sales tax increase', and believe me those people aren't going to do that. So it's going to fall on the rest of us; and I, for one, am not going to vote an income tax increase and so I think all the rest of you ought to vote green or yell . . . excuse me, red if you're going to maintain the present tax structure. You can't have it both ways."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Washington, to explain his vote."

Washington: "Yes, Mr. Speaker, thank you very much. Now, I support the state-wide conception of probation services and I have supported them since it was first conceived of by the Criminal Diagnostic Committee some four years ago; and as a matter of fact, House Bill 900 was a part of the Code of Corrections Revision, which was taken so that we could get it passed then; and I still support it, but I just don't understand the shenanigans going on here. I . . . I can't imagine just what is being done. Now, 899 is being amended down for a \$300 in lieu of \$18,000,000, and I understand there is some wording in the House Bill 900, which will give a grant of authority to hire personnel ecetera and so forth but no appropriation. I simply don't understand the procedure, I'm going to vote 'no' on this."

Madigan: "Have all voted who wish? The Clerk will take the Record. On this question there are 77 'nos', 71 'ayes', 2 voting



'present'; and for what purpose does the Gentleman from Cook, Mr. Duff, arise?"

Duff: "Mr. Speaker, I have to ask for a verification on Roll Call, and could I have a poll of the absentees, please?"

Madigan: "The Clerk will poll the absentees."

Jack O'Brien: "Arnell. Boyle. Brandt. Byers. Capuzi. Collins. D'Aroc. Ewell. Fleck. Gar . . . Griesheimer. R. K. Hoffman. Kane. Keller. LaFluer. Laurino. Madison. Mann. McAvoy. Mugalian. Peters. Pierce. Schlickman. Sharp. Telcser. Wall. Winchester. Mr. Speaker."

Madigan: "The Clerk will proceed with the verification of the negative Roll Call. For what purpose does the Gentleman from Cook, Mr. Lechowicz, arise?"

Lechowicz: "On a point of order, Mr. Speaker. I thought you had to go on the affirmative first and then we'll go on the negative."

Madigan: "I'm not sure, Mr. Lechowicz, I thought it was the prevailing side first."

Lechowicz: "I . . . I . . ."

Madigan: "The rules say the affirmative?"

Lechowicz: ". . . I believe it's the affirmative, sir."

Madigan: "The Clerk will proceed with the verification of the affirmative Roll Call, and for what purpose does the Gentleman from Cook, Mr. Duff, arise?"

Duff: "Mr. Speaker, custom has been to . . . on Amendments to verify the prevailing side first."

Madigan: "Mr. Duff, I'm pretty sure that the rules specify that we proceed with the affirmative Roll Call first so that the Clerk will proceed with the affirmative Roll Call."

Duff: "Mr. Speaker, please, now, through the last five years that I've been here, every time there's been a verification on an Amendment, it has been the practice to verify first the prevailing side and . . . ah . . . there may be some other Members here who could point to that custom."

Madigan: "For what purpose does the Gentleman from Cook, Mr. Walsh, arise?"



Walsh: "Ah . . . Mr. Speaker, I . . . I just wanted to confirm what . . . ah . . . the Gentleman from Evanston said that . . . ah . . . it is the prevailing side and the . . . ah . . . new rules that . . . ah . . . one day we'll get to provide that it's the prevailing side, even though the present rules do not say that. The prevailing side in this case is the negative and they should be verified first."

Madigan: "For what purpose does the Gentleman from Cook, Mr. Lechowicz, arise?"

Lechowicz: "Well, Mr. Speaker, we're going by the existing rules under 50B, I think you start with the . . . ah . . . with the greens first."

Madigan: "The Parliamentarian has arrived and we will proceed with the verification of the affirmative Roll Call, Mr. Clerk."

Jack O'Brien: "Anderson. Bluthardt."

Lechowicz: "Ah . . . Mr. Speaker, I would hope that the Members would respond in the normal procedure and I . . . ah . . . I know you question Mr. Anderson, and I see him now, thank you."

Madigan: "When a Member's name is called, will he indicate where he is sitting or standing by waving his or her arm. Thank you."

Jack O'Brien: "Borchers. Brinkmeier. Campbell. Carroll. Catania. Coffey. Cunningham. Daniels. Deavers. Deuster. Downs. Duff. Ralph Dunn. Dyer. Ebbessen. Epton. Ewing. Friedland. Friedrich. Gaines. Geo-Karis. Grotberg. Hart. Hirschfeld. Gene Hoffman. Holewinski. Jim Houlihan. Hudson. J. D. Jones. Katz. Kempiners. Kent. Klosak. Kucharski. Lauer. Leinenweber. Lundy. Macdonald. Mahar. McCourt. McMaster. Meyer. Miller. Molloy. Neff. Palmer. Polk. Porter. Randolph. Rayson. Reed. Rigney. Rose. Ryan. Sangmeister. Satterthwaite. Schuneman. Sevcik. Simms. Skinner. Stearney. E. G. Steele. C. M. Stiehl. Totten. Tuerk. Waddell. Walsh. Washburn. Willer. That's it. Questions."

Madigan: "Are there any questions? Mr. Lechowicz, are there any questions?"

Lechowicz: "Yes, Mr. Speaker."

Madigan: "The . . . ah . . . for what purpose does the Gentleman from Cook, Mr. Peters, arise?"

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



Madigan: "How is the Gentleman recorded?"

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

Peters: "Vote me 'aye'."

Madigan: "Record the Gentleman as 'aye'. For what purpose does the Gentleman from Cook, Mr. Klosak, arise?"

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

Madigan: "How is the Gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Klosak: "I wish to change that to 'no'."

Madigan: "Change the Gentleman from 'aye' to 'no'."

Lechowicz: "unintelligible . . ."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, is Mr. Coffey on the floor? Representative Coffey."

Madigan: "For what purpose does the Gentleman from Madison, Mr. Byers, arise?"

Byers: "How am I recorded?"

Madigan: "How is the Gentleman recorded? Byers."

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

Byers: "Vote me 'no'."

Madigan: "Vote him 'no'. Mr. Coffey? Is Mr. Coffey on the floor? How is the Gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Madigan: "Remove him from the Roll Call."

Lechowicz: "Representative Deavers?"

Madigan: "Deavers? Is Mr. Deavers on the floor? Ah . . . Is he on the floor? He's in the back of the Chamber."

Lechowicz: "I thank you. Representative Friedland?"

Madigan: "Friedland? In the back of the Chamber."

Lechowicz: "Representative Grotberg?"

Madigan: "Grotberg in his chair."

Lechowicz: "Hello, John, welcome back. Representative Katz?"

Madigan: "Representative Katz? Is Representative Katz on the floor? For what purpose does the Gentleman from Cook, Mr. Mugalian,



arise?"

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

Madigan: "How is the Gentleman recorded? Mugalian."

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

Mugalian: "Please, vote me 'aye', Mr. Speaker."

Madigan: "Record the Gentleman as 'aye'. Mr. Katz? Is Mr. Katz
on the floor? How is the . . . Mr. Katz recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Madigan: "Remove him from the Roll Call."

Lechowicz: "Rep . . . Representative Kempiners?"

Madigan: "In his chair."

Lechowicz: "Kucharski?"

Madigan: "Kucharski? Standing next to the Speaker's podium."

Lechowicz: "Representative Mahar?"

Madigan: "Mahar? In the rear of the Chamber."

Lechowicz: "Molloy?"

Madigan: "Molloy? Representative Molloy? Is Representative Molloy
in the Chamber? How is the Gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Madigan: "Remove him from the Roll Call."

Lechowicz: "Representative Neff?"

Madigan: "Neff? Is Representative Neff in the Chamber? How is
the Gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Madigan: "Remove him from the Roll Call."

Lechowicz: "Representative Randolph?"

Madigan: "Representative Randolph? Is Representative Randolph in
the Chamber? How is the Gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Madigan: "Remove him from the Roll Call."

Lechowicz: "Representative Rigney?"

Madigan: "Rigney . . . seated in his chair."

Lechowicz: "Representative Rose?"

Madigan: "Rose? Is Representative Rose in the Chamber? How is
the Gentleman recorded?"



Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Madigan: "Remove him from the Roll Call."

Lechowicz: "Representative Sevcik?"

Madigan: "Sevcik is in his chair."

Lechowicz: "Representaitve E. G. Steele?"

Madigan: "E. G. Steele is in his chair."

Lechowicz: "Representative Totten? Oh, he here."

Madigan: "Totten? In his chair."

Lechowicz: "He's here. Representative Waddell?"

Madigan: "Waddell is in his chair."

Lechowicz: "Representative Simms?"

Madigan: "Representative Simms is standing in front of the
Speaker's podium."

Lechowicz: "No further questions, Mr. Speaker."

Madigan: "No further questions. For what purpose does the Gentle-
man from Cook, Mr. Schlickman, arise?"

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

Madigan: "How is the Gentleman recorded?"

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

Schlickman: "May I be recorded 'aye', please?"

Madigan: "Record him as 'aye'. For what purpose does the Gentleman
from Cook, Mr. Molloy, arise? How is the Gentleman recorded?"

Jack O'Brien: "Who is it?"

Madigan: "Molloy."

Jack O'Brien: "Gentleman was . . . ah . . . taken off the Roll Call."

Molloy: "'aye'."

Madigan: "Restore him to the Roll Call. For what purpose does the
Gentleman from Cook, Mr. Randolph, arise?"

Randolph: "How am I recorded?"

Madigan: "How is the Gentleman recorded?"

Jack O'Brien: "Gentleman was taken off the Roll Call."

Madigan: "Restore the gentleman to the Roll Call. Proceed with
the verification of the negative vote, Mr. Clerk."

Jack O'Brien: "E. M. Barnes. J. M. Barnes. Beatty. Beaupre. Berman.
Birchler. Bradley. Brummet. Byers. Caldwell. Calvo. Capparelli.



Chapman. Choate. Craig. Darrow. Davis. DiPrima. John Downs.
 Farley. It was John Dunn, did I say John Downs? John Dunn. Then
 Farley. Fary. Fennessey. Flinn. Garmisa. Getty. Giglio. Giorgi.
 Greiman. Hanahan. Hill. Dan Houlihan. Huff. Jacobs. Jaffe.
 Emil Jones. Kelly. Klosak. Kosinski. Kuzubowski. Lechowicz.
 Lemke. No, that should be Kornowicz. Leon. Leverenz. Londrigan.
 Lucco. Luft. Madigan. Maragos. Marovitz. Matijevich. Mautino.
 McAuliffe. McClain. McGrew. McLendon. McPartlin. Merlo. Mudd.
 Mulcahey. Nardulli. O'Daniel. Patrick. Pouncey. Richmond.
 Schisler. Schneider. Schoeberlein. Schraeder. Shea. Stone.
 Sutbblefield. Taylor. Terzich. VonBoeckman. Washington. White.
 Williams. Younge, and Yourell."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Duff."

Duff: "Can you give me the amount of . . . ah . . . on the affirma . . .
 on the green lights first, Mr. Speaker? What is the verified amount
 on the green lights?"

Jack O'Brien: "69 'yeas'."

Duff: "And where do we . . . where do we stand right now on the red?"

Jack O'Brien: "79."

Duff: "O.K., Representative Beatty?"

Madigan: "Beatty is seated in Garmisa's seat."

Duff: "Representative Garmisa?"

Madigan: "Representative Garmisa? He's at the funeral at Chicago."

Duff: "Well, then he's not on the Roll Call."

Madigan: "Is the Gentleman on the Roll Call?"

Jack O'Brien: "Gentleman is recored as voting 'no'."

Madigan: "Remove him from the Roll Call."

Duff: "Representative Bradley?"

Madigan: "Bradley? Is Representative Bradley in the Chamber? How
 is the Gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'no'."

Madigan: "Remove him from the Roll Call."

Duff: "Representative Choate?"

Madigan: "Representative Choate is at his desk."

Duff: "Representative Darrow?"



Madigan: "The . . . ah . . . what's the question? Who's being questioned, Mr. Duff?"

Duff: "Darrow."

Madigan: "Darrow? He's in his chair."

Duff: "Representative Flinn?"

Madigan: "Flinn? In his chair."

Duff: "Representative Giorgi?"

Madigan: "Giorgi? In front of the Speaker's podium."

Duff: "Representative Hanahan?"

Madigan: "Hanahan is in his chair."

Duff: "Representative Kornowicz?"

Madigan: "Kornowicz is in his chair."

Duff: "Londrigan?"

Madigan: "Representative Londrigan? Is Representative Londrigan in the Chamber? How is the Gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'no'."

Madigan: "Remove the Gentleman from the Roll Call."

Duff: "Representative Lucco?"

Madigan: "Lucco? Is Representative Lucco in the Chamber? Remove the Gentleman from the Roll Call. How is the Gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'no'."

Madigan: "Remove the Gentleman from the Roll Call."

Duff: "Representative Luft."

Madigan: "Luft is in his chair."

Duff: "Representative Maragos?"

Madigan: "Maragos? Is Representative Maragos in the Chamber? How is the Gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'no'."

Madigan: "Remove the Gentleman from the Roll Call. Representative Maragos has returned. Re . . . restore Representative Maragos to the Roll Call."

Duff: "Representative Mautino?"

Madigan: "Mautino? How is the Gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'no'."

Madigan: "Representative Mautino is on the Republican side."



Representative McAuliffe is standing next to the Speaker's podium. Representative Lucco has returned to the Chamber and restore him to the Roll Call."

Duff: "Representative Merlo?"

Madigan: "Merlo? Is Representative Merlo in the Chamber? How is the Gentleman recorded? Merlo."

Jack O'Brien: "Gentleman is recorded as voting 'no'."

Madigan: "Remove the Gentleman from the Roll Call."

Duff: "Representative O'Daniel?"

Madigan: "O'Daniel? He's in his chair."

Duff: "Representative Patrick?"

Madigan: "Patrick? Is Representative Patrick in the Chamber? He's in his chair."

Duff: "Representative Pouncey?"

Madigan: "Pouncey is in his chair."

Duff: "Representative Taylor?"

Madigan: "Taylor? Is Representative Taylor in the Chamber? Remove the Gentleman from the Roll Call."

Duff: "Representative Stubblefield?"

Madigan: "Stubblefield? He's in his chair."

Duff: "Representative VonBoeckman?"

Madigan: "VonBoeckman? Standing with Mr. Luft near Mr. Walsh's chair."

Duff: "Mr. Speaker, I might comment that it would be a lot easier for us to do this if people were in their chairs."

Madigan: "Yeah, do you have further questions of the Roll Call?"

Duff: "Yes, sir. Ah . . . Representative Craig?"

Madigan: "Craig? Is Representative Craig in the Chamber? I think he's seated in his chair. Yes, he is, there he is."

Duff: "Thank you."

Madigan: "Further questions of the Roll Call?"

Duff: "Those are the only questions, Mr. Speaker."

Madigan: "The Chair recognizes the Gentleman from Sangamon, Mr. Londrigan."

Londrigan: "Would you put me back on as 'no'?"



Madigan: "Restore Representative Londrigan to the Roll Call as 'no'. The Chair recognizes the Gentleman from Morgan, Mr. Rose."

Rose: "Mr. Speaker, I had to leave the floor. I believe that I was stricken from the affirmative Roll Call, I would like to be replaced."

Madigan: "How is Mr. Rose recorded?"

Jack O'Brien: "The Gentleman was removed from the Roll Call."

Madigan: "Restore Mr. Rose to the Roll Call voting affirmative or voting 'yes'. The Chair recognizes the Gentleman from Cook, Mr. Katz, . . . ah . . . and I believe you were removed from the Roll Call and wish to be restored as voting 'aye'? Restore Mr. Katz as voting 'aye'. Does anyone else seek recognition? What do you have, Mr. Clerk?"

Jack O'Brien: "71 'aye', 75 'nay'."

Madigan: How many 'present'?"

Jack O'Brien: "2 'present'."

Madigan: "On this question there are 71 'ayes', 75 'nays', 2 voting 'present'; and Amendment #1 to House 899 is lost. Are there further Amendments?"

Jack O'Brien: "No further Amendments."

Madigan: "Third Reading. The Chair recognizes the Gentleman from Cook, Mr. Epton."

Epton: "Mr. Speaker, Ladies and Gentlemen of the House, I would like leave to table the following Bills all of which I am the Chief Sponsor, House Bill 1708, House Bill 1710, House Bill 1741, House Bill 1744, House Bill 1967 and House Bill 2183. May I have leave?"

Madigan: "Leave to table those Bills? Leave being granted, those Bills are, hereby, tabled. On the order of Special Order of the day House Bills, Second Reading, appears House Bill 900. The Calendar is incorrect in the . . . to the effect that House Bill 900 as being on the order of Second Reading. The Clerk informs me House Bill 900 in reality is on the order of Third Reading. Mr. Duff, did you wish to consider House Bill 899 and 900 together? The Chair recognizes Mr. Duff."

Duff: "Well, Mr. Speaker, what I'd like to do at this time is move House Bill 900 back to Second Reading for the purposes of an Amendment?"



Madigan: "Is there leave? Is there leave to move House Bill 900 back to the order of Second Reading? Leave having been granted, House Bill 900 shall be placed on the order of Second Reading; and the Chair recognizes the Gentleman from Cook, Mr. Duff."

Jack O'Brien: "Amendment #1 amends House Bill 900 on page 14 as follows and so forth."

Madigan: "Mr. Duff."

Duff: "Well, Mr. Speaker, House Bill 900 . . . ah . . . answers the problem that was asked about the Bill . . . ah . . . it will take, as we have indicated, some time to establish the programs under which it will operate properly and we want to give the . . . ah . . . Division of Probation Services the time to accomplish that goal . . . ah . . . and this Amendment does just that . . . ah . . . allowing the implementation to gathering of statistics and so forth and then it withholds the repealer of any other acts for one year so that that implementation can be accomplished. I move the adoption of Amendment #1 to House Bill 900."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Shea."

Shea: "I don't have a copy of the Amendment."

Madigan: "Mr. Duff."

Duff: "Mr. Speaker, the Amendment was put on Representative Shea's desk when he was on Amendment #11 to his previous Bill."

Shea: "I've got it."

Madigan: "Mr. Shea indicates that he found the Amendment."

Shea: "I've got it, now, I don't know how many other Members have it though."

Madigan: "Mr. Clerk, have the Amendments been distributed? The Chair recognizes the Gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Well, if they've been distributed, I haven't recieved a copy on my desk, Mr. Speaker."

Madigan: "Mr. Lechowicz does not have a copy, Mr. Duff."

Duff: "Well, Mr. Speaker, I was not suprised that . . ."

Madigan: "Does anyone else not have copies of the Amendments?"

Duff: "May I, Mr. Speaker, and I have plenty here for anybody who doesn't have one."



Madigan: "The Clerk indicates that the Amendment has been distributed and Mr. Duff has moved that Amendment #1 to House Bill 900 be adopted. Is there any discussion? The Chair recognizes the Gentleman from Cook, Mr. Shea."

Shea: "Would you explain . . . would he explain what the Amendment does?"

Duff: "This is the Amendment you asked for, Gerry."

Shea: "No, I didn't ask for any Amendments. I just asked you what this one does."

Duff: "Well, it answers your complaint yesterday when you indicated that it would take some time to tool up; and so it does give the . . ."

Shea: "I didn't say that, the Supreme Court administrators said that. Now, let's get our facts straight. Would you explain the Amendment, please?"

Duff: "Well, Representative Shea . . . ah . . . perhaps you didn't ask for it. You did make quite a point the other day that the Chief Administrator Officer had told you and me that he would need some time to put the entire operation in . . . and the entire program into operation; and I think that's reasonable to assume that he did; and, consequently, that Bill reflects that need that he has spoken of to you and to me."

Shea: "Well again, could I ask to have the Amendment explained? As I understand it, the Acts that you had previously said would be repealed on July 1 of 75 are now being repealed on July 1 of 76?"

Duff: "Certain Act, that's right . . . ah . . ."

Shea: "All right, the Act creating this code shall become effective subject to the following Sections, which means that the Bill would become effective on the date that it's passed, it would become a law, is that correct, sir?"

Duff: "Ah . . . Upon becoming law, it has to be signed."

Shea: "Yes, but I'm saying the effect . . . the effective date of the law would be now or whatever is signed by the Governor if it passes both Chambers?"

Duff: "That's correct, with the . . . with the exceptions noted."

Shea: "Well, that's what I . . . it said then following that statement, 'it shall commence on that date to hire the Division personnel necessary



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to carry out the Division functions under this Act, and to commence to engage in such functions which include the determination of qualifications, the appropriate salaries of probation officer and all other personnel, the training requirements', then it says, too, 'assisting the Supreme Court in determining the number of probation officers in each circuit and assisting each circuit in preparation of the operation under this Act and any other functions deemed necessary'."

Duff: "That's correct."

Shea: "Are we making the Act piece meal by this?"

Duff: "No, we're doing precisely relating to the problem you noted yesterday."

Shea: "I didn't note any, I say that again, the Supreme Court Administrator noted it."

Duff: "You were kind enough to bring it to our attention."

Madigan: "Is there further discussion? There being no further discussion, the Chair recognizes the Gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, would the Sponsor yield to a question?"

Madigan: "The Sponsor indicates that he will yield."

Lechowicz: "I amend . . . Amendment #1 on line 15 it says that 'the courts will hire the Division personnel necessary to carry out the Division's function', . . . ah . . . do you have any indication the number of people that they intend on hiring under this Amendment #1?"

Duff: "Mr. Speaker, since I'm going to be answering questions, would you ask the Gentleman to leave my light on so I can respond to the questions that are asked to me? Yes, I have an indication . . . ah . . . Representative Lechowicz, in particular, the first thing the court would have to do would be to hire a Chief . . . an Administrator to head the Division under him. Ah . . . He would not have to hire a lot of people initially, but he would have to hire people over the period of a year, because his goal would be to gather information and to contact all the circuits so that he could talk to them about their requirements. In . . . incidently, he has received indications



of co-operation and support from the various circuits in this regard, so I'm sure that it will reduce the amount of money he'll have to spend initially."

Lechowicz: "You didn't answer my question."

Duff: "Well, I'm sorry, maybe you can answer . . . maybe you can tell me where I was short."

Lechowicz: "It says when this . . . 'it shall commence on that date to hire the Division personnel to carry . . . carry out Division functions' . . ."

Duff: "Well, Representative Lechowicz, if he had all the money he needed, he would hire a Director of Probation Services, he would hire a Fiscal Officer, he would hire some Assistant Directors, some secretaries and few file clerks."

Lechowicz: "At what salaries?"

Duff: "Ah . . . If he had all the money he needed?"

Lechowicz: "Well . . . yeah . . ."

Duff: "If he had all the money he needed, he would anticipate paying the Director of Probation Services State-wide, \$27,500 a year; if he didn't have the money, I'm sure he wouldn't. Ah . . . If he had the money, he would pay the Fiscal Officer, \$21,000; if . . . and if he intends to pay the file clerks \$6,000 a years. If he doesn't have the money, I'm sure that he's going to squeeze it."

Lechowicz: "How can he squeeze it, if there's nothing to squeeze?"

Duff: "Well, you have to pass it first, Representative Lechowicz."

Lechowicz: "Well, we'll get into that, but what's the total number employees in the dollar amount that we're talking about?"

Duff: "If we had all the money that was necessary, the total amount . . . the total number of employees that would be ideal would be 15."

Lechowicz: "15 in addition?"

Duff: "Excuse me a minute."

Lechowicz: "15 in additon?"

Duff: "If we had . . . if he had all the money he needed I think he would add 15 employees."

Lechowicz: "And for a total dollar amount of how much?"

Duff: "\$236,500."



Lechowicz: "What about the existing employees, presently, would they immediately be termed covered under this Act."

Duff: "You mean the county employees?"

Lechowicz: "Yes."

Duff: "No."

Lechowicz: "Where is that prevented?"

Duff: "In the Amendment."

Lechowicz: "In Amendment #1?"

Duff: "Right."

Lechowicz: "Where?"

Duff: "Lines 26 through 30."

Lechowicz: "Well, according the . . . be turned over July 1, 1976."

Duff: "That's right."

Lechowicz: "I'm going to have to oppose the Amendment."

Madigan: "Is there further discussion? There being no further discussion, the Chair recognizes the Gentleman from Cook, Mr. Duff, to close the debate."

Duff: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I'm a little bit surprised anybody would oppose this Amendment . . . ah . . . since it directly reflects some matters that were brought to our attention by whatever means. Ah . . . I would add and mention to you all that we will be dealing with a state-wide probation system of serious import which most of you in the House have indicated to me you would probably support. Now, I'm trying to amend this Bill to make sure that we get the maximum amount of support and receptivity to it from everybody that is involved in it. I have, in fact, received indications from Cook County from people like Judge Power and others that they can't understand some of the opposition we're getting to this Bill on the floor. Ah . . . I'm telling you all that this is a Bill that has state-wide support, county officials, probation officials, judicial officials . . . ah . . . broad support. Now, if people would try to hamper the quality of the Bill by opposing Amendments that might improve it according to their own indications, I can't stop that. I'll call this Bill on Third Reading, because the heart of it is going to be maintained. This Amendment is helpful to those



who would oppose the bill, and it will make the Bill better for them. I have also made recommendations and suggestions to the people who . . . ah . . . oppose this Bill as to methods by which we could come to a compromise. I would hope that when we come on Third Reading, nobody will stand up in this floor and say that I didn't do my best to try to compromise to make sure that we could en . . . enhance the prospects of the Bill. I would then, Mr. Chair . . . Mr. Speaker, hope that everybody who would like to improve this Bill will vote for this Amendment when you take the oral Roll Call."

Madigan: "The question is, shall Amendment #1 to House Bill 900 be adopted? All those in favor signify by saying 'aye', oppose . . . in the opinion of the Chair, the 'nos' have it. The Amendment #1 is lost."

Duff: "Mr. Speaker . . ."

Madigan: "Are there further Amendments?"

Duff: "Mr. Speaker, could we have a Roll Call. Five members will ask for it."

Madigan: "You're not joined by five, Mr. Duff."

Duff: "Well, I think I have been joined by five, Mr. Speaker."

Madigan: "We'll have a Roll Call. On this ques . . . the question is, shall Amendment #1 to House Bill 900 be adopted. All those in favor signify by voting 'aye', all those oppose by voting 'no'. Have all voted who wish? The Clerk will take the Record. The Clerk will record Macdonald as 'aye', Simms as 'aye', Lauer as 'aye'. For what purpose . . . let's take another Roll Call. Take another Roll Call and let's everyone get on the switches. So the question is, shall Amendment #1 to House Bill 900 be adopted? The Clerk will take the Record. Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there are 75 'ayes', 75 'nos', 1 voting 'present' . . . for what purpose does the Gentleman from Cook, Mr. Duff, arise?"

Duff: "Well, Mr. Speaker, you . . . ah . . . call the Roll Call . . . ah . . . does that mean it passes . . . then I will ask for a verification."

Madigan: "You wish to poll the absentees, Mr. Duff?"



Duff: "Please, and I would like . . . ah . . . if I could a verification of the red lights first."

Madigan: "The Clerk will poll the absentees."

Duff: "Well . . ."

Speaker Madigan: "The Clerk will poll the absentees."

Jack O'Brien: "Arnell. Boyle. Brandt. Capuzi. Chapman. D'Arco. Fleck. Friedrich. Greiman. Griesheimer. Emil Jones. Keller. LaFluer. Leinenweber. Madison. Mann. McAvoy. Pierce. Rayson. Sangmeister. Sharp. Telcser. VanDuyne. Wall. Winchester. Mr. Speaker."

Madigan: "Mr. Speaker wishes to be recorded as voting 'no'. For what purpose does the Gentleman from Lake, Mr. Pierce, arise?"

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

Madigan: "How is the Gentleman recorded? Mr. Pierce."

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

Pierce: "Please vote me 'no'."

Madigan: "Record the Gentleman as 'no'. The Clerk will proceed with the verification of the affirmative Roll Call."

Jack O'Brien: "Anderson."

Madigan: "For what purpose does the Gentleman from Cook, Mr. Lechowicz, arise?"

Lechowicz: "No, I just wanted to thank you, Mr. Speaker, for proceeding properly."

Madigan: "Proceed, Mr. Clerk."

Jack O'Brien: "Anderson. J. M. Barnes. Bluthardt. Borchers. Campbell. Carroll. Catania. Coffey. Cunningham. Daniels. Deavers. Deuster. Downs. Duff. Ralph Dunn. Dyer. Ebbessen. Epton. Ewing. Friedland. Gaines. Geo-Karis. Grotberg. Hart. Hirschfeld. Gene Hoffman. Ron Hoffman. Holewinski. Jim Houlihan. Hudson. Jacobs. J. D. Jones. Kane. Katz. Kempiners. Kent. Klosak. Kucharski. Lauer. Lundy. Macdonald. Mahar. McAuliffe. McCourt. McMaster. Meyer. Miller. Molloy. Mugalian. Neff. Palmer. Peters. Polk. Porter. Randolph. Reed. Rigney. Rose. Ryan. Satterthwaite. Schlickman. Schoeberlein. Schuneman. Simms. Skinner. Stearney. E. G. Steele. C. M. Stiehl. Tipword. Totten."



Tuerk. Waddell. Walsh. Washburn. Willer. That's it. Questions of the affirmative."

Madigan: "Are there questions of the affirmative Roll Call by Mr. Kucharski . . . or . . . by Mr. Lechowicz?"

Lechowicz: "Yes, Mr. Speaker. Representative Downs?"

Madigan: "Ah . . . Before we proceed, the Chair recognizes the Gentleman from Will, Mr. Leinenweber."

Leinenweber: "How am I recorded?"

Madigan: "How is the Gentleman recorded?"

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

Leinenweber: "Vote me 'aye'."

Madigan: "Mr. Lechowicz."

Lechowicz: "Representative Friedland?"

Madigan: "Friedland? He's in his chair."

Lechowicz: "Representative Geo-Karis?"

Madigan: "Geo-Karis is in here chair."

Lechowicz: "Representative Jacobs?"

Madigan: Jacobs?"

Lechowicz: "Yes."

Madigan: "Representative Jacobs? Is Representative Jacobs in the Chamber? Remove him from the Roll Call."

Lechowicz: "Representative Kempiners?"

Madigan: "Kempiners is in his chair."

Lechowicz: "Representative Kent? She's back . . ."

Madigan: "Kent is in her chair."

Lechowicz: "Klosak?"

Madigan: "Klosak? Is Representative Klosak in the Chamber? Remove Representative Klosak from the Record."

Lechowicz: "Representative McAuliffe?"

Madigan: "McAuliffe?"

Lechowicz: "McAuliffe? Oh."

Madigan: "Mr. McAuliffe is next to the Speaker's podium."

Lechowicz: "McCourt?"

Madigan: "McCourt? Is Representative McCourt in the Chamber? Remove the Gentleman from the Roll Call."



Lechowicz: "McMaster?"

Madigan: "McMaster? Is Representative McMaster in the Chamber?
Remove him from the Roll Call."

Lechowicz: "Porter?"

Madigan: "Porter? Standing in the center aisle."

Lechowicz: "Rose?"

Madigan: "Rose? Is Representative Rose in the Chamber? Remove
him from the Roll Call."

Lechowicz: "Schoeberlein?"

Madigan: "Schoeberlein? Is Representative . . . Schoeberlein is
in the rear of the Chamber."

Lechowicz: "Simms?"

Madigan: "Who?"

Lechowicz: "Representative Simms."

Madigan: "Simms? Is Representative Simms in the Chamber? Standing
with the press."

Lechowicz: "Totten?"

Madigan: "Totten? Is Representative Totten in the Chamber? Re-
move him from the Roll Call."

Lechowicz: "Representative Skinner?"

Madigan: "Skinner? Is Representative Skinner in the Chamber?
Standing next to Representative Ralph Dunn."

Lechowicz: "Stearney?"

Madigan: "Stearney? Is Representative Stearney in the Chamber?
Remove him from the Roll Call."

Lechowicz: "Kucharski?"

Madigan: "Kucharski? Is Representative Kucharski in the Chamber?
Remove him from the Roll Call."

Lechowicz: "Representative Steele?"

Madigan: "Which one?"

Lechowicz: "The Gentleman."

Madigan: "Mr. Steele is seated in his chair."

Lechowicz: "All right, thank you."

Madigan: "For what purpose does the Gentleman from Marion, Mr.
Friedrich, arise?"



Friedrich: "I believe I'm not recorded, please record me 'aye'."

Madigan: "Record the Gentleman as 'aye'. Are there further questions of the affirmative Roll Call? For what purpose does the Gentleman from Cook, Mr. Miller, arise?"

Miller: "Mr. Speaker, can you tell me how I'm recorded?"

Madigan: "How is the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Madigan: "Are there further questions of the affirmative Roll Call? Restore Mr. McCourt to the Roll Call. For what purpose does the Gentleman from Cook, Mr. Jones, arise?"

Jones: "Yes, Mr. Speaker, how am I recorded?"

Madigan: "How is the Gentleman recorded? Jones, Emil Jones."

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

Jones: "Record me 'no'."

Madigan: "Record the Gentleman as 'no'. Are there further questions of the affirmative Roll Call. The Clerk will proceed with the . . . for what purpose does the Gentleman from Cook, Mr. Madison, arise? Mr. Madison?"

Madison: "Mr. Speaker, would you record me 'no' on this?"

Madigan: "Record the Gentleman as 'no'. Are there further questions of the affirmative Roll Call? The Clerk will proceed with the verification, Mr. Duff?"

Duff: "Mr. Speaker, can you give us the number that is on the total of the negative . . . of the . . . of the affirmative vote?"

Madigan: "Where are we at, Mr. Clerk?"

Jack O'Brien: "Ah . . . 70 'ayes', 79 'nays'."

Madigan: "Shall we quit, Brian?"

Duff: "No."

Madigan: "No. Proceed with the verification of the negative Roll Call."

Jack O'Brien: "E. M. Barnes. Beatty. Beaupre. Berman. Birchler. Bradley."

Madigan: "For what purpose does the Gentleman from Cook, Mr. Williams, arise? Williams?"

Williams: "Mr. Speaker, I request leave to be verified now, I have an



appointment to go to and . . ."

Madigan: "You are, hereby, verified."

Williams: ". . . thank you, as a 'no' vote."

Madigan: "Yes. Proceed with the verification of the negative Roll Call."

Jack O'Brien: "Brinkmeier. Brummet. Byers. Caldwell. Calvo. Capparelli. Choate. Collins."

Madigan: "Mr. Clerk . . . Mr. Duff, would you verify Mr. Giglio right next to the Speaker's podium on the negative Roll Call? Proceed with the verification."

Jack O'Brien: "Craig. Darrow. Davis. DiPrima. John Dunn. Ewell. Farley. Fary. Fennessey. Flinn. Getty. Giglio. Giorgi. Hanahan. Hill. Dan Houlihan. Huff. Jaffe. Emil Jones. Kelly. Kosinski. Kozubowski. Laurino. Lechowicz. Kornowicz. Leon. Leverenz. Londrigan. Lucco. Luft. Madigan. Madison. Maragos. Marovitz. Matijevich. Mautino. McClain. McGrew. McLendon. McPartlin. Merlo. Mudd. Mulcahey. Nardulli. O'Daniel. Patrick. Pierce. Pouncey. Richmond. Schisler. Schneider. Schraeder. Sevcik. Shea. Stone. Stubblefield. Taylor. Terzich. VonBoeckman. Washington. White. Williams. Younge. Yourell. Mr. Speaker."

Madigan: "Mr. Duff, are there questions of the negative Roll Call? For what purpose does the Gentleman from Cook, Mr. Totten, arise?"

Totten: "Thank you, Mr. Speaker, I believe I was taken off the affirmative Roll Call. I should . . ."

Madigan: "How is the Gentleman recorded?"

Jack O'Brien: "The Gentelman was removed from the Roll Call."

Totten: "As what, an 'aye' vote?"

Jack O'Brien: "As an 'aye' vote."

Madigan: "Restore the Gentleman as an 'aye' vote.". For what purpose does the Gentleman from Knox, Mr. McMaster, arise?"

McMaster: "Ah . . . Mr. Speaker, how am I recorded?"

Madigan: "How is the Gentleman recorded?"

Jack O'Brien: "Gentleman was removed as an 'aye' vote."

McMaster: "Will you put me back on the Roll as an 'aye' vote."



Madigan: "Restore the Gentleman to the Roll Call. For what purpose does the Gentleman from Morgan, Mr. Rose, arise?"

Rose: "Getting my blood pressure checked, could I be put back on the verified . . . Roll . . . affirmative?"

Madigan: "How is the Gentleman . . ."

Jack O'Brien: "Gentleman was removed as an 'aye' vote."

Madigan: "Ah . . . Restore the Gentleman to the Roll Call. Proceed . . . ah . . . for what purpose does Mr. Deuster arise? How is the Gentleman recorded, Mr. Deuster . . ."

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Deuster: "Thank you."

Madigan: "Are there any questions of the negative Roll Call? Mr. Duff? Mr. Duff?"

Duff: "Mr. Speaker, can we have the count while we start?"

Madigan: "Mr. Clerk, where do we stand?"

Jack O'Brien: "73 'ayes', 79 'nays'."

Duff: "Thank you. Ah . . . Representative Berman?"

Madigan: "Mr. Berman is not in the Chamber. Remove him from the Roll Call."

Duff: "Representative Byers?"

Madigan: "Representative Byers . . . standing in the center aisle."

Duff: "Representative Caldwell?"

Madigan: "Caldwell? Is Representative Caldwell in the Chamber?"

I understand he's back making a phone call. Do you want to wait for him to return?"

Duff: "I . . . that would be guessing what he was doing, Mr. Speaker."

Madigan: "Mr. Barnes will go get Mr. Caldwell. For the time being re . . . move Mr. Caldwell from the Roll Call. Further questions, Mr. Duff?"

Duff: "Representative Bradley?"

Madigan: "Bradley? Seated in Mr. Garmisa's seat."

Duff: "Representative Choate?"

Madigan: "Choate, Representative Choate is standing . . ."

Duff: "Oh, I see him. Representative Davis?"

Madigan: "Davis is in his chair."



Duff: "Representative Craig?"

Madigan: "Craig? Representative Craig? Representative Craig is in the rear of the Chamber and restore Representative Caldwell who is standing next to the Speaker's podium."

Duff: "Ah . . . Representative Darrow?"

Madigan: "Darrow? Representative Darrow? Is Representative Darrow in the Chamber? Remove the Gentleman from the Roll Call."

Duff: "Representative Getty?"

Madigan: "Representative Getty is standing next to Mr. Pierce."

Duff: "Representative Garmisa?"

Madigan: "Remove Representative Garmisa from the Roll Call."

Jack O'Brien: "Gentleman is voting 'present'."

Madigan: "Gentleman's voting 'present'."

Duff: "Representative Giorgi?"

Madigan: "Giorgi? Standing next to Representative Bradley in the front of the Chamber. Representative Darrow has returned to the Chamber. He's standing in the rear of the Chamber, restore him to the Roll Call."

Duff: "Representative Hanahan?"

Madigan: "Representative Hanahan? In his chair."

Duff: "Representative Hill?"

Madigan: "Hill? He's seated in his chair."

Duff: "Representative Huff?"

Madigan: "Huff? Standing in the rear of the Chamber."

Duff: "Representative Kosinski?"

Madigan: "Kosinski is in his chair?"

Duff: "You know, Mr. Speaker, there are people standing around and it's very difficult for us to see. It would help would . . . ah . . . Representative Londrigan?"

Madigan: "Londrigan? Is Representative Londrigan in the Chamber? How is the Gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'no'."

Madigan: "Remove Mr. Londrigan from the Roll Call."

Duff: "Representative McPartlin?"

Madigan: "McPartlin is in his chair."



Duff: "Representative Merlo?"

Madigan: "Merlo . . . ah . . . how is the Gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'no'."

Madigan: "Remove the Gentleman from the Roll Call."

Duff: "Representative Mulcahey?"

Madigan: "Mulcahey? Seated next to Representative Polk."

Duff: "Representative O'Daniel?"

Madigan: "O'Daniel? In his chair."

Duff: "Representative . . . ah . . . Pouncey?"

Madigan: "Pouncey? In his chair."

Duff: "Representative Richmond?"

Madigan: "Richmond? In his chair."

Duff: "Representative Greiman?"

Madigan: "Greiman? Is Representative Greiman . . . is seated next
to Representative Jaffe."

Duff: "Representative VonBoeckman?"

Madigan: "VonBoeckman? In his chair."

Duff: "Representative Washington?"

Madigan: "Washington? In his chair."

Duff: "Just wanted to see him. Representative Younger?"

Madigan: "Who?"

Duff: "Younger."

Madigan: "Younger? Is Representative Younger in the Chamber? How
is she recorded?"

Jack O'Brien: "Lady is recorded as voting 'no'."

Madigan: "Remove her from the Roll Call."

Duff: "Representative Taylor?"

Madigan: "Representative Taylor? For what purpose does the Gentle-
man from Cook, Mr. Greiman, arise?"

Greiman: "Ah . . . so as long as I've been verified . . . ah . . . please
vote me 'no'."

Madigan: "How is Mr. Greiman recorded?"

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

Madigan: "Ah . . . Record the Gentleman as voting 'no'; and Mr.
Taylor, where is Mr. Taylor? How is Mr. Taylor recorded?"



Jack O'Brien: "Gentleman is recorded as voting 'no'."

Madigan: "Remove Mr. Taylor from the Roll Call."

Duff: "Representative Craig?"

Madigan: "We verified Mr. Craig already."

Duff: "Well, now, Mr. Speaker, it's the same problem that came up with Representative Greisheimer last week when you verified him and then he wasn't on the Roll Call."

Madigan: "Gentleman's been verified."

Duff: "Well, so was Representative Griesheimer last week."

Madigan: "I don't know what happened last week. Do you have any further questions of the Roll Call?"

Duff: "Ah . . . Just one moment, Mr. Speaker . . . Representative . . . no, he was . . . ah . . . we gave permission for him to leave the floor . . . what was our count, Mr. Speaker?"

Madigan: "Do you have any further questions of the Roll Call?"

Duff: "No, I have no further questions."

Madigan: "Thank you. On this question . . . ah . . . for what purpose does the Gentleman from Knox, Mr. McGrew, arise?"

McGrew: "Mr. Speaker, please record me as 'aye'."

Madigan: "How is the Gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'no'."

Madigan: "Ah . . . Record the Gentleman as voting 'aye'. On this question there are 74 'ayes', 74 'nos', 1 voting 'present'; and Amendment #1 to House Bill 900 is lost. For what purpose does the Gentleman from Cook, Mr. Duff, arise?"

Duff: "A point of parliamentary procedure, Mr. Speaker, I've made a motion for the adoption of Amendment and it was not defeated. Now, under what ruling . . . under what ruling does the Chair say that tie vote defeats a motion which is not defeated? Would you . . . would you ask the Parliamentarian if he could give us some ruling on that?"

Madigan: "Your motion did not receive sufficient votes to carry, therefore, it is lost."

Duff: "Mr. Speaker, it's my opinion under the rules that unless there is a majority against an affirmative Roll Call that it passes."

Madigan: "You are incorrect. Are there further Amendments?"



Jack O'Brien: "No further Amendments."

Madigan: "Third Reading. We have completed the special order of the day, and we will move to the order of House Bills, Third Reading, and on that order of business appears House Bill 1047."

Jack O'Brien: "House Bill 1047, E. M. Barnes, a Bill for an Act making appropriation to the Metropolitan Fair and Exhibition Authority. Third Reading of the Bill."

Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Barnes."

Barnes: "Thank you very much, Mr. Speaker. Mr. Speaker and Members of the House, House Bill 1047 appropriates \$10,750,000 from the Metropolitan Fair and Exposition Reconstruction Fund for the interests . . . ah . . . for the payments of principals and interest for fiscal year 1975 as provided for in the law. I would the passage of House Bill 1047."

Madigan: "Is there any discussion? There being no discussion, the question is, shall House Bill 1047 pass? For what purpose does the Gentleman from Cook, Mr. Gaines, arise?"

Gaines: "Ask a question?"

Madigan: "Does the Sponsor yield? The Sponsor indicates that he will yield."

Gaines: "Ah . . . How do these law suits in these fair contracts enter into this? Is this money going to pay those?"

Barnes: "The . . . the contracts or anything like that doesn't enter to this at all, Representative, this is to pay what is required by law for the principal and the interest of the bonds that were set out in the law when . . . when the . . . ah . . . Metropolitan Fair and Exhibition Hall was built."

Gaines: "And then none of this goes to the regular fair?"

Barnes: "Has absolutely nothing to do with that."

Gaines: "All right."

Madigan: "Any further discussion? There being no further discussion, the question is, shall House Bill 1047 pass? All those in favor will signify by voting 'aye', all those oppose by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there are



135 'ayes', no 'nays', 2 voting 'present'; and House Bill 1047 having received a constitutional majority is, hereby, declared passed. Mr. Shea in the Chair."

Shea: "House Bill 1054."

Jack O'Brien: "House Bill 1054, Schisler, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Shea: "The Gentleman from Fulton, Mr. Schisler."

Schisler: Mr. . . . Mr. Speaker, Ladies and Gentlemen of the House . . . ah . . . House Bill 1054 . . . ah . . . simply allows the Department of Conservation . . . ah . . . a few addition . . . a few additional powers . . . ah . . . in acquiring . . . ah . . . historical land and scenic . . . ah . . . land; and I'd ask for a favorable Roll Call."

Shea: "The Gentleman moves for the adoption of House Bill 1054, is there discussion? The Gentleman from Franklin, Mr. Hart, on the question."

Hart: "Ah . . . Would the Sponsor yield?"

Shea: "Indicates he will."

Hart: "Ah . . . What power does this Bill grant to the Conservation Department that it does not now have?"

Schisler: "Well, I . . . I don't know . . . that's a . . . it simply allows them to . . . ah . . . acquire . . . ah . . . scenic or historical or natural resource land and . . . ah . . . I don't know what powers they have now, all of them."

Hart: "Well, would you take it out of the Record until we can get that question answered?"

Schisler: "O.K. . . . ah . . ."

Shea: "With leave of the House, if he wants to, we'll take it out of the Record and return to it . . . ah . . . with leave of the House in fifteen minutes? Is that agreeable with everybody, is there objection?"

Schisler: "No objection?"

Shea: "Hearing no objections, that will be the order. House Bill 1056, Mr. Hill."

Jack O'Brien: "House Bill 1056, a Bill for an Act to provide for the ordinary and contingent expenses of the Illinois Commission on



Intergovernmental Co-operation. Third Reading of the Bill."

Shea: "The Gentleman from Kane, Mr. Hill."

Hill: "This is the appropriation for the Illinois Commission on Intergovernmental Co-operation, and the Commission; I'd appreciate your vote."

Shea: "The question is, shall House Bill 1056 pass? Is there discussion? Hearing none . . . the Gentleman from Cook, Mr. Schlickman, on a question."

Schlickman: "Would the Sponsor yield?"

Shea: "He indicates he will."

Schlickman: "Could . . . would you give us a comparison between the appropriation in this Bill and the appropriation a year ago?"

Hill: "There's an increase of approximately \$60,000."

Schlickman: "And what does is the \$60,000 for?"

Hill: "Ah . . . Much of it is for the . . . ah . . . additional dues that the . . . ah . . . national organization's request. We did not put in here the co . . . complete amount of that request."

Schlickman: "Thank you."

Shea: "The question is, shall House Bill 1056 pass? All those in favor will vote 'aye'. On the question, the Gentleman from Cook, Mr. Gaines."

Gaines: "Has this commission filed a report on affirmative action?"

Hill: "Filed a report on what?"

Gaines: "Affirmative action."

Hill: "You will have to clarify that just a little."

Gaines: "Equal Opportunity Employment, how many blacks do they have and how many do they plan to hire?"

Hill: "We only have approximately 4 employees and 1 part-time employee and . . ."

Gaines: "Well, how many of those are black?"

Hill: ". . . there isn't any minority members on it to my knowledge."

Gaines: "Well, they're supposed to have affirmative action according to as I understand it, everything in the state."

Hill: "No, I'm sorry . . ."

Gaines: "Well, are there plans for affirmative action? I'm quite disturbed that this administration with against 95 percent of the black



vote didn't give them any jobs."

Hill: "This is a legislative commission and the administration has nothing to do with this one."

Gaines: "Well, you guys . . . with a Majority of the Democratic side, you do the hiring, and you get 95 percent of the black vote."

Hill: "You'd better look at my voting record over the last 17 years if you think if I haven't been voting for you."

Gaines: "Well, I can't help that . . ."

Shea: "The Gentleman from Cook, Mr. Lechowicz, on a point of order."

Lechowicz: "Mr. Speaker and Ladies and Gentlemen of the House, and I strongly recommend that . . . ah . . . the member who just spoke . . . ah . . . kindly review the function of this commission and the work that they've done, not only this year, but in the previous years, and he may have a germane question as far as the number of minorities within that commission, but there are only 4 employees, and, in turn, I would hope that the questions to this Bill and other Bills would be directed in the proper manner. It has nothing to do with the Democratic vote, Republican vote or Independent vote in the State."

Shea: "The Gentleman from Will, Mr. Kempiners."

Kempiners: "Thank you, Mr. Speaker, I'd like to support this appropriation. I have just recently been appointed a member of this commission and have recently worked with the staff on a particular problem with the Federal Government . . . between the Federal Government and the State Government; and I want to say this, I'm very impressed with the 4 people who've worked on this project with me. They performed a service that I doubt that the Governor's office did as well on with the staff that his particular office has. They've worked many hours on it. They've made many phone calls and came up with a professional product; and I'm very proud to stand here as a new member of this commission and say that they've done a tremendous job and I think the appropriation is well spent and would support it."

Shea: "The question is, shall House Bill 1056 pass? All those in favor will vote 'aye', those oppose will vote 'nay'. Have all voted who wish? Have all voted who wish? Take the Record, Mr. Clerk."



Mr. McLendon wishes to vote 'aye'. On this question there are 130 'yes', 1 'nay', 3 'present'. House Bill 1056 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 1057. Might I ask the Members if they'd be kind enough, please, to sit in their seats and we can do this job with great dispatch."

Jack O'Brien: "House Bill 1057, McClain, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Shea: "The Gentleman from Adams, Mr. McClain, on House Bill 1057."

McClain: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, . . . ah . . . this is a Bill that we can handle very easily with dispatch. It increases the minimum salary for teachers which had not been . . . ah . . . increased since 1971. There was a part that had some problems in it as far as Representative Hoffman is concerned. House Amendment #1 alleviated those problems and I'd urge you to adopt House Bill 1057."

Shea: "The question is, shall House Bill 1057 pass? On that question the Gentleman from Macon, Mr. Borchers, and before I let you proceed, sir, the Chair would like to announce that we are evidently in a rain squall area. If you'll look out the windows, you'll see a tad of rain and the temperature dropped 30 degrees in five minutes. The Gentleman from Macon, Mr. Borchers."

Borchers: "Ah . . . Following that announcement is hard as p . . . point across 30 degrees dropped. Anywhile I was going to point out as a Member of the Elementary and Secondary Education Committee, I feel that this power should remain and still lie with the School Boards of whatever district they may be in. I urge a 'no' vote."

Shea: "Is there further discussion? The Gentleman from Cook, Mr. Duff, on the question."

Duff: "No, Mr. Speaker, I'd just like to bring your attention to response of the nature to the . . . the efforts on the last Bill."

Shea: "I can see what that did to you. Is there further discussion? The Gentleman from Stevenson, Mr. Brinkmeier, on the question."

Brinkmeier: "Yes, Mr. Speaker, would the Sponsor yield for one question?"

Shea: "He indicates he will."



Brinkmeier: "Mike, I'm going to support your Bill, but I have some complaints from board members back home, not about the minimum salary, but about mandated instruments. Could you explain that briefly?"

McClain: "Ah . . . Sure, Representative Brinkmeier, . . . ah . . . that was a problem and so we struck that with House Amendment #1. So that is no longer in the Bill."

Brinkmeier: "Thank you."

Shea: "Mr. McClain, did you answer Mr. Brinkmeier's question?"

McClain: "Yes, sir, to his satisfaction."

Shea: "Is there further discussion? The Gentleman from McClain . . . or . . . the Gentleman from Adams, Mr. McClain, to close."

McClain: "Thank you, Mr. Speaker, I'd urge an 'aye' vote. Thank you."

Shea: "The lawyer from Adams moves for adoption. All those in favor will vote 'aye, those oppose will vote 'nay'. Have all voted who wish? Take the Record. On this question there are 102 'ayes', 7 'nays', 19 voting 'present'. House Bill 1057 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 1058."

Jack O'Brien: "House Bill 1058, Rayson, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Shea: "The Gentleman from Cook, Mr. Rayson."

Rayson: "Thank you, Mr. Speaker and Members of the House. This is a Bill which I have a Chief Cosponsor, Representative LaFluer, and a considerable amount of my conservative friends. On first blush, it might appear to be anti-E.P.A. So it concerned me enough to look into the matter and realize it's really a good Bill. What does the Bill do? First of all, it provides Administrative review shall be had in the Circuit Court of the county in which the cause of action arose out of Environmental Protection Act cases . . . ah . . . out of review of the administrative decisions of the Illinois Pollution Control Board, except, and this is what the Amendment did, except in those matters attacking the validity of rules, regulation, statute and the constitutionality, thereof, which appeals go directly to the Appellate Court. Now, we heard this Bill in Subcommittee shared by Representative Beatty and Representative Porter, and these two



Gentlemen at the time when the matter was being heard and the Attorney General, who was in at the time, . . . ah . . . who really didn't seem to have too much to say for or against the Bill at the time, other than that he felt he was against it, and that gentleman was Mr. Cosby; but Representative Beatty and Representative Porter recommended this two-tier amendment, and . . . ah . . . at the time we left that particular date, this Attorney General who is ahead of the Appeal Section of the Attorney . . . ah . . . General's office who handles all these cases was all in favor of this Amendment. Then after we put it on in Committee, and it pass out of Committee 11 to 1, . . . ah . . . there was circulated by the officer of William Scott, Attorney General, a letter in opposition to this House Bill, which rationale for such opposition . . . ah . . . still leaves me befuddled. Anyway, what is the rationale behind this Bill as it's presently written? First, to my knowledge, the . . . Illinois Environmental Protection Act is the only act and this day that doesn't provide for . . . ah . . . review in the Circuit Court on administrative decisions under the Administrative Review Act, instead this Act applies for all reviews directly to the Appellate Court. Now, what does this mean? This means that one appeals has to file briefs, has to file appeal bond, you bogged down with big lawyer fees, and you get delayed in getting a review. We're only saying that practice on these kinds of cases, some 222 reviews, shows more than 80 percent of these reviews concern theirself with a permit of a chicken farmer or some minor matter, not the constitutionality of the act or not a rule or regulation or a statutory interpretation. So that is what we're saying that to get as much remedial review which works both ways, both for the Department, the Attorney General's office and/or for the respondent who seeks review. We felt it's better to go to the Circuit Court first, and that this is what this Amendment does. Most of these small cases then go to the Circuit Court, the bigger cases regarding interpretation of law then will go to the Appellate Court. Now, the Attorney General says this seeks duplication, and it's more costly and time consuming. This is not true, because the Illinois Supreme Court, and they have another Administrative Reviews, by rule would say, as they have said in other



cases, that once there is administrative review on review to the Circuit Court, that by rule that can go to the Illinois Supreme Court. So that's what we're effecting . . ."

Shea: "The question . . ."

Rayson: ". . . we encouraging settlements and speeding up of appeals, and, therefore, I would urge a favorable vote."

Shea: "The question is, shall House Bill 1058 pass? All those . . . on the question the Gentleman from Cook, Mr. Palmer."

Palmer: "Thank you, Mr. Speaker, will the Sponsor yield for a question? The Pollution Control Board as of May 7th, 1975, sent out a letter against the Bill as amended. Is that still their position?"

Rayson: "Yes, it is, but it's a very wobbly position on their part, I might say. They really don't know the effect of the Amendment."

Palmer: "Well, they've gone into some of the things that you've just discussed, Mr. Rayson, and seem to have rebutted . . . ah . . . in the letter, you've taken a different stance. Thank you."

Shea: "Is there further discussion? The Gentleman from Dupage, Mr. Daniels."

Daniels: "Mr. Speaker, and Ladies and Gentlemen of the House, I rise to oppose House Bill 1058; and the reasons that I oppose this is that basically the Bill in its present form creates another step in the Appellate process. Now, I understand that the concern of the Sponsor is to attempt to encourage minimal fees as far as an appeal is concerned and also to encourage the expedited handling of this. I submit that in reviewing this directly to the Appellate Court that you bystep or sidestep the Circuit Court, which in this case would be an expeditious handling of the matter, and get to a quicker result. Now, the increase in Environmental Appellate work due to the creation of the right of both parties to an additional level of review will mean that the E.P.A. will have less manpower . . ."

Shea: "Mr. Daniels, excuse me for a minute. Could the Members please be in their seat, and could we have some order so we can understand the debate. Proceed, Sir."

Daniels: "As I was saying, the increase in the Environmental Appellate work due to the creation of the right of both parties to an additional



level of review, that is to the Circuit Court, will mean that the office will have less manpower to combat other sources of pollution. A second concern that I have is the delay in the case of a recalcitrant polluter, and this delay can be caused through the taking the matter to the Circuit Court, then to the Appellate Court, and then, ultimately, to the Supreme Court. Now, under the current set of circumstances in the law as it is, we have a unified state-way . . . state-wide program. This is conducted through the five Appellate districts and the Supreme Court of Illinois having created the comprehensive and generally consistent body of law envisioned in Environmental Protection Act. Mr. Speaker, and Ladies and Gentlemen of the House, I urge you to su . . . to vote 'no' on House Bill 1058, and after reviewing the alternatives as presented in this Bill, I seriously consider the present law to be the best method of handling the questions of environmental pollution."

Shea: "On the question, the Gentleman from Cook, Mr. Beatty."

Beatty: "Mr. Speaker and Members of the House, every administrative body in the State of Illinois other than this one, when there is decision appeal, it's appealed to the Circuit Court. We're not asking that every case be appealed to the Circuit Court, some would be appealed to a higher court. We feel if some appeals were allowed to go to the Circuit Court, it would allow small claimants to save substantial sums on their . . . on their cases. Of course, this agency has been very adamant all the way down the line since they've been created. When the Attorney General's representative left our hearing, she was in agreement with the two-tier system, and when he talked to his client then, there was a change a position in the . . . the, again, reflecting the adamant position of this agency since it's been created. I feel it's an unreasonable idea on their part. I think the two-tier system would save the small guy money, and that's what this purpose is. It does not have to be another step added to the Appellate . . . ah . . . the process if this agency is beco . . . is reasonable, many of these cases could be settled at a . . . at your Circuit Court level and that's what the purpose of this is, to save some money to the . . . on the smaller case; and I urge a 'yes' vote."

Shea: "On the question, the Gentleman from Macon, Mr. Borchers."



Borchers: "Mr. Speaker and fellow Members of the House, I have gone deeply in the last four or five years, I'm sure all are aware of it, in the matter of the Environmental Protection Agency and the Pollution Control Board. Now, actually I have observed that the Pollution Control Board never wishes to give up anything in relation to power, whether it's power or not. I don't think this is giving up anything, whatsoever, of power to the Pollution Control Board. I know of cases, and I have files on this, I know cases that have taken three years to settle costing poor people thousands of dollars. This is a money-making way . . . a money-saving way for those people that need. As far as the cases are concerned, I agree that it would be, in general, minor cases that have come before the Circuit Court, and to finish, in relation to manpower, it won't take one man more one way or the other whether the . . . the representative . . . the legal representative of the Pollution Control Board or the Tor . . . Attorney General's office goes to an Appellate Court or to the Circuit Court. It's all the same. The case numbers are the same."

Shea: "On the question, the Lady from Lake, Miss Geo-Karis."

Geo-Karis: "I'll explain my vote, if I may?"

Shea: "If there's no further discussion, the Gentleman from Cook, Mr. Rayson, to close."

Rayson: "Thank you, Mr. Speaker, . . . ah . . . I'm sure the people that wrote the letter against it really . . . ah . . . are trying to say what we're saying. There saying, 'Oh, it's going to be too expensive to go this way'. That's the whole purpose of the Amendment. Now, this an Illinois State Bar Association Bill, they gave it to me, and that their record shows that the expense of appeals for the chicken farmer is prohibited. You got to file an appeal bond, you wait six months before you get it heard, and it discourages settlements. The Bar Association says that in the 220 cases, 80 percent of those that when up on review are settled, are settled before they hit the Appellate Court, but the machinery in the Appellate Court is such that they can't hear that. You got to file papers and then remanded back, and it's a real problem. So all we're saying is that this would ease the congestion of the Appellate Court, it would make more speeding,



convenient within the counties at relative inexpense to those people who wish to appeal, and, as I've said, it works both ways; and trial courts are better prepared to consider and administer such matters as motions per stay . . ."

Shea: "The ques . . ."

Rayson: ". . . Now . . . just one thing further, Mr. Speaker, we're saying in those matters involving rule, regulation and constitutionality, 'yes, directly the Appellate Court', but we're saying in all other matters, in the tiny bitsy matters, 'go to the Trial Court where it belongs on the Administrative Review way'. That's all we're saying. Thank you."

Shea: "Are you finished, Mr. Rayson? The question is, shall House Bill 1058 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. The Lady from Lake, Miss Geo-Karis, to explain her vote."

Geo-Karis: "Ah . . . Mr. Speaker, and . . ."

Shea: "Representative Carroll."

Geo-Karis: ". . . Ladies and Gentlemen of the House, I have talked to two Appellate Court judges who have sent me correspondence and talked to me personally and said, 'For Heaven's sake, take these cases outside of the Appellate Courts first 'cause we're loaded'. There are more Circuit Court judges than there are Appellate Court judges, more justice will be served to the . . . to the little person if these cases are first reviewed in the court where the place is located in which the pollution is contended. They can see the place, they can determine what it is, and those things can be phased out with less expense to the taxpayer. I urge an 'aye' vote in explanation of my vote."

Shea: "Have all voted who wish? Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 46 'ayes', 53 'nays', 6 voting 'present'. House Bill 1058 having failed to receive the constitutional majority is, hereby, declared lost. On the order of House Bills, Third Reading, appears House Bill 1059."

Fredric Selcke: "House Bill 1059, an Act to amend the Civil Practice Act. Third Reading of the Bill."

Shea: "The Gentleman from Cook, Mr. Rayson."



Rayson: "Thank you, Mr. Speaker, there should be no controversy at all on this Bill. Ah . . . It amends the Civil Practice Act, and removes any requirements that pleadings be notarized in order to produce verification. I ask for a favorable vote."

Shea: "On the question, shall House Bill 1059 pass? All those in favor will vote 'aye', those oppose will vote 'nay'. Shea 'aye'. Have all voted who wish? On this question, take the Record, on this question there are 129 'ayes', 1 'nay', 7 voting 'present'. House Bill 1059 having received the constitutional majority is, hereby, declared passed. Miss Stiehl, the Assistant Minority Leader, 'aye'. Mr. Leon 'aye'. Mr. Walsh 'aye'. Have all voted who wish? Huff is voting 'aye'. On the order of House Bills, Third Reading, appears House Bill 1065. Mr. Beaupre, before . . . Oh, I'm sorry, Mr. Kelly, I skipped your Bill, but before . . . Mr. Beaupre, I'll call that next. Call House Bill 1061."

Fredric Selcke: "House Bill 1061, an Act to amend the Criminal Code. Third Reading of the Bill."

Shea: "Before you start, Mr. Kelly, I just would like to tell the Members the Speaker's intention for dinner this evening. We will break at 6:30 for an hour and a half and return to the Chamber at 8:00 o'clock; and I understand that Mr. Maragos and the Committee on Revenue have a meeting of the Revenue Committee . . . ah . . . and he will announce that. We will break at 6:30 and return at 8:00. Now, back to Mr. Kelly on House Bill 1061."

Kelly: "Thank you, Mr. Speaker and Members of the House, House Bill 1061 is a Bill which would implement the . . . ah . . . Supreme Court obscenity decision which was made in 1973. This has been the first opportunity that the decision could be implemented into the State statutes. Ah . . . This Bill goes one step further, it also includes the . . . ah . . . terminology of blood thirsty and violent activities and also being obscene. Ah . . . Sometimes some of the violent materials are even worse than the pornographic and the sexually oriented legislation. I . . . ah . . . I feel . . . I would ask for the adoption on the passage of House Bill 1051."

Shea: "The question is, shall House Bill 1061 pass? All those in



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favor will vote 'aye', those opposed will vote 'nay'. Shea 'aye'.
 Have all voted who wish? Have all voted who wish? McAuliffe 'aye'.
 Have all voted who wish? Take the Record, Mr. Clerk. Maragos 'aye'.
 Palmer a late 'aye'. On this question there are 130 'ayes', 9 make
 that 10 'nays', Stearney 'nay', 10 'nays', 3 voting 'present'. House
 Bill 1061 having received the constitutional majority is, hereby, de-
 clared passed. On the order of House Bills, Third Reading, appears
 House Bill 1065. The Gentleman from Kankakee, Mr. Beaupre."

Fredric Selcke: "House Bill 1065, a Bill for an Act to amend the Vehicle
 Code. Third Reading of the Bill."

Shea: "Mr. Beaupre."

Beaupre: "Mr. Speaker, and Ladies and Gentlemen of the House, this is a
 Bill that I don't want to take up a whole lot of the time of the House
 on. Ah . . . It is not . . . ah . . . of the earth shaking proportions
 that some of the matters that we've discussed today, but I think it is
 somewhat significant, and if we run into difficulty on it, I'd like
 to have the opportunity . . . ah . . . in explaining my vote of giving
 you some rather startling statistics."

Shea: "The question is, shall House Bill 1065 pass? Is there dis-
 cussion? All in favor will vote 'aye', those opposed will vote 'nay'.
 Have all voted who wish? Have all voted who wish? On the question
 . . . take the Record, Mr. Clerk . . . on the question there are
 108 'ayes', 19 'nays', 13 Members voting 'present'. House Bill 1065
 having received the constitutional majority is, hereby, declared
 passed. On the order of House Bills, Third Reading, appears House
 Bill 1066. The Lady from Champaign, Miss Satterthwaite."

Fredric Selcke: "House Bill 1066, a Bill for an Act to amend the School
 Code. Third Reading of the Bill."

Shea: "Miss Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, this is a Bill that
 extends due process to untenured teachers and would allow them to have
 a hearing in front of their local school board. Ah . . . This is a
 Bill that I feel is necessary in order that anyone who has an unjust
 accusation, has a right to clear their name; and I would ask for the
 support of the Members of the House."



Shea: "The question is, shall House Bill 1066 pass? On the question, the Gentleman from Cook, the Assistant Minority Leader, Mr. Walsh."

Walsh: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, this . . . ah . . . Bill hacked away very seriously at the duties of the elected school boards in the State by requiring that a probationary teacher, one who is not under contract, has no tenure, be granted a hearing before being dismissed. Now, this hearing process is very involved, will involve considerable expenditure on the part of the board so that the probationary teacher will get the right that this Bill seems to think the teacher ought to get. Now, I submit to you that if we're going to continue requiring the School Boards be elected and that they for the most part administer the matters concerning the school that we better not pass legislation like this or we better provide some way of giving them a great deal more money than they have. There's simply no excuse for this . . ."

Shea: "Could we have some order, please, I'm sorry, Mr. Walsh, proceed."

Walsh: ". . . there's simply no excuse for this legislation, there's no point in passing it; and I urge a 'no' vote."

Shea: "Is there further discussion? The Gentleman from Franklin, Mr. Hart."

Hart: "Well, I was going to agree with the Minority Leader . . . ah . . . I . . . I think this is an exercise in futility . . . ah . . . there's no sanctions, there's no way that after the hearing the . . . ah . . . board would be prevented from dismissing the teacher, so what is the point. If the teacher wants to know . . . ah . . . what . . . why is he being dismissed . . . ah . . . she can ask, he or she can ask and perhaps find out; but to impose an obligation on every school board to hold a hearing every time they don't give tenure to a teacher, it . . . ah . . . imposes a lot of unnecessary time on the part of the board, which is serving voluntarily anyway, and I think it should be defeated."

Shea: "Could the Members please be in their seats and we could have some order, so that we could proceed with the business of the Chamber?"



Satterthwaite: "Mr. Speaker, I would . . . would like to . . ."

Shea: "The Gentleman from McClain, Mr. Deavers."

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

Shea: "The question is, shall the main question be put? All those in favor will say 'aye', those oppose will say 'nay'. The 'ayes' have it, and the main question shall be put. Miss Satterthwaite to close."

Satterthwaite: "Mr. Speaker and Members of the House, I would like to clear up a few things that the previous Speakers have indicated about the Bill. This is not a Bill that in any way infringes upon the right as a school board to dismiss a teacher. This simply says that after a teacher has been given a dismissal notice they may, if they choose, request a hearing. There is no . . . there is nothing in the Bill that indicates that the school board has to retain that teacher, it's simply a process by which the teacher can find out the reasons that were given for the dismissal, and it need not be any full blown kind of courtroom procedure. It can, indeed, be simply a request for that information; and I would urge you all to support this in order to allow teachers to know why they are being dismissed and to refute the charges if they feel that they are unjustified."

Shea: "The question is, shall House Bill 1066 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. On the question to explain his vote, the Gentleman from Dupage, Mr. Schneider."

Schneider: "Thank you, Mr. Speaker and Members of the House, the Bill is a good Bill from the point of view of the school board, which sometimes need the kinds of assurances that it can gain from a hearing officer . . . ah . . . either substantiating the boards position or disapproving it. Ah . . . What I suggest is that it is good for the local school board to have this. There's also an Amendment which took out the references to teachers loosing their positions because of economic need or because of a decrease in enrollment. So what this is is a good Bill for the school board, because they cannot frequently dismiss a teacher because of the pressure probably against them. What this does, in effect, it helps confirm their decision and makes it easier for them to make dismissals instead of continuing on a teacher that has proven through . . . ah . . . analysis and study through the critique



process in their probationary period. No teacher should be dismissed for light reasons, and all this does is assure them that their dismissal was based on their incapability as a teacher as not on some court of a reason unrelated to their professional skills; and so I suggest an 'aye' vote."

Shea: "Have all voted who wish? Mr. Schlickman. Take the Record, please. On this question there are 66 'aye' votes, 55 'nay' votes, 9 voting 'present'. House Bill 1066 . . . Miss Satterthwaite."

Satterthwaite: "Well, you've already taken the Record, now, but I did want to have a chance to elaborate further on the explanation of my vote."

Shea: "On this Bill there are 66 'aye' votes, 55 'nay' votes, 9 voting 'present'. House Bill 1066 having failed to receive a constitutional majority is, hereby, declared lost. On the order of House Bills, Third Reading, appears House Bill 1069."

Fredric Seicke: "House Bill 1069, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Shea: "The Gentleman from Madison, Mr. Calvo."

Calvo: "Mr. Speaker, Ladies and Gentlemen of the House, all this Bill does is place the fireman who works for the State of Illinois in the same posture as to their pensions that the rest of the firemen of the State are in. In addition to that, it by Amendment, if you might recall a few days ago we amended it, added Amendment #2, which merely places the firemen in the same position the police are in as to raising the amount that they put in to their pension fund, and changing the benefits so it . . . ah . . . coincides exactly with the State Police benefits. I would appreciate your favorable Roll Call."

Shea: "The question is, shall House Bill 1069 pass? On the question, those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 120 'ayes', 2 'nays', 7 voting 'present'. House Bill 1069 having received the constitutional majority is, hereby, declared passed. Mr. Sangmeister 'aye'. On the order of House Bills, Third Reading, appears House Bill 1072. The Gentleman . . ."



Fredric Selcke: "House Bill 1072, a Bill for an Act to amend the Illinois Fertilizer Act. Third Reading of the Bill."

Shea: "The . . . Christian, Mr. Tipsword."

Tipsword: "Mr. Speaker, Ladies and Gentlemen, House Bill 1072 amends the Illinois Fertilizer Act. It's a Bill that's proposed by the fertilizer dealers in the State of Illinois. At the present time and under existing law, there is a .10 cent per ton inspection fee on fertilizers in the State of Illinois. This Bill pro . . . provides that .02 cents of that .10 cents should be used for research at our State universities and to plant nutrients and . . . in crop production throughout the State of Illinois; and I would . . . ah . . . tell you that at the present time only about .07½ cents of the .10 cents that has been charged has been used for the cost of operating the inspection program. There has been a balance of about .03½ cents; and .02 cents of that would go towards this research program. I . . . ah . . . move for adoption of House Bill 1072."

Shea: "The question is, shall House Bill 1072 pass? On the question, the Gentleman from Franklin, Mr. Hart."

Hart: "Thank you very much, I'd like to ask the Sponsor a question."

Shea: "He indicates he'll yield."

Hart: "What powers would give . . . this Bill give the Director of Department of Agriculture that he does not now have?"

Tipsword: "The only . . . the only thing that . . . ah . . . that it would give to him are two things that I can see possibly in it, and that is in the . . . ah . . . grants to our State universities for nutrient and crop production projects, and the other thing is a . . . is a . . . an authority to the Director that should the inspection fee not provide the .02 cent level that he can increase the fee in .01 cent increments to provide the .02 cents to go into these research projects; as I said, in 1974 there was more than .03½ cents left over out of every .10 cents per ton inspection fee."

Hart: "Well, does the Director have discretion in the . . . ah . . . number of the grants that are provided and who gets them? I mean, what kind of guidelines are there to the . . . to the discretion, if it is a discretion, that's vested in the Director of Agriculture."



Tipsword: "It is . . . It is done . . . It is appropriated in each year to the Department of Agriculture by the General Assembly for research projects at the various State universities. So it would be by direction of the General Assembly on these grant programs through the Department of Agriculture in their appropriation."

Hart: "But we don't line item them . . . ah . . . we . . . we just appropriate a sum and leave it to his discretion, isn't that right?"

Tipsword: "Well, I presume we would do that. We could, I . . . I presume under this authority also line item by specific projects if we so . . . ah . . . demanded and desired."

Hart: "Thank you very much."

Shea: "On House Bill 1072, is there further debate? The Gentleman from Stephenson, Mr. Rigney."

Rigney: "Well, Mr. Speaker, I think this is an excellent Bill. What we're talking about here is what should we do with the excess funds in this particular fund, and the question is, should we kick it back into the General Revenue Fund or should we make use of it for . . . for an agriculturally related program? I think the use of it . . . ah . . . for research . . . ah . . . of this nature is a very proper use for these excess funds. I think this deserves an 'aye' vote."

Shea: "On the question, the Gentleman from Cook, Mr. Schlickman. Sir, do you wish to be recorded as 'present' on the attendance Roll Call today?"

Schlickman: "Now that my son has graduated from college, yes, thank you."

Shea: "Congratulations to your wife."

Schlickman: "Would the Sponsor yield?"

Shea: "He indicates he will."

Schlickman: "The inspection fee now goes into which funds?"

Tipsword: "The inspections fee, presently, anything that is not used for the costs of the inspection does go into the General Revenue Fund of the State of Illinois."

Schlickman: "How much diversion from the General Revenue Fund are we talking about as a result of this Bill?"

Tipsword: "We'd be talking about, generally, the amount of approximately \$120 to \$130,000 a year."



Schlickman: "Will the Department of Agriculture be doing the research directly or will the funds that it receives for research be in the form of grants to other agencies?"

Tipsword: "It's totally in grants to the State . . . to the universities within the State of Illinois."

Schlickman: "Well, don't we appropriate directly to the universities for research projects such as this?"

Tipsword: "We . . . not to my knowledge, except for that amon . . . that amount of money that would go into the . . . the College of Agriculture or projects that they may do on their own, but there's no specific programs at the present time for . . . ah . . . plant nutrients and the use of fertilizers in crop production that I'm aware of. Of course, I know they have had some programs, they have been limited in specific purpose programs at the Department of Agriculture at the University of Illinois from time to time."

Schlickman: "Thank you."

Shea: "Is there further debate? The Gentleman from . . . or the Lady from Cook, Miss Catania."

Catania: "Thank you, Mr. Speaker, would the Sponsor yield for a question? Ah . . . Representative Tipsword, I note it says, 'research projects related to plant nutrients and agricultural crop production'. I was reminded that a couple of years ago . . . ah . . . one of the Senators had a Bill before the Agriculture and Natural Resources Committee, which, I believe, taxed soy bean producers to do research on better marketing techniques for soy bean products around the World. I wondered if this kind of research could be included here or if there would be a special Amendment to do that?"

Tipsword: "No, Miss Catania, that . . . that Bill of a couple of years ago was money for soy bean . . . international soy bean marketing and had nothing to do with crop production or plant nutrients."

Catania: "Well, it does seem to me that that would very properly fit in with the scope of this kind of . . . of revenue supported research, and perhaps when this gets over to the Senate, you would want to talk to the Senator who sponsored that and see if he'd like to work that kind of thing in here, 'cause, as I recall, some of the soy bean pro-



ducers were violently opposed to that tax for that sort of research and there was some opinions among Members of the Committee that our State colleges and universities should be doing that sort of research from this kind of money."

Tipsword: "I . . . I think you're right. That was a . . . that was a . . . ah . . . charge against the marketing of soy beans that was assessed upon the vote of soy bean producers throughout the State of Illinois, and was not a tax applied by us, it was an authority that we granted and . . . and was applied then by vote of the producers in the State of Illinois."

Shea: "On the question . . . was that your closing remarks, Representative?"

Tipsword: "I would merely call for the approval of House Bill 1072 for these research projects."

Shea: "The Gentleman asks that House Bill 1072 be adopted. All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wish? Have all voted who wish? Take the Record. On this question there are 136 'ayes', 5 'nays', 2 voting 'present'. House Bill 1072 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 1073."

Fredric Selcke: "House Bill 1073, a Bill for an Act to amend the Public Community College Act. Third Reading of the Bill."

Shea: "On that question, the Gentleman from Cook, Mr. Mahar."

Mahar: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1073 amends the Public Community College Act. It adds a Section permitting the levy of additional annual tax for Working Cash Fund purposes up to 5 percent of the value if bonds haven't been issued for the purpose previously. This is something that the Community Colleges have . . . have needed for a long time. Ah . . . They started out in 1965 . . . ah . . . operating immediately having to use funds. They haven't been able to build Working Cash Funds, and it's supported by the Trustees Association. I urge your support."

Shea: "The question is, shall House Bill 1073 pass? On the question, the Gentleman from Adams, Lawyer McClain."

McClain: "Thank you, Mr. Speaker, would the Gentleman yield to a question?"



Shea: "He indicates he will."

McClain: "Bill, what we're really talking about is increasing taxes out of referendum, would that be not true?"

Mahar: "We're allowing the College Board to set the policy for their district in which they feel that if they need to levy additional funds to build their Working Cash capital, they can do so. Now, . . . ah . . . if they sell bonds or if they . . . ah . . . they'll have to pay . . . pay interest on it . . . interest on it. If they sell taxing anticipation warrants, they have to pay interest. I think we should allow the junior college people to set their policy. We now do it for the primary and secondary people, and I think the Junior College should also have that opportunity."

McClain: "Ah . . . Bill, my second question is, on a \$20,000 home, what would be this .05 cents Working Cash Fund? What are we talking about for an average working man/woman? What kind of tax increase could this be . . . ah . . . if it was less?"

Mahar: "I think that would depend upon the district you're in and the assessed valuation. I don't have an exact figure for districts throughout the State."

McClain: "All right, thank you, I just want to make sure that the Membership knows exactly what they're voting for. Thank you."

Shea: "On the question, the Gentleman from McHenry, Mr. Skinner, and Mr. Skinner, my daughter waves her little bicycle flag at me at home. I can see the light, Sir."

Skinner: "It's all been difficult for me to tell. Would the Sponsor yield to a question or two?"

Shea: "He indicates that he will."

Skinner: "Is this a one shot Working Cash Fund which will self destruct similar to what Representative LaFluer's proposal for County Government?"

Mahar: "No, it will not self destruct, however, it's the type of thing that . . . that College Districts and Municipalities and Primary and Secondary . . . ah . . . Districts use to build their working cash fund. When they have sufficient funds not to . . . ah . . . sell tax anticipation warrants when they no longer use it. It's



a matter of local option, local policy."

Skinner: "Well, if I understand Representative LaFluer's proposal, the County Governments will be allowed to levy . . . to accumulate up to .05 cents per hundred over a two-year period, they'll be able to levy .02½ cents per hundred each of two years and then they will be able to utilize that money to . . . as sort of advance money to funds that are running out of . . . ah . . . cash instead of borrowing for tax anticipation warrants. Now, some of the School Districts in my area have the habit of levying the Working Cash Fund every year bleeding it into the various funds and then levying the full amount another year. Would a Junior College District be able to levy the .05 cent tax more than once?"

Mahar: "I . . . I feel that the Junior College District would be . . . responsible to their elector, and they would levy a Working Cash Fund to build up their resources to get a cash flow. Once it had been . . . ah . . . established, it would no longer do this, and I . . . I don't see where . . . I don't know of any case of where districts have used this for other purposes."

Skinner: "Which Junior Colleges will not qualify to raise the local real estate taxes by .05 cents per \$100 of assessed valuation?"

Mahar: "Which ones?"

Skinner: "Yes, are there any?"

Mahar: "No, I think this is . . . this is state-wide, but . . . ah . . . those who now are in a good position wouldn't use it, . . . or they might be . . . ah . . . they might be selling bonds. They have the power right now to issue bonds, but when you issue bonds, you have to pay interest on them, and that . . . that comes out of the taxpayers pocket. This is a better method."

Skinner: "Is . . . Are the bonds that you are suggesting the same as tax anticipation warrants?"

Mahar: "No, they're bonds . . . interest bearing bonds to be used in place of tax anticipation warrants or they can actually . . . ah . . . sell tax anticipation warrants if they need them."

Skinner: "Does a Community College District have to pass us a referendum before they are authorized to sell those bonds?"



Shea: "Will the Gentleman please bring his remarks to a close?"

Mahar: "No, they do not."

Skinner: "If I may address myself to the issue, and if you wish to turn the timer on, I'm sure I won't take the full 10 minutes. For McHenry County College, at their present .15 cents per \$100 assessed valuation rate, this will be a 33 1/3 percent increase in taxes without a referendum. Now, I would sincerely suggest that those of you who have Community College Districts, . . . ah . . . find out what your Junior College tax rate is first, then find out what percentage the increase will be without a referendum, and then ask yourself . . ."

Shea: "Could we have some order, please, so we can understand the Gentleman?"

Skinner: ". . . I'm not sure that will help . . . then ask yourself if the . . . if you were willing to give your Community College District trustees the ability to raise local taxes by . . . well, I don't know whether my district is the lowest tax rate or not, but it's certainly by 33 percent in my district and I imagine it would be 25 percent in many districts, and I think it would be the rare district that it wasn't under 20 percent without a referendum."

Shea: "Ah . . . To digress from the debate for a minute, I'd like this opportunity to introduce to the Members of the House of Representatives a new state-wide elected official, one of the Trustees to the University of Illinois, Miss Nina Shepard. Nina, say hello; and Mr. Walsh, she's elected state-wide, she has the privilege of the floor. Is there further debate? The Gentleman from Cook, Mr. Bluthardt."

Bluthardt: "Yes, I wonder if the Gentleman would yield for a question?
Ah . . ."

Shea: "He indicates he will."

Bluthardt: ". . . Bill, don't the Community Colleges presently have the authority to issue bonds for a Working Cash Fund?"

Mahar: "Yes, they do, Ed, but in issuing bonds, they have to pay interest on the bond. They have to use the taxpayers dollars to pay interest on the bonds, and . . . ah . . ."

Bluthardt: "Well, then it would all . . . ah . . . the tax levying bodies who do have the authority to . . . to have a Working Cash Fund do,



they issue bonds to pay . . . to build up their Working Cash Fund from which they can use those funds . . . ah . . . to pay bills pending receipt of tax levies so that they won't have to issue . . . ah . . . tax anticipation warrants? Isn't this a new concept then . . . ah . . . which would authorize a . . . a tremendous additional levy of taxes annually, forever and ever for that purpose?"

Mahar: "No, I think that selling . . . ah . . . Junior Colleges . . . ah . . . coming into existence in 1965 and . . . ah . . . in newly organized districts, immediately began to operate before they were really . . . received money. They've been selling tax anticipation warrants for a long time, and they still are in a bad position. Now, as you very well know, municipalities have . . . have the opportunity right now to . . . ah . . . set up Working Cash Funds; and many, many of them do. Also, Primary and Secondary Schools, I just don't understand why there is a resistance to allow a Junior College to do the same thing that most all local governmental bodies do. It infers that these people who are elected by the people are derelict in their duty, they don't . . . they're not responsive for their constituency and they're gonna' go off and spend all kinds of money, the taxpayers money, they shouldn't be doing it. This just allows them another method by which they can actually save money in their district. I think they ought to have this tool. Now, I don't think there's any Community College District that is going to levy a full 5 percent. They're going to levy what their need . . . what they need only as long as they need it; and then they're not going to levy it. I . . . I think they're . . . it's really discriminatory not to allow Junior Colleges to use the same tools that other governmental bodies do."

Bluthardt: "Well, Mr. . . . Mr. Speaker, may I have one last question, because this is a very important Bill to the taxpayers of Illinois?"

Shea: "Pro . . . proceed, Mr. Bluthardt."

Bluthardt: "Ah . . . About 95 percent of Illinois is in a Community College District, and we're talking about a 5 percent increase in their tax Bill for a Community College. Now, Bill, I don't know of any present law that permits the levying of a special tax, an additional tax, for the purpose of building up a Working Cash Fund. The law, as I



understand it, is that you must first . . . you may . . . ah . . . create a Working Cash Fund and issue bonds for its creation and you may, therefore, levy the necessary tax over a period of 20 years to pay off those bonds, but you are not allowed to take and make an additional levy . . . ah . . . as you propose in this instance. I don't know of any law that permits that. Now, can you tell me that that's not so?"

Mahar: "Are you not aware that municipalities can levy up to .05 cents for Working Cash Fund?"

Bluthardt: "Only if they issue bonds and they pay off those bonds they may?"

Mahar: "I disagree."

Shea: "Is there any further discussion? The Gentleman from Winnebago, Mr. Mulcahey."

Mulcahey: "Would the Sponsor yield?"

Shea: "He indicates he will, Sir."

Mulcahey: "Would it be possible for this tax increase to take place two consecutive years?"

Mahar: "Yes."

Mulcahey: "And without referendum?"

Mahar: "Yes."

Mulcahey: "Thank you."

Shea: "Is there further discussion? The Gentleman from Dupage, Mr. Hoffman, on the question."

Hoffman: "Mr. Speaker, I have just one question of the Sponsor."

Shea: "He indicates he'll yield for the one question."

Hoffman: "And this is the question? In your bill, does the Junior College District have the same . . . ah . . . authority that Elementary and Secondary Unit Districts have to levy the .05 cent tax and then abolish the fund at the end of the year and then start it up again the following year? We've had some abuses by some School Districts in the State, and I want to know if they still . . . if they have that same authority in this Bill."

Mahar: "Yes."

Hoffman: "All right, Mr. Speaker, Ladies and Gentlemen of the House, al-



though I have no objection to the Working Cash Fund . . . ah . . . handled properly, the . . . there have been a number of School Districts in this State that have abused it and taken advantage of the . . . of the .05 cent levy. With this ability in this Bill, . . . ah . . . I . . . ah . . . feel that I will . . . I will have to oppose it and am also suggesting that in some time in the very near future, I think this General Assembly is going to have to look at this whole question and stop allowing . . . ah . . . particularly School Districts from spending more money than they're taking in; and, therefore, I would be opposed to this . . . ah . . . Bill."

Shea: "Is there any further discussion? The Gentleman from Cook, Mr. Palmer, on the question."

Palmer: "Mr. . . . ah . . . Mr. Speaker, if the Sponsor would yield to a question?"

Shea: "He indicates he will."

Palmer: "It indicates here that the Board may upon demand of the City Council . . . ah . . . shall levy. Under what circumstances will this apply?"

Mahar: "That's the City of Chicago."

Palmer: "Does this Bill apply only to the City of Chicago?"

Mahar: "Ah . . . No, Sir."

Shea: "The Gentleman from Cook, Mr. Mahar, to close."

Mahar: "Well, Mr. Speaker, I think this thing has been thoroughly debated. It's not a new subject, and I think in my remarks I've outlined those features that I think are very, very important. I'd urge an 'aye' vote."

Shea: "The question is, shall House Bill 1073 pass? All those in favor will vote 'aye', those oppose will vote 'nay'. Have all voted who wish? Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 47 'ayes', 61 'nays', 8 voting 'present'. House Bill 1073 having failed to receive the constitutional majority . . . Mr. Barnes, did you want something, Sir?"

Barnes: "No."

Shea: "Having failed to receive the constitutional majority is, hereby, declared lost. Mark Mr. Daniels 'nay'. Mr. Luft is 'no'. On the order



of House Bills, Third Reading, appears House Bill 1079, Mr. Kosinski. Oh, 1074 . . . I need glasses, Clyde . . . on the order of House Bills, Third Reading, is 1074."

Fredric Selcke: "House Bill 1074, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Shea: "The Gentleman from Union, Mr. Choate."

Choate: "Mr. Speaker, I'll loan you my glasses. Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 1074 was so ably guided through the Committee process by that distinguished Legislator from the Madison County area, Coach Joe Lucco, and being one who does not believe in changing horses in the middle of a stream, I would appreciate your calling on Representative Lucco to explain the Bill."

Shea: "The Gentleman from Madison, Mr. Lucco, on the question."

Lucco: "Mr. Speaker, Ladies and Gentlemen of the House, thank you, Representative Choate, this Bill, 1074, does 3 things in regard to Regional Superintendents. First, it increases their office supervisory expenditures annually from \$1,000 to \$2,000 a year. Second, in multi-county regions, which is predominantly in central and southern Illinois, it give the Regional Superintendent the right to select any of the State's Attorneys from the various counties in his region to serve as his legal advisor. Thirdly, it gives the Regional Superintendent in multi-county regions the right to select the County Treasurer of any of the counties in his region to serve as a treasurer for the region. So I urge and solicit your support on this House Bill 1074."

Fredric Selcke: "Roll Call."

Shea: "The question is, shall House Bill 1074 pass? On the question, all those in favor will vote 'aye', those oppose will vote 'no'. Have all voted who wish? Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 113 'ayes', 6 'nay', 4 'present'. House Bill 1074 having received the constitutional majority is, hereby, declared passed. We just had one of our colleagues come back, we all looked at that rain out there. Representative Berman would like to tell you about flying through it. He don't want to talk about it. On . . . On the order of House Bills, Third Reading, appears House Bill 1079."



Fredric Selcke: "House Bill 1079, an Act making appropriation for the ordinary and contingent expenses to the Dangerous Drug Commission. Third Reading of the Bill."

Shea: "On the question, shall House Bill 1079 pass? The Gentleman from Cook, Mr. Gaines."

Gaines: "Ah . . . Mr. . . . opportunity to ask, is this Department filed in the affirmative action plan? I'm asking the Sponsor a question?"

Shea: "Well . . . ah . . ."

Gaines: "Will the Sponsor yield to a question?"

Shea: "The Sponsor indicates he will."

Gaines: "Ah . . . Has this Department filed an affirmative action plan?"

Kosinski: "Yes."

Gaines: "Huh?"

Kosinski: "Yes."

Gaines: "May I receive a copy of it, what does it say?"

Kosinski: "I'll get you a copy and bring it over, Mr. Representative."

Gaines: "All right, thank you."

Shea: "On the question, shall House Bill 1079 pass? The Gentleman from Cook, Mr. Schlickman."

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

Shea: "He doesn't know whether to yield or run over with his report. He'll yield."

Schlickman: "What is the comparison between the appropriations in this Bill and the appropriations last year?"

Kosinski: "There's an increase of \$3,266,780, approximately one half of this \$3,000,000 increase is to establish new programs currently not in existence. The remainder of the increases is for the actual disbursement and expenditure of funds for programs already operating."

Schlickman: "What is . . . what's the nature of the new program?"

Kosinski: "Extension of the action of this Commission in terms of treating the problems of dangerous drugs."

Shea: "On the question, all in favor of House Bill 1079 will vote 'aye', those opposed will vote 'nay'. Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 123 'ayes', 7 'nays', 3 voting 'present'. House Bill 1079 having received a constitutional



majority is , hereby, declared passed. Mr. Caldwell votes 'aye'. On the order of House Bills, Third Reading, appears House Bill 1083."

Fredric Selcke: "House Bill 1083, a Bill for an Act to amend an Act in relation to airport authorities. Third Reading of the Bill."

Shea: "The Gentleman from Will, Mr. Kempiners."

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

This Bill applies only to County Airport Authorities created after January 1, 1974. It provides a procedure by which municipalities of less than 3500 acres can disconnect from an Airport Authority within 1 year after its creation. The municipality must be on the perimeter of the authority and the disconnect cannot destroy the contiguity of the authority, and as I said, it must be filed within 1 year after the creation. The precedent is established in this Act for disconnection in that unincorporated areas can disconnect by petition. I am creating a procedure by which incorporated areas may disconnect by referendum. Ah . . . There is only 1 Airport Authority, existing Airport Authority, in the State that would be effected by this, and that Airport Authority does not operate an airport. I would . . . ah . . . solicit your favorable support."

Shea: "The question is, shall House Bill 1083 pass? On the question, the Gentleman from Kane, Mr. Grotberg."

Grotberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to House Bill 1083; and I would like to address it for just a moment with . . . ah . . . leave of the House. For those of you who have been around this House a few years, I think the favorite topic on here for about a generation has been the Dupage County Airport. I would remind you that 2 years ago, I thought I was going to solve the problem of the extension of the runways of Dupage Airport in much the same fashion that . . . ah . . . the Gentleman from Will and my good friend is offering on today to get at the problem. Well, what we did was we got 18 votes on the Grotberg Bill 2 years ago, and I would recommend that we get at least 18, maybe 19, but no more for Mr. Kempiner's Bill. The airport history is such that a year ago this June, the good citizens of Geneva and St. Charles, Batavia and other areas around were so threatened by the extension of



the runway of Dupage Airport that they went back to the statute and found the County Airport Authority Bill . . . or . . . statute of 1942 through which in perfectly legal fashion formed an authority and was voted upon in 71 percent favorably, and the authority was formed. They were . . . ah . . . they are presently within weeks or months of reaching an agreement with Dupage County Board for the possession and the operation of the Dupage County Airport. For the interests of those of you in the House, the Villages of Geneva, St. Charles, Batavia, Wayne and West Chicago are presently in this Airport Authority. They are a very tightly knit geographical community, and all are within the range of either controlling or . . . or using the Fox Valley Community Airport, which will be the new name of the Dupage County Airport. I would remind the Sponsor of this Bill that the population of Batavia with 10,000 people in it has 77 registered General Aviation Pilots currently using the airport. I would remind him that the combined Cities of St. Charles and Geneva of 24,000, which is a greater number, more than double the number, have less than double the number of pilots, 152. I would recommend again that every authority . . . if the . . . if the Legislature is annually faced with disconnect Bills on authorities will be looking forward to destroying the integrity of Drainage Districts, Fire Protection Districts and Port Authorities. I think it behooves this House of Representatives to remember the Airport Authority statute the way it exists, and to stay out of this local fight. The good citizens of Batavia get as much good out of this airport as anybody, and I'm glad to have them in it as are many others. I would hope and pray for a 'no' vote and if this . . . you have to go to the bathroom, this is a good time to do it. Thank you very much."

Shea: "The Gentleman from Sangamon, Mr. J. David Jones."

Jones: "Mr. Speaker and Members of the House, I'd like to speak to House Bill 1083, in no way to get involved in the particular issue as such, but as one of the advocates of the original Airport Authority Act of 1945, which is being amended here. I have also served as former Secretary-Treasurer of the Illinois Public Airport Association, the state-wide entity of some 40 Airport Authorities that is now headed



by Mr. George Block of Salem, as its president. Provisions for disconnection were incorporated in the original Act, and this legislation is an extension of that privilege. The Illinois Public Airport Association was in opposition to 1083 as originally introduced. It would have a retro-active effect. But as now amended, they have withdrawn their opposition, and at . . . at a meeting in Springfield on May the 2nd, passed a Resolution in support of House Bill 1083 as amended. Thank you."

Shea: "Could we have some order, please? On the question, the Gentleman from Cook, Mr. Bluthardt."

Bluthardt: "Thank you, Mr. Speaker and Members of the House, I rise in opposition to this Bill. I think that if we're going to have the privilege of disconnecting, then it ought to apply to all Airport Authorities, including Municipal Airport Authorities. Now, we . . . we know that under the Municipal Airport Authority Act that a municipality may condemn and obtain land in other municipalities . . ."

Shea: "Mr. . . . Mr. Bluthardt, would you wait a minute, Sir? Could we have some quiet in the Chamber, and would the Members be in their seat, please?"

Bluthardt: ". . . Now, I would have no objection, well, and have less serious objections to this Bill, I think I'd still have objection, if . . . ah . . . they permitted municipalities to withdraw from a Municipal Airport Authority such O'Hare Field. In that event, why Schiller Park would . . . ah . . . get back some 600 acres of land that is sitting there as clear zone and not being used for any other purpose, and other municipalities all around O'Hare Field would be able to have land returned to their municipalities for more productive purposes; but because there is not this mutuality between . . . ah . . . the proposed Bill and the Municipal Airport Authority Act, I think we ought to defeat the Bill."

Shea: "The Gentleman from Will, Mr. Kempiners, to close."

Kempiners: "Thank you, Mr. Speaker, . . . ah . . . I just ask for a favorable Roll Call."

Shea: "The question is, shall House Bill 1083 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who



wish? Mr. Lauer . . . or Mr. LaFluer, do you want to explain your vote, is that it?"

LaFluer: "Well, I . . ."

Shea: "I don't think you do, do you?"

LaFluer: "If you're going to call for the . . . ah . . . Roll Call, no."

Shea: "Have all voted who wish? Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 59 'aye' va . . . votes, 34 'no' votes, 25 voting 'present'. This Bill having failed to receive a constitutional majority is, hereby, declared lost. On the order of House Bills, Third Reading, appears House Bill 1084."

Fredric Selcke: "House Bill 1084, a Bill for an Act to amend Section 6 of the Vietnam Veteran's Compensation Act. Third Reading of the Bill."

Shea: "The Gentleman from Cook, Mr. Huff."

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

Ah . . . This Bill is a very simple Bill. If you've have it before you, you'll see the sum of it is expressed in 2 sentences, yet, I'm . . . I hesitate to call it a merely Bill. This Bill amends the Vietnam Veteran's Compensation Act. It extends the time of filing for bonuses from July 1st of 1975 to July 1st of 1977. I'd like to think of this Bill as being a . . . a grateful State Bill. It manifests the State of Illinois' gratitude for the service of our young men, whose induction dates were not covered by this provision; and this Amendment extends the filing time. I'd like to think that it's a Bill in the light of the Mar . . . Maraquez incident, who I'm sure some of our young men who . . . who stormed that shore were not covered by this Bill. This Bill is . . . is America's way . . . America's way of saluting fellow Americans. Thank you."

Shea: "The question is, shall House Bill 1084 pass? All those in favor will vote 'aye', those oppose will vote 'nay'. Mr. Daniel Houlihan 'aye'. Take the Record, Mr. Clerk. On this question there are 150 'ayes', no 'present'. House Bill 1084 having received the constitutional majority is, hereby, declared passed. Mr. White 'aye'. Miss Macdonald 'aye'. Mr. Maragos 'aye'. Mr. Richmond 'aye'. Mr. Kucharski 'aye' . . . ah . . . Eddie. On the order of House Bills, Third Reading, appears 1086."



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Fredric Selcke: "House Bill 1086, an Act to provide for the ordinary and contingent expense of the Illinois Commerce Commission. Third Reading of the Bill."

Shea: "The Lady from St. Clair, Miss Younge."

Younge: "Mr. Speaker and Members of the House . . . ah . . . House Bill 1086 makes appropriations for the ordinary and contingent expenses of the Illinois Commerce Commission. I move for the adoption of House Bill 1086."

Shea: "The question is, shall House Bill 1086 pass? The Gentleman from Cook, Mr. Gaines, has a question for you, Miss Younge; and she indicates she'll yield."

Gaines: "Thank you, Mr. Speaker. Ah . . . Miss Younge, has this Department filed an affirmative action plan?"

Younge: "I don't know, but they have assured me that they will, forthwith, whether it has actually been filed at this moment, I'm not aware."

Gaines: "Could you get me a copy of it when it is filed?"

Younge: "I'd be glad to."

Gaines: "All right, do you know anything about the racial hiring practice?"

Younge: "Ah . . . Yes, I do."

Gaines: "Would you tell me about it?"

Younge: "Ah . . . There are 10 minority workers there . . . ah . . . the highest minority there is a Secretary II."

Gaines: "Now, what is that on percentage basis?"

Younge: "5 percent."

Gaines: "Thank you."

Shea: "Are there further questions? The question is, shall House Bill 1086 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 142 'ayes', 4 'nay', none 'present'. House Bill 1086 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 1089. 1089. 1088 is out of the Record."

Fredric Selcke: "House Bill 1089, an Act making appropriation to the Department of Local Government Affairs. Third Reading of the Bill."

Shea: "The Gentleman from Cook, Mr. Kozubowski."



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

House Bill 1089 appropriates for the ordinary and contingent expenses of the Department of Local Government Affairs the total of \$129,000,000. I would ask for a favorable Roll Call."

Shea: "The Gentleman from McHenry, Mr. Skinner."

Skinner: "Yes, I wonder if the Sponsor or the Members of the House are aware of the Supreme Court decision, 'Hart . . . Hart versus Linhoussen', which was released today and would suggest that the Department is not in compliance with the State law. If I may quote to . . . brief quotes from the opinion it says, 'a direct result of the failure of governmental officials to perform their duties' . . ."

Shea: "Hold on, Mr. Skinner, will you please, Sir?"

Skinner: ". . . 'in the manner prescribed by law' . . ."

Shea: "Mr. Skinner. Mr. Stone, on a point of order."

Stone: "Ah . . . Mr. Speaker, the Gentleman asked if he had leave for a question, he's not asking a question, he's making a speech."

Skinner: "I guess I don't need leave then."

Shea: "Mr. Skinner, either ask a question or speak on the Bill, Sir."

Skinner: "I'm speaking against the Bill in its totality at this point . . ."

Shea: "Proceed, Sir."

Skinner: ". . . because this Department has caused a misallocation of \$35 to \$55,000,000 a year annually in the State Aid Education Fund, and no one is holding them accountable. The Illinois Supreme Court refuses to enforce the law, the Executive Branch refuses to enforce the law and the Illinois Senate refuses to deny confirmation to the man who has been held responsible for not . . . for failure to enforce the law. As the court said today, 'there's no apparent justification for the utter disregard by the Department of Local Government Affairs of the statutory mandate to equalize assessments in all counties'. Now the buck's to stop somewhere; and I, as one Legislator, refuse to take the responsibility for the assessment mess in this State. It is either the Executive Branch's problem or it is the Judicial Branch's problem. All we can do is pass the laws, we cannot enforce them, except maybe through the budgetary process; and I would suggest this might be a good place to tell the Department that we know that they're not



following the law."

Shea: "The Gentleman from Cook, Mr. Gaines."

Gaines: "Will the Sponsor yield for a question?"

Shea: "He indicates he will."

Gaines: "Has this Department filed an affirmative action plan, or do you know what the minority hiring practices are?"

Kozubowski: "That question was asked by Representative Younger in the Committee and I think it met with her satisfacton . . ."

Gaines: "What is the answer, it might not satisfy me?"

Kozubowski: ". . . I don't . . . I think there was a report filed."

Gaines: "Do you have a copy of that report?"

Kozubowski: "Not on my desk."

Gaines: "Can you get it to me."

Kozubowski: "I certainly will."

Shea: "The Gentleman from Cook, Mr. Schlickman."

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

Shea: "He indicates he will."

Schlickman: "Could you give us a comparison between the appropriations in this Bill and the amount that was expended by the Department during . . . or . . . the amount that is estimated . . . ah . . . to be spent by the Department fiscal year '75?"

Kozubowski: "Well, Representative, I can tell you that the appropriation for fiscal year '75 was 129.4 million. What the expenditure will be or the amounts expended by the Department, I did not have the final figure, but I'll be more than happy to get the projection for you."

Schlickman: "You don't know what the anticipated lapse will be?"

Kozubowski: "No, I don't."

Schlickman: "Thank you."

Shea: "The Gentleman from Peoria, Mr. Tuerk. He withdraws. The Gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I stand in support of House Bill 1089 as amended in this House Appropriations Committee. The total of \$129,947,100 broken down in the following areas, General Revenue of \$5,258,000; Local Government Distributor Fund of \$121,300,000; Federal Urban Planning Assistance



Fund of \$2,939,000; Local Government Affairs Federal Trust Fund of \$450,000. This is a complete combination of the various funds for this Department; and to answer Gene's question, last year the '75 appropriation from General Revenue was \$2,201,000. This Bill was amended in the House Appropriations Committee, and the Amendments have been adopted on the floor. Reduction of approximately \$60,000. In all consideration with . . . ah . . . another Member has said on this floor as part of the local assessment practices by this Department. He had ample opportunity to discuss that at that time in the Committee; and, in turn, he brought it up many, many times; but, in turn, there wasn't any Amendments offered at that time to . . . ah . . . correct that situation. I ser . . . seriously request a favorable vote."

Shea: "The question is, shall House Bill 1089 pass? All those in favor will vote 'aye', those oppose will vote 'nay'. Have all voted who wish? Have all voted who wish? Take the Record, Mr. Clerk. The Gentleman from An . . . er . . . LaSalle, Mr. Anderson, do you seek recognition, Sir?"

Anderson: "No, sorry."

Shea: "Mr. Collins 'no'. Mr. Bluthardt 'aye'. Mr. Simms 'no'. On this question there are 119 'ayes', 16 'nay', 14 voting 'present'. House Bill 1089 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 1093. The Gentleman from Fayette, Mr. Brummet."

Fredric Sekle: "House Bill . . ."

Shea: "Dick, if I've missed another one, I'm in trouble. 1092, I'm sorry. You'd better give them to me. 1092, please."

Fredric Selcke: "House Bill 1092, an Act to provide for the ordinary and contingent expense of the Department of Registration and Education. Third Reading of the Bill."

Shea: "Turn Mr. Hart on, will you, please."

Hart: "I didn't know you called on me. Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, this Bill appropriates a sum of \$13,975,700 to the Department of Registration and Education for its ordinary and contingent expenses. It was reduced . . . ah . . ."



\$122,000 in the Appropriations Committee, and I ask for the support of the House."

Shea: "Mr. Hart, would you want to tell us if they've filed an affirmative action program, and if . . . what's the difference this year and last year?"

Hart: "Well, they . . . I don't know whether they've filed an affirmative action program and the information is just as available to those who ask that question as it is to me. So if they want to know, they can to over there and find out; but . . . ah . . . the . . . ah . . . the appropriation is . . . ah . . . is about a million dollars more this year than it was last year."

Shea: "The question is, shall House Bill 1092 pass? On the question, Mr. Gaines, do you wish to question? Mr. Gaines."

Gaines: "Well, I wish to say that anytime I was Sponsor of the Bill, I certainly would know more about it than that."

Shea: "Mr. Schlickman, I guess you withdraw and Mr. Hart to close, Sir."

Hart: "I appreciate the support of the House."

Shea: "The question is, shall House Bill 1092 pass? All those in favor will vote 'aye', those oppose will vote 'nay'. Have all voted who wish? Have all voted who wish? On this question . . . take the Record, please . . . on this question there are 142 'ayes', 2 'nays', 2 'present'. House Bill 1092 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 1093."

Fredric Selcke: "House Bill 1093, an Act in relation to registration to plumbing contractors and so forth. Third Reading of the Bill."

Shea: "Mr. Brummet."

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

Shea: "Mr. Brummet, are 1094 and ---5 companion Bills where they can be . . ."

Brummet: ". . . No, no, they're not."

Shea: "All right, Sir, proceed."

Brummet: "What this . . . what this Act does, is create the Illinois Plumbing Contractors Registration Act. It requires the registration



of all plumbing contractors after March the 1st of 1976. This came out of Committee recommended do pass by a vote of 14 to nothing. Five years ago, similar legislation was passed. It was enforced for 3 years and was then declared unconstitutional. They've been working on this Bill for 3 years. It is for the consumer protection, because these fellows will be bonded. It gives protection to your small homeowner; and I would appreciate a 'yes' vote."

Shea: "The question is, 10 . . . shall House Bill 1093 pass? On the question, the Gentleman from Sangamon, Mr. Kane."

Kane: "Would the Sponsor yield for a question?"

Shea: "He indicates he will."

Kane: "What . . . what are the . . . ah . . . bad things that are happening that this Bill is supposed to correct?"

Brummet: "One thing that was mentioned to me by the contractors was the fact that at the present time, there's no guarantee on the homeowner as to what kind of a job he's going to get on his home; and they mentioned some half a dozen different places . . . ah . . . specific acci . . . specific places where this had happened. The plumbing would not work and so forth, and no one was responsible for it. This will make the plumbing contractors responsible and they will be bonded to see to it that this is taken care of."

Kane: "What's the difference between licensing plumbing contractors and licensing plumbers like we do already?"

Brummet: "Ah . . . These will be the contractors themselves; and the licensed plumbers, of course, will work for them; but I don't believe the licensed plumbers are bonded. The contractors will be."

Kane: "Would the plumbing contractor have to have a plumbers license?"

Brummet: "That's correct, he will have. He has to be a licensed plumber."

Shea: "On the question, is there further discussion? The question is, shall House Bill 1093 pass? All those in favor will vote 'aye', those opposed will . . . did you want a question, Mr. Totten?"

Totten: "My lights on."

Shea: "Well, it's not on up here, so we'll call on you. The Gentleman from Cook, Mr. Totten."

Totten: "Thank you, Mr. Speaker, would you check my bulb, please, because



it has been on for a while."

Shea: "We'll see if you're alive."

Totten: "Ah . . . Would the Sponsor yield for a question?"

Shea: "He indicates he will."

Totten: "Yeah, I believe there was a request for a fiscal note filed. We don't have a copy of it. Could you . . . ah . . . give . . ."

Brummet: "The fiscal note was filed. I have a copy here for it, if you'd like to have one, I'd be glad to send it over to you."

Totten: "Could you just indicate the fiscal impact?"

Brummet: "Yes, there's no fiscal impact at the present time. This has an effective date of January 1st, 1976. The Department will establish the administrative aspects to the program with the budget appropriated for fiscal 1976 for the last one half of the fiscal year 1976. Here is the estimate to administer House Bill 1093 in fiscal year in 1977 . . . ah . . . personal services, \$101,350; social security, \$5,950; retirement, \$6,050; insurance, \$2,450; travel, \$12,500; equipment, \$7,900; telecommunications, \$2,000; contractual, \$1,500; commodities, \$1,000; electronic data processing, \$9,700; for a total of \$150,000. Ah . . . A summation of the revenue which will be generated for fiscal years 1976 and '77 are the Plumbing License Law, which is existing now, \$71,885; Plumbing contractors registration, \$320,000, for a total of \$391,885. Costs to administer the existing Plumbing Laws on House Bill 1093 in 1976, \$294,418; 1977, \$444,418."

Shea: "The question is, shall House Bill 1093 pass? All those in favor will vote 'aye', those oppose will vote 'nay'."

Brummet: "Oh, no, they're for it a 100 percent. This is their Bill."

Shea: "Have all voted who wish? Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 102 'ayes', 32 'nays', 13 voting 'present'. House Bill 1093 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 1094. The Gentleman from Fa . . ."

Fredric Selcke: "House Bill 1094, an Act to amend Section 4 of Sewage Disposal Licensing Act. Third Reading of the Bill."



Shea: "The Gentleman from Fayette, Mr. Brummet."

Brummet: "Mr. Speaker, Ladies and Gentlemen of the House, this is a very simple Bill. At the present time, there is a Private Sewage Disposal Licensing Act, . . . ah . . . and if you're a plumber and also install sewage systems, you get hooked double on this thing; and all this says that if you have a plumbers license, you use that instead of the annual \$50 fee for . . . ah . . . installing septic tanks and so forth. I move for the passage of this Bill."

Shea: "On the question, shall House Bill 1094 pass? All in favor will vote 'aye', those oppose will vote 'nay'. Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 129 'ayes', 12 'nay', 2 'present'. House Bill 1094 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 1095."

Fredric Selcke: "House Bill 1095, an Act to create the Structural Pest Control Advisory Council. Third Reading of the Bill."

Shea: On the last Bill, would you mark Miss Geo-Karis, from the Democratic side, 'aye'. The Gentleman from Fayette, Mr. Brummet."

Brummet: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. What this does is creates the Structural Pest Control Advisory Council to assist the Department of Public Health in the administration of this Act. It licenses pest control applicators. At the present time, there is no license for pest control operators in the State of Illinois, and I might also add, having had experience in . . . ah . . . pest control . . ."

Shea: "Whenever the Speaker wants."

Brummet: ". . . ah . . . for farmland, that chemicals that we are not allowed to go out and spray on a farmers 40-acre field because they're too dangerous, can be sprayed in your home, and your kitchen, in your pantry, in you basement or some other place in the house, where they probably shouldn't be sprayed. There is a federal regulation that's coming through that becomes effective . . . ah . . . as of October the 1st, which will force this upon us if we do not pass it. I might also add that in the last session of the General Assembly, this Bill, the same Bill, went out of the House with a vote of



134 to nothing and got hung up in the Senate. I would appreciate a 'yes' vote."

Shea: "The question is, shall House Bill 109 . . . 95 pass? On the question, all those in favor will vote 'aye', those opposed will vote 'nay'."

Brummet: "Thank you."

Shea: "Have all voted who wish? Geo-Karis says 'aye'. Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 115 'ayes', 14 'nays', 14 'present'. House Bill 1095 having received the constitutional majority is, hereby, declared passed. The Gentleman from Cook, Mr. Madigan, now moves that the House stand in recess for 5 minutes, would the Clerk then read in House Bills, First Reading and Committee Reports, and that the House return at 8:00. The Gentleman from Cook, Mr. Farley."

Farley: "Mr. Speaker, . . . ah . . . you indicated that Mr. Maragos has some kind of an announcement about a Revenue Committee hearing?"

Shea: "Mr. Maragos, do you want to make an announcement on your Revenue Committee?"

Maragos: "Mr. Speaker and Members of the House, the Revenue Committee will meet as soon as we get the House floor cleared, and we have some refreshments for the Members of the Committee to eat, unwinding this meeting this session, and any witnesses who are here on House Bills 3008, 3009, 3010 and 3011 and 3012, please, come down and register with the Clerk that you are proponents or opponents, because this will be the only hearing you'll have a chance to hear during the supper hour of the House. Thank you."

Shea: "Proceed, Mr. Clerk."

Fredric Selcke: "House Bill 3021, Committee on Revenue, an Act relating to compensation of General Assembly Members. First Reading of the Bill. Senate Bills, First Reading. Senate Bill 445, an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 490, an Act to amend the Illinois Pension Code. First Reading of the Bill."

Shea: "The House now stands adjourned until 8:00. Recess until 8. The Lady from Cook, Miss Barnes, for the peanuts. Mr. Door . . . Mr.



Doorkeeper, will you clear the House floor, please?"

Speaker Redmond: "The House will be in order and the Members will please be in their seats."

Fredric Selcke: ". . . hour . . ."

John Painter: "All those not entitled to the floor, will you please go to the Gallery?"

Speaker Redmond: "Representative Kelly, for what purpose do you arise?"

Kelly: "Yes, . . . ah . . . Mr. Speaker and Members of the House. I'd like to make . . . ah . . . rather, ask leave of the House to table . . . ah . . . House . . . three House Bills, House Bill 1865, 2323 and 2594."

Speaker Redmond: "Any objections? Leave? The Bills are tabled. 1865, will you read them again, Representative Kelly?"

Kelly: "1865, 2323 and 2594."

John Painter: "All those not entitled to the floor, please retire to the Gallery."

Speaker Redmond: "Agreed Resolutions."

Jack O'Brien: "House Resolutuion 281, Katz, et al. House Resolution 283, Kelly, et al. House Resolution 285, Davis, et al. House Resolution 286, Hanahan, et al. House Resolution 287, J. David Jones. House Resolution 288, J. David Jones. House Joint Resolution 52, Kelly, et al."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 281 . . . ah . . . congratulates Mrs. Mitchell Dawson . . . ah . . . for 23 years as the Executive Director of the Family Counselling Service of Glencoe . . . ah . . . the House Bill 283 is . . . ah . . . the citizens of the Village of Midlothian, and we congratulate them on hosting the second annual Highland game. House Bill 285 is . . . ah . . . by Representative Davis urging Congress to extend the Voting Rights Act. House Bill 286 is . . . ah . . . one by Representative Hanahan urging the Congress of the United States to pass laws similar to what they've passed for themselves saying that Representatives . . . the place where they're elected is their residence. Ah . . . House Bill 287 congratulates the Witt United Methodist Church of Witt,



Illinois on their centennial year. Ah . . . oh, they're Resolutions, I'm sorry. House Resolution 288 . . . ah . . . commends Ivy Stone on her services to the people of the State of Illinois; and House Joint Resolution 52 . . . ah . . . is a Right to Life . . . Respect for Life Program . . . ah . . . in National Week of Prayer and Study Folk listing on the sanctity of all human life . . . ah . . . by Mr. Kelly. I would . . . ah . . . move for the adoption of the Agreed Resolutions."

Speaker Redmond: "Gentleman has moved for the adoption of the Agreed Resolutions. All in favor say 'aye', oppose 'no'; and the 'ayes' have it. The Resolutions are adopted. Further Resolutions."

Jack O'Brien: "House Resolution 284, Giorgi, et al."

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

Jack O'Brien: "House Resoulution 282, DiPrima, et al, with respect to the memory of Mr. Leroy McGugh of Chicago, Illinois."

Speaker Redmond: "Representative DiPrima moves the adoption of the Death Resolution. All in favor say 'aye', oppose 'no'; and the 'ayes' have it. The Resolution is adopted. Representative Hart, do you seek recognition? You were faced the wrong way. Representative Shea."

Shea: "Mr. Speaker, there's been some objection to Mr. Kelly's Resolution on Right to Life. So . . . So having voted on the prevailing side, I new . . . I now move that the vote by that which that was adopted be reconsidered."

Speaker Redmond: "Gentleman has moved that the vote by which the Resolution was adopted by reconsidered. All in favor say 'aye' . . ."

Shea: "I talked to Mr. . . ."

Speaker Redmond: ". . . no . . . Representative Shea."

Shea: "Yeah, I talked to Mr. Kelly about it. He's has no objection about it."

Speaker Redmond: "Gentleman has moved. I thought we did that. Representative Shea has moved to reconsider the vote by which the Resolution . . . the Right to Life Resolution was adopted. All in favor say 'aye', oppose 'no'. The 'ayes' have it. Representative Shea."

Shea: "I'd like to go to Mr. Kelly and see if he wants to move for the adoption of what he wants to do on his Resolution."



Speaker Redmond: "Representative Kelly in Representative Madigan's seat."

Kelly: "Yes, Mr. Speaker and Members of the House, I . . . ah . . . I would like to . . . ah . . . but if there are problems, . . . ah . . . this did pass this House last year, and . . . ah . . . I . . . ah . . . I feel that, you know, is all we're doing, this is part of a National Respect Life Week Program going on throughout the country. Ah . . . If there's objections, we could take it out, but I'd rather . . ."

Speaker Redmond: "Representative Meyer, for what reason do you arise?"

Meyer: "Point of inquiry, Mr. Speaker. How many votes does this take to adopt . . . now?"

Speaker Redmond: "Majority of those voting."

Meyer: "What . . . Is the identifier . . . has the objector been identified on the floor of the House?"

Speaker Redmond: "Representative Lechowicz. I don't know."

Meyer: "Mr. Speaker, again, I ask who objected?"

Speaker Redmond: "Representative Shea."

Shea: "Mr. Katz objected."

Speaker Redmond: "Representative Katz. Representative Katz."

Katz: "Excuse me. All I said to the Gentleman was that it's not appropriate as an Agreed Resolution that some people . . . it has been identified as part of a movement that people subscribe to. It's just not appropriate as an Agreed Resolution. That's all. We don't use Agreed Resolutions for matters of any controversy. I know we're not making any fuss about it, but it's not a subject that meets with the total agreement of every Member of the House. It's as simple as that."

Speaker Redmond: "Representative Duff."

Duff: "Well, Mr. Speaker, I'd like Representative Katz, if he would, to make it more clear. Are you disagreeing, Representative Katz, or are you just making a casual comment?"

Katz: "No, I don't know quite what you mean. I'm disagreeing with . . . with a . . ."

Duff: "Are you asking for another Roll Call?"

Katz: "No, I was asked a question by the distinguished Gentleman, Mr. Meyer, asked a question to Mr. Meyer to whom had spoken to Mr. Shea, and I said that I was the one who had mentioned to Mr. Shea that I felt

it was not appropriate subject for Agreed Resolution because there's some people who don't happen to agree that that particular subject is not a subject that is devoid of being involved in the present controversy regarding abortion and . . ."

Duff: "Well, Representative Katz, are you . . ."

Speaker Redmond: "Representative Choate."

Choate: "A point of order, Mr. Speaker, . . . ah . . ."

Speaker Redmond: "State your point."

Choate: ". . . we don't need all of the conversation going on. Does the Gentleman object to the Resolution being on the Agreed List or does he not. That's all that is needed to be talked about as far as the House is concerned."

Katz: "Of course, that's what I was saying. I did object to it being on the Agreed List, that's all."

Speaker Redmond: "Representative Hill."

Hill: "Mr. Speaker and Members of the House, I'd just like to point out to you that we did not have a problem like this Thursday, Friday and Saturday of last week."

Speaker Redmond: "I don't understand what you mean. Representative Kelly."

Kelly: "I'd like to make . . . ah . . . a move for the suspension of the Rules, and to . . . ah . . . I want to adopt this House Resolu . . . Joint Resolution. So I think that's the quickest way to get this . . . ah . . . move this forward. I move to suspend the Rules . . ."

Speaker Redmond: "Gentleman has moved . . ."

Kelly: ". . . for immediate consideration."

Speaker Redmond: ". . . Gentleman has moved to suspend the Rules and to permit the immediate consideration of House Resolution 52. Does he have leave? Representative Kelly."

Kelly: "Thank you . . . ah . . . Mr. Speaker and Members of the House. Now, I would ask for your . . . ah . . . I'm sorry, did we get . . . ah . . ."

Speaker Redmond: "You got leave, immediate consideration of House Resolution 52."

Katz: ". . . O.K. I would ask for the . . . ah . . ."

Speaker Redmond: "Representative Gaines."



Gaines: "I object."

Speaker Redmond: "Representative Rayson."

Rayson: "Well wo . . . ah . . . we haven't . . . we haven't . . . ah . . . had a vote on the suspension of the Rules, have we?"

Speaker Redmond: "Yeah, I asked if we had the unanimous consent and . . ."

Rayson: "Well, I . . . I wanted to be recognized, because I understand the Rules . . . required to suspend the rules have a 107 votes, that's all, so we could have a Roll Call."

Speaker Redmond: "The Gentleman has moved to suspend the Rules to permit the immediate consideration of House Resolution 52. It takes a 107 votes. All in favor of the suspension of the Rules indicate by voting 'aye', those oppose vote 'no'. Have all voted who wish? The Clerk will take the Record. On this question there's 111 'aye', 8 'nay'. The motion carried and the Rules are suspended. Representative Kelly. Representative Kelly."

Kelly: "Yes, Mr. Speaker, . . ."

Speaker Redmond: "I've already announced it, Representative Gaines. It's too late on the verification, I've already announced it. I announced it."

Kelly: "House Joint Resolution 52 . . . ah . . . pertains to ah . . . the House and Senate asking the Governor to proclaim a week this fall, September 29th to October 5th, as the Respect Life Week for the State of Illinois. This is part of a National . . . ah . . . moment throughout the country; and, certainly, this is the same . . . ah . . . Resolution passed last year; and I'd ask for your favorable support."

Speaker Redmond: "Gentleman has moved the adoption of House Resolution 52, House Joint Resolution 52, which takes a majority of those voting. All in favor vote 'aye', opposed 'no'. A Roll Call vote. All those in favor vote 'aye', and oppose vote 'no'. Representative Palmer. McAuliffe 'aye'. Representative Palmer."

Palmer: "Mr. Speaker, I don't . . . we . . . we couldn't hear Representative Kelly as to what the Bill . . . a Joint Resolution was about. Maybe he can explain his vote."

Speaker Redmond: "Would you explain your vote, Representative Kelly."

Kelly: "Yes, I will . . . ah . . . this is a House Joint Resolution, which



calls upon the Governor to proclaim a week this fall . . . ah . . . as a Respect Life Week. This is part of the . . . ah . . . respect for all human life . . . ah . . . more of a collective appreciation and . . . of the . . . ah . . . life in general. We felt that . . . ah . . . there should be more of . . . we should look upon life in . . . in all aspects . . . ah . . . and . . . ah . . . it, of course, it also includes . . . ah . . . of course, the abortion area, however, it also includes other areas of life from the very young to the very old; and that's why I'd ask for your support. I hope that explains . . . ah . . ."

Speaker Redmond: "Representative Catania."

Catania: "Thank you, Mr. Speaker and Members of the House. I probably will be having my own private observation of Right to Life during that time that Representative Kelly is talking about, but I . . . I do think that before we vote on this Resolution, we should have copies of it on our desk. I just went over and looked at it on Representative Walsh's desk, and I think some people could find that there are things in it that they might not agree with. It refers to the Supreme court decision, for instance, and I . . . I don't think we should vote on it without reading it."

Speaker Redmond: "It conforms to the Rules in its present form. Have all voted who wish? The Clerk will take the Record. The question is . . . 102 'aye', 10 'no', 10 'present'; and having received the majority of those voting is, hereby, declared adopted. Representative Duff."

Duff: "Mr. Speaker, I rise on a point of personal privilege. That's not a very important one, but maybe . . . ah . . . it could do some good. We're working late a number of nights, and I suppose we will between now and June 30th, and I wonder if the person who has a press card on his front window and his license plate WCD23 will not park in my parking place anymore, and perhaps will get out of it."



Speaker Redmond: "House Bills, Third Reading. On House Bills, Third Reading, appears House Bill 1103."

Jack O'Brien: "House Bill 1103, Holewinski, a bill for an act concerning the reporting investment and real estate mortgages by financial institutions. Third Reading of the bill."

Speaker Redmond: "Representative Holewinski."

Holewinski: "Mr. Speaker, ladies and gentlemen of the House, for a number of years now there has been study and speculations . . ."

Speaker Redmond: "Proceed."

Holewinski: "Thank you, for a number of years now there's been study and speculation regarding the decline and deterioration in the urban settings of our state. Chicago, of course, has been the center point and focal point of much of the controversy. In the last several decades, and probably more immediately, the last several years, the focus has been on the problems of financing homes in older neighborhoods. Ah . . . Gradually, the term 'red lining' has become a part of the urban vocabulary; and this arbitrary denial of credit constitutes a massive injustice to the conscientious property owner and prevents any possibility of stable neighborhood transition or adequate upkeep of property in older areas. It is this problem that House Bill 1103 is addressed to. I think that the allegations of the practice of red lining have been well founded and well substantiated, at least as well substantiated as might be without a requirement of disclosure . . . ah . . . I'm sure you've all heard a lot in the last year regarding, not only the practice of red lining, but theories as to solution. It always comes out to one basic premise, and that is disclosure of information so that communities can make a judgment as to whether financial institutions are truly and fairly participating in financing . . . ah . . . the older communities of our state. Ah . . . This bill would require semiannual disclosure by all those involved in financing . . . ah . . . residential mortgages. It would require the disclosure on the basis of zip code and census track, . . . ah . . . and what the bill would do is really give our communities and community interests an opportunity to judge as to who . . . ah . . . is truly participating in the financing of our commun-



ities. I would ask for a favorable vote."

Speaker Redmond: "Any discussion? Representative Simms."

Simms: "Mr. Speaker, would the sponsor yield for a couple of questions?"

Speaker Redmond: "Indicates he will."

Simms: "Does this apply just to state . . . ah . . . chartered institutions or does your bill make it applicable to . . . ah . . . all those institutions?"

Holewinski: "Representative Simms, this . . . ah . . . bill would apply to all financial institutions doing business in the state."

Simms: "Well, are you aware of a . . . court decision involving the Illinois Legislative Investigating Commission last fall, when the commission served a subpoena, adduce was taken upon all of the Savings and Loans institutions in Chicago, as well as those Federal institutions, for that very similar information; and a Circuit Court decision in Cook County which reaffirmed a . . . a decision earlier that was upheld by the Supreme Court said that the state did not have jurisdiction in this particular matter, because we did not license those institutions. So, therefore, we did not have the right for that information. Were you aware of that decision?"

Holewinski: "Ah . . . Representative Simms, I'm not aware of that decision, but I'm aware of that area of controversy. Ah . . . This area is, obviously, a gray area in the law. Ah . . . Really, it's a significant question. We do, in many ways, regulate Federally chartered institutions. Ah . . . They are . . . are subject to . . . ah . . . or our State's Fair Employment Practices Law as they're subject to our zoning laws, etcetera. For most . . . for the most part, Federal institutions are subject to our usury laws. It's not been litigated, but I think that's a substantial point and . . ."

Simms: "Except F.H.A. loans, which are not."

Holewinski: "Pardon me?"

Simms: "F.H.A. loans are not subject to the . . . ah . . . to the state regulations, and this really is the substance where all the problem has been in the red lining as dealing with those F.H.A. loans. My only point is that . . . ah . . . there is a Supreme Court decision, an Illinois Supreme Court decision, as well now as the Circuit Court decision



in Cook County, which is being appealed at the Appellate stage. But they did rule, . . . ah . . . the Supreme Court, that the State of Illinois State Regulatory Agency had no right for information, because we did not, in essence, regulate the Federal institutions, we don't give them their license, we don't, in essence, do anything else; however, they do fall under some jurisdiction. I just bring this up as matter of information that the bill, I think, probably goes far beyond what the intent of the Illinois law is, no matter how meritorious your efforts are; and I just bring this in for information."

Speaker Redmond: "Representative Friedrich's."

Friedrich: "May I ask the sponsor a question?"

Speaker Redmond: "He'll yield."

Friedrich: "Do I . . . is the Digest correct in the counties of under 100,000 have amended out?"

Holewinski: "Yeah, it's been excluded, that's correct."

Friedrich: "They are not included in this? Now, what about in . . . like in Madison County, where you have a rural area like Highland, which is no part of the urban sprawl; and, now, it would be included, because it's in Madison County, is that right?"

Holewinski: "If . . . if that county has a population of over 100,000. I might . . . I might say, Representative, that . . . ah . . . recently I was at a meeting of National Housing Conference, and the practice of red lining by testimony and discussion there is by . . . by no means limited to the urban setting, although, that's what the bill is addressed. By limiting it to counties of over a 100,000, my objective was that we would hit counties that have or are at least urbanized and are probably witnessing a more severe part of this problem."

Speaker Redmond: "Any further questions? Representative Deuster."

Deuster: "Would the sponsor yield for a question?"

Speaker Redmond: "He indicates he will."

Deuster: "Now, as I understand this bill, since the breaking point is counties of 100,000 or more, that although it . . . that this would apply to Kane County, and Lake County and McHenry County, is that correct?"



Holewinski: "Representative, I am not sure what the population . . . ah . . . base of those counties is at this time, but if they do have . . . ah . . . over 100,000, then, 'yes, it would apply'."

Deuster: "From just reading newspapers and my information, my understanding is the problem is a Cook . . . Cook County problem, is that correct?"

Holewinski: "I would say, 'no, that's not at all accurate'. I think you'll find this problem in . . . ah . . . in anyone of the urbanized areas of this state. Ah . . . Like I said, the information I received at a conference on housing . . . ah . . . not more than a month ago, was that it takes place in rural areas, too."

Deuster: "Well, I was wondering had . . . ah . . . why you didn't use the limit of one county at 1,000,000 instead of 100,000, because I'm not conscious, it's a count . . . it's a problem in my county, and I was wondering why you included us?"

Holewinski: "Because I would like to reach . . . ah . . . to reach the counties where cities like Joliet, East St. Louis are located, and other . . . other cities, really, were witnessing the same problem."

Deuster: "Thank you."

Speaker Redmond: "Representative Lundy."

Lundy: "Yes, thank you, Mr. Speaker and members of the House. If I may, briefly, address myself to one issue that was raised by an earlier speaker; and that is the ability of this General Assembly to impose reporting requirements on Federally chartered . . . ah . . . financial institutions. Ah . . . I think any lawyer would have to admit that this is a gray area. It is a . . . it is a . . . ah . . . an area of state regulation that is not . . . ah . . . well defined by court decisions or otherwise. But as I read this bill, it is a perfect vehicle to test this question, because in Section 7 it contains a, for want of a better term, a non-severability provision, which says, 'that if any provision of the act is held invalid, such as that requiring reporting by Federal institutions, then the entire act is invalid', and . . . and the reason for that is the difficulty of attempting to impose these reporting requirements only on state chartered institutions. If we were to do that, and of course that is the logical . . . ah . . . response to the criticism, that we may not have

were to attempt to impose these requirements only on state chartered institutions, we would be defeating ourselves, because what you would see immediately would be a rush of . . . of state chartered to convert their charters to Federal charters; and that, obviously, is not in anybody's interest. So I think the bill addresses itself, responsibly, to the problem by saying, 'We will attempt to assert this regulatory jurisdiction, we feel that in exercise of the police power, we have the . . . ah . . . the right to do that; but that if we're wrong, the act is invalid as to all institutions, Federally chartered and state chartered, and then we can start over again and try to find another solution'. But the bill takes a realistic view of the matter. It says that the question is . . . is not clear legally, and so we will assert the jurisdiction and if to . . . if we do not have it by the decision of a court of competent jurisdiction, then we'll start over again and try another solution. I think it's a good bill. I think for many of the older neighborhoods in some of the older cities and larger towns and villages in this state, it's a crucial bill. I know that in my own district, which contains many older neighborhoods with housing stock of 50 and 60 years old, it is a matter of paramount concern to the citizens. I compliment the gentleman for his sponsorship of the bill; and I urge an 'aye' vote."

Speaker Redmond: "Representative Kempiners."

Kempiners: "Thank you, Mr. Speaker. In a sense, I'm hesitant to speak on behalf of this bill, because I haven't been having that much good luck today, but I do want to indicate some support from this side of the aisle towards what Representative Holeywinski is trying to do. I think last summer, and last spring and last winter, I had my eyes opened in serving on the Slum Ward Subcommittee of Insurance Committee. We went into many of these neighborhoods that are being discriminated against, that financial institutions are refusing to lend money to; and let me tell you something, I had my eyes opened. The people in these neighborhoods want to preserve their neighborhoods, they want to improve their neighborhoods, but they can't do it, because the financial institutions aren't willing to . . . to take that extra step to help them. I went on this bill as cosponsor, not because I'm all



that familiar with the industry, not because I feel that this is going to accomplish as much as we would probably hope it would, but because it's a step, a step in the right direction towards waking up many of us and towards getting these financial institutions and taking a look around them and a look at the individuals in these neighborhoods who do want to accomplish something. Sure, this is going to be a little inconvenient for the financial institutions involved, but it's something that they can do; and I do rise to support Representative Holewinski's bill."

Speaker Redmond: "Any further questions? Representative Holewinski . . . Representative McAvoy."

McAvoy: "Mr. Speaker and members of the General Assembly, I don't think I'd take up much time of this General Assembly, but I must be against this bill; and I must make this statement, that at the present time, the responsibility of the people who are . . . the building and loan people or the banks have also a responsibility to the people that invest in their institutions; and I say to you today, we're not going to do any good by trying to curve the program of every . . . little individual who has . . . ah . . . a few shares in the building and loans associations; and to me, gentlemen before I conclude, I must say, we did not get to be in the position of Russia; and I am happy to be against this bill."

Speaker Redmond: "Representative Holewinski to close."

Holewinski: "Thank you, Mr. Speaker, ladies and gentlemen of the House. I don't think there's any question that the . . . that the problem exists. I also think that there's little question that those who deposits . . . who make deposits in a local lending institutions aren't somewhat of a fiduciary relationship to that institution. We're not mandating anything by this act other than saying that those that have an investment, and they do have an investment in that financial institution, have a right to know whether that institution is, in turn, investing in supporting that community. Ladies and gentlemen, I would ask you for your favorable vote. Thank you."

Speaker Redmond: "Question is, shall this bill pass? Those in favor vote 'aye', oppose vote 'no'. Representative Griesheimer."



Griesheimer: "Mr. Speaker, I'd like to explain my vote on this . . . ah . . ."

Speaker Redmond: "Proceed."

Griesheimer: "Understanding the seriousness of this problem, I'd like to support the sponsor, as all of us have read extensively just how deep and thorough this problem is in the County of Cook. Unfortunately, the way the bill is written right now, it will apply to the outlying county. I thoroughly investigated this in Lake County. The problem does not exist, and, therefore, I think it's imposing a great hardship upon the savings and loans in Lake County at the expense of those . . . ah . . . institutions, lending institutions, in Cook County. We're doing something which is certainly unethical, if not illegal. Ah . . . Thus, I am forced to vote 'no' on this one. Otherwise, if it had been restricted to Cook County, I would've have been more than happy to vote 'yes'."

Speaker Redmond: "Have all voted who wish? The Clerk will take the Record, Oh, pardon me, Representative Barnes."

Barnes: "Thank you very much, Mr. Speaker. Mr. Speaker and members of the House, as you will see, I have voted, I tried to anyway before they locked my switch, to vote 'aye' on this measure. I think that there should be a record of the number of votes up there to pass a bill of this type. I happen to represent, and have represented since I've been in this General Assembly, both the southwest and the southeast side of the City of Chicago. Some of the oldest, most stable neighborhoods in that city lie within my representative district. I think some of you need to take a walk with me sometime through the old established neighborhood of Roseland to see what happened out there when financial institutions failed to react to their responsibilities to those homeowners so they are able to maintain their properties. If we are going to ever be able to maintain the city at . . . as they should be, we have . . . we are gonna' . . . we are gonna' have to do something, in terms of a financial institution, be responsible to the homeowners who they have . . . they have sold those homes, then run out on them, in terms of allowing them the kind of opportunity to be able to maintain and keep those homes in . . . in a manner in which we would all like



them to be. I . . . I submit to you that this is the kind of bill, the kind of legislation that's necessary for that; and I would suggest to each and every member of this House that they would be doing the state a great good, and they would be doing the city much good if they would support this bill. This is a much needed bill, and we should get the prerequisite number of 89 votes to insure this passage."

Speaker Redmond: "Representative Borchers."

Borchers: "It isn't that I must sympathize to Chicago, but in my area, my community, we just don't have this problem, and we're gonna' . . . it would cost all our institutions an unnecessary expense and unnecessary record keeping and publication; and I just feel that downstate is one place and Chicago another in this matter; and I cannot honestly vote to help Chicago when it hurts us and my people."

Speaker Redmond: "Representative Younge."

Younge: "Ah . . . I think that this bill is important to downstate areas, too, because there are financial institutions in certain sections of downstate that have not for years made the kind of investments in real estate and in their communities that under their charters they should have made. I think that there is a direct relationship between the deterioration and decay and decline in some of these inner-city areas and the practices of the financial institutions; and there . . . and there is no question that this is a worthy effort that should be . . . ah . . . done; and that's why I voted 'aye' on this, because . . ."

Speaker Redmond: "Representative Caldwell."

Caldwell: "Ah . . . Thank you, Mr. Speaker, . . . ah . . . this is a . . . is this . . . was that Roll Call dumped, Mr. Speaker?"

Speaker Redmond: "Yes, it was. I, evidently, locked it prematurely so."

Caldwell: "O.K., I want to speak in behalf of this bill, and . . . ah . . . I don't think it's any secret that . . . ah . . . financial institutions of the state have not been meeting their responsibilities in the immediate neighborhoods. Certainly, Savings and Loans Associations, where the community supply the money and it is loaned out to wherever they can get the best . . . ah . . . rate of interest. So I really . . . I'm at a loss to . . . to hear so . . . people say that they are not aware of this problem, because this bill addresses itself to it."



It's long overdue and I certainly would hope that we as representatives of the people in our various communities would . . . ah . . . endorse and vote for this very fine legislative proposal."

Speaker Redmond: "Representative Ewell."

Ewell: "Mr. Speaker, ladies and gentlemen, very briefly, it's difficult, perhaps, for some of our downstate friends to realize what this situation is, because your banks aren't responsible to you. They are responsive to your needs. Now, when we're crying out in the . . . ah . . . inner-cities about the particular financial problem and inability to borrow money, to maintain and keep up homes, don't turn a deaf ear to us, because remember when we get involved and you tell us help you save your banks from the large corporate, big banks in the city or the large banks because you don't want branch banking. You get your services. All we want is the right to get some services that we badly need and badly must depend upon; and I should like to point out to you that as the City of Chicago goes, as go the older neighborhoods, so do . . . so does the entire state. This problem is a little bit broader than just the City of Chicago. It does affect the entire state; and we ask you to take a good, hard look at the problem, and see if you can't find in your heart to help us with some problems that are definitely ours. Thank you."

Speaker Redmond: "Representative Duff."

Duff: "Well, Mr. Speaker, I only suggest to the Representative who is sponsoring this bill, is he . . . he's using a shotgun where a rifle should work. Anybody who red lines my district is crazy. I'm against red lining in the urban areas, but why should the rest of us require expenditures that are totally unnecessary, totally uncalled for as opposed to our districts? He knows that I'm opposed to the red lining practices, but he's using a mighty big mallet to kill a gnat, in a . . . in a sense, even though it's crucial problem within the inter-city that we don't . . . some of us would support him on."

Speaker Redmond: "Representative Shea."

Shea: "Well, Mr. Speaker, and ladies and gentlemen of the House, I think I've got a conflict, and I want to mention that when I start with this, because I own some shares in a bank. It's going to be extremely hard



for that institution to meet the requirements, and I know how my . . . some of my friends downstate feel. I'd like to see the bill get out of the House, and I would hope that when it gets over to the Senate, you'd see if you couldn't amend it to take care of some of the areas outside the city, because I know that in some of our close-in suburbs, in the city, in areas down where Miss Younge lives, this is a terrible problem, and it's got to be solved, but I think if the Director of Banks and the Director of Financial Institutions would look a little more to what they're doing with their institutions, we wouldn't have to go this far; and I vote 'aye'."

Speaker Redmond: "Representative Dyer. Representative Dyer."

Dyer: "Am I on, O.K. Mr. Speaker, and ladies and gentlemen of the House, . . . ah . . . Representative Shea mentioned a possible conflict of interest. Well, I have a possible conflict of interest in this bill, too, in that I live in a house that's about 65 years old, and I can understand this problem. Now, this is not to say that my particular neighborhood in . . . in Dupage County would be red lined, but all you have to do is drive out through our county and through our district and you can see older homes that are deteriorating. We can have suburban sprawl and slums as well as urban, and anybody that thinks that this just applies to the City of Chicago ought to take a real good look at some of the pockets in their districts. So I'm voting 'yes', and I'm urging seven more people to put a 'yes' vote on this."

Speaker Redmond: "Representative Hanahan."

Hanahan: "Mr. Speaker and members of the House, if anyone has to have any reason no matter where you live in Illinois to vote for this bill, let me explain something. A few weeks ago, in this very House, we were talking about the usury increase. Now, if there's any . . . if there's any excuse why anyone is not voting for this, and based on the arguments of why we had to extend the usury rate in this state, you should all be, especially those that were so much in favor of that increased usury rate, be up there with a green vote, because at that time, they said that if you didn't raise the interest rate, the usury limitation rate, that that money was gonna' go out of state. That money wasn't going to be used here in Illinois for home building and



for mortgage lending. Now, I'd like to call the . . . the hypocrisy that's involved here. For those of you that wanted the usury rate limitation extended, there should be a green light, because if they're doing what they said at that time, a few weeks ago, they would be voting for this bill now; and Representative Duff, you have every reason to be voting for it, if that's the only excuse you have, just so you know what's going on with the usury rate, where the financial institutions are lending the money, so that we all know whether or not they're taking the money out-of-state or wherever when they come around with their tears and their crocodile tears in their eyes saying that we need a higher interest rate, because otherwise, the money's going to California or someplace else. I'm for this bill just for that reason and that reason only."

Speaker Redmond: "Representative Downs."

Downs: "Mr. Speaker, ladies and gentlemen of the House, let's not overlook one simple thing about red lining. It's become a . . . ah . . . a cliché, everybody is against red lining, but then we talk around it when we find some problems with the bill, as Representative Shea says might be worked. The thrust of this bill is disclosure by zip code area, anything else is irrelevant to that. Until there is the kind of disclosure that can show lending patterns, there is never going to be anything done about the red lining problem. Now, some issues are survival issues to legislators. This issue is not only that to some legislators, I suppose, but it's a survival issue to the people in the neighborhoods of any urban area and to the neighborhoods of communities like Oak Park. I'd like to see people support the . . . the movement to stop red lining by supporting the only bill that's going to be the key to that, and that's this bill right now; and this is the only chance you're going to get to really take that action. Thank you, please vote for it."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, and ladies and gentlemen of the House. I just want to point out the fact that . . . ah . . . this bill has the support of the Governor and, in turn, as you know, he went to Washington and talked in behalf of several legislation in this behalf;



and in turn, Representative Holewinski's bill is addressing the issue on the state level. There were some issues as far as whether a Federal or State chartered savings and loans institutions would be seriously effected by this bill. I think that Representative Hanahan's points . . . ah . . . should be extremely well taken, because of our different Federal guidelines, in reference to Federally chartered . . . ah . . . banks and savings and loans institutions. But, in turn, this is a very serious situation in our community within certain zip codes; and I think that the many savings and loans associations in our area have worked in this behalf in working with the people within the community in providing the necessary loans and the necessary improvements within that area. But, in turn, there are other institutions that seriously doubted the effect of this type of legislation; and I'm happy to see we had number of votes; and I sincerely request more 'aye' votes.

Thank you."

Speaker Redmond: "Have all voted who wish? Representative Sbblefield."

Stubblefield: "I see you got the votes on the board, I relinkion . . . relinquish my time."

Speaker Redmond: "Representative McAvoy."

McAvoy: ". . . announced the vote yet, Mr. Speaker?"

Speaker Redmond: "No, I did not."

McAvoy: "All right . . ."

Speaker Redmond: "On this . . ."

McAvoy: "I want a verification of the affirmative vote."

Speaker Redmond: "Have all voted who wish? Have all voted who wish? The

Clerk will take the Record. On this question there's a 100 'aye', 39 'no'; and the gentleman has requested a verification of the affirmative Roll Call. The Clerk will . . . Representative Lundy."

Lundy: "Request of poll . . . I request a poll of the absentees, Mr. Speaker."

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

Jack O'Brien: "Bluthardt. Brandt. Brummet. Carroll. Collins. D'Arco. Ebbessen. Fleck. Friedland. Garmisa. Grotberg. Hirschfeld. R. K. Hoffman. Keller. McAuliffe. Rose. Schoeberlein. Telcser.

That's it."

Speaker Redmond: "Would you call the affirmative votes?"

Jack O'Brien: "Anderson. E. M. Barnes. J. M. Barnes. Beatty. Beaupre. Berman. Bradley. Brinkmeier. Byers. Caldwell. Calvo. Capparelli. Capuzi. Catania. Chapman. Darrow. Davis. DiPrima. Downs. Duff. John Dunn. Dyer. Epton. Ewell. Farley. Fennessey. Flinn. Gaines. Getty. Giglio. Giorgi. Greiman. Hanahan. Hill. Holewinski. Dan Houlihan. Jim Houlihan. Huff. Jaffe. Emil Jones. Katz. Kelly. Kempiners. Kosinski. Kozubowski. Kucharski. Laurino. Lechowicz. Kornowicz. Leon. Leverenz. Lucco. Lundy. Madigan. Madison. Mahar. Mann. Marovitz. Matijevich. McClain. McGrew. McLendon. McPartlin. Merlo. Meyer. Molloy. Mudd. Mugalian. Nardulli. O'Daniel. Palmer. Patrick. Peters. Pierce. Polk. Porter. Pouncey. Rayson. Satterthwaite. Schneider. Sharp. Shea. Simms. Skinner. Stearney. Stone. Stubblefield. Taylor. Terzich. Tipsword. VanDuyne. VonBoeckman. Walsh. Washington. White. Willer. Williams. Younge. Yourell. Mr. Speaker."

Speaker Redmond: "Any questions of the affirmative Roll Call? Representative Mautino, for what purpose do you rise?"

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

Speaker Redmond: "How is the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'present'."

Mautino: "Please, vote me 'aye'."

Speaker Redmond: "Change the gentleman to 'aye'. Representative Simms."

Simms: "Ah . . . Mr. Speaker, how am I recorded?"

Speaker Redmond: "How is the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Simms: "Change that to 'no'."

Speaker Redmond: "Change the gentleman to 'no'. Any questions? Representative . . . Representative Bluthardt."

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

Speaker Redmond: "How is he recorded?"

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

Bluthardt: "Well, Mr. Speaker, I'd like to be recorded as 'no'; and I don't want to be like my great leadership, who says, 'there goes my troops



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and I must follow them'. I don't want to get up there and speak for . . . ah . . . against the bill, and then vote for it. I want to vote against the bill that ought to be voted against; and I vote 'no'."

Speaker Redmond: "Representative McAvoy, any questions?"

McAvoy: "Mr. Robert Mann, is he here? Representative Mann?"

Speaker Redmond: "Is Representative Mann? How is the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off the Roll Call."

McAvoy: "Mr. Sharp, Representative Sharp, is he here?"

Speaker Redmond: "Representative Sharp, how is he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off the Roll Call."

McAvoy: "D. L. Houlihan?"

Speaker Redmond: "He's here."

McAvoy: "Representative Capuzi, is he here? Oh, there he is."

Speaker Redmond: "Representative Capuzi is here."

McAvoy: "Representative Flinn?"

Speaker Redmond: "Representative Flinn? How is the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off the Roll Call."

McAvoy: "Representative Calvo?"

Speaker Redmond: "He's here."

McAvoy: "Representative Byers?"

Speaker Redmond: "Representative Byers is here."

McAvoy: "Representative Catania?"

Speaker Redmond: "She's in her seat."

McAvoy: "Representative Getty?"

Speaker Redmond: "He's in his seat."

McAvoy: "Representative Fennessey?"

Speaker Redmond: "He's in his seat."

McAvoy: "Representative Leverenz?"

Speaker Redmond: "He's in his seat."

McAvoy: "Representative Williams?"

Speaker Redmond: "Representative Williams? How is the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off the Roll Call."

McAvoy: "Representative Katz?"

Speaker Redmond: "Representative Katz is here."

McAvoy: "He's in his seat. Who? Who? Representative Skinner?"

Speaker Redmond: "Representative Skinner? There he is. Any further questions?"

McAvoy: "Yes, Representative Stearney?"

Speaker Redmond: "Representative Stearney here? How is he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off the Roll Call."

McAvoy: "Representative Younger?"

Speaker Redmond: "Representative Younger is here."

McAvoy: "Representative . . . ah . . . Polk?"

Speaker Redmond: "Representative Polk? How is the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off the Roll Call."

McAvoy: "Who? Representative Mudd?"

Speaker Redmond: "Representative Mudd? How is the gentleman recorded?"

Jack O'Brien: "Gentleman's . . . ah . . . recorded as voting 'aye'."

Speaker Redmond: "Take him off the Roll Call."

McAvoy: "Who? Representative Merlo?"

Speaker Redmond: "Representative Merlo is here."

McAvoy: "Representative Capparelli?"

Speaker Redmond: "Representative Capparelli? He's here."

McAvoy: "Representative Kelly?"

Speaker Redmond: "Representative Kelly is here."

McAvoy: "Representative Palmer?"

Speaker Redmond: "Representative Palmer? He's way in the back."

McAvoy: "We've got him, who else have we got? Who? Representative Darrow?"

Speaker Redmond: "Representative Darrow is in his seat."

McAvoy: "Representative Kosinski?"

Speaker Redmond: "Representative Kosinski is here."

McAvoy: "Who else we got? Representative Satterthwaite?"

Speaker Redmond: "She's here."

McAvoy: "Who else we got? Representative Madigan, is he in his seat?"

Speaker Redmond: "Representative Madigan? How is the gentleman recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

McAvoy: "Here he is. O.K., there he is. Who? Madison's here, yeah.
Representative McClain?"

Speaker Redmond: "McClain? He's here. Representative Mann has returned.
Put him back on the Roll Call."

McAvoy: "Representative Anderson?"

Speaker Redmond: "Representative Anderson? He was here a minute ago.
Representative Anderson? How is he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off."

McAvoy: "Representative Phil Collins?"

Speaker Redmond: "Representative Collins? How is he recorded?"

McAvoy: "Was he on the affirmative?"

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

Speaker Redmond: "Take him off."

McAvoy: "Who else? What? Representative O'Daniel?"

Speaker Redmond: "Representative O'Daniel's? He's here."

McAvoy: "Representative Hanahan."

Speaker Redmond: "He's right here."

McAvoy: "O.K. Well . . . no . . . O.K. . . . when did you vote? I think
that's the end of the request. Who? Who?"

Speaker Redmond: "On this question 93 'aye', . . ."

McAvoy: "Hey, could I . . . VonBoeckman, is he here?"

Speaker Redmond: "Yeah, he's kind of small, you can't see him."

McAvoy: "How is . . . is Duff here? I thought he would be."

Speaker Redmond: "And Flinn is here, put him back on."

McAvoy: "All right. Well, thank you, Mr. Speaker, and that's the end of
my request."

Jack O'Brien: "Ah . . . it be 94 'aye' . . . 94 'aye', 41 'nays', 19
'present'."

Speaker Redmond: "On this question there's 94 'aye', 41 'nay' and 19
'present'. The bill having recieved the constitutional majority is,
hereby, declared passed. Is any . . . Does Representative Collins
have leave to be put back as not voting? If any of the members have



an automobile with license plate 12 824, the lights are on. I was preceded in the chair by Representative Shea, and he advised me that the next bill that should have been called when I took over was 1098, who? Representative McPartlin."

Jack O'Brien: "House Bill 1098, McPartlin, a Bill for an Act to amend an Act in relation to transfer of real estate owned by Municipalities. Third Reading of the Bill."

Speaker Redmond: "Representative McPartlin."

McPartlin: "Ah . . . Mr. Speaker and Members of the House, House Bill 1089 extends from 20 years to 50 years the maximum time of a lease of real property for one year to the Local Government or a School District to another such unit of a . . . of a district. This . . . ah . . . has to do with the library in Elmwood Park, and there are two companion Bills already in the Senate; and I would appreciate your support on this piece of legislation."

Speaker Redmond: "Are there any questions? Representative Mugalian."

Mugalian: "Mr. Speaker . . ."

Speaker Redmond: "The Gentleman between the Chair and Representative Mugalian please be seated."

Mugalian: "Ah . . . Would the Sponsor yield for a question?"

Speaker Redmond: "He indicates he will."

Mugalian: "Well, Representative McPartlin, . . . ah . . . I assume the synopsis is an accurate description of the Bill. But I'm not quite sure what the purpose of the Bill is. Why is it necessary to extend it to 50 years?"

McPartlin: "Well, what happened with this piece of legislation was that many years ago . . . ah . . . a piece of property, which is now the park, was willed to . . . ah . . . Elmwood Park by the Mill's family. It esheated actually to the . . . ah . . . to the village; and they cannot do anything with it as far as the library is concerned until this legislation goes through."

Mugalian: "I don't know why not. I mean, why not? Can't they extend it every time 20 years is up?"

McPartlin: "No, all it does is . . . ah . . . no, they're looking for a 50-year lease, I imagine it would probably be for the bonding power



that would give them a better shot at the bonding powers."

Mugalian: "Well, this . . . this Bill only . . ."

McPartlin: "Not including . . ."

Mugalian: "It's not an extent of synopsis, Representative McPartlin. This authorizes one Municipal Government or Local District to transfer to another Local District or Municipal Government. It's between governmental bodies."

McPartlin: "That was in the other Bill. That was . . ."

Mugalian: "But why would that involve a will or an estate or anything else?"

McPartlin: "Well, actually the . . . ah . . . the Bill that required it was because the library property was owned by the Library Board, and the Bill provides for an orderly merger of the two Library Boards and all the excess and . . . ah . . . assumptions of liability. That's what the . . . what the two Bills will do. One has to merger it and then the other extends the lease from 20 to 50."

Mugalian: "Well, I'm always looking at 1098 . . . I . . . I don't see any problem with . . . ah . . . 1097, I wasn't even looking at that one, but . . ."

McPartlin: "Oh, well, that's already been passed out."

Mugalian: ". . . this . . . this . . . this is general legislation; and my personal feeling is that since it only effects transfers between governments . . . ah . . . and since sometimes governments make . . . make mistakes, it's better to limit the mistake to 20 years than to 50 years; and if . . . if it's not a mistake, they can always extend it another 20 years."

McPartlin: "Well, I still feel that . . . ah . . . as far as the bonding powers are concerned, that the 50 years would be better for the bonding power."

Mugalian: "Well, thank you."

Speaker Redmond: "Any further questions? Representative Schlickman."

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

Speaker Redmond: "State your inquiry."

Schlickman: "Does this Bill constitute a limitation in home rule units?"

McPartlin: ". . . the Bill is under the . . . ah . . . jurisdiction . . ."



jurisdiction of the Village of Elmwood Park for home-rule unit by reason of population of over 25,000 under Article 6, Section 6A, of the Constitution."

Speaker Redmond: "Permissive Bill, I believe."

Schlickman: "Mr. Speaker, it does limit the term for which a municipality can enter into a lease regarding a property . . . a limitation of 50 years; and I respectfully suggest that this is a limitation . . . ah . . . upon a home-rule unit."

Speaker Redmond: "Representative Palmer."

Palmer: "Amendment . . . ah . . . question to the Sponsor. Amendment #1, was it adopted?"

McPartlin: "No, there are no Amendments on this Bill."

Palmer: "All right, I'm sorry. Now, I have another question . . . ah . . . the definition of the term 'municipalities' . . . ah . . . in many statutory provisions may differ. Ah . . . Under the Illinois Budget Act, it's one thing and another Act it's something else. The question here, is what units of Local Government are involved or included in this definition, if you know?"

McPartlin: "Well, the Bill, as far as I'm concerned, is just . . . to record, at the library. Ah . . . And this is what we had to do as far as merging two . . . ah . . . municipalities together in order to do this; and then extending also . . . ah . . . the years . . . ah . . . for the maximum term to get a lease of the real property."

Palmer: "Well, couldn't you not have limited the . . . ah . . . scope of application in this Bill to libraries, rather than include everybody?"

McPartlin: "No, I don't believe so. All I'm doing actually in the Bill is just changing the two words, from '20' to '50' years. That's all that changes. Everything else remains the same."

Palmer: "All right, and the third question, will be the last, in the . . . the illustration . . . that you gave us that had to do with Elmwood Park, why cannot the municipalities, the Library District in the Village of Elmwood Park, get together for an extension?"

McPartlin: "No, I . . . I've worked this out, in fact, I've worked it out with . . . ah . . . the Council for Elmwood Park, who is Mr.



Adamowski, and he suggested this legislation, and he was the one who put the package, more or less, together; and I've been working on this since after . . . it was in last session, but it got caught up in the hassle at the last minute, and they went down in the Senate, but they all were approved over in the Senate. But this is what they want to do with the companion Bills."

Palmer: "Well, Mr. Speaker, if I may speak against the Bill, this is a typical illustration where you have . . . trying to solve one problem . . . a small problem . . . ah . . . where you should . . . should've used maybe a rifle . . . used a howitzer to get at the problem. Now, the problem here is that you include all municipalities, and I don't believe that this is the way that we should go. Another . . . ah . . . problem here is that in today's . . . the way things are done today, it might very well be that a municipality once having entered into a lease with another municipality for this period of time may very well see . . . ah . . . or find itself in the situation that it could use the property so leased and there's no way to get out of it. It changes the general all . . . as Representative Mugalian has said for 20 to 50 years, there's really no reason for it; and I would urge a 'no' vote."

Speaker Redmond: "Any further questions? Representative Bluthardt."

Bluthardt: "The principal purpose of this Bill is to allow a municipality that leases property to another tax levying unit of government to lease it for a period of in excess of 20 years for the simple purpose that . . . ah . . . under the Constitution, municipalities are allowed to issue bonds for a period of more than 20 years, up to 25 years, I . . . I believe, in order for Elmwood Park to lease this property to the Library District, so that the Library District may build a library building on that property, they need more than 20 years, they need at least 25 years. That's the purpose of this Bill. Under the 20-year limitation, there's no way in the World that they would be able to finance the construction of this library building without . . . ah . . . within a period of 20 years. It's a good Bill. It ought to apply to all units of government. It ought to be more than the 20 years. It should be at least 25 years, and maybe 50 is a reasonable



period of time. There's nothing wrong with the Bill. It ought to be adopted. It ought to be passed."

Speaker Redmond: "Any further questions? Representative Terzich."

Terzich: "I move the previous question."

Speaker Redmond: "Gentleman has moved the previous question. The question is, shall the main question be put. All in favor say 'aye', oppose 'no', and the 'ayes' have it. Representative McPartlin to close."

McPartlin: "I just ask for a favorable Roll Call, Mr. Speaker."

Speaker Redmond: "The question is, shall this Bill pass? All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? The Clerk will take the Record. On this question there's 121 'aye', 9 'no'; the Bill having received the constitutional majority is, hereby, declared passed. 1109."

Jack O'Brien: "House Bill 1109, a Bill for an Act relating to emergency services and disaster operations. Third Reading of the Bill."

Speaker Redmond: "Representative Mahar."

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

House . . . House Bill 1109, which is known as the Illinois Emergency Services and Disaster Agency Act of 1975, it replaces the old Civil Defense Act of 1951. Although most of the provisions of the 24 year old Civil Defense Act will be retained, the Act will bring Illinois in accord with the Federal laws and regulations, which have changed since 1951. In particular, Public Law 93288, which was passed a year ago. Presently, 46 states have come in accord and revised their Civil Defense Act. Now, to many people throughout the State of Illinois, Civil Defense still means the old World War II image. The image of a person in a white hat with a bucket of sand looking at the sky for airplanes. This Bill is oriented toward all types of disasters, including the natural and man-made disasters. The Bill calls for an organization to try to prevent disasters in addition to lessening the impact of existing emergencies. The Bill does not increase appropriations. The Bill does not create new jobs. Amendments in Committee brought the Bill into its proper form to comply with those of questions with people who have. The Bill is a product of years of research of the Illinois Civil Defense Agency, the Council of State



Government. It has the full support of the Illinois Civil Defense Council of 350 members throughout the State. There are 35,000 Civil Defense volunteers who are supporting this legislation. It came out of Committee with a 20 to 1 vote. I urge your support."

Speaker Redmond: "Representative Freidrich."

Friedrich: "One question of the Sponsor, please. What is the present tax level for the local units of government?"

Mahar: "Ah05 cents. It is"

Friedrich: "Same . . . Bill"

Mahar: ". . . not changed."

Friedrich: ". . . same as is in this Bill, thank you."

Speaker Redmond: "Representative McClain."

McClain: "Thank you, Mr. Speaker, would the Gentleman yield?"

Speaker Redmond: "He indicates he will."

McClain: "Ah . . . Bill, we're back again. This is a 5 percent . . . ah . . . tax increase without a referendum?"

Mahar: "Ah . . . This is exactly . . . ah . . . the same as it is in the present Act. There's no change, just transfers that feature. Presently, municipalities right now can levy and have been able to do this for 24 years."

Speaker Redmond: "Representative Maragos."

Maragos: "Mr. Speaker, as a Chief Cosponsor, I arise in defense and support of this Bill, because as . . . as was brought by the . . . ah . . . rigor . . . of the Chief Cosponsor, Mr. Mahar, we have to bring our defense system up to date in Illinois to have the emphasis on . . . ah . . . natural disasters, more than man-made disasters, if I may use that term advisedly the Civil Defense as was originally constituted as is still on the books in Illinois goes back to World War II days, when we were looking for bombers and war conditions to prevent any possible destruction by man-made enemy forces. The image and the thrust of this Bill is to bring up the Civil Defense Agency to its present occupation and function to which is primarily man-made dis . . . I mean, God . . . natural made disasters, such as floods, an act of God, and other . . . ah . . . fires or lightnings, where they go in and work to 'site' the disasters, like the Mississippi River or the Decatur Disas-



ter or what have you; just like a few weeks ago in local Chatham when they had the floods; and, therefore, this whole structure of this new Bill, and the thrust of this new Bill, I said, modernizes the whole system to bring it into jurisdictional agencies where those counties are able to support the revenue. I ask for your support."

Speaker Redmond: "Representative Barnes. Barnes."

Barnes: "Thank you, Mr. Speaker. Would the Sponsor yield to a question?"

Speaker Redmond: "Indicates he will."

Barnes: "Ah . . . Representative, I notice on House Amendment #1 that it provides for a salary of \$27,000 for the Director. How much does the current Director make?"

Mahar: "Ah . . . I think the current Director's salary was about \$20,000. If you'll recall . . . ah . . . several weeks ago, Representative Maragos has a Bill that passed out of this House creating \$27,000 salary for the Director. Now, the original Bill called for a \$35,000 salary, Amendment #1 addressed itself to that point and brought it back to \$27."

Barnes: "Well, beyond that it's not reducing it, it's increasing his salary by \$7,000, in one year. That's what it's doing, isn't it, in fact?"

Mahar: "Ah . . . It . . . it is maintaining what . . . what went out of the House several weeks ago."

Barnes: "That's not the question that I asked you. I asked you what is the . . ."

Speaker Redmond: "Representative Maragos."

Maragos: "Tha . . . Mr. Speaker, I can answer that question, I think. The reason why, Mr. Barnes, is that he's presently paid \$27,000, but he's been appointed as acting Director, rather than going through the confirmation process in the Senate, and that's why I sponsored the Bill with many other Members of this House, and it passed the Appropriation's Committee to make sure that he gets the \$27,000, so the Executive would not have the excuse that he has to keep him on an Interim appointment, rather than a full appointment, to be screened by the Senate. That's why . . . it is not raising the salary one iota, but it presently constituted."



Speaker Redmond: "Representative Hart."

Hart: "Well, I'd just like to point out to the Membership, Mr. Speaker, and Ladies and Gentlemen of the House, that the present tax rate for this appropriation is .015. Under this Bill, it's .05, which represents more than a 300 percent increase; and I don't know if there's any justification for it. The Can . . . the Civil Defense Agencies in my area have been getting along fine on .015; and I don't know, I think this is an error in . . . ah . . . in somebody's part in trying to slip through this increase in . . . ah . . . through this Bill. I support the idea of the Bill, I think it's fine. I think there ought to be something for the Civil Defense people to do, but to add on a triple and more increase in taxation as kind of a throw in, is more than I can swallow."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Well, Mr. Speaker, I want to reiterate what . . . ah . . . Representative Hart just said. We're creating another bureaucracy by having another agency when we already have an existing Civil Defense. In addition to that, we're dis . . . we're raising the tax rate, we're establishing another high priced salary of the Director and all the staff. We're doing . . . we're mandating that the Governor call a special session of the General Assembly in emergencies. Certainly, that provision shouldn't be there . . . ought . . . if we're going to go to that route, we should say to the Governor, 'you can transfer funds without calling a special Session of the Legislature at extra . . . extraordinary expenses, extraordinary powers'. This is a . . . indeed a monster, and I would suggest that the Sponsor reconsider this, put it in the Civil Defense Agency where we have existing authority, existing appropriations, and not waste the extra tax money that this is going to spend. This is a very bad concept, and all we're doing is creating another commission when it's unnecessary. I would say 'no'."

Speaker Redmond: "Representative Bor . . . ah . . . Borchers, yeah."

Borchers: "Mr. Speaker and fellow Members of the House, now, I'm a Cosponsor of the Bill, but I was not aware of the .05 tax rate. Now, we've had for years in my area .005, like everyone else, tax rate. Now,



we had last year . . . now, the concept I agree with . . . we had last year a blizzard for a month, a major flood, a tornado, a . . . ah . . . earthquake and a . . . a very serious explosion in my community. I don't think anyone can match that one for 1974, and I can tell you that the concept was excellent, because within 30 minutes our . . . ah . . . Defense . . . Civil Defense was on the scene and we had the State in relation to the explosion, we had them approximately about an hour. I was there and saw them arrive and I feel the concept is fine, but as long as this type of a taxation is tied to this Bill, I can't support a Bill that I'm the Cosponsor of."

Speaker Redmond: "Representative Mahar."

Mahar: "Thank you, Mr. Speaker, before this gets out of hand. I would like to quote for Representatives Hart and Borchers and Schraeder and other from the 1951 Civil Defense Act, and it says, and I quote, 'Each political Subdivision may, however, if it so desires levy for purposes only of Civil Defense, a tax not to exceed .05 percent of the value'. I don't know where they got their figures, but they're wrong."

Speaker Redmond: "Representative Dunn. J. Dunn."

Dunn: "Thank you, Mr. Speaker, I'd like to move the previous question."

Speaker Redmond: "Gentleman has moved the previous question. The question is, shall the main question be put? All in favor indicate by saying 'aye', oppose 'no'; the 'ayes' have it. The question is . . . Representative Mahar to close."

Mahar: "Yes . . . ah . . . to answer again . . . to reiterate the points that I just made and a couple others, there is no change in the tax rate, and that . . . ah . . . the quote was wrong. In addition, as far as the Governor's concerned in . . . in calling for a special emergency session, he has that power anyway. There's no actual change. The . . . the . . . one of the Amendments adressed itself to his ability to borrow money . . . ah . . . from the General Revenue Fund to pay any ordinary . . . extraordinary expenses in the case of a disaster if it went over the appropriated amount. That was amended out, and that authority was taken away from him. So the . . . the power of the Governor in respect to a special session of spending money



is exactly the same as it was in 1951 Civil Defense Act. This is a good Act, it modernizes what should have been on a long time ago. There is nothing in there to cause the people to worry about appropriations or bureaucracy of hiring more people or anything like that. It's a good Bill, you'll bear in mind the fact, that the people that are in Civil Defense today are the 35,000 people throughout the State of Illinois. They're like our volunteer firemen, they're working for nothing; and I . . . I think this is an excellent Act. It's one that is going to bring us in unison with the other states in the country and also in conformity with Public Law 93288; and I urge its passage."

Speaker Redmond: "Representative Ebbessen, for what reason do you rise?"

Ebbessen: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, we've got two different opinions here, and I'm looking at the synopsis, and it says that it authorizes political Subdivision of the State to levy a tax not to exceed .015 percent of the fair cash value, etcetera. Now, Representative Hart, I think has pointed out something here, and we've got a difference of opinion, and maybe you should take it out of the Record and get this clarified because this is . . . ah . . . really to me a very key point on whether I vote for or against the legislation."

Speaker Redmond: "Well, the main . . . we've voted to put the main question and the question has been put. Shall . . . the question is, shall House Bill 1109 be passed? Those in favor vote 'aye', and opposed vote 'no'. Back on. Have all voted who wish? . . . Record. On this question there's 107 'aye', 24 'no'; the Bill having received the constitutional majority is, hereby, declared passed . . . 116."

Jack O'Brien: "House Bill 1116, a Bill for an Act to amend an Act to revise the law in relation to township organizations. Third Reading of the Bill."

Speaker Redmond: "Representative Deuster."

Deuster: "Ah . . . Mr. Speaker, Ladies and Gentlemen of the House, this is a Bill that revises the Township Law to provide for resolving the situation . . . ah . . . that occurs . . . ah . . . from time to time when you have a tie vote on the Town Board. The Town Board is rather small, 5 members, the Supervisor and 4 Auditors. This Bill, House Bill 1116, would allow under limited circumstances the Township Clerk to



cast the vote. The synopsis is correct. For many, many years, the Township Clerks did have a full vote. This would provide a limited vote in those instances where a member was absent or where there was a tie vote, and . . . ah . . . there is a provision in here that this would never allow the Town Clerk to vote where all the me . . . full members were there and cast a vote . . . ah . . . I would be happy to answer any questions; and I urge your support of . . ."

Speaker Redmond: "Any questions?"

Deuster: ". . . House Bill 1116."

Speaker Redmond: "Representative Yourell."

Yourell: "Yes, Representative Deuster, did you not amend . . . ah . . . this Bill to take out that . . . ah . . . substitute voting on the 6th . . . ah . . . 6th vote?"

Deuster: "Actually, the other night when we discussed this, I forgot that there's only 5 members of the Town Board, not 6; and . . . ah . . . had a problem with that proviso that so . . . ah . . . that the Town Clerk can't vote so long . . . ah . . . er . . . can vote so long as it does not constitute a 6th vote and . . . ah . . . so actually I reread the Bill and it did . . . ah . . . and it . . . ah . . . made sense. Actually, there are 5 members on the Town Board. Now, if they have a tie, 2 'yes', 2 'no' and 1 voting 'present', the Town Clerk could not come in under those circumstances and cast a 6th vote. So it did make sense, and I was mistaken the other night when we were discussing this."

Yourell: "No, I know. O.K."

Speaker Redmond: "Representative Jaffe."

Jaffe: "You know, Mr. Speaker and Members of the House, you know, tradition-
ally, I used to get up on township Bills, and I haven't for a long period of time, I've sort of mellowed . . . ah . . . but when you look at this Bill, I . . . I just had to get up on it. The Township Clerk has never been a legislative officer . . . ah . . . of a township. He's never been entitled to vote; and I don't know why at this particular time in the ball game, we should give the Township Clerk a right to vote. If we're going to give him a right to vote, why don't we give it to the Township Highway Supervisor, why don't we



give it to other township officials. We've rewritten the township laws completely. We've given it to the Board of Auditors and . . . and we've given it to other people, and I don't see why in the World the Township Clerk should sort of be like . . . ah . . . a juror, who's the 13th juror who comes in and just votes on certain occasions. I just don't think it makes any sense; and I think we ought to defeat the Bill."

Speaker Redmond: "Representative Bluthardt."

Bluthardt: "Mr. Speaker, the last Speaker has indicated how little he knows about the history of Township Government. His opposition to Township Government has been well known ever since and even prior to the time he was elected to this office; but the Township Clerk until recently has always had the right to vote on the Township Board on all matters. He was considered a Legislative Officer and well as an Administrative or Clerical office. He had the right to vote until, I would say, the last 6 years . . . ah . . . 4 years ago, I'm told. I represented a township for eight years, and I well recognized that during those eight years a Township Clerk often cast a deciding vote on that Township Board. He's entirely wrong, as he's been wrong so often on Township Government. It's a good Bill, we ought to adopt it."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I think if there's anything that the . . . our constituents don't appreciate about the Legislature is that we can never make up our minds. We do something one session, and then we change it another session, and then we may change it back another session. Now, Representative Jaffe was wrong. I realize that. The . . . ah . . . Clerk did have the right to vote, but we took that right away from them and we added a . . . another member on the Board so that member can vote. Now, we're going backwards again. We're going to allow the Clerk to vote. I think we made it straight to the . . . ah . . . to the voters that the Clerk should not be a policy-making member of the Board; and I think that makes sense. Now, we . . . we've gone backwards with relation to Township Government. We used to allow the people a voice at the annual meetings, but now let's leave it the way it is. Let's not come



back every session and change the laws. Let's leave the law work for awhile. There's no crying need for this type of legislation. Remember when Alan Dixon stood up there and said, 'Is there a need for . . . ah . . . this Bill?'. I say there's not . . . not a need. The members of the Board are the policy-making members, and the Town Clerk should not be a policy-making member. We took that away from him and added another member of the Board. Let's leave it such as it is."

Speaker Redmond: "Representative Skinner."

Skinner: "I move the pre . . . I move the previous question, Mr. Speaker."

Speaker Redmond: "Gentleman has moved the previous question. The question is, shall the main question be put? All in favor say 'aye', and oppose 'no'. The 'ayes' have it. Representative Deuster to close."

Deuster: "Well, I urge your 'aye' vote. I think everyone understands this. I think it is a good Bill. It is limited. It allows in instances where someone on the Town Board is absent or there's a tie vote for the Township Clerk to vote as the Township Clerks have voted for many, many years. They are elected by all the people. To my knowledge, in most instances or many instances, the Township Clerk, who also keeps the records, is one of the most knowledgeable and informed members of the Town Board. I think this is a good Bill; and I ask your 'aye' vote. Thank you."

Speaker Redmond: "The question is, shall this Bill pass? All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? Representative McMaster's."

McMaster: "Mr. Speaker, if I can, to explain my vote. I think we're a little bit confused on this Bill when we say that the Township Clerk shall not cast a 6th vote. I think Representative Deuster explained it that in case there is a 'present' vote, then there can be a tie. Our only intent with this Bill is to provide the five voting members, when one of them is not voting for some reason or other. It might be in a conflict of interest case, when that individual wishes to stay out of it, and they should have the right to stay out of it. I see nothing wrong with this Bill; and I would appreciate green lights to support it."

Speaker Redmond: "Representative Yourell."



Yourell: "Thank you, Mr. Speaker, I know that . . . ah . . . there's enough red votes up there to beat this Bill, but you notice that Representative Palmer is voting 'no'. Now, when Representative Palmer and Jaffe vote on the same side . . . ah . . . same side of the issue reflecting Township Government, you know this has got to be a very, very bad Bill; and I . . . I would call your attention to one other thing, that in Municipal Government, that if 1 member, or the 2 members or the 3 members of the Board of Trustees is absent and there's no quorum, the Clerk is still not allowed to vote. Now, if it's good enough for Municipal Government, it certainly is good enough for Township Government, and I urge an . . . ah . . . a 'no' vote."

Speaker Redmond: "Representative Rigney."

Rigney: "Mr. Speaker, this was a very, I think, non-controversial issue that was passed out Counties and Townships; and I'm amazed to see all those red lights that seem to be up there on the Board at the present time. I served a few years on Township Government; and I'll assure you there's nothing subversive about the Town Clerk. I think it's only . . . it only makes sense that we do have some type of a tie-breaking procedure in the event of a tie vote. There's no one that's more logical to cast that vote than the Township Clerk. He sits in on all the meetings, he's knowledgeable about the issues; and I think it only makes sense that we have some means of breaking a tie. I urge a green vote."

Speaker Redmond: "Have all voted who wish? Representative Bluthardt."

Bluthardt: "Mr. Speaker and Members of the House, while it's true that a City or Village Clerk doesn't have the right to vote, you know, on a Township Board, a Town Supervisor does have the right to vote, and he is . . . ah . . . an equivalent of a Mayor or a Village President; and in Municipal Government, you know that a Mayor or a Village President does have the right to cast a deciding vote in case of a tie; and that's what we're doing in case of a tie for Township Government. There's nothing inconsistent or wrong about it. We ought to give this thing more green votes."

Speaker Redmond: "Have all voted who wish? The Clerk will take the Record. On this question there are 58 'ayes', 81 'nos'; the Bill having failed



to receive the constitutional majority is, hereby, declared lost.
1117."

Jack O'Brien: "House Bill 1117, Taylor, a Bill for an Act to amend an Act relating to probation officers. Third Reading of the Bill."

Speaker Redmond: "Representative Taylor."

Taylor: "Mr. Speaker and Members of the House, could I have leave of the House to have 2089 considered? They are related subject matters."

Speaker Redmond: "Does the Gentleman have leave? What numbers are they . . . ah . . . Representative Taylor?"

Taylor: "2089."

Speaker Redmond: "2089?"

Taylor: "That's correct."

Speaker Redmond: "Gentleman have leave? Will you read 2089?"

Jack O'Brien: "House Bill 2089, a Bill for an Act to amend an Act relating to probation systems. Third Reading of the Bill."

Speaker Redmond: "Representative Taylor."

Taylor: "Mr. Speaker and Members of the House, House Bill 2089 and . . ."

Speaker Redmond: "1117."

Taylor: ". . . and 1117 are related subject matters dealing with probation officers. 2089 deals with the requirement given a Circuit Court, the requirement to the number of probation officers lowering the ages from 25 to 21; and House Bill 1117 increases the salaries of probation officers based on the classification of the county and the circuit they are located in. It raises the salary of any Chief Probation Officer appointed by the Circuit Court, other than the Circuit Court of the Third Class County, from \$15,000 to \$21,000. It allows \$18,500 for each of not more than one Deputy Chief Probation Officer in their Circuit. The compensation for a Chief Probation Officer of County of Third Classes is not to exceed \$28,000, rather than the \$22,500. Mr. Speaker and Members of the House, this is a much needed legislation. Probation officers has not had a raise since 1970. This Bill did pass through the House last year without a dissenting vote. It got tied up in the rules in the Senate and it was left there. I would solicit your favorable support for House Bill 1117 and 2089."



Speaker Redmond: "Representative Schlickman."

Schlickman: "Would the Sponsor yield?"

Speaker Redmond: "Indicates he will."

Schlickman: "As I . . . read 1117 and compare it to House Bill 2089, there seems to be two conflicts; and I'm wondering if they are consistent and compatible? 1117 . . . ah . . . would establish a . . . ah . . . a ceiling for salaries for probation officers and provide that the amount of compensation after that ceiling shall be determined by the County Board. But 2089 seems to indicate that the salary will be determined by the Circuit Court . . . where . . ."

Taylor: "Eugene, I have no objection and to wait if you do not wish to have me to consider 2089."

Schlickman: "Well, I'm not objecting, I'm just wondering is there a conflict?"

Taylor: "I don't think so."

Schlickman: "Are the two Bills compatible?"

Taylor: "I think that they are. Well, in 2089 it also deal with the recordkeeping in making certain that they have one place to file them."

Schlickman: "May I suggest that we deal with them separately. I think we'd be better off."

Taylor: "Then, Mr. Speaker, I solicit your support, and Members of the House, for House Bill 1117."

Speaker Redmond: "Representative Madigan."

Madigan: "Mr. Speaker, the board should be changed if we're only going to consider the first Bill. The board indicates we're considering 2089; and I believe that Mr. Taylor indicated that we're going to take a Roll Call on House Bill 1117."

Speaker Redmond: "Well, he hasn't . . . been . . . grant or leave to hear them together . . . did we change that now?"

Madigan: "Yes . . ."

Taylor: "Well, I was . . . motion . . ."

Speaker Redmond: "O.K., O.K., we can . . . 1117 then. The question is, shall House Bill 1117 pass? Representative Skinner."

Skinner: "Ah . . . I understand that no one has requested a fiscal note; and I would like to know how much this is going to cost. Does anybody have



any idea? Does the Sponsor, if he does, would he yield, and answer the question?"

Taylor: "Ah . . . I don't have any fiscal note, and no one has requested one. Ah . . . It's dealing with the counties, and the circuit court would set the level for their particular county. I don't think it would cost the State any money at all."

Skinner: "Now, do I understand that all this money comes out of local property taxes and other sources of local income, none comes from the State?"

Taylor: "None comes from the State."

Skinner: "And you don't . . . do you have any idea how much does it cost Cook County, for instance?"

Taylor: "No, I do not, but Cook County has expressed their interest in having this legislation passed."

Skinner: "Ah . . . Why does Cook County need this legislation? I can't . . ."

Taylor: "Because they do not have the right to raise the probation officers salary. As I 'fore stated, the probation officers has not had a raise since 1970; and we here in the General Assembly have to give them that right."

Skinner: "Why do we have to give that right to a home-rule county? I mean, why don't you just put a home-rule Amendment on this statute?"

Speaker Redmond: "I think that's out of order. The question is on the passage of this Bill. Representative Duff."

Duff: "Well, Mr. Speaker, just to give you some general idea . . . ah . . . I can't give you 1974 figures, in 1973 in Cook County they spent \$13,000,000 for probation. Ah . . . Mr. Nappolley's budget for next year is, for adult probation only, is 2.400 . . . \$2,400,000 a year. Ah . . . The present lid is \$10,000 in the adult and \$10,000 plus the supplement of \$300 a month for juvenile probation officers in Cook County and . . . ah . . . in other places. If they were to increase all of the Cook County probation officers from \$10,000 a year to \$18,000 a year, it would effectively raise Mr. Nappolley's budget by about another million dollars. Ah . . . Presonally, I think the probation officers should get a raise because they haven't had one



In fact, I think it's been since 1969. Ah . . . The problem with the Bill, if any, is that if this Bill passes and the State has to take on half of it and the county half of it, then, in effect, we have two Bills put together which will be extraordinarily expensive . . . ah . . . for the State without any control. I, frankly, think that if the state-wide probation Bill doesn't pass, this is probably a good Bill."

Speaker Redmond: "Representative Getty."

Getty: "Would the Gentleman yield?"

Speaker Redmond: "He indicates he will."

Getty: "Representative Taylor, . . . ah . . . is the County of Cook having difficulty in maintaining its probation officers at the present . . . ah . . . low rate of \$10,000 a year?"

Taylor: "Well, certainly, every county is having trouble maintaining their probation officers. That's why some of the problems we have is this . . . not because they're not paid well enough and I disagree with the statement that was made by Representative Duff, I think for the average probation officer, his salary would only be raised to \$16,000 a year, not \$18,000."

Getty: "Could you give us an idea of the turnover ratio or rate that the Cook County Probation Department has?"

Taylor: "No, I could not, I don't have that information . . ."

Getty: "Is it high or low?"

Taylor: "It's . . . it's low, but we have 150 probation officers at this particular time, by June 1st, I think it should go up to around 203 probation officers."

Getty: "Do they have the ability to properly service . . ."

Taylor: "Yes, they do."

Getty: ". . . the number of probationers that they have?"

Taylor: "Yes, well, they . . . the workload is quite heavy, as you know, you're from Cook County; and they do need more staff, more help; and I think that this Bill will help us in all . . . and to encourage those type of persons to come into the probation system as needed."

Getty: "Well, Mr. Speaker, I'd like to address the Bill."

Speaker Redmond: "Proceed."

Getty: "I think that notwithstanding the other Bills that have been intro-



duced and I might point out that I am the Sponsor of one of them that would call for state-wide standards in the probation area. I think that this is a much needed measure. If we really have any meaning in the concept of probation and probation standards and rehabilitation, we have to pay the people who are working in that area a decent living wage; and in order to get quality in that area, we're going to have to pay them something worthwhile, and I think that Representative Taylor has brought forth a Bill that is very worthwhile and I intend to support it."

Speaker Redmond: "Representative Deavers."

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

Speaker Redmond: "Gentleman has moved the previous question. The question is, shall the main question be put? All in favor say 'aye', oppose 'no'; the 'ayes' have it. Representative Taylor to close. Representative Taylor to close."

Taylor: "Mr. Speaker and Members of the House, as the Gentleman 'fore stated, it is a much needed piece of legislation, and I know that you know that with the court system being as it is today, and the County jail in Cook County is overloaded, many of those persons are on the street now a days, and we need the help for our . . . this Bill bring forth in order to see that they get the proper needs and services that are required in that particular area. So I solicit your support for House Bill 1117."

Speaker Redmond: "Question is, shall this Bill pass? All in favor vote 'aye', oppose vote 'no'. Representative Hoffman."

Hoffman: "Mr. Speaker, . . . ah . . . Ladies and Gentlemen of the House, I think it's only fair that . . . ah . . . everybody know that this does not just effect Cook County, it effects the entire . . . ah . . . State, it effects all classes of . . . ah . . . counties; and so you'd better take a look at what it does to your own county before you jump into this."

Speaker Redmond: "Representative McMaster's."

McMaster: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, I'm sorry, Mr. Speaker, I had my light on. I wanted to speak on the Bill prior to now, but at this time, I guess I will explain my vote."



I think that . . . ah . . . in explaining my vote, last year we held problems of the County . . . hearings of the County Problems Commission in various areas of the State. One of the problems we heard was not only salary of probation officers, but number of probation officers; and I do not doubt but . . . that the probation officers need an increase in pay. However, I don't think that anyone has stopped to recognize how probation officers are paid. As I recall, or understand it, each Circuit . . . each Circuit Court System District in the State does have a set amount of probation officers based on population. The counties pay these probation officers on a pro rata basis according to population; and I think that maybe 2089 should have been heard with this Bill because this changes . . . gives the right to the court system to determine how many probation officers shall be appointed and the salary. So when we pass this Bill and then pass 2089, you're putting the counties in one hell of a problem financially."

Speaker Redmond: "Representative Gaines."

Gaines: "I . . . I want to take this opportunity to commend the distinguished Legislator from my neighboring district for introducing this Bill, it gives me an opportunity to vote for it, because quite a few of these persons involved live in my district and they do a swell job. So I'm saying to Brother Taylor, right on."

Speaker Redmond: "Have all voted who wish? The Clerk will take the Record."

On this question there's 131 'ayes', 15 'no'; the Bill having received the constitutional majority is, hereby, declared passed. 1124.

In two hours, we've passed five Bills. Representative Brinkmeier."

Jack O'Brien: "House Bill 1124, a Bill for an Act to amend the Illinois Pension Code."

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

Brinkmeier: "Mr. Speaker, just a point of observation, just in lieu of what you've just said. I've noticed in the last two Bills we've had ex . . . explanation of votes when the vote was 40 votes short and 2 people elected to explain votes, in recent vote, there were 40 some votes over and we had explanation of votes. I, sincerely, suggest the Members of the House that if they want the publicity they get out of news release and let us get on with the business of the House when



the votes are that far from being passed or passed over."

Speaker Redmond: "1124."

Jack O'Brien: "House Bill 1124, a Bill for an Act to amend the Pension Code. Third Reading of the Bill."

Speaker Redmond: "Representative Capparelli."

Capparelli: "Mr. Speaker, Ladies and Gentlemen, this is the Chicago Firemen's Pension Bill. It increases the survivors benefits to . . . ah . . . what's . . . that's all right, yeah . . . to 50 percent of the retiree at the time of retirement, 50 percent of his base pay. A minimum of \$250, and maximum of \$500. This Bill has been approved by the Pensions Law Committee and by Representatives Robert Terzich. I would solicit an affirmative Roll."

Speaker Redmond: "Any questions, the question is, shall this Bill pass? All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? Representative Yourell 'aye'. Clerk . . . have all voted who wish? The Clerk will take the Record. This question there's 145 'aye', 2 'no'; and the Bill having received the constitutional majority is, hereby, declared passed. 1127. Representative Mann 'aye'."

Jack O'Brien: "House Bill 1127, a Bill for an Act to amend the Public Community College Act. Third Reading of the Bill."

Speaker Redmond: "Representative Beaupre."

Beaupre: "Mr. Speaker, and Ladies and Gentlemen of the House, this Bill corrects some obele . . . obsolete language in regard to the Capitol Development Board removing the Illinois Bonding Authority . . . Illinois Bonding Authority and substituting Capitol Development Board in the language. It also has an Amendment on it, which sets the date that local contributions of land as a part of a Capitol Construction Project are to be evaluated or assessed . . . ah . . . and in addition, makes some corrections in the Capitol Devel . . . or the Community College Act, which sets forth the formula for . . . ah . . . the assessment of local contributions. Ah . . . Those provisions, basically, provide that land which has been donated by the Federal Government or the State of Illinois cannot be used for a local contribution . . . ah . . . except . . . ah . . . there is a grandfather clause that the Bill will not be retroactive past its effective date."



I would ask for a favorable . . . ah . . . Roll Call."

Speaker Redmond: "Any questions? The question is, shall this Bill pass? All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? The Clerk will take the Record. On this question 151 'aye', 2 'no'; and the Bill having received the constitutional majority is, hereby, declared . . . declared passed. 1129."

Jack O'Brien: "House Bill 1129, Hudson, a Bill for an Act to amend an Act in relation to criminal identification and investigation. Third Reading of the Bill."

Speaker Redmond: "Representative Hudson."

Hudson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1129 as amended came out of Judiciary with no dissenting votes. Amendment #4 approved by the . . ."

Speaker Redmond: "Are there any further questions?"

Hudson: "I'll settle . . ."

Speaker Redmond: "The question is, . . ."

Hudson: "I'll settle . . ."

Speaker Redmond: ". . . shall this Bill pass? All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? The Clerk will take the Record, 148 'yes', no 'nos'. The Bill having received the constitutional majority is, hereby, declared passed. The Chair kind of wonders why that wasn't on the Agreed List. 1133."

Jack O'Brien: "House Bill 1133, a Bill for an Act to amend the Public Community College Act. Third Reading of the Bill."

Speaker Redmond: "Representative Rayson."

Rayson: "Mr. Speaker, like Representative Hudson's Bill, this Bill . . . ah . . . as amended came out of Committee at a 18 to nothing vote. It . . . ah . . . it established the flat grant for . . . in the Public Community College Act from \$17.61 to \$21.70, which is the agreed formula of the powers that be the Governor's Bureau of the Budget, the Public Community College Board . . ."

Speaker Redmond: "Any further questions?"

Rayson: "Ah . . . Amendment #2 . . ."

Speaker Redmond: "Representative . . ."

Rayson: ". . . excuse me a minute, Mr. Speaker, Amendment #2 was put on at



the instance of . . . ah . . . the Comptroller, George Lindberg, and . . . ah . . . Cronson, the Auditor General. I've got all sorts of people supporting . . . it's a complicated Amendment. Doctor Fox is here to explain Amendment #2, but I ask for a favorable vote."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Would the Sponsor yield for one question?"

Speaker Remdond: "Indicates he will."

Schlickman: "What is the fiscal impact of this Bill?"

Rayson: "The fiscal impact by the note shows that from last year's budget expenditure, the increase from the formula, which is about \$20.25 to \$21.70, is \$9,825,000. The agreed to amount in the Governor's Budget."

Schlickman: "This is in the Governor's Budget? Thank you."

Speaker Redmond: "Representative Totten."

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

Speaker Redmond: "Indicates he will."

Totten: "My analysis, Representative Rayson, in the case of the Community College Board is opposed to the Bill. Are they opposed with the Amendment?"

Rayson: "No, they were opposed to the \$24 where we started out, but not now."

Totten: "They're . . . they're . . ."

Rayson: "They're for it."

Totten: ". . . not opposed as the . . ."

Rayson: "They're for it."

Speaker Redmond: "Representative Palmer."

Palmer: "I pass, Mr. Speaker."

Speaker Redmond: "The question is, shall this Bill pass? All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? The Clerk will take the Record. On this . . . On this question there's 151 'aye', 9 'no'; the Bill having received the constitutional majority is, hereby, declared passed. 1134."

Jack O'Brien: "House Bill 1134, a Bill for an Act to provide for the licensing and regulation of hand guns. Third Reading of the Bill."

Speaker Redmond: "Representative Rayson."

Rayson: "Give me 89 votes or I'll ask for a Roll Call."



Unknown: "We will."

Rayson: "I'll . . . I'll take it."

Speaker Redmond: "Representative Rayson."

Rayson: "Ah . . . Thank you, Mr. Speaker. I think this is gonna' take a little time. Put on your bullet proof vests . . . huh? No, I need to, Representative Stone. No, well, well, I'm not wasting my time. We passed out of Committee . . . ah . . . House Bills 1134, 1135. For the benefit of my friends, if we don't make it on 1134, we'll table 1135; but it's a little different so I'm just calling House Bill 1135, the hand gun control Bill. I want to say a few words about it. It's probably my last term down here, and I feel I should . . . it took 11 rounds for Mohammed Ali to do it, he said he'd do it in 8; and I got to at least take 8 rounds. So . . . ah . . . first briefly, this Bill is an attempt to limit the use of hand guns to legitimate purposes only, namely, the law enforcement officers, penal personnel, special agents, security guards, agents of enforcement commissions, members of pistol clubs duly licensed, military and civil personnel, and parades or other special lawful functions, licensed collectors without restriction and manufacturers, sellers and dealers for these proper purposes. Now, if you bear with me, I want to say a few words about what I consider the compelling need for this State to take this step as to why we need this Bill and why we should move in the area to regulate hand guns at least to some extent. Briefly, the purpose of these . . . this Bill is to reduce the number of killings and maimings among us. I cite the 970 homicides that occurred last year in Chicago, over a half of which occurred by hand guns. I know by statistics that two thirds of such hand gun killings were committed, not by those whom we call 'criminals', but by 'law abiding' people, who becoming enraged shoot on frenzied impulse. Until the day we have effective Federal hand gun control, I think it is a state responsibility to enact this kind of legislation. It is obvious that we have failed to control firearms in this country in contrast to other countries, though we have a history of a frontier tradition, we are slow to see how change makes senseless and dangerous the use of guns in now our technological society. Guns, once the provider of our needs, the pro-



tector and defender of Liberty, more often than not, in our still free society, they now connote murder. If Government is incapable of keeping guns from the potential criminal while permitting them to the law-abiding citizens, which indeed it is, then we must give sovereign thought to gun control. It is not hysteria that demands gun control. In '72 some 10,500 murders were committed by hand guns. 54 percent of all murders, incidently, were committed then by hand gun. There's untold statistics. I just might mention a few. 29 gun homicides occurred in England in '70. Four in England in 1974, a country of 53,000,000 people. In Tokyo, where they have real hand gun control, they had a couple of years with no hand gun homicides. Last year they had 2 and thought it was a crime wave. However, I don't want to use statistics, which can sometimes be specious or misread, as a basis for this Bill. However, it is apparent, no matter how you slice it, where tough gun controls do exist, they have a considerable effect in reducing death rates. For example, New York City has a murder rate of 10.5 per 100,000; while Atlanta has 20.4 rate; Dallas 18.4; and Houston 16.9. Philadelphia murder rates are down since gun control legislation has been enacted. So have the rates in Toledo and Louisville; but the States such as Nevada, Alabama, Mississippi, Texas, Georgia, Alaska, etcetera, still have the highest murder rates in the land. In Chicago, there's good tough control legislation, and police there and Chief of Police, Rotchford, who supports this Bill, says he can't do too much with it when there's all this gun selling and gun use in the suburban environments. To be effective we must not argue the statistics with rifle lobbies, but bring to bear the real issue, the disarmament of our populous. This goal should offend no constitutional sanctity, now what it delegates on the right of our militia to bear arms under its constitutional guarantee, to say, 'All may have a gun except', misses the point. What must be done legislatively is to say, 'None must have a gun unless'. Some say the murderer will look to other lethal tools to commit his crime, should the hand gun be banned? Not quite, Mr. Speaker; but the available evidence shows that there is a great homogeneity in the pattern of most homicide and aggravated assault cases in respect to such variables as time of occurrence,



location, situational context, offended victim relationship in prior arrest records. Ah . . . Mr. Speaker, may I have a little attention, please? The major difference between a gun killing and a knifing, lies in the fact that a firearm is more common in homicides, while a knife is more common in assaults."

Speaker Redmond: "Representative Kent, for what reason do you arise?"

Kent: "I move the previous question."

Speaker Redmond: "I believe it's not in order right now."

Rayson: "Not in order. Thank you."

Speaker Redmond: "Out of order."

Rayson: "I'll say just two things to close it down just a little bit, one, I'm referring to my . . . thank you, Representative Mann . . . I'm referring to my guide book, 'The Honest Politicians Guide to Crime Control', written by Norma Mona . . . Morace, now the Dean of Law School at the University of Chicago; and I'd like to say this, with regard to some of the people who want to use the cliché's and shibboleths of the National Rifleman Association."

Speaker Redmond: "Representative Farley, for what reason do you arise? Representative Farley."

Farley: "Well, Mr. Speaker, the Gentleman did ask for some order. Now, I think it's a courtesy . . . ah . . . as House Members to give the man that order. He is discussing his Bill; and . . . ah . . . I would so ask you to call for a little order."

Speaker Redmond: "Your point is well taken. Give the Gentleman order, please."

Rayson: "Thank you very much, I'd just like to refer to this book, 'The Honest Politician's Guide to Crime Control', and summarize very, very briefly, . . . ah . . . you see many of the rifleman . . . ah . . . note kind of reaction to this kind, suggest certain kinds of shibboleths and one of them is that, they say, you know, 'A gun doesn't kill, people kill'. The quote in this book says this, 'But if hunters must kill in this way', that is, use their guns, 'it is no present business of ours unless their sport increases the level of homicide and suicide and of accidental death', which indeed it does; and will continue to do unless unless controls of the type we have suggested are imposed on the use and



storage of their guns; and particularly from these sportsmen we must never tolerate the argument that the murderer who lacked a gun he would kill in some other way. If they believe that, they should on grounds of sportmanship, throw away their guns and club the deer to death, knife the bears and poison the ducks. Now, in closing, I feel it's a State responsibility to ban the hand gun. We can engrain serial numbers on such guns and devise portable monitors capable of screening anyone passing through a door or a foot path to ascertain if he carries a hand gun, because there is no right of privacy when it comes to hand guns or for that matter armaments; and I would move for a favorable vote."

Speaker Redmond: "Representative Kosinski."

Kosinski: "Mr. Speaker, and Ladies and Gentlemen of the House, we have already agreed that any gun measures to be at all effective must be on a Federal level, but, in addition, this has badly, badly defective legislation. If you'll notice page 2, lines 17 to 24, they indicate that sporting hand guns must be stored in a gun club only. Now, those of you who are familiar with gun clubs, they do not want this responsibility. They have no facilities. They won't . . . don't want the responsibility for normal rust and corrosion. They will have problems with insurance; and in addition, in my fight against the criminal use of firearms, I do not want a concentration of firearms that could induce mass theft of guns for purposes of crime. Page 2, line 29, outlaws the refining of hand guns. It eliminates hand guns that have been accurized for target shooting, because such target accurizing is, in fact, refining. Page 2, line 27, permits transfer into Illinois firearms contrary to Federal licensing provisions that control interstate shipment. Page 3, items 2, 3 and 4, has a technical defect despite the Amendment. It indicates the watchmen and members of armed services such as M.P.'s of prisoners or in police function, investigators of the Illinois Crime Commission may only use them in pursuit of their duties in carrying them while commuting. This defect by inference prohibits them from having them in their homes. Page 4, line 15, collectors must be licensed. For what reason? Possession? Chicago already has a Gun Registration law. Illinois already demands a Firearm



Owner's Certificate. In addition, page 4, lines 18 to 23, this imposes a State tax on dealers in addition to their Federal license. Page 5, lines 2 to 5, says a club can be licensed if no member is prohibited from inter-state shipment of firearms. Most members in clubs will be eliminated under this one. A Federal license would have to be obtained for each member to ship inter-state, when most of them do not wish to deal inter-state. Page 5, line 5 to 16, demands records of gun club sales of pistols. Pistol clubs cannot sell guns. They must be Federally licensed dealers, yes, just the man's records of such sales. Page 6, line 10, relative of club licensing. This Bill permits the Director of Law Enforcement such regulations that the Director may provide. This would give the Director the actual power of the Legislature; and in addition, a fiscal note belongs there because I'm certain that agency does not wish this additional administration. Page 8, line 7, the Bill provides that a person would receive a . . . now, listen to this . . . a fair market value on turning in pistols. There is no appropriation, though I might suggest one of \$100,000,000,000, because fair market value today on an accurized competition piece can amount to \$400 to \$600. A collection piece could amount to several thousand. On the desk of a bonafide collector, the executor of his estate without looking for a competitive market at fair market value could dump an entire collection on the State of Illinois for quick sale at a cost of the taxpayer of hundreds of thousands of dollars. This is bad defective legislation; . . ."

Giorgi: "Representative . . ."

Kosinski: ". . . and I urge its sound defeat."

Giorgi: "Representative Ebbessen . . . Ebbessen."

Ebbessen: "Yes, Mr. Speaker, I'd like to join with Representative Kent and move for the previous question. If anybody explains their . . . ah . . . who . . . about a fiscal note . . ."

Giorgi: "The motion is to . . . to move the previous question. All in favor signify by saying 'aye', oppose 'no'; the 'ayes' have it. The question is, shall House Bill 11 . . . oh, I'm sorry . . . Mr. Rayson, to close briefly, please."

Rayson: "Well, thank you, Mr. Speaker, I . . . ah . . . I think the world of



the last Gentleman and . . . ah . . . I think we did all we could to amend this in real good shape; and I would like to defer to my Chief Cosponsor and Colleague, who's worked so hard with me on this Bill.

Thank you. Robert Downs, to close."

Giorgi: "Mr. Rayson, he can . . . ah . . . explain his vote. Who wants to close?"

Rayson: "He's the Chief Cosponsor here . . ."

Giorgi: "Would you, please, Representative Downs, close?"

Downs: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, you all at one time or another have championed an unpopular cause so I know how you have felt. To be a Sponsor of a banned hand gun Bill has not been easy really. On no other piece of legislation has my wife and family been threatened. On no other piece of legislation have I received anonymous mail and threatening mail. So I can understand what is meant when many of you whom I respect very much have said to me privately that they agree with this legislation, but they cannot possibly vote for it, because of the gun lobby and the mail and the pressure that is pushed . . . put on them. So I understand my fellow Legislators' political concern. I only ask in closing on this Bill that some day all of us can really read that mail and the perceptions held by so many about the value and the importance of a gun in the bedside table drawer. By this time next year in the State of Illinois about 1,000 law-abiding citizens, small children and unhappily married adults will be dead or seriously injured because as Legislators we let the American Riflemen rule our senses. Thank you and vote for this Bill."

Giorgi: "The question is, shall House Bill 1134 pass? All those will signify by voting 'aye', and those opposed by voting 'no'. Representative Hoffman to explain his vote. R. K."

Hoffman: "Thank you, Mr. Speaker, I attempted to get the attention of the Chair prior to this because the request for fiscal note was entered. Was a fiscal note filed at this time?"

Giorgi: "Was a fiscal note filed, Mr. Clerk? A fiscal note has been filed, Sir. Have . . . ah . . . all voted who wish? Representative Davis to explain his vote, please."

Davis: "Mr. Speaker, and Ladies and Gentlemen of the House, not that I think



that I'm going to change any votes, but I'm not going to absolve myself from blame. There's a sin of omission and a sin of commission. I hope I will never become violent enough to use firearms to hurt anyone, but if I have the opportunity by my vote to ban hand guns and save the life of one person, I'm going to do just that. In the Congress, I suppose the Bill is still alive, Congress when Dan Rostenkowski and Congressman Abner Mikva have Bills to do just this, to ban hand guns; and it is my prayer that they if . . . looks like we're feeling here, but it's my prayer that they will be able to accomplish that end. I hold in my hand here a message from the United Methodist Church in which they say the ready available them hand guns in this nation makes for increasing fear of crime, and you know that. 125,000 people in these United States of America is killed every year with guns, and yet we say we have the opportunity here to do something about it and . . . and yet we say that it doesn't make any difference whether people have guns. Mr. Speaker, and Ladies and Gentlemen of the House, I have the opportunity to cast this vote and thank God I have the guts to cast it despite any gun lobby . . . lobby here. I'm going to do it, because if my vote here today saves one life in this nation, thank God for it; and I vote 'aye'."

Giorgi: "Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 110 'nays', 43 'ayes', and 2 . . . 3 voting 'present'. This Bill having failed to receive the constitutional majority is, hereby, declared lost. 1135. 1135."

Jack O'Brien: "House Bill 1135, a Bill for an Act to regulate the sale and transfer of hand gun ammunition to this State. Third Reading of the Bill."

Giorgi: "Representative Rayson, do you want to call . . ."

Rayson: "Ah . . . When I see the . . . the clicking of getting the safety pins off and the . . . and the ammunition all loaded, I can't very well ban ammunition at this time; and I would ask for leave of the House to table House Bill 1135."

Giorgi: "Does the Gentleman have leave? House Bill 1135 is tabled. 1136, Representative Hanahan."

Jack O'Brien: "House Bill 1136, a Bill for an Act to amend a minimum wage



law. Third Reading of the Bill."

Hanahan: "Mr. Speaker and Members of the House, I ask leave to rem . . . to bring 1136 back to Second Reading for the purposes of an Amendment. Representative . . ."

Giorgi: "Does the Gentleman have leave to move his Bill back from Third to Second for purpose of an Amendment. Leave? Leave has been granted. Representative Hanahan, how . . ."

Hanahan: "The Clerk has the Amendment."

Jack O'Brien: "Amendment #4, Craig, amends House Bill 1136 on page 5 by inserting immediately below line 1 the following and so forth."

Giorgi: "Representative Hanahan on Amendment #4 then."

Hanahan: "Representative Craig."

Giorgi: "Sorry, Representative Craig."

Craig: "This Amendment on pa . . . amends House Bill 1136 on page 5 by inserting immediately below line 1 the following: 'The provisions of Subsection 1 of this Section are not applicable to any salesman or mechanic primarily engaged in selling or servicing automobiles, trucks or farm implements; if he is employed by non . . . by a non-manufacturing establishment primarily engaged in the business of selling such vehicles or its implements to ultimate purchasers or any salesman primarily engaged in selling trailers, boats or aircrafts; if he is employed by a non-manufacturing establishment primarily engaged in the business of selling trailers, boats or aircraft to ultimate purchasers'. Now, this here makes this in compliance with the Federal law and that's the reason for this Amendment. I move for the adoption of this Amendment."

Giorgi: "Is there any discussion on Amendment # . . . Amendment #4? The question is, shall Amendment #4 be adopted? All those in favor signify by saying 'aye', those opposed . . . the 'ayes' have it; the Amendment #4 is adopted to House Bill 1136 . . . ah . . . 11 . . . House Bill 1136. Third Reading. House Bill 1137 on Third Reading, Representative Hanahan."

Jack O'Brien: "House Bill 1137, a Bill for an Act in relation to employment benefits payable to State employees. Third Reading of the Bill"



Hanahan: "Mr. Speaker and Members, this is a very simple Bill that allows those who . . . those employees who are covered by the Prevailing Rate Act of the State of Illinois . . ."

Giorgi: "Ah . . . Pardon me, Mr. Hanahan, pardon me. Representative Walsh, for what reason do you arise?"

Walsh: "Ah . . . Is this the Bill that we just amended?"

Giorgi: "No, Sir, this is 1137."

Walsh: "I'm sorry."

Giorgi: "O.K., continue on, Representative Hanahan."

Hanahan: ". . . It would allow those prevailing wage employees to determine and elect whether or not they would like to be covered by the provisions of the State Employees Benefits of Pension and Coverage by our insurance program. This primarily would concern itself with those employees who temporarily work at the State Fair Agency and jobs of that nature where a prevailing rate employees that would otherwise lose their private health, welfare and pension benefits and . . . ah . . . this Bill has passed the House prior to this; and I urge an affirmative vote."

Giorgi: "Any further discussion? Representative Schlickman on 1137."

Schlickman: "Would the Sponsor yield?"

Giorgi: "Yes, he will."

Schlickman: "Does this Bill suggest that State employees benefit wise will be controlled by private collective bargaining agreements beyond the control of State Government?"

Hanahan: "That's . . . ah . . . that's pretty hard to answer in a . . . in what the Bill is alluding to do . . . ah . . . I don't mean to be evasive, Representative Schlickman, but all this will be is so that those few employees, we're talking about a narrow amount of employees, prevailing rate employees, that elect to have contributions made in their behalf for health, welfare and pension payments for . . . while they're temporarily working for the State that they can continue to have those payments made in their behalf to a joint certified collective bargaining health, welfare and pension program."

Schlickman: "Well, I think the answer is in the affirmative. Ah . . . Let's look at line 13, which says, 'including but not limited to employer



contributions to a private pension fund'.. Now, how in the world . . ."

Hanahan: "That . . . that's because some fund are going to be . . ."

Schlickman: ". . . how in the . . . excuse me . . ."

Hanahan: ". . . going to be . . . ah . . . are jointly contributed to."

Schlickman: "Well, how in the world can a State employee be drawn into a private pension plan?"

Hanahan: "Because right now, let's say for example, the carpenters in the City of Springfield they are now covered by collective bargaining pension agreement plans are now in the month of June asked to work for the State of Illinois, let's say, at the State Fair Agency. These carpenters have to give up the employer contribution covered by their collective bargaining agreement and go to work for the State, and the State, unless we pass this law, cannot contribute the pension contribution to that pension plan that they belong to. The same thing goes for their health and welfare. It will not cover many employees, most employees benefit much more by going to work for the State and becoming entitled to their benefits, but these are the employees that just temporarily work for the State and would lose their benefits under the agreement of their trust fund of the private pension of their health and welfare fund."

Schlickman: "Well, your Bill isn't limited to temporary employees. No where."

Hanahan: "No, but it's . . . it's aimed at that, because no . . . nobody who is more than a temporary employer would want to continue in the private fund. The State fund is by far in excess of the private fund . . ."

Schlickman: "Mr. Speaker, . . ."

Hanahan: ". . . because you have vacations in the rest."

Schlickman: "Mr. Speaker and Members of the House, it seems to me that we have in this very, very small Bill a package of dynamite. Ah . . . I think it's unprecedented that personnel policies and practices of this State for any group of employees would be determined by a private agreement between a private employer and a labor union. I think this constitutes bad public policy, and Heaven only knows what the cost to the State is going be; and I would suggest that while the Bill



is described one way, you read the Bill and you find that it's very open ended and, consequently, in my opinion, it should be defeated by a resounding 'no' vote."

Giorgi: "Any further discussion? Representative Shea on the 1137."

Shea: "Will the Sponsor yield for a question?"

Hanahan: "Right."

Giorgi: "He indicates he will."

Shea: "Mr. Hanahan, as I understand this Bill, what you're saying is if I'm an employee and I'm assigned a job where there's a prevailing wage rate, at my election and upon my written request I'm entitled to all that a regular employee in that position is entitled to?"

Hanahan: "No, I don't . . . I don't think you collect two health and welfare or two pension programs or the fringe benefit payments would not be made both to the sp . . . to the State in . . . or in behalf of that employee, both to the State program and to the private program."

Shea: "No, but what I'm saying is if you're . . ."

Hanahan: "It's an option, Gerry. It says the word 'option'. He couldn't take both. He would have to give up the rights of the . . . of the State pension and the State health and welfare or insurance program that State employees are granted. The word 'option' is in there, so you'd have to take one or the other."

Giorgi: "Representative Palmer on . . ."

Shea: "Well, can I finish please?"

Giorgi: "I . . . I sorry, I'll allow you to finish."

Shea: "Ah . . . Let's assume a carpenter is assigned out at the State Fair, . . ."

Hanahan: "Right."

Shea: "All right, now, he's . . . he's paid the prevailing wage rate, . . ."

Hanahan: "Right."

Shea: ". . . is that correct?"

Hanahan: "Right."

Shea: "He gets his insurance and his part of the pension plan?"

Hanahan: "Of whose pension . . . or . . . ah . . ."

Shea: "He's part of the State pension plan."

Hanahan: "No, he'll never . . . never be there long enough to ever be



covered by that. That's the problem. They've only worked there temporarily, 3 months, 2 months . . ."

Shea: "Well, what . . . well, what if he's a full-time employee?"

Hanahan: "They would never elect to take the option, that's what I'm saying. The . . . he could take an option, but he'd be a fool to take the private option when he'd be entitled to the State option. There's no comparison to the cost benefit of taking the State . . . regular State employees benefits in comparison to continuing his private benefit. This is for the employer who is gonna' go back to work for the private contractor . . . in . . . as soon as the State Fair is over "

Shea: "All right."

Giorgi: "Representative Palmer on 1137."

Palmer: "If the Sponsor will yield. How . . . what's the tab to the taxpayer on this one, Tom?"

Hanahan: "Pardon me."

Palmer: "How much is it going to cost the taxpayers of this State for this . . . for this peripheral benefits?"

Hanahan: "I doubt if there'd be any costs at all for benefits to the State."

Palmer: "Well, the State's gonna' have to pay something."

Hanahan: "Right . . . right now, the alternative is to hire a contractor to perform these jobs and in the base pay of that contractor is an obligation to pay the health and welfare and pension programs that he has negotiated in behalf of. So then you add, not only that cost to his wage rate, but you cost . . . you have to add on contractors profit and his cost of doing business. So it's cheaper to do it this way; and this is what the State Fair Agency would like to do to it's mechanical trades, electricians, the plumbers and all the other tradesmen out there."

Palmer: "In all the trades, how many people are covered by this Bill of yours?"

Hanahan: "Very few, it'd be limited maybe to 60 or 90 employees in the whole State that may even take . . . participate in this in a whole year and . . . and then generally at a short duration of one or two months."



Palmer: "What's the need for the Bill then?"

Hanahan: "The need is that last year many electricians and many plumbers and many carpenters lost their benefits that they would be entitled to had they continued to work for a private contractor when they went to work directly for the State . . . ah . . . as a prevailing wage employee. They didn't collect . . . they . . . they did not . . . ah . . . they lost their benefits in the private sector and they never were eligible in the public sector because they are short-term employees."

Giorgi: "The question is, shall House Bill 1137 pass? All those in favor will signify by voting 'aye', and those opposed by voting 'nay'. Have all voted who wish? Mautino . . . Mautino 'aye' . . . voted who wish? Take the Record, Clerk. On this question there are 111 'ayes', 22 'nays', 5 voting 'present'; and this Bill having received the Constitutional majority is, hereby, declared passed. Representative Geo-Karis 'aye'. Representative Totten 'aye'. Would you please come down to the Well and tell the Clerk? House Bill 1138."

Jack O'Brien: "House Bill 1138, Hanahan, a Bill for an Act restricting lie-detector tests . . . tests and similar tests for public and private employees. Third Reading of the Bill."

Giorgi: "Representative Hanahan on House Bill 1138."

Hanahan: "Mr. Speaker and Members of the House, of all the Bills that I've introduced over the years as serving as a Member of the General Assembly, I consider this one of the best Bills that I could offer in behalf of the people of the State of Illinois. This is not necessarily just a union Bill, this is the people's Bill. If the people should not be subjected to the indignity of losing a job, not because there's any proof or allegation or even determination that they have done anything wrong or intend to do anything wrong, but just in the fact that they can be discharged or not hired based on their refusal to take a polygraph examination or a chemical substance to determine their veracity on an answer on an examination for employment or a condition to keep their job. As a union official, constantly, I was made aware many times in daily living of the abuses of this so called polygraph machine that at best even the F.B.I. never employed in its usage. Representative



Allen Lucas in my first term passed this Bill out of this House in 1965. It hasn't passed since then, and I think it's about time that the people of Illinois are protected against the misuse and the abuse that goes along with, not whether or not they're lying, not whether or not they're telling the truth, or not whether or not they have done anything wrong, but whether or not . . . the determination of whether or not they're employed just simply on the right that they . . . that I feel that they should have on the refusal to su . . . submit to a mechanical device or a chemical substance to prove their truthfulness; and I urge an 'aye' vote on this Bill."

Hanahan: "Representative Madigan on House Bill 1138."

Madigan: "Mr. Speaker, House Bill 1138 in . . . ah . . . lines 13 through 16 contains a definition of the word 'person' as used in the Bill; and that definition includes the State of Illinois and any municipal corporation or political subdivision therein. My reading of this Bill clearly indicates to me the passage of this Bill would impose a requirement upon all municipal incorporations within the State of Illinois, both home rule units and non-home rule units; and because of its applicability to home rule units, I feel that this is a preemption Bill and require 107 votes for passage; and I, hereby, request a ruling of the Chair as to the number of votes needed for passage."

Giorgi: "In . . . ah . . . my power block, we're going to rule that it does preempt home rule and it will take 107 votes to apply to home rule units; and if there are less than 107 votes, but more than 89, it will apply to non-home rule units. It will have to take 107 or more to apply to home-rule units; and on that, I recognize Mr. Walsh."

Walsh: "I respectfully disagree with the ruling of the Chair, and suggest that you ruled that way because of prior rulings by Speaker Redmond. They are incorrect. The first of these rulings, I think, came from Mr. Shea, who was presiding at the time. It is incorrect, improper and I'd like to point out that we are dealing with one piece of legislation which should require a certain number of votes to pass. The Chair very well knows the procedure for removing or making Bills not subject to home rule units. So I respectfully disagree with the ruling of the Chair."



Giorgi: "If . . . I have struggled with the new Constitution like you have and my ruling stands. Representative Bluthardt."

Bluthardt: "Well, Mr. Speaker, the ruling is ridiculous on its face. How is it that a applicant for public employment and in a home rule unit may be required to take a lie detectors test and a applicant in a non-home rule unit may not be required to take it. That's ridiculous; and what are you going to do when you get over to the Senate, and they only get 30 votes, instead of 36 or 35, whatever it takes over there? Is it going to pass or not?"

Giorgi: "It . . . It'll pass . . . others."

Bluthardt: "You get 107 here . . . well, it's ridiculous to say that in one area that the lie detector test may be given and in another area it may not be given. Either we permit it or we prohibit it, but we don't allow it one area and not in another."

Giorgi: "Representative Bluthardt, a point of order . . . Representative Matijevich on a point of order."

Matijevich: "Well, Mr. Speaker, my point of order is you've made a ruling and there's only two things they can do, appeal or five Members can dissent and put it on the Record, but let's get on with the business."

Giorgi: "I think that was the procedure under Representative Blair. Who'd like the floor? Representative Collins, to . . . ah . . . for what reason do you arise, Sir?"

Collins: "Well, Mr. Speaker, I'm just joining four more. I open dissenting and I also would . . . ah . . . would move that the Chair be overruled."

Giorgi: "A motion has been made to overrule the Chair . . . how many votes . . . we will proceed on the question of overruling the Chair as to whether this is preempted of home rule power. Representative Schlickman on a point of . . . ah . . . on the motion."

Schlickman: "Mr. Speaker, . . . ah . . . you made reference . . ."

Giorgi: "Ah . . . Representative . . . ah . . . Representative Madigan, he asked for the ruling."

Madigan: "Point of order."

Giorgi: "Yes, Representative Madigan."

Madigan: "It's my understanding that this motion is not debatable."

Schlickman: "I have an inquiry, Mr. Speaker."



Giorgi: "Let's allow the inquiry for a moment, Mr. Madigan. Mr. Schlickman, do it."

Schlickman: "Mr. Speaker, you used the word 'preemption'."

Giorgi: "Yes, Sir."

Schlickman: "Now, I believe preemption is covered by Subsection 8, or H, excuse me. Didn't you mean that this Bill constitutes a denial or limitation which is under Subsection G?"

Giorgi: "I wasn't concerned with the Sections, all I was asked was whether it would take 107 votes to apply to home rule units or not. I ruled that it would take 107 votes to apply to home rule units."

Schlickman: "So what you're doing here is invoking Subsection G which says the General Assembly by a law approved by the vote of 3/5 of the Members elected to each House may deny or limit the power to tax in any other power or function of a home rule unit, is that correct?"

Giorgi: "I think we're in agreement. Representative Madigan."

Schlickman: "I'm in agreement with you, Mr. Speaker. I'm in agreement with you."

Giorgi: "Representative Madigan. All right, on the . . . ah . . . Representative Satterthwaite on . . ."

Satterthwaite: "I . . . I need some information, Mr. Speaker, . . . ah . . . it's not clear to me when we say that an 89 Rule apply to non-home rule units and 107 apply to home rule units. In this particular language as the law, it seems to me in some cases we are referring to persons, partnerships, associations, corporations, etcetera; and in other instances, we are referring to municipal, corporation or political subdivisions. Are we saying that all home rule governmental units will be exempted if there are less than 107 and if so, what happens to people and corporations within home rule units? Are they covered . . . ah . . . by the 89 Rule?"

Giorgi: "Yes, that's if they're in the unincorporated areas or on . . . on other than non-home rule units."

Satterthwaite: "I'm talking about an individual who lives within a home rule unit."

Giorgi: "He's an employee of a municipality for example that has home rule powers? They're exempt if they don't have over 107 votes."



Satterthwaite: "But suppose he is an individual employer within that home rule unit having nothing to do with the Governmental employment?"

Giorgi: "Representative Hanahan, does your Bill cover this question?"

Hanahan: "Yes, my Bill would specifically . . . this is a reason I don't ask for the home rule exemption, because what would happen in the city of Chicago, for example, if a person working at Sears Roebuck in the City of Chicago were . . . were fired for refusal to take a lie detector test, and this Bill passed with less than 107 votes, that person would . . . would still be covered by this Bill as . . . as I draft . . . had the Bill drafted. But the employees of the home rule unit would not be. Now, it seems grossly unfair that an employee . . ."

Satterthwaite; "Thank you."

Hanahan: ". . . in the same political subdivision, let's say, a Chicago Board of Education employee who refuses to take the lie detector that he could not be fired, but an employee of the City Corporation could be fired for the same refusal of taking a . . . ah . . . lie detector test."

Satterthwaite: "Thank you, Mr. Chairman."

Giorgi: "Representative Duff, for what reason do you arise? Representative Duff, Ed . . . Ed, Representative Duff. Duff."

Duff: "A point of clarification, Mr. Speaker. Ah . . . When you made your ruling . . . ah . . . I heard you say that it would take 107 votes to pass . . . did . . ."

Giorgi: "To apply to home rule units."

Duff: "Then you are also saying that if it gets 89 votes, it will apply to non-home rule units?"

Hanahan: "That on the governmental employee only . . ."

Giorgi: "Yes, according to my Parlia . . . Parliamentarian, yes, in answer to your query."

Duff: "Thank you. Now, Mr. Speaker, are . . . are we going . . . where do stand now? Are we going to take a vote on the motion to overrule the Chair?"

Unknown: "Right."

Giorgi: "Does . . . Is Mr. Collins on the floor? Do you persist in your



motion, Mr. Collins, or not? He persists in his motion. Representative Palmer, for what reason do you arise?"

Palmer: "A parliamentary inquiry, Mr. Speaker, so that I clearly understand this . . . the application . . . intended application of this Bill. If the Bill receives 89 or more votes, but less . . . or . . . but less than 107, it would not apply to home rule units. If it receives 107 votes or more, it would apply to home rule units. Now, what about, if I can continue, what about the private sector here located in the home rule unit? Would it apply to . . ."

Giorgi: "We've already agreed on that. That it would . . . on Mrs. Satterthwaite's question, it would cover."

Palmer: "In other words, in Cook County, if . . . ah . . . if it got less than 107 votes, private industry in Cook County would be exempt?"

Hanahan: "Correct."

Palmer: "If it got more than 89? Thank you."

Giorgi: "Representative Bluthardt, for what reason do you arise?"

Bluthardt: "Mr. Speaker, I wish you would put the question as it was put by the man making the motion, and the man making the motion is . . . is questioning your ruling that it takes 89 votes to apply to non-home rule and 107 votes to apply to home rule. Not the question whether this . . ."

Giorgi: "Representative Shea."

Bluthardt: ". . . preempts the powers of home rule municipalities, but whether the ruling is correct as it applies to 89 and 107. So put it that way, not whether it preempts home rule powers. Thank you."

Giorgi: "Representative Shea."

Shea: "Mr. Speaker, as I understood the motion made by the Gentleman from Cook, Mr. Collins, he asked that the ruling of the Chair be overruled. That ruling was that it required 107 votes to be applicable to home rule units; and I guess that's what he wants to overrule. So on that I wish you'd call the question."

Giorgi: "Rep . . . Representative Collins on your motion."

Collins: "Yes, Mr. Speaker, number 1, I asked that the dissent of myself and 4 other Members at least be journalized; and then I did move that this ridiculous ruling be overruled."



Giorgi: "O.K., let's vote on the . . . ah . . . the question is, shall the Chair be overruled on that last ruling? All those in favor will vote 'aye', and those opposed will vote 'nay' . . . be a sport . . . Representative Collins . . . ah . . . would the people that want to dissent would you . . . ah . . . bring your name down to the Well? Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 78 'nays', 49 'ayes', 2 voting 'present'; and the motion has failed. Representative Hanahan on 11 . . . House Bill 1138 to close. For what reason do you arise, Representative Collins?"

Collins: "Well, Mr. Speaker, in the interest of saving time, could I have leave to have all the . . . all the names of all the Republican Members registered in dissent?"

Giorgi: "The . . . the rules provide that you . . . you'll have to write them. Representative Hanahan on House Bill 1138. Representative Madigan."

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

Hanahan: "I will."

Giorgi: "Indicates he will."

Madigan: "Representative Hanahan, is the State AFL/CIO adopted a position relative to this Bill?"

Hanahan: "Yes, this is an AFL/CIO position."

Madigan: "What's the position?"

Hanahan: "The position for adoption of House Bill 1138."

Madigan: "Representative Hanahan, the staff analysis is contrary to your recent statement, and this is the Democratic Staff Analysis which indicates that the State AFL/CIO is opposed to the Bill."

Hanahan: "Well, let me assure you, Representative Madigan, that the State AFL/CIO is not only constantly in behalf of it, but if you'd like to come back to my desk here, I have your attorney, Asher, Greenfield, Goodstein, Cadalin and Siegel with a . . ."

Giorgi: "Hold it . . . hold it, Representative Hanahan, just a moment, please. Representative Madigan, . . . ah . . ."

Madigan: "Mr. Speaker, could I speak to the Bill?"

Giorgi: "Proceed."

Madigan: "Mr. Speaker and Members of the House, House Bill 1138 very



simply would provide that an employer, whether it be private or public, would no longer be able to use a lie detector test as an instrument of determining whether a person would be employed or whether an employee would be continued in employment by the employer. I know of my own knowledge that the Sheriff of Cook County in screening applicants to be Deputies on the Sheriff's police force of Cook County utilizes a device of lie detector tests. To my knowledge, this is a device which is used in many areas in all sectors of the country. I've never known anyone to object to taking the lie detector test when they're applicant for employment with a law enforcement agency; and I don't feel that this Legislature should deny to employers, whether they be public or private, this simple instrument of determining whether they wish to hire a person or to continue a person under their employ; and I urge a 'no' vote on House Bill 1138."

Giorgi: "Representative Duff on 1138."

Duff: "Would the Sponsor yield to a question?"

Giorgi: "He indicates he will."

Duff: "Ah . . . Representative Hanahan, would it be your opinion that under this Bill that if a police officer was accused of brutality, and he had an opportunity to clear his name, and that the current process in Chicago is that the complaining person has to first take a lie detector test and if that person passes it, then they ask the police officer to take the lie detector test. Ah . . . Would it be your opinion and under your Bill that that would be impossible?"

Hanahan: "Yes, . . . ah . . . in the case that the refusal of taking the test, not on questioning, but the refusal of taking the test would be . . . would subject him for discharge, right."

Duff: "Well, Mr. Speaker, in addition to the point that Representative Madigan has made, I'd like to make a couple of others on the Bill. Very recently I had a situation where a . . . ah . . . a black woman was in her home at 11 . . . 7 . . . 6:30 in the morning, and two police officers entered into the place without a warrant; and those police officers were . . . accused her of assault and battery when she tried to throw them out. She then was asked to take a lie detector test. She passed it. Police officers were asked to take a lie detector test,



and they wouldn't; and when they finally did, they failed it, and, consequently, the case was not pursued by the State. Now, it seems to me that in situations where you have to have some determination to find out in which you make a decision, whether it be Sheriff Elrod's office or the Chief of . . . ah . . . Police in Chicago or whether it be the Chicago School Board or for that matter even the Arch Diocese of Chicago . . . ah . . . let alone Sears Roebuck and Montgomery Ward, who have trouble with the problems of shoplifting in enormous quantities. It seems to me that there are instances where the voluntary acceptance of a lie detector test, which is pertinent to the facts and which might very well might be pertinent to the continuation of the person in employment, should be allowed; and I am no fan of lie detector tests."

Giorgi: "Representative Mudd on 1138."

Mudd: ". . . Members of the . . . Mr. Speaker, Ladies and Gentlemen of the House, . . . ah . . . Representative Madigan spoke earlier about the County Sheriff in Cook County. I know for a fact that the Police Department in the City of Peoria, which is one of the largest cities in our State, utilize lie detector tests also in employment and in screening applicants. I, personally, don't think that this is a good idea. Federal laws and State laws that we have on the books today provide that we can't even ask for information on . . . on application forms and the very basic applications; and I would hope that even in a criminal courts when we have more serious crime, where a lie detector test in not qualification for determining the guilt or innocense of a person that we don't subject employees to . . . ah . . . to municipality employment, and also to our private employment to . . . ah . . . be subjected to a mandatory lie detector test to prove their innocence or their guilt in any matter; and I'd ask for a . . . ah . . . an affirmative vote in this case."

Giorgi: "Representative Lechowicz."

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

Giorgi: "The previous question has been moved. All in favor signify by saying 'aye', oppose 'nay'; and the 'ayes' have it; and the previous . . . the main question is . . . Hanahan to close on House Bill 1138."

Hanahan: "To speak very briefly, Mr. Speaker and Members of the House, I've



heard of some deceptive statements made on the floor, but the statement that the AFL/CIO is opposed to this Bill is about as deceptive as I could see; and I wouldn't ask the Gentleman to take a lie detector on the veracity of it because I don't believe the lie detector is an accurate machine to determine the truth. In fact, the F.B.I. and J. Edgar Hoover has made the statement when he was alive, 'There is no such thing as a lie detector, neither the machine which is fallible, not the operator who are more . . . operators who are more fallible have ever achieved any . . . standing in the courts of law'. The courts have held . . . have been almost universally consistent in rejecting polygraph evidence since the decision of the Federal court in 1923, which was 'Eye versus the U.S.' and I could go on and on. I might point out, several years ago the Executive Council of the AFL/CIO initiated a successful National campaign to prohibit the use of lie detectors in labor relations. Labor groups, both at State and Local levels sought legislation prohibiting the use of the polygraph either on employees or on the job applicant. At present, 12 States, Massachusetts, Oregon, California, Rhode Island, Alaska, Washington, Hawaii, Maryland, Delaware, New Jersey, Pennsylvania and Connecticut forbid the imposition of polygraph tests on employees by employers as a condition of employment. Similar legislation is frequently introduced in other States. Although many of the employees subjected to polygraph tests by banks, insurance companies and similar institutions do not have the protection afforded to those who are organized into unions and . . . and although such businesses may not be located within States which forbid the use of the polygraph, they nevertheless are not without risk when they use the polygraph. I might point out a few things about the usage of the polygraph, and of all the phony usages of the polygraph, is when something is missing in a bank or something is missing in an office building and the employee, the janitor, the clerk, the stockroom boy is called in and said take a lie detector test on whether or not you took a missing article. Well, as a union official, let me point out that when they are covered by a collective bargaining agreement, generally the union will not allow the detector test to be applied. If it at times where the contracts are not enforced what



we generally do in . . . as . . . a union official myself, what I've always done, is insist that any employee, whether it be the Chairman of the Board, whether it be the Bank President, whether it be any other lawyer, indian or . . . or indian chief or doctor that had access . . . access to the . . . to the missing article that if they would submit to the same lie detector test, then I'd allow the janitor, or the clerk, or the stockroom boy. Generally, nobody wants to take a lie detector test. But worse than that we're not talking about saying that you can't ask somebody to take the lie detector, and this is where Representative Madigan is all wet. We're not saying that they . . . that Elrod cannot use the lie detector test, we're saying that he cannot hire somebody or he cannot . . . or that he could fire somebody for refusing to take a test that is not held valid in any court of the United States, is prohibited by many States and has never been upheld in its usage or its operation by anyone of learning in the techniques of lie detecting. Anyone that's submits to that . . ."

Giorgi: "Representative . . ."

Hanahan: ". . . that kind of poppycock deserves to take a lie detector test and understand . . . this is a bad position . . ."

Giorgi: "Representative Hanahan."

Hanahan: ". . . This is a AFL/CIO Bill, I'm very proud to Sponsor it.

Each Member of this House makes his own Record, each Member of this House understands how he receives the recognition for or against by labor. This is one of their Bills; and I ask for an affirmative vote."

Giorgi: "The question is, shall House Bill 1138 pass? All those in favor signify by saying 'aye', and those opposed by voting 'nay'. Ah . . . Representative Mugalian to explain his vote, Sir."

Mugalian: "Yes, . . . ah . . . thank you, Mr. Speaker, . . . ah . . . we heard the Sponsor of this Bill say that polygraph tests are not very reliable, and I think it's an established fact that they're not. But I'm not too sure I'd be very happy if they were completely reliable. I'd really be concerned if we had a full proof method, and then we . . . we require people to take that kind of test which is, of course, in violation of the fundamental principle of the 5th Amendment. But I . . . I would like to ask those of you that are school teachers



whether or not you would like to be required to submit to a lie detector test before obtaining employment as a teacher; and those of my colleagues who are lawyers who practice law as a profession, who are officers of the court, and hold very sensitive positions would like to be required to take a lie detector test before you could practice law; and finally, I would like to ask all of us who are Legislators whether or not we would like to be forced to take a lie detector test . . . am I off, oh . . . when filing our statement of candidacy or doing our term. I suggest that this is one of the best pieces of legislation ever offered to this Legislature; and I'm voting 'aye'."

Giorgi: "Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 67 'ayes', 62 'nays', 3 'present'; and this be . . . this Bill having failed to received the constitutional majority is, hereby, declared lost. Ah . . . Representative Shea, I'm sorry, just a moment, Representative Shea, for what reason do you arise?"

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, have you announced the Roll Call on this?"

Giorgi: "Yes, I have and I . . . Representative Washburn, would like the floor also, continue."

Shea: "On the order of House Bills, Third Reading, appears House Bill 3016, which is the Bill that was introduced in this House and provides \$10,000,000 of emergency loans for people receiving unemployment system. It's on the order of Third Reading, and in order to go out of order, I believe I need 107 votes. So at this time, Mr. Speaker, I would make a motion that the Chair . . ."

Giorgi: "Mr. . . ."

Shea: ". . . that the Chair be permitted to go on House Bills, Third Reading, to House Bill 3016."

Giorgi: "One of your Cosponsors has asked for the floor. Representative Washburn, would you like the floor on House Bill 3016?"

Washburn: "No, not on House Bill 3016 at this time, but I would like the floor, . . . ah . . . but as long as you're on House . . . House Bill 3016, I see no particular reason, even though I am a Cosponsor, to have it called out of order at this particular time, Gerry."

Giorgi: "Representative Shea."



Shea: "Well, Mr. Speaker and Members of the House, I'd like to get this Bill over to the Senate. I don't know . . ."

Giorgi: "What was that? Shea, continue on."

Shea: "Well, if . . . if the Members feel that it's not of that nature, it doesn't make that much difference to me."

Giorgi: "Do you withdraw your motion?"

Shea: "If there . . . the sentiment of the Members are that . . . ah . . . they don't think that it should go over there, that's fine, then."

Giorgi: "Representative Walsh, . . . ah . . . do you seek recognition?"

Walsh: "Ah . . . Only if you were going to . . . if he was going to . . ."

Giorgi: "Representative Washburn, then."

Washburn: "Thank you, . . . ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, there's a lot of Bills that would like to get over to the Senate. I think perhaps somewhere in excess of 200; and I have two motions up on the Speaker's table, up on the Clerk's table that I would like to have heard tonight and approved if possible. My inquiry was gonna' be, when do you plan to adjourn? I heard it was at 10:30, and then I heard it was between 10:30 and 11; and I want to make sure my motions are called."

Giorgi: "I am not aware of your motions. What are his motions, Mr. Clerk?"

Washburn: "The two related motions."

Giorgi: "I'm informed by the Parliamentarian that we . . . because a Bill expires today, we should go to the order of Postponed Consideration. Do I have leave of the House? All right, House Bill 522, Representative Friedrich. Representative Washburn, for what reason do you arise?"

Washburn: "You . . . you have . . . have one Bill on Postponed Consideration then you're coming back to my motion?"

Giorgi: "Ah . . . When it comes to order of motions, Representative Washburn."

Washburn: "Will that be after this Bill?"

Giorgi: "I don't know if that's the next order of business . . . ah . . . is that the next order of business? That's the next order of business."

Washburn: "All right, Sir."

Giorgi: "My Parliamentarian. I need a little advise, you know. Ah . . . Representative Totten, . . . ah . . . for what reason are you upsetting the quorum of the House?"



Totten: "Ah . . . I'm trying to count . . . your actions up there, Mr.

Speaker, you are on the order of motions. You accepted a motion from Representative Shea."

Giorgi: "That was withdrawn."

Totten: "Well, you were on that order, though."

Giorgi: "I . . . we didn't have permission to go out of order again."

Totten: "Well, he . . . he offered a motion and you were on that order."

Giorgi: "Well, he withdrew his motion. The table was cleared, Representative Totten."

Totten: "Well, that motion was still there, you didn't change the order of business at that time."

Giorgi: "House Bill 522, Representative Friedrich."

Friedrich: "Mr. . . . Mr. Speaker and Members of the House . . . ah . . . first I want to thank those who have helped me with this Bill so far, and I want apprec . . . thank those who have been tolerant with some of the things that have happened here in trying to give me a fair shake on this thing. My remarks are going to be very brief. This Bill has . . . is . . . as now amended provides for the election of a State Board of Education. In an effort to eliminate any possibility of eliminating any ethnic or minority groups, it now will provide for 24 members, one from each Congressional District with the 24 electing their own Chairman. Very simply, I think that . . . that public education is an important thing that involves all of us in and . . . on . . . ah . . . involves the biggest expenditure of money and time in this whole State of Illinois. I think . . . think it should be elective and not appointive; and I . . . we've discussed this before, and I don't propose to prolong the debate."

Giorgi: "Representative Hoffman. Gene Hoffman."

Hoffman: "Mr. Speaker, and Ladies and Gentlemen of the House, just to reiterate very . . . very briefly what I said the other day. The last Session of the General Assembly if provided for an appointed Board . . . ah . . . left the ultimate authority with one elected body and that is the General Assembly. I think we should give the Board an opportunity and we should maintain the prerogatives of the General Assembly as the elected body in the State of Illinois; and I



would ask for a 'no' vote on this Bill."

Giorgi: "Representative Washington."

Washington: "Mr. Speaker and Members of the House, I concur with Mr. Hoffman's remarks that we haven't really tested the system which was more or less voted in within the last two years. Secondly, the implication was made that . . . ah . . . some bases had been touched and that ostensibly or presumably there was some agreement on this Bill that I want to assure you that I, certainly, don't agree with this Bill. I think it's probably worse than it was before it was amended. Ah . . . There were some officers which I simply do not think should be elective officers; and I don't think they should be elective officers because I don't think we should precipitate the subject matter into the . . . into the political arena as such; and I think School Boards fall more or less within that category, particularly on . . . ah . . . such a broad a basis as this. One of the basic functions of such a Board has got to be, if it makes any sense at all, has got to be that it represents a true cross-section, geographically, politically, ethnically, religiously and otherwise. If that's not the kind of School Board you want, then I don't think you're going up the right tree; and anything short of that is going to lack the confidence that people must have in that kind of a body. Let me simply put this proposition to you, we have at present . . . we have at present three black members of the State-wide Electoral Board. Now I'm not assuming in any way that this legisla . . . legislation is motivated because of that fact, but there is no place in this Country that I know of, no political subdivision of any size whatsoever where we have been able to get that sort of representation, and that's all we're struggling for, representation, and we've got it on that Board. I think we're entitled to it. I think the people on that Board who have been selected are meritorious, excellent people who are trying to do a job. Now, there are going to be problems with any kind Board, elected or otherwise; but just because one small group is just . . . ah . . . just satisfied with it, it simply doesn't make any sense to disrupt the entire system. I am absolutely, and totally, and completely and unalterably opposed to House Bill 522. I think it's debilitating, I think eroding, I think



it's going back, I think it will add nothing to the educational structure of this State. I think we should defeat it rapidly, hurriedly and get on with more business. I have no animosity to . . . Representative Friedrich, he like me, is trying to do his job. I simply think he is totally misguided in this issue, and I think you should demonstrate by voting this Bill down."

Giorgi: "Representative Byers."

Byers: "Mr. Speaker, and Ladies and Gentlemen of this House, I think this Amendment . . . this Bill is entirely out of place. After all, the new School Board just got started, and secondly, the last General Assembly, I think it's an affront to the General Assembly. You spend a lot of time having hearings, having people down here, and . . . ah . . . you said that the Bill is in its present form, first form is not acceptable, and . . . ah . . . the Gentleman goes down and gets an Amendment in 20 minutes; and I think it's a slap in the face to the 78th General Assembly if you approve this legislation; and I would ask that you vote 'no' on this."

Giorgi: "Representative Marovitz."

Marovitz: "Mr. Speaker, I would move the previous question."

Giorgi: "The previous question has been moved. All in favor signify by saying 'aye', those opposed 'nay'. Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House, this will be very brief. Illinois has been a leader in public education and you don't have to go very far to find that out. We've done a great job at every level in our schools by electing those who run the schools. Ah . . . I did attempt to get in agreement, not . . . and I did not suggest at any time that . . . ah . . . the last Speaker that I'd had an agreement with him, but there were some that we were able to . . . ah . . . satisfy with this Amendment. In my own town, we have about 10 percent colored. We have two members of the seven that are colored on the Board and they're elected. So the elective process does elect qualified colored people to . . . to School Boards. There's no restriction to keep them from it. If you believe in government by election and . . . responsible directly to the people, this is a good Bill. If you want government by appointment, vote 'no'."



Georgi: "The question is, shall House Bill 522 pass? All those in favor vote . . . signify by voting 'aye', those oppose by voting 'nay'. Representative Brinkmeier to explain his vote."

Brinkmeier: "Mr. . . . yes, Mr. Speaker and Members of the House, just a few quick . . . last week . . . I remember this same Bill had well over 89 the other night. Well, I'm watching the Board and I am going to speak for just a moment, if I may? Number 1, I would remind you that we do elect our downstate School Board members, and it seems to be working all right. I don't hear any cry to make them appointed. Number 2, I'd reiterate what was said the other day that 2/3 of our local tax money goes to public education; 1/3 of our State dollars goes for public education. Number 3, if any of you take the time to question your constituents, there is absolutely no doubt in my mind as to what that would be, and it's overwhelmingly in favor of an elected State Board of Education; and finally, there's an old adage that goes something like this, 'Wise men will change their minds, fools never do'. I submit that . . . I hope we are wise people here; and I think we should change our mind."

Georgi: "On this question there are 39 'aye' . . . er . . . I'm sorry, have all voted who wish? On this question there are . . . take the Record, Clerk. On this question there 49 'ayes', 88 'nays', 7 voting 'present'. This Bill having received the . . . failing to receive the constitutional majority is, hereby, declared lost. On the order of motions, is the motion by Representative Berman. I'm sorry, it's . . . Mr. Berman. For what reason does Representative Farley arise . . . arise?"

Farley: "Well, Mr. Speaker, at this time, I would ask leave of the House to table Bills 1609 and 1610."

Georgi: "Does he have leave? 1609 and 1610 is tabled. Representative Berman on the motion."

Berman: "Ah . . . Thank you, Mr. Speaker. Earlier today . . . ah . . . while I was part of the official delegation to the funeral up in Chicago, . . . ah . . . House Bill 1034 was called, and I understand that . . . ah . . . I was voted 'aye' on that Bill; and I ask for leave to change my vote to 'no'."



Giorgi: "Leave . . . does the Gentleman have leave? Leave has been granted. Do you . . . do you have the Record . . . ah . . . Representative Hart . . . ah . . ."

Hart: "Ah . . . On the same kind of order . . . ah . . . there was a House Bill 690 that was passed . . . ah . . . I believe it was Sunday and I was voted 'aye', I'd like to be recorded as 'no'; it will not change the results."

Giorgi: "Do you have the . . . do you . . ."

Hart: "House Bill 690."

Giorgi: "690, do you have that, George. Representative Washburn on his motions."

Washburn: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, I have two motions filed with the Clerk. They're related motions. Would the Clerk want to read the first one?"

Jack O'Brien: "Motion. Mr. Speaker, in light of the impending deadlines regarding passage of non-exempt House Bills and the hundreds of such Bills presently on Second and Third Reading that are awaiting action, I, hereby, move that all meetings of House Committees exempt . . . except those dealing with election contests that are scheduled between May 20 and May 23, 1975 be cancelled."

Giorgi: "Representative Washburn."

Jack O'Brien: "Representative Washburn."

Washburn: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. It appears as though we still have some 800 Bills to be finalized between now and May 23rd, only four days away, I believe, I've expressed my concern and I think that concern is shared by most Members of the body that at the rate we're going . . . ah . . . those Legislators who have steered their legislation . . . their Bills through the legislative process up to Second and Third Reading, some of those Bills won't even have an opportunity to be considered by this House. Now, last weekend we tried the Agreed Bill List, and it worked to a degree. Some 100 Bills were passed out on one Roll Call. However, it didn't seem to ease the crunch at all. So now, Mr. Speaker, I think that the next step that we can take that would permit us to spend a little more floor time on the . . . on the House . . . ah . . . instead



of wasting . . . not wasting the time, but the voting time in Committee meetings that on exempt Bills, Senate Bills that are exempt, and Appropriation Bills and others that are exempt from May 23rd deadline, I think that time to be better spent on the House floor. We . . . we've worked . . . we work hard, here it is at . . . ah . . . 11:15 at night. If some of this time could be consumed early in the morning, I think it would be much better spent and, Mr. Speaker, I would ask for . . . ah . . . 'yes' vo . . . 'yes' vote on this motion to . . . ah . . . suspend all Committee meetings for the remainder of the week and then I shall bring up my second motion if this one passes."

Giorgi: "Representative Shea on the motion."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, it was the intention to come back tomorrow morning at 9:15 and to start at 9:30. There are several Committees scheduled for 8 o'clock in the morning that there are witnesses down here, part of them being the Revenue Committee. Now, I can full well understand the Gentleman's feeling, and it was my understanding that the Speaker has talked to the Committee Chairman and none of them will go past 9 o'clock. The man . . . the Gentleman, the Minority Leader, has a second motion which I intend to support with him to take five Bills out of Appropriation and get 'em on our Calendar, but I . . . I will . . . I'm wondering in light of the fact that we are going to have and we have scheduled Committee hearings for 8 o'clock that witnesses are either staying over or coming down for, and if we will go in Session and return here between 9:15 and 9:30, Mr. Washburn, I'm wondering if you might want to withdraw that motion now so that we can take care of those Committees that are already set for tomorrow and then to talk to the Speaker about the rest of the week."

Washburn: "Well . . ."

Giorgi: "Representative Washburn."

Washburn: "Well . . . ah . . . Representative Shea, that would require Committee Members to be here at 8 o'clock in the morning, and I think that that's asking a little bit too much of . . . ah . . . Legislators. We all want to work, but . . . but we can only observe so much, and I think that the time could be better spent . . . we've . . . we've



taken a machine gun, a ramrod non-sensin . . . non-sensical approach to the passage of these Bills the last few days, and I think that any time we might have in addition to what we have had, and especially eliminate perhaps some of this midnight work at this stage of the game, would be to the benefit of, not only Legislators, but to the taxpayers as well. I don't think it's fair to have Committee Members come in and hear Bills at 8 o'clock in the morning if we're going to be here until about midnight at night, especially when the Bills are exempt from any deadline."

Giorgi: "Representative Shea on the motion."

Shea: "Well, Mr. Washburn, all I can do is ask you to withdraw it. If you want to go ahead, all I'm saying is that there are number of Committees that are already set for 8 o'clock tomorrow morning that the witness are either here in Springfield and are prepared to go ahead. One of them is in Revenue. So that part of the testimony was heard today, they're going to go ahead tomorrow, the witnesses are staying over tonight to go ahead. Now, all I'm asking you to do is either withdraw or hold the motion for one day until we get an opportunity to talk to the Speaker or, you know, well, let's just get tomorrow's hearings out of the way where the witnesses are here, and tomorrow sit down and try to work this thing out. I don't think there's any of us that want to spend any more time than we have to here. But we are trying to get through with the Calendar. So that's all I can ask you, Mr. Washburn, and tomorrow perhaps we can settle the thing and dispense with the meetings the rest of the week; but with regards to tomorrow, there are a number of people, particularly a number of Township Assessors from the counties throughout this State, that have stayed over night tonight in Springfield in order to be at a Revenue meeting at 8 o'clock in the morning."

Giorgi: "There are six people that indicated they want to speak on this question, so Representative Ryan."

Ryan: "Thank you, Mr. Speaker. Representative Shea, the meetings are scheduled between the hours of 8 and 10 in the morning . . . ah . . . and you indicate that we're going to be back in the House at 9:15. Representative Shea, to answer that query."



Shea: "What my understanding was, having spoke to the Speaker, was that we were going to come back and ask that they . . . that he has talked to the Committee Chairman about disposing with their business by 9 o'clock so that we can get in here a little after 9 in the morning and dispose of the business. Now, all I've asked the Assist . . . or the Minority Leader to do is to either hold this Resolution or withdraw it until such time as . . . or, you know, 'til we can get some orderly transi-tion here. Now, he's got five . . . the next Amendment is to take five Bills from Appropriation, which we've discussed, and I said that I'd support with him and put those five Bills on the Calendar, which I have no problem about so that that way it might eliminate Committee hearings the rest of the week; but what my problem is what do I do with the witnesses that are coming down tomorrow? I think it's too late to inform them and I think that . . . ah . . . it's, you know, it's just a little rude when we sit here and have Committee Chairmen tell witnesses to stay overnight in Springfield, which we've done with a number of people on the Revenue Committee, and then inform them that at 8 o'clock in the morning that we can't hear the Bills that the Committee Chairman has scheduled because of some action of the House."

Giorgi: "Representative Washburn on the . . ."

Ryan: "I'm not through."

Giorgi: ". . . you're not through, continue then, Representative Ryan."

Ryan: "Well, Mr. Shea, according to the Calendar the Bills that are going to be heard in the Revenue Committee tomorrow are Senate Bills and Resolutions. There isn't a Bill on here that is going to die . . . ah . . . I'm certain that with a number of Bills listed, I don't know how you're going to hear them all between the hours of 8 and 9 . . ."

Giorgi: "Pardon me . . . pardon me, Mr. Ryan, excuse me. Representative Matijevich on a point of order."

Matijevich: "Well, Mr. Speaker, I've got a point of order. The motion doesn't suspend Rule 22, which Rule 22 requires that if the meeting is properly set and scheduled that the public has the right to appear and . . . and to be heard. Now, I . . . I really think that no Committee should have been set this week, I agree with the Minority Leader on that, but since a Committee has been set and the public has a right to



to be heard . . . ah . . . I would like him either to amend the motion to starting Wednesday or else hold it for a day, and I sure would support him. I don't think we should have been meeting this week."

Giorgi: "Representative Choate."

Choate: "I, certainly, agree with Representative Matijevich, and that's exactly the reason I was trying to get your attention, Mr. Speaker. I would think that the . . . ah . . . Minority Leader, after the explanation by the Majority Leader that there is witnesses in town, would amend his motion to exempt, especially the Revenue Committee that is going to meet tomorrow, and make you motion effective . . . as of Wednesday."

Giorgi: "Representative LaFluer on the motion, quickly please."

LaFluer: "Yes, . . . ah . . . for the Revenue Committee, we did meet on the floor tonight and on the Bills that we heard most of the testimony was given. There is a continuance of the Bills tomorrow, but I believe they're going to be continued in Committee anyway so I really would not work a hardship on the Revenue Committee if this Resolution was passed."

Giorgi: "Representative Pierce."

Pierce: "Mr. Speaker, in the spirit of the Minority Leader, the Gentleman from Grundy's motion and remarks of Mr. Choate, I would certainly like to ask unanimous consent to waive the appropriate Rule . . . ah . . . to cancel the meeting of the Committee of the meeting on Environment, Energy and Natural Resources set for Thursday morning at 8:30."

Giorgi: "The . . . does the Gentleman need . . . he doesn't need leave on . . . Sam Maragos . . . Representative Maragos on the motion."

Maragos: "Mr. Speaker, I'd like to correct the Minority Spokesman of the Revenue Committee, there are the constitutional Amendments which are held tomorrow there are witnesses on that. I have no objection to putting an hour a meeting like the night we let the witnesses speak and make a determination, but as long as those witnesses are staying over, in some cases on 3012, and in some cases where the constitutional Amendments, one is Representative Dyer's Amendment, and there's another one that are witnesses on, I would just like to hear the witnesses, and we should have a short meeting, if not a full, two-hour meeting, but we"



should have that meeting."

Giorgi: "Representative Washburn on that query."

Washburn: "Yes, could I . . . ah . . . Gerry, like to ask a question of Representative Shea. All right, if this motion were adopted, what time in the mornings would you . . . ah . . . think would be in the . . . what time would you think would be an appropriate hour to convene in the House?"

Shea: "What I . . . if after tomorrow we have no Committee meetings, I would think that 9:30 would be an appropriate time to convene in the morning."

Washburn: "All right, . . . ah . . . if I could amend this motion so that we would suspend all Committee meetings for the remainder of this week except the Revenue Committee meeting to be held tomorrow morning, . . . ah . . . I would be happy to do that and would so move to incorporate that in my motion."

Shea: "Well, can I just ask this question? You've got . . . I've noticed the Chairman in County and Townships is not here now. There's Education here, I don't know what's set in these Committees and all I say that if there are any people that are in Springfield tonight to appear at those 8 o'clock meetings tomorrow, all I'm asking, Mr. Washburn, that we, if you would hold this motion until tomorrow morning, at that time let us find out if we can cancel the other meeting, and I'm sure it can be done, and we can do this together. I want it as much as you do. We can do this. All I'm asking is that those meetings that are set for tomorrow, it's 11:30 at night, I don't know how we could cancel them at this time."

Giorgi: "Representative Washburn . . . should . . . ah . . . should we go to announcements for . . ."

Washburn: "No, we're all on this motion."

Giorgi: "Representative Washburn."

Washburn: "We have 1, 2, 3, 4, 5 Committee meetings scheduled for in the morning. Is that right?"

Shea: "I . . . I haven't got a Calendar, Mr. . . ."

Washburn: "How . . . how . . . how can we . . . they're scheduled from 8 until 10 o'clock according to my Calendar . . . How can we convene the



House at 9:15 in the morning as you previously stated that we would do tomorrow?"

Shea: "My understanding that the and the Speaker was there that he has talked to the Committee Chairmen and told them that they're gonna' have to get all their business done by 9 o'clock or continue the Bills so that we can convene at that time."

Washburn: "Well, . . . well, if a meeting is scheduled from 8 until 10 and a witness has stayed over night and shows up at 9:30 in the morning . . . ah . . . what happens then? Reconvene the Committee for his convenience?"

Giorgi: "Ah . . . Representative Matijevich on a point of order."

Matijevich: "Ah . . . Just to clarify what the Minority Leader said, I'll tell you how to stop those Committee meetings. As soon as the House goes and convenes into action, those Committees no longer can meet. So, therefore, if the Speaker is up there and starts us at 9:15, those Committees are no longer meeting. They've got to stop."

Washburn: "We're . . ."

Giorgi: "Representative Washburn."

Washburn: ". . . But that's just the point we're trying to make here that Representative Shea is trying to make that there's supposedly witnesses been held over night . . . stayed over night and . . . ah . . . apparently they wouldn't have the opportunity to . . . ah . . . testify at the Committee meetings even if they were held and cut short."

Giorgi: "Ah . . . Will your motion be just as alive tomorrow morning when we convene, Mr. Washburn?"

Washburn: "All depends on what happens to it tonight."

Giorgi: "Would you . . . would you like to . . . which would you want to make? Ah . . . We don't have anything on the table at this time? Representative Shea."

Shea: "Could I ask the Minority Leader if he'd take five minutes and walk up and see the Speaker with me."

Washburn: "Well, it's . . . ah . . ."

Giorgi: "Five minutes . . ."

Washburn: ". . . I hate to take five minutes time, I think we've spent



too much time on it already, but I will certainly be happy to do that."

Giorgi: "Representative Fennessey on an announcement. Representative Fennessey."

Fennessey: "Mr. Speaker and Members of the House, I would like to announce that there will be no meeting of the Election's Committee tomorrow. Several of the Members have . . ."

Giorgi: "The Election meeting is called off for tomorrow."

Fennessey: "We have no witnesses coming, we only had one Bill, no witnesses."

Giorgi: "Are there any other announcements? Representative Leon for an announcement."

Leon: "The Committee on Banks, Savings and Loan has a meeting scheduled for 8 o'clock tomorrow morning and we have seven Bills and I think it'll take us 20 minutes to get rid of them; I'd appreciate all Members reporting promptly so we can be here on the floor at 9 o'clock."

Giorgi: "Representative Schneider for an announcement."

Schneider: "The Education Committee scheduled for 8 o'clock at the insistence of the Members who continue to yawn . . . ah . . . we've . . . ah . . . made it possible for all the Sponsors to contact the witnesses and we will postpone all posted Bills."

Giorgi: "Representative Matijevich on the new Rule book."

Matijevich: "Ah . . . No, no matter what the motion, the House Executive Committee will not meet this week."

Giorgi: "Representative Taylor. Representative Taylor."

Taylor: "Mr. Speaker, the Committee on Cities and Villages will meet promptly at 8 o'clock tomorrow morning. We'll be out shortly after that."

Giorgi: "Re . . . repeat that Mr. Taylor. Mr. Taylor, repeat that again."

Taylor: "The Committee on Cities and Villages will meet promptly at 8 o'clock tomorrow in the morning in Room D1."

Giorgi: "O.K. Representative Washburn, prior to adjournment."

Washburn: "All right . . . ah . . . Mr. Speaker, then previously I had asked that my motion and . . . ah . . . be heard, reworded to eliminate Revenue and Banks and . . . ah . . . Cities and Villages so that they might meet on schedule at 8 o'clock in the morning, and then my motion would further state that all remaining Committees scheduled for the



remainder of this week would be cancelled so that those three could meet at 8 o'clock in the morning."

Giorgi: "Representative Shea."

Shea: "Well, now, that solves the problem for tomorrow morning. Can I ask you to hold this motion, go with your next motion to make sure we get the five Bills out before we cancel the appropriation and then find out we can't get those five Bills out, Mr. Washburn."

Washburn: "Well, I understand that one of those Bills isn't even scheduled to be heard until Friday, Gerry, and . . . ah . . . wouldn't have time to get out; and the others, I believe, are scheduled to be heard on Wednesday."

Shea: "Well, all I'm saying is I told you I'd support your motion on the five Bills."

Washburn: "Yeah, right."

Shea: "Well, I'll make it, but, you know, we've had agreements before and we haven't been able to get the votes. So all I'm saying to you is before you cut five Members Bills off by your first motion, would you hold it in advance and . . ."

Washburn: "You want me to pass the second one first, you mean?"

Giorgi: "Representative Shea. Go ahead, Representative Shea."

Shea: "Hello, no all I'm saying is if you go with the second motion first, Mr. Washburn, that will insure that the Members, the five Members, the Bills of Mr. McCourt, Miss Barnes, Schoeberlien, Deuster and Keller, they're Bills will be out on the Calendar before we cancel, because I would hate like the dickens to cancel the meetings and then find out we couldn't get the votes to get their Bills out of Committee."

Washburn: "All right, I'm ready to take a roll of the dice, let's take Amendment #1 . . . motion . . . Amendment . . . #1 out of the Record temporarily and go to Amendment # . . . ah . . . motion #2."

Giorgi: "You want to withdraw . . . withdraw your first motion . . . O.K., the Clerk . . . ah . . . Amendment . . ."

Washburn: "Which so . . ."

Giorgi: ". . . Motion #2 rather than Motion #1."

Jack O'Brien: "Mr. Speaker, I, hereby, move that the Appropriation's Committee, Division I, be discharged for further consideration of the



following Bills and that they be advanced to the order of Second Reading, First Legislative Day."

Giorgi: "Representative Washburn."

Jack O'Brien: "House Bills . . ."

Washburn: "All right, now, the purpose of this . . . ah . . . motion as explained by Representative Shea is to discharge the Appropriation's Committee on these five Bills, House Bill 1616, House Bill 2439, House Bill 2556, House Bill 2580 and House Bill 2834, so that they can catch up with the substantive Bills that are already on the Calendar and which would expire May 23rd if these Bills were not discharged and . . . ah . . . put on the same order of business. So I would move for the adoption of the motion #2."

Giorgi: "On the question, Representative Tipsword on the question."

Tipsword: "I wanted to know what . . . what are those Bills very briefly for my . . ."

Washburn: "House . . ."

Giorgi: "Will someone tell him?"

Washburn: "House Bill 1616 . . . ah . . . sponsored by Representative McCourt, is Board of Vocation and Education Bill, and its companion Bill is House Bill 1615, which is on the Calendar. House Bill 2439, J. M. Barnes, Office of Education, the companion, 2438. House Bill 2556, Schoeberlein, Labor Laws Commission; House Bill 2555 is the companion. House Bill 2580, Deuster, Department of Conservation, companion Bill is 2579; and House Bill 2834 is Keller, Wabash, White and Gallatin Counties Study Commission; and it's companion Bill is House Bill 2835."

Giorgi: "Representative Shea on the motion."

Shea: "Now, . . ."

Giorgi: "I'm sorry, Representative Shea on the motion."

Shea: ". . . Mr. Washburn, I have just had one of our Members come up, Miss Younge, and tell me that some of her Bills are in this position. Now, this is the list that was furnished by your Appropriation's people. I don't know, at the time you told me you said these were all the Bills. I haven't . . . I haven't got any idea if they are or not. Mr. Lechowicz informs me there are more Bills. So all I'm saying is we've got



tomorrow morning solved with the three appro . . . or the three Committees for tomorrow morning. I told you I would support the proposition that we would have no more meetings this week, but I don't want to go with this motion now, and then find out we have not included all the Bills."

Washburn: "I thought that's what you just asked me to do."

Shea: "Well, I find out now, Mr. Lechowicz tells me, that the list is not inclusive. Miss Younger tells me she has Bills that are in this position. I don't know. Could we ask Mr. Lechowicz?"

Washburn: "Certainly, I . . . if there are other appropriation Bills, House appropriations Bills that have not yet been heard."

Shea: "With companion Bills."

Giorgi: "I have a suggestion, your motion will be alive when we convene at 9 o'clock tomorrow morning, Mr. Washburn. Mr. Shea, do you . . . Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In all fairness, Bud, . . . ah . . . I just been made aware of this . . . ah . . . motion when you presented it. I know Gerry has a Bill that will be dead if . . . ah . . . if it doesn't come out. It's in the same vein. Representative Younger has a number of Bills in . . . in the . . . ah . . . Appropriation's Committee. May I ask in all fairness that we compare our list and move with this motion in the morning? I'm sorry, I know . . . I know that there are Bills, but I don't have the numbers, George. I can tell you the dollar amount, but I don't know the number."

Giorgi: "It's the feeling of the Chair that that motion will be alive when we reconvene tomorrow morning, and nothing will be lost if we let that lay until tomorrow morning. Representative Ryan."

Ryan: "Well, thank you, Mr. Speaker. Well, Ted, on the Calendar in your Committee you've got 1, 2, 3, 4, 5, 5 Bills scheduled for tomorrow that are posted for tomorrow. Now, if you've got other Bills . . . ah . . . these are the Bills that Representative Washburn read off."

Lechowicz: "What you're doing is you're going off page 3 of the Calendar. as far as House Bills, Second Reading, the ones that were held for companion appropriation Bills?"



Ryan: "I'm reading page 51 in the Calendar for Tuesday's Committee meeting under . . . ah . . . Wednesday's Committee meetings under Appropriation's II, or Appropriation's I."

Giorgi: "Representative Matijevich."

Matijevich: "Well, Mr. Speaker, Ladies and Gentlemen of the House, if it's true that the other motion is going to include Committee meetings as of Wednesday and beyond, I think we can get the heads together and work out this list tomorrow. Now, I understood that the other motion was going to be amended to eliminate Committees as of Wednesday and the rest of the week; and if that is true, I think we can work on this list tomorrow."

Giorgi: "It's the feeling of the Chair that that motion will be alive at 9 o'clock as it now. It'll be the first order of business, I'd entertain a motion to adjourn if anyone makes it. Representative Matijevich."

Matijevich: "I move to adjourn."

Giorgi: "Representative Shea on the motion."

Shea: "I . . . the Minority Leader has motions on the floor, and I'm sure we can work these things out and I, you know, I want him to be satisfied also. I just don't want to precipitously adjourn."

Giorgi: "Yes, but, Mr. Shea, this could have been done during the dinner hour not at 11:35."

Shea: "I understand that."

Giorgi: "Representative Duff."

Duff: "Mr. Speaker, first of all, it seems to me that this motion has been on the desk and the Majority Leader has had it for some time, and I . . . I wonder why we now have to spend 40 minutes talking about it? But the other point I would like to make as a suggestion if Representative Younge has some Bills with some problems and we don't even know the numbers of them, it seems to me that those can be dealt with tomorrow and there's no reason for holding the Minority Leader's motion at this time. If we need to make some exceptions tomorrow for one Representative on Bill numbers, which we don't even know, I'm sure that something can be worked on that tomorrow, but why don't we give the Major . . . Minority Leader his mo . . . his vote on the motion on these Bills that he has specified which have been in writing on the



Calendar . . . on the desk for some hours now?"

Giorgi: "Representative Lechowicz."

Lechowicz: "Ah . . . Mr. Speaker, Ladies and Gentlemen of the House, I just reviewed this matter with Representative Totten and . . . ah . . . one of our staff people. The Minority Leader's motion is absolutely correct because supposedly this all effects the . . . ah . . . Bills that are awaiting companion Bills. The motion is in order . . . ah . . . and I have no objections to the Bills that were listed."

Giorgi: "O.K., then the question is, shall the motion be adopted. Representative Choate."

Choate: "Is . . . ah . . . can I . . . Representative Lechowicz, can I take your word, absolutely, for sure then that Representative Younge and no one on this side is going to be caught in the switch as far as the discharging of that Committee is concerned on this vote?"

Lechowicz: "Well, Clyde, what this amounts to . . . the substantive Bills are awaiting the companion appropriations Bills. If her substantive Bill is out, then she can move it without the motion."

Giorgi: "Representative Berman. Representative Berman."

Berman: "Mr. Speaker, on the same subject, I just want to call the Clerk's attention to House Bill 2891 which is on that same list. Now, that . . . the top of that list says, 'awaiting their companion appropriation Bill'. The money for 2891 is going to be in the Office of Education Budget, it's not a companion appropriation Bill, and the I.O.E. Budget won't be heard until after the 23rd is what I've been advised. So . . . So I hope that 2891 will be shown tomorrow, not on this page, but on the Second Reading page of the regular Bills."

Giorgi: "Does the Gentleman have leave? Leave. Leave has been granted. Representative Jim Houlihan. Representative Geo-Karis, quickly."

Geo-Karis: "I simply want to announce . . ."

Choate: "Turn my mic' off down there, will you."

Geo-Karis: ". . . I simply want to announce that the Energy Seminar scheduled for tomorrow night has been cancelled in view of the fact that we're in Session."

Giorgi: "Geo-Karis' seminar is cancelled. Representative Gene Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, one of those



appropriations Bills that's on that list is the appropriation for a parochial aid Bill for \$50,000,000; and so I want everyone to know that that Bill is included in that list, and . . . ah . . . for that reason, I'm going to vote against this motion."

Giorgi: "Representative Washburn on a motion."

Washburn: "I move that the motion be adopted, Mr. Speaker."

Giorgi: "Well, . . . ah . . . you can . . . you can explain your vote, can't you on a motion? Let's . . . ah . . . put the motion and let the people explain their votes. Representative Madison."

Madison: "Mr. Speaker . . . ah . . . with all due respect to Representative Lechowicz, but I see on House Bills, Second Reading, First Legislative Day, House Bill 2455, that's sponsored by Representative Younge. This is one of the Bills that was put on Second Reading, First Legislative Day, and the motion was made to hold those Bills on that First Legislative Day until the companion Bill catches up with them. Now, those Bills, as I understood the motion, cannot be moved until the Appropriations Bills go to Second Reading, First Legislative Day, now, if that is there the case, then would somebody explain to me how these Bills can move?"

Giorgi: "Representative Lechowicz. Representative Lechowicz."

Lechowicz: "Appropriation of that Bill passed out of that Committee 17 to 1 this morning."

Giorgi: "Representative McClain, last call."

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

I'd just like to say that I sort of protest this. I think this motion is timely tomorrow morning. I think the Chair appropriation ought to have time to look over appropriation Bills and since when are we . . . ah . . . so basic on only passing substantive Bills without appropriation Bills. What we're doing here is bypassing in Committee \$50,615,000 without Appropriation I being able to look at it, and I protest."

Giorgi: "The question is, shall the motion be adopted; and it takes 89 votes. All those in favor signify by voting 'aye', and those opposed by voting 'no'. It takes . . . Representative Matijevich to explain his vote."

Matijevich: "I want to explain my vote. I've talked to Wyvetter Younge and



she still seems convinced that . . . that . . . ah . . . she has a Bill in Appropriation's Committee and the substantive Bill is on the Calendar and . . . ah . . . I just don't feel comfortable. I'm voting 'aye' on it, I'm gonna' vote 'aye', but I want to make sure the body if . . . if . . . ah . . . Wyvetter or anybody else has a Bill that's in danger that they ought to be treated likewise."

Giorgi: "Representative Choate."

Choate: "Again I find myself agreeing with Representative Matijevich and I'm voting 'aye', and I'm voting 'aye' because the Chairman of the Appropriation's Committee as well as the head of the Democratic Staff has assured me that Mrs. Younge or no one else on this side of the aisle's Bill is going to be left standing at the gate, so to speak, under this motion. So I think that . . . ah . . . that ex . . . firmly and fully explains my 'aye' vote."

Giorgi: "Jim Houlihan."

Houlihan: "Mr. Speaker, am I right in understanding this motion that it includes 1616, 2439, 2552, 2580, 2834?"

Giorgi: "Are those correct, Representative Washburn? Would you repeat those numbers again, Jim, quickly?"

Washburn: "I have it correct, 2556, Jim."

Houlihan: "20 . . . that's, yeah, I'm sorry, I misread it. It does not included 2820, is that right?"

Giorgi: "2820, is that on the list? No, it is not, Mr. Houlihan."

Houlihan: "Thank you very much, Mr. Speaker."

Giorgi: "Representative Shea to explain his vote."

Shea: "Well, as I said, Mr. Washburn, I'd support the motion to get these five Bills out in light that we're gonna' try to cancel the Appropriation's Committee, but again I want some assurance from you that if there's anybody on this side of the aisle or on your side of the aisle who's in this same position, you're going to help support a motion to get their Bills out?"

Washburn: "Absolutely."

Giorgi: "On this question there are 93 'ayes', 10 'nays', 3 voting 'present'; the motion's adopted. Representative Shea. Take the Record. I'm sorry, it's 104 'aye'."



Shea: "All right, now, I assume you're going to hold off your motion on the other until tomorrow morning so that we can make sure we can cancel those other meetings, and at that time, I'll support that motion. We are having three Committee meetings in the morning, Revenue, Banks and all . . . and Cities and Villages."

Washburn: "Banks . . . my . . . my motion as we stated before I said I'd roll the dice when you asked me to bring up the second motion first was that . . . ah . . . with the exception of the Committees on Banks, Cities and Revenue tomorrow . . . ah . . . all other Committee meetings would be cancelled for the remainder of the week with the exception of House Committees dealing with election contests."

Giorgi: "Representative McGrew."

McGrew: "Thank you very much, Mr. Speaker, I believe that the motion we just voted on was to discharge Committees that had not heard the Bills and it takes 107 votes to do that."

Giorgi: "I'm told by the Parliamentarian it only takes 89 votes on."

McGrew: "When the Bills have not been heard yet? I suggest we check those rules."

Giorgi: "Representative McClain."

McClain: "Thank you, Mr. Speaker, unfortunately, you're right . . . ah . . . and the Rule 67C, 'if a motion receives an affirmative vote of 89 Members, the Bill shall be placed on the order of Second Reading, First Legislative Day'."

Giorgi: "Thank you, Representative McClain. Ah . . . Mr. Shea on the adjournment. Representative Washburn."

Washburn: "Motion . . . I move to adopt."

Giorgi: "We passed it."

Washburn: "This is the second one."

Giorgi: "Does he have another motion on the table, Mr. Clerk?"

Washburn: "We just explained it, and I regret that it's taken up this much time, because the purpose of both these motions is to give more floor time to the Bills so that they can be properly heard, adequately heard in an orderly fashion, those on Second and Third Reading, to give every Legislator to have his Bill heard on final consideration."

Giorgi: "Is this second motion now on the table to be . . . you're moving



the adoption of the second motion of your . . ."

Washburn: "Yes, sir, it's been explained. I think everybody understands it except you."

Giorgi: "The question is . . . the question is, shall his second motion be adopted, and this takes 89 votes. Representative Choate."

Choate: "Just one word of correction, you're really voting on motion #1 right now. You took motion #2 a moment ago at the . . . suggestion of the Majority Leader and you took it first, but it was motion #2, this is motion #1."

Washburn: "Right."

Giorgi: "Would you . . . Clerk note that, this is the first motion rather than the second as amended. Are there any other further discussions? All right, the motion is, shall the motion be adopted? All those in favor signify by voting 'aye', and those oppose by voting 'nay'; and it takes 89 votes. Have all voted who wish? Mann 'aye' . . . Mann 'aye'. On this question, take the Record, Mr. Clerk. On this question there are 101 'ayes', 3 'nays', 17 voting 'present'; the motion is adopted. Representative Shea."

Shea: "Mr. Speaker, I move we adjourn until 9:30 tomorrow morning."

Giorgi: "O.K., the motion is adjourn until 9:30 tomorrow morning. All those in favor signify by saying 'aye', those oppose 'no'; and we're adjourned . . . adjourned until 9:30 tomorrow morning."



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HOUSE OF REPRESENTATIVES

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HOUSE OF REPRESENTATIVES

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		Speaker Redmond	
		Catania	Amendment No. 2
6	10:37	Speaker Redmond	Amendment No. 2 - 3rd Reading
	10:38	O'Brien	HB 1013 - 2nd Reading 1 Committee Amendment
		Speaker Redmond	
	10:39	Duff)	Question
)	
		Katz)	
7		Speaker Redmond	Amendment No. 1 Tabled
	10:41	O'Brien	Amendment No. 2
		Katz	Amendment No. 2
8	10:43	Speaker Redmond	
		Duff)	Question
) Discussion	
		Katz)	
9	10:44	Speaker Redmond	
		Matijevich	Point of Order - Asks for ruling of the Chair
	10:48	Speaker Redmond)	Discussion
		Duff)	
		Katz)	
		Speaker Redmond)	
	10:49	Katz	Leave to reconsider vote by which Amendment No. 1 Tabled
		Speaker Redmond	Leave
	10:50	Katz	Amendment No. 1

10	10:50	Speaker Redmond	Amendment No. 1 adopted
		Totten	Request for fiscal
	10:51	Katz	Leave to table HB 1871 & 1872
	10:52	Speaker Redmond	Tabled
11	10:53	Katz	
		O'Brien	HB 1111 - 2nd Reading 1 Committee Amendment
		Choate	
		O'Brien	Amendment No. 3
		Choate	My sheet shows Amendment No. 2, but you are correct
		Speaker Redmond	
		Choate	Amendment No. 3
12	10:55	Speaker Redmond	
		Totten)	Yield
		Choate)	
13	10:57	Speaker Redmond	Amendment No. 3 - 3rd Reading
		O'Brien	HB 1596 - 2nd Reading 1 Committee Amendment
		Lauer	Amendment No. 1 - Do not advance to 3rd
		Speaker Redmond	Amendment adopted - Hold on 2nd
14		O'Brien	HB 2097 - 2nd Reading No Committee Amendments
		Speaker Redmond	
		White	No Amendments
	10:59	Speaker Redmond	3rd Reading
		O'Brien	HB 2098 - 2nd Reading No Committee Amendments
		Speaker Redmond	3rd Reading
		O'Brien	HB 2119 - 2nd Reading Committee Amendment
		Speaker Redmond	

14	11:00	Totten	HB 2119 - Hold for another day
		Speaker Redmond	OK
	11:02	O'Brien	HB 2697 - 2nd Reading 1 Committee Amendment
15		Speaker Redmond) Grotberg)	Table Amendment No. 1
		Speaker Redmond	
16	11:03	Houlihan, J.	
		Speaker Redmond	Amendment No. 1 tabled
		Grotberg	Advance to 3rd
	11:05	Speaker Redmond	3rd Reading
	11:07	Skinner	HB 2871
17		Speaker Redmond	HB 2871 to 2nd for Amendment No. 1
		Speaker Redmond	
	11:08	Lechowicz) Skinner)	Question
		Speaker Redmond	HB 2871 - Amendment No. 1 adopted
		O'Brien	Amendment No. 2
		Speaker Redmond	
18		Kempiners	Amendment No. 2
		Speaker Redmond	Amendment No. 2 adopted - 3rd Rd.
	11:10	Skinner	
		Speaker Redmond	HB 2876 - Return to 2nd
		Speaker Redmond	
	11:12	Washington	We passed that Bill
		Speaker Redmond	
19		Peters	
		Speaker Redmond	Leave on 3rd
	11:13	O'Brien	
		Speaker Redmond	
		McPartlin	Leave to return HB 2169 to 2nd for amendment

20	11:13	Speaker Redmond	Leave
		O'Brien	Amendment No. 3
	11:14	Speaker Redmond	Amendment adopted - 3rd reading
		Speaker Redmond	HB 2270 - 2nd reading 1 Amendment
	11:15	Beaupre	Amendment No. 1
		Speaker Redmond	
		Peters	
		Speaker Redmond	
		O'Brien	Amendment No. 2
		Beaupre	
		Speaker Redmond	Amendment adopted - 3rd reading
		Speaker Redmond	
21	11:17	Houlihan, J.	
		Speaker Redmond	House Bills - 3rd Reading
		O'Brien	HB 999 - 3rd reading
		Speaker Redmond	
		Skinner	Sponsor
22		Speaker Redmond	HB 999 passed
		O'Brien	HB 1034 - 3rd Reading
	11:20	Caldwell	Sponsor
23	11:23	Speaker Redmond	
		Peters) Caldwell)	Discussion Yield
	11:25	Speaker Redmond	
24	11:26	Borchers) Caldwell)	Question
		Speaker Redmond	HB 1034
	11:27	Catania	
25		Speaker Redmond	
		Schoberlein	

25	11:27	Speaker Redmond	
	11:28	McCourt	"No" Vote explained
		Speaker Redmond	
	11:29	Borchers	
		Speaker Redmond	HB 1034
	11:30	Katz	
26		Speaker Redmond	
	11:31	Gaines	
		Speaker Redmond	
	11:32	Kosinski	
27		Speaker Redmond	
	11:33	Barnes	
28		Speaker Redmond	
	11:35	Neff	
		Speaker Redmond	HB 1034
		McCourt	
		Speaker Redmond	
		Collins	
29		Speaker Redmond	Dump Roll Call - HB 1034
	11:38	Duff	
		Speaker Redmond	
		Cunningham	
30		Speaker Redmond	
		Deuster	
		Speaker Redmond	
	11:41	Skinner	
31	11:42	Speaker Redmond	HB 1034 passed
		O'Brien	HB 1035
		Speaker Redmond	

31	11:43	Yourell	
		Speaker Redmond	HB 1035 passed
32	11:44	Selcke	HB 1037 - 3rd Reading
		Speaker Redmond	
	11:45	Capparelli	
		Speaker Redmond	HB 1037
	11:46	Duff	Explain vote
		Speaker Redmond	
		Madigan)	Response to Duff
		Duff)	
33		Speaker Redmond	HB 1037 passed
	11:47	Selcke	HB 1041 - 3rd Reading
		Speaker Redmond	
		Lechowicz	
		Speaker Redmond	HB 1041 passed
	11:49	Selcke	HB 1042
		Speaker Redmond	
		Lechowicz	
		Speaker Redmond	HB 1042 passed
34	11:50	Selcke	HB 1043 - 3rd Reading (1043, 1044, 1045 all together)
		Farley	
		Selcke	HB 1044 and HB 1045
	11:51	Farley	Handles for Lemke
		Speaker Redmond	
35	11:52	Borchers) Farley)	
		Speaker Redmond	HB 1043, 1044 & 1045 passed
	11:53	Neff	Recess for 3/4 hour
36	12:48	Speaker Redmond	Messages from the Senate
37	1:05	Madigan in Chair	

37	1:06	Washington	Inquiry
38		McPartlin	HB 2769
		Selcke	Amendment No. 6
		Madigan	
	1:07	Lechowicz	Point of Order
		Madigan)	
		Lechowicz)	HB 2769
		Madigan	
	1:08	Kosinski	Point of Information
		Madigan	
		Selcke	
39		Hill	Inquiry
		Madigan	
	1:09	Shea	Motion - Amendment lie on table
		Madigan	
		Hart	
40		Madigan	
	1:10	McPartlin)	
		Hart)	
		Madigan)	
	1:12	Shea)	Amendments
41		Madigan	
	1:14	Kosinski)	Question
		Shea)	
42	1:15	Daniels)	Discussion
		Kosinski)	
	1:16	Shea	
43	1:18	Madigan	HB 2769
		Shea	Absolutely
		Madigan	
	1:19	Leinenweber	Amendment No. 6
44		Madigan	

44	1:20	Hart	Against
	1:22	Madigan	
		Shea	Against
		Madigan	
	1:23	Peters	Against
45	1:24	Madigan	
		Geo-Karis	Against
		Madigan	
	1:25	Skinner	
		Madigan	
		Hoffman, Gene	Moves previous question
		Madigan	
46	1:26	Leinenweber	
	1:27	Madigan	Amendment No. 6
		Gaines	
		Madigan	Amendment lost
		Madigan	
		Jaffe	Amendment No. 7
47		Madigan	
	1:29	Daniels	Against
48		Madigan	
	1:31	Beatty	Against
		Madigan	
	1:32	Kempiners) Jaffe)	Question
49	1:34	Madigan	
		Miller) Jaffe)	Yield Discussion
50	1:35	Madigan	
		Skinner	
		Madigan	

50	1:35	Stone Skinner) Madigan) Stone Madigan	Point of Order
51	1:36	Skinner Jaffe Madigan	
	1:37	Farley Madigan	Moves previous question Previous motion put - Yes
	1:38	Madigan Greiman	Amendment No. 7 Explain vote
52		Madigan	
	1:39	Beatty Greiman Madigan	Not speaking on Amendment
	1:40	Jaffe	
53		Madigan Selcke Madigan Shea	Amendment No. 7 lost Amendment No. 8
54		Madigan Palmer	
	1:43	Leinenweber	
55		Madigan	
	1:46	Houlihan, D	
56		Madigan	
	1:49	Daniels Madigan	HB 2769 - Amendment No. 4 - For
57		Madigan	
	1:51	Hart	Against

57	1:52	Madigan	
		Geo-Karis	
		Madigan	
		Borchers	
58	1:55	Madigan	
		Stone	Moves previous question
		Madigan	Ayes have it - Main question put
	1:56	Shea	To close
		Madigan	Amendment No. 4
59	1:58	Lechowicz)	
		Madigan)	
		Shea)	
		Lechowicz)	
		Shea)	
		Madigan)	
	1:59	Cunningham	
60		Madigan	
	2:00	Shea	
		Duff	Explain vote
		Stone	Point of Order
61	2:01	Madigan	
		Jaffe	
		Madigan	
	2:02	Rayson	
62		Madigan	
	2:03	Stone	Point of Order
		Madigan	
	2:05	Rayson	
		Madigan	
	2:06	Hart	
63	2:07	Madigan	

HB 2769 - Amendment No. 4 adopted

63	2:07	Madigan	HB 2769 - Amendment No. 3 never adopted
		Selcke	Amendment No. 3
	2:08	Epton	Leave to table HB 1708, 1710
		Shea	
		Madigan	Amendment No. 3 adopted
64		Selcke	Amendment No. 9
		Madigan	
	2:09	Leinenweber	Amendment No. 9
	2:10	Shea) Leinenweber)	Question
		Madigan	Amendment No. 9 to HB 2769 adopted
		Selcke	Amendment No. 10
65		Madigan	
	2:11	McClain	Amendment No. 10
	2:12	Madigan	
	2:13	Jaffe) McClain)	Question - Discussion
		Madigan	
66	2:14	Daniels	
		Madigan	
		Houlihan, D.	
67		Madigan	
	2:15	McClain	
	2:16	Madigan	Amendment No. 10 adopted
		Selcke	Amendment No. 11
		Madigan	
		Hart	
68		Madigan	
	2:17	Shea) Hart)	Yield
		Madigan	

68 2:20 Sangmeister

Madigan

Shea

Madigan

69 Hart

2:21 Madigan

2:22 Leinenweber

70 Madigan

2:24 Hart

2:25 Madigan

Selcke

Leinenweber

71 Madigan

2:26 Shea

Madigan

Selcke

Leinenweber

Madigan

Selcke

Madigan

2:27 Maragos

Madigan

Shea

Madigan

2:28 Geo-Karis

Madigan

Maragos

2:29 Madigan

Selcke

Amendment No. 11

Explain vote

Amendment No. 11 lost

Amendment No. 12

Amendment No. 12

Support

Amendment No. 12 adopted

Amendment No. 13

Table Amendment No. 13

Amendment No. 13 tabled

Amendment No. 14

Oppose

Discussion?

No

Amendment No. 14 lost

Amendment No. 15

72	2:29	McClain	
73		Madigan	
	2:30	Jaffe) McClain)	You vote "no"?
	2:31	Madigan	
		Kempiners) McClain)	Yield
75		Madigan) Beatty)	
	2:35	Madigan	
		Palmer	
		Madigan	
76	2:36	Beaupre	
		Madigan	
	2:37	Miller	
		Madigan	
		Peters	Move previous question
		Madigan	Main question put - Amendment 15 HB 2769
77	2:38	McClain	Poll absentees
		Madigan	
	2:40	Bradley	Aye
		Madigan	Take new Roll Call - Amendment 15 adopted
78		Selcke	Amendment No. 16
		Madigan	Amendment No. 16
	2:42	Maragos	
	2:43	Madigan	
		Brinkmeier	
79		Deavers	
		Madigan	
	2:45	Shea	

79	2:45	Madigan	
	2:46	Geo-Karis	
80		Madigan	
	2:47	Houlihan, D.	
		Madigan	
	2:48	Stearney	
81		Madigan	
		Stone	
		Madigan	
82	2:50	Greiman	
		Madigan	HB 2769
	2:51	Hill	
	2:53	Madigan	Amendment lost
		Madigan	House will be at ease
	2:55	Shea	Amendments 17 & 18 not germane
83	2:56	Madigan	Amendments 17 & 18 are germane
	2:57	Lauer	Amendment 17
		Madigan	
	2:59	Shea	
84		Madigan	
	3:00	Houlihan, D.	
	3:01	Madigan	
		Duff	
85		Madigan	
	3:03	Kosinski	
86	3:06	Madigan	Amendment 17 lost
		O'Brien	Amendment No. 18
		Davis	Introduction
	3:07	Madigan	
		Lauer	Amendment No. 18

87	3:07	Madigan	Amendment No. 18
	3:08	Leinenweber)	
	3:09	Lauer)	Question
	3:10	Madigan	Amendment No. 18 lost
		Daniels	
88		Lauer	
		Madigan	HB 2769 moved to 3rd reading
		Ryan	Waive appropriate rules
		Madigan	
	3:12	Shea	Have to suspend rule
		Madigan	Motion to suspend rule 37
	3:13	Downs	Wants explanation
89		Ryan	
		Madigan	
		Walsh)	
		Madigan)	Motion to suspend rule
			Lost - 3rd reading
90		Madigan	
	3:15	Maragos	Point of Announcement - leave
		O'Brien	HB 899 - 2nd Reading
		Madigan	1 Committee Amendment
		Duff	Explains Amendment No. 1
		Madigan	
91		Shea	Opposes the Amendment
92		Duff	
		Madigan	
		Skinner	
		Madigan	Giorgi arrived in Chamber
		Barnes	Question
		Madigan	Yields
		Barnes	Question asked

92	Madigan	Recognition of Representative
	Duff	Response to Barnes
	Madigan	"Proceed, Mr. Duff".
	Duff	Continues in his response
93	Madigan	
	Barnes	Question
	Madigan	
	Duff	
94	Barnes	
	Duff	
	Madigan	
	Duff	
	Barnes	
	Duff	
	Madigan	
	Barnes	Speaks to the Amendment No. 1
	Madigan	
95	Duff	To close
96	Madigan	Vote
	Shea	Explains his vote - opposes
	Madigan	
	Lechowicz	Explains his vote - opposes
97	Madigan	
	Duff	Explains his vote
98	Madigan	
	3:35	Lundy
		Explains his vote
99	Madigan	
	3:37	Schraeder
		Madigan
	3:38	Washington

99	3:39	Madigan	HB 899
100		Duff	Poll Absentees
	3:40	O'Brien	
	3:41	Madigan) Lechowicz)	Point of Order
	3:42	Duff) Madigan)	
101	3:43	Walsh	
		Madigan	
		Lechowicz	
		O'Brien	Verification
		Lechowicz	
	3:44	Madigan	
		O'Brien	Verification
		Madigan	
102		Peters	Vote me Aye
		O'Brien	
	3:49	Madigan	
		Klosak	Change to No
		Madigan	
		Lechowicz	
		Madigan	
		O'Brien	
		Madigan	Vote me No
	3:50	Madigan) Lechowicz)	
103		Madigan) Mugalian)	Vote me Aye
		O'Brien	
104	3:51	Schlickman	
		Madigan	Proceed with verification
		O'Brien	

105	4:00	Madigan	
		Duff	What is affirmative?
		O'Brien	
		Duff)	
		Madigan)	
107	4:05	Duff	"Easier if people are in chairs".
	4:06	Londrigan	Restore as No
108		Madigan	
	4:07	Rose	Restore Aye
		Madigan	
		Katz	Aye
		Madigan	Amendment No. 1 is lost
		Epton	3rd Reading
			Table Bills
	4:08	Madigan	
		Duff	Leave to move HB 900 to 2nd rd.
109	4:09	Madigan	Leave
		O'Brien	Amendment No. 1 - HB 900
	4:10	Duff	
		Madigan	
		Shea	Don't have copy of Amendment
		Duff	
		Shea	
		Madigan	
		Lechowicz	
		Duff	
		Madigan	
110	4:11	Shea)	Explain Amendment
		Duff)	Discussion
111	4:13	Madigan	
		Lechowicz)	
		Duff)	

113	4:17	Madigan	
		Duff	To close
114	4:20	Madigan	
		Duff	Roll Call
		Madigan	
		Duff	Verification
115	4:25	Madigan	Wish to poll absentees
		O'Brien	
		Madigan	
	4:26	Pierce	Vote me No
		Madigan	Proceed with verification
	4:27	Lechowicz	
		O'Brien	
116		Madigan	
		Lechowicz	
		Leinenweber	
	4:32	Lechowicz)	Verifies
117		Madigan)	
118	4:35	Friedrich	Record me as Aye
		Madigan	
		Miller	
		Madigan	
		Jones	
		Madigan	
		O'Brien	
		Jones	Record me No
		Madigan	
		Madison	Record me No
		Madigan	Proceed with verification
		Duff	
		Madigan	

118	4:35	O'Brien	
		Madigan	Negative Roll Call
		O'Brien	Verification of Negative
		Madigan	
		Williams	Leave
119		Madigan	Leave granted
		O'Brien	Continues
		Madigan	Question of negative
		Totten	
		Madigan	
		O'Brien	
		Madigan	
		McMaster	
		Madigan	
		O'Brien	
		McMaster	Restore me as Aye
120		Madigan	
		Rose	Put me back
		O'Brien	
		Madigan	Restore him
		O'Brien	Deuster Aye
		Madigan	
		Duff	Count
		Madigan	
		O'Brien	73 Ayes; 79 Nays
		Madigan)	Questions
		Duff)	Verification
		O'Brien	
		Greiman	Vote me No
		Madigan	
		O'Brien	

122	Madigan) Duff)	Checks verification (HB 900)
	Madigan	
	McGrew	Vote me Aye
	Madigan	
	O'Brien	
	Madigan	Amendment No. 1 lost
	Duff	Parliamentary procedure inquiry
	Madigan	
	Duff	
	Madigan	
123	O'Brien	
	Madigan	Third Reading
	O'Brien	HB 1047 - 3rd reading
	Madigan	
	Barnes	Explains the Bill
	Madigan	
	Gaines) Barnes)	Question asked Response and Discussion
	Madigan	Vote - Take the record - Passed
124	Shea in the Chair	
	Shea	HB 1054
	O'Brien	HB 1054 - 3rd reading
	Shea	
	Schisler	Explains the Bill - Sponsor
	Shea	
	Hart	Question
	Shea	Indicates he will
	Hart) Schisler)	Question asked Response and Discussion
	Shea	Take Out of the Record - Leave granted

124	O'Brien	HB 1056 = 3rd reading
125	Shea	
	Hill	Explains the Bill - Sponsor
	Shea	
	Schlickman	Question
	Shea	Yields
	Schlickman)	
	Hill)	Discussion
	Shea	Vote
	Gaines	Question
	Hill)	
	Gaines)	Discussion
126	Shea	
	Lechowicz	Point of Order
	Shea	
	Kempiners	Supports the Bill
	Shea	Vote - Take the Record - Passed
127	O'Brien	HB 1057 - 3rd reading
	Shea	HB 1057
	McClain	Explains the Bill - Sponsor
	Shea	
	Borchers	Question - Opposes
	Shea	
	Duff	
	Shea	
	Brinkmeier	Question
	Shea	Yields
128	Brinkmeier	Question asked
	McClain	Discussion
	Shea	
	McClain	

128	Shea	HB 1057
	McClain	To close
	Shea	Vote - Passed
	O'Brien	HB 1058 - 3rd reading
	Shea	
129	Rayson	Explains the Bill - Sponsor
130	Shea	
	Palmer	Question
	Rayson	
	Palmer	
	Shea	
	Daniels	Opposes the Bill
	Shea	Order
	Daniels	Continues
131	Shea	Recognition of Rep.
	Beatty	Supports the Bill
	Shea	
132	Borchers	
	Shea	
	Geo-Karis	I'll wait
	Shea	
	Rayson	HB 1058 - To close
133	Shea	Vote
	Geo-Karis	Explains her vote - Aye
	Shea	Take the record - Bill lost
	Selcke	HB 1059 - 3rd reading
	Shea	
134	Rayson	Sponsor explains Bill
	Shea	Vote - Take the record - Passed
	Selcke	HB 1061 - 3rd reading

134	Shea	HB 1061
	Kelly	HB 1061 - Sponsor explains Bill
	Shea	Vote - Take the record - Passed
135	Selcke	HB 1065 - 3rd reading
	Shea	
	Beaupre	Explains the Bill - Sponsor
	Shea	Vote - Take the record - Passed
	Selcke	HB 1066 - 3rd reading
	Shea	
	Satterthwaite	Explains the Bill - Sponsor
136	Shea	
	Walsh	Discussion on the Bill
	Shea	HB 1066 - Order
	Walsh	Continues
	Shea	
	Hart	"Exercise in futility"...
	Shea	
137	Satterthwaite	
	Shea	
	Deavers	Moves previous question
	Shea	So moved
	Satterthwaite	To close
	Shea	Vote
	Schneider	Explains his vote
138	Shea	Take the record
	Satterthwaite	
	Shea	Bill lost
	Selcke	HB 1069 - 3rd reading
	Shea	
	Calvo	Explains the Bill - Sponsor

138	Shea	HB 1069 - Vote - Passed
139	Selcke	HB 1072 - 3rd reading
	Shea	
	Tipsword	Explains the Bill - Sponsor
	Shea	
	Hart	Question
	Shea	Yields
	Hart)	Question asked
	Tipsword)	Response and Discussion
140	Shea	
	Rigney	Supports the Bill
	Shea	Recognition of Representative
	Schlickman	Question
	Shea	Yields
	Schlickman)	
	Tipsword)	Discussion
141	Shea	
	Catania)	Question asked
	Tipsword)	Discussion
142	Shea	
	Tipsword	
	Shea	Vote - Take the record - Passed
	Selcke	HB 1073 - 3rd reading
	Shea	
	Mahar	Explains the Bill - Sponsor
	Shea	
	McClain	Question
143	Shea	Yields
	McClain)	Question asked
	Mahar)	Discussion
	Shea	
	Skinner	

143	Shea	HB 1073
144	Skinner) Mahar)	Discussion
145	Shea	Introduction
	Bluthardt	
	Shea	
146	Bluthardt) Mahar)	Discussion
147	Shea	
	Mulcahey) Mahar)	Discussion
	Shea	
	Hoffman	Discussion
	Shea	
	Hoffman	Question
148	Shea	
	Palmer	
	Shea	
	Palmer) Mahar)	Question Discussion
	Shea	
	Mahar	To close
	Shea	Vote - Lost
149	Selcke	HB 1074 - 3rd reading
	Shea	HB 1074
	Choate	Explains the Bill - Sponsor
	Shea	
	Lucco	
	Shea	Vote - Passed
150	Selcke	HB 1079 - 3rd reading
	Shea	HB 1079
	Gaines	

150	Gaines	HB 1079
	Kosinski	Affirmative Action Report
	Shea	
	Schlickman	
	Shea	
	Schlickman)	Question
	Kosinski)	Discussion
	Shea	Vote - Passed
151	Selcke	HB 1083 - 3rd reading
	Shea	
	Kempiners	Explains the Bill - Sponsor
	Shea	
	Grotberg	Opposes
152	Shea	
	Jones, J.D.	
153	Shea	
	Bluthardt	Opposes
	Shea	Quiet
	Bluthardt	
	Shea	
	Kempiners	
	Shea	Vote
154	La Fleur	
	Shea	Take the Record - Lost
	Selcke	HB 1084 - 3rd reading
	Shea	
	Huff	Explains the Bill - Sponsor
	Shea	Vote - Take the record - Passed
155	Selcke	HB 1086 - 3rd reading
	Shea	

155	Younge	HB 1086 - Sponsor explains Bill
	Shea	
	Gaines)	Question
	Younge)	Discussion
	Shea	Vote - Take the record - Passed
	Selcke	HB 1089 - 3rd reading
	Shea	
156	Kozubowski	Explains the Bill - Sponsor
	Shea	
	Skinner	Speaks on the Bill
	Shea	
	Stone	Point of Order
	Shea	
	Skinner	
	Shea	
157	Gaines)	Discussion
	Kozubowski)	
	Shea	
	Schlickman	Question
	Shea	Yields
	Schlickman	Question asked
	Kozubowski	
	Shea	
	Lechowicz	Supports
58	Shea	Vote - Take the Record - Passed
	Selcke	
	Shea	HB 1092
	Selcke	HB 1092 - 3rd reading
	Shea	
	Hart	Explains the Bill - Sponsor
59	Shea	

159

Hart HB 1092

Shea

Gaines

Shea

Hart To close

Shea Vote - Passed

Selcke HB 1093 - 3rd reading

Shea

Brummet

Shea

Brummet Explains the Bill - Sponsor

160

Shea

Kane Question

Shea Yields

Kane) Question asked
Brummet) Response and Discussion

161

Shea

Totten Question

Shea Yields

Totten) Question put
Brummet) Response and Discussion

Shea Vote - Passed

Selcke HB 1094 - 3rd reading

162

Shea

Brummet Explains the Bill - Sponsor

Shea Vote - Passed

Selcke HB 1095 - 3rd reading

Shea

Brummet Explains the Bill - Sponsor

163

Shea Take the Record - Passed

House in recess for five minutes

163

Farley

Shea

Maragos

Selcke

Announcement of Revenue Committee

Committee Reports

Senate Bills 1st Reading

Recessed until 8:00

164

Speaker Redmond

House Come to Order

Doorkeeper

Clear the Floor

Speaker Redmond

Kelly

Leave to table HB 1865, 2323, 2594

Speaker Redmond

Leave granted - Bills tabled

Kelly

Rereads the HB numbers

Speaker Redmond

Agreed Resolutions

O'Brien

HR 281, 283, 285, 286, 287, 288
HJR 52

Speaker Redmond

Shea

Explains the Resolutions

165

Speaker Redmond

Resolutions adopted

O'Brien

HR 284

Speaker Redmond

Committee on Assignment

O'Brien

Death Resolution

Speaker Redmond

Death Resolution adopted

Shea

Objection to Resolution
(Kelly - Right to Life)

Speaker Redmond

Shea

Speaker Redmond

Reconsider the vote - Resolution
passed

166

Shea

Speaker Redmond

Kelly

Speaker Redmond

166

Meyer
Speaker Redmond
Meyer
Speaker Redmond
Meyer
Speaker Redmond
Shea
Speaker Redmond

Point of Inquiry
Majority of those voting
Who's objecti

Katz
Speaker Redmond
Duff)
Katz)

Not appropriate as an Agreed
Resolution

Discussion

167

Speaker Redmond
Choate)
Katz)
Speaker Redmond
Hill
Speaker Redmond

"Don't need all this conversation"

Kelly
Speaker Redmond
Kelly
Speaker Redmond

Move for suspension of rules to
permit HR 52
Leave
HR 52

168

Gaines
Rayson
Speaker Redmond)
Rayson)
Speaker Redmond
Kelly
Speaker Redmond

Object
Have we had vote on suspension
of rules?

Motion carried - rules suspended
HJR 52

168	Palmer) Kelly)	Explain vote? HJR 52
169	Speaker Redmond Catania Speaker Redmond	It conforms to Rules - Resolution adopted
	Duff	Point of personal privilege
170	Speaker Redmond O'Brien	House Bills - 3rd reading HB 1103 - 3rd reading
	Holewinski	Sponsor
171	Speaker Redmond Simms) Holewinski)	Yield?
172	Speaker Redmond Friedrich) Holewinski)	Question
	Speaker Redmond Deuster	Yield
	Holewinski	
73	Speaker Redmond Lundy	
74	Speaker Redmond Kempiners	
75	Speaker Redmond McAvoy	Against
	Speaker Redmond Holewinski	To close
	Speaker Redmond	
76	Griesheimer	Explains vote
	Speaker Redmond Barnes, E.M.	
77	Speaker Redmond	

77	Borchers	HB 1103
	Speaker Redmond	
	Younge	
	Speaker Redmond	
	Caldwell	
78	Speaker Redmond	
	Ewell	
	Speaker Redmond	
	Duff	
	Speaker Redmond	
	Shea	Mentions conflict
79	Speaker Redmond	
	Dyer	Conflict of interest
	Speaker Redmond	
	Hanahan	
80	Speaker Redmond	
	Downs	
	Speaker Redmond	
	Lechowicz	
81	Stubblefield	"I relinquish my time".
	Speaker Redmond	
	McAvoy	Wants verification
	Speaker Redmond	
	Lundy	Poll of the Absentees
	O'Brien	
82	Speaker Redmond	Call the affirmative votes
	O'Brien	
	Speaker Redmond	Any questions?
	Mautino	Change to Aye
	Speaker Redmond	

182	Simms	HB 1103 - Change to No
	Speaker Redmond	
	Bluthardt	Record me No
183 - 184	Speaker Redmond	
	McAvoy)	Questions the official roll call
	Speaker Redmond)	
	O'Brien)	
185	Speaker Redmond	HB 1103 Passed
186	O'Brien	HB 1098 - 3rd reading
	Speaker Redmond	
	McPartlin	
	Speaker Redmond	
	Mugalian)	Yield?
	McPartlin)	
187	Speaker Redmond	Any further questions?
	Schlickman)	Parliamentary inquiry
	McPartlin)	
188	Speaker Redmond	Permissive Bill
	Schlickman	
	Speaker Redmond	
	Palmer)	Amendment No. 1 adopted?
	McPartlin)	No amendments on Bill
189	Speaker Redmond	
	Bluthardt	
190	Speaker Redmond	
	Terzich	Moves previous question
	Speaker Redmond	Ayes have it
	McPartlin	To close
	Speaker Redmond	Bill passed
	O'Brien	HB 1109 - 3rd reading
	Speaker Redmond	
	Mahar	Sponsor

191	Speaker Redmond	HB 1109
	Friedrich)	Question
	Mahar)	
	Speaker Redmond	
	McClain)	Yield?
	Mahar)	
	Speaker Redmond	
	Maragos	
192	Speaker Redmond	
	Barnes, E.M.)	Yield?
	Mahar)	
	Speaker Redmond	
	Maragos	"Can answer question".
193	Speaker Redmond	
	Hart	
	Speaker Redmond	
	Schraeder	Reiterate what Hart said
	Speaker Redmond	
	Borchers	
194	Speaker Redmond	
	Mahar	
	Speaker Redmond	
	Dunn, J.	Move previous question
	Speaker Redmond	Ayes have it
	Mahar	To close
195	Speaker Redmond	
	Ebbessen	
	Speaker Redmond	HB 1109 passed
	O'Brien	HB 1116 - 3rd reading
	Speaker Redmond	
	Deuster	Sponsor

196	Speaker Redmond	HB 1116
	Yourell	
	Speaker Redmond	
	Speaker Redmond	
	Jaffe	
197	Speaker Redmond	
	Bluthardt	
	Speaker Redmond	
	Matijevich	
198	Speaker Redmond	
	Skinner	Moves previous question
	Speaker Redmond	Ayes have it
	Deuster	To close
	Speaker Redmond	HB 1116
	McMaster	Explains vote
	Speaker Redmond	
199	Yourell	Urge No vote
	Speaker Redmond	
	Rigney	Urge green vote
	Speaker Redmond	
	Bluthardt	
	Speaker Redmond	HB 1116 lost
00	O'Brien	HB 1117 - 3rd reading
	Speaker Redmond	
	Taylor	Leave to have HB 2089 considered?
	Speaker Redmond	Leave
	O'Brien	HB 2089 - 3rd reading
	Speaker Redmond	
	Taylor	HB 2089 and 1117
01	Speaker Redmond	

201	Schlickman) Taylor)	Yield? (HB 2089 and 1117)
	Schlickman	May I suggest we deal separately?
	Taylor	Consider HB 1117
	Madigan	
	Speaker Redmond	
	Taylor	Withdraw motion
	Speaker Redmond	
202	Skinner) Taylor)	How much cost?
	Speaker Redmond	
	Duff	
203	Speaker Redmond	
	Getty) Taylor)	Yield?
	Getty	Address the Bill
04	Speaker Redmond	
	Deavers	Move previous question
	Speaker Redmond	Ayes have it
	Taylor	To close
	Speaker Redmond	HB 1117
	Hoffman	
	Speaker Redmond	
	McMaster	Explain vote
05	Speaker Redmond	
	Gaines	"Right on"
	Speaker Redmond	HB 1117 passed
	O'Brien	HB 1124
	Speaker Redmond	
	Brinkmeier	Point of observation
6	Speaker Redmond	1124

206

O'Brien HB 1124 - 3rd reading
 Speaker Redmond
 Capparelli Explains the Bill
 Speaker Redmond Vote - Passed
 O'Brien HB 1127 - 3rd reading

207

Speaker Redmond
 Beaupre Explains the Bill
 Speaker Redmond Vote - Passed
 O'Brien HB 1129 - 3rd reading
 Speaker Redmond Recognition of Representative
 Hudson Explains the Bill
 Speaker Redmond Vote - Take the Record - Passed
 O'Brien HB 1133 - 3rd reading

08

Speaker Redmond
 Rayson Explains the Bill - Sponsor
 Speaker Redmond
 Rayson
 Speaker Redmond
 Schlickman Question
 Speaker Redmond Yields
 Schlickman Question put
 Rayson Response
 Schlickman
 Speaker Redmond
 Totten Question
 Speaker Redmond Yields
 Totten
 Rayson
 Totten
 Rayson

208	Speaker Redmond	HB 1133
	Palmer	I pass
	Speaker Redmond	Vote - Passed
	O'Brien	HB 1134 - 3rd reading
	Speaker Redmond	
	Rayson	
209 - 210	Speaker Redmond	
	Rayson	Explains the Bill - Sponsor
	Speaker Redmond	
211	Kent	Moves the previous question
	Speaker Redmond	Out of order
	Rayson	Continues
	Speaker Redmond	
	Farley	Order
212	Speaker Redmond	
	Kosinski	
213	Giorgi in Chair	
	Ebbesen	Moves previous question
	Giorgi	So moved
	Rayson	To close
214	Giorgi	
	Rayson	
	Giorgi	
	Downs	Also to close
	Giorgi	Vote
	Hoffman, R.K.	Explains vote - fiscal note
	Giorgi	
	Davis	Explains vote
215	Giorgi	Take the record - Bill lost

215

O'Brien HB 1135 - 3rd reading

Giorgi

Rayson Leave to table

Giorgi Tabled

O'Brien HB 1136 - 3rd reading

16

Hanahan Leave to take back to 2nd reading

Giorgi

Hanahan

O'Brien Amendment No. 4 read

Giorgi

Hanahan

Giorgi

Craig Explains the Amendment

Giorgi Amendment No. 4 adopted - 3rd

O'Brien HB 1137 - 3rd reading

17

Hanahan Explains the Bill

Giorgi

Walsh

Giorgi

Hanahan

Continues explanation

Giorgi

Schlickman

Question

Giorgi

Yields

Schlickman

Question put

8

Hanahan)
Schlickman)

Response and Discussion

9

Giorgi

Shea

Question

Giorgi

Yields

Shea

Question asked

219	Hanahan) Shea)	HB 1137 - Response Discussion
220	Giorgi Palmer Hanahan) Palmer)	How much? Discussion
221	Giorgi O'Brien Giorgi Hanahan	Vote - Passed HB 1138 - 3rd reading Explains the Bill - Sponsor
222	Giorgi Madigan Giorgi Walsh	Speaks to the Bill/Ruling of Chair Takes 107 votes Disagrees with ruling of Chair
223	Giorgi Bluthardt Giorgi Matijeovich Giorgi Collins Giorgi Schlickman Giorgi Madigan Schlickman	Ruling stands Ridiculous ruling on its face Point of Order Procedure under Blair Moves Chair be overruled On the motion Point of Order Inquiry
224	Giorgi Schlickman Giorgi Satterthwaite Giorgi Satterthwaite	Discussion on Chair ruling I agree Information/Question

224	Giorgi	HB 1138
225	Satterthwaite	
	Giorgi	
	Hanahan	
	Satterthwaite	Thank you
	Giorgi	
	Duff	Point of clarification
	Giorgi	
	Duff	
	Giorgi	Yes
	Duff	Where do we stand?
	Giorgi	Persists in motion
226	Palmer	Parliamentary inquiry
	Giorgi	
	Palmer	
	Giorgi	
	Bluthardt	Put the motion
	Giorgi	
	Shea	Call the question
	Giorgi	
	Collins	Journalize dissent
27	Giorgi	Vote on motion to overrule Motion failed
	Collins	Leave - All Republicans registered No
	Giorgi	
	Madigan	Question
	Giorgi	Yields
	Madigan	
	Hanahan	
	Madigan	

227	Hanahan	HB 1138
	Giorgi	
	Madigan	Speaks to the Bill
228	Giorgi	
	Duff	Question
	Giorgi	Yields
	Duff	Question put
	Hanahan	
	Duff	
229	Giorgi	
	Mudd	Speaks to the Bill
	Giorgi	
	Lechowicz	Moves previous question
	Giorgi	So moved
230	Hanahan	To close
231	Giorgi	Vote
	Mugalian	Explains vote
232	Giorgi	Take the record - Bill lost
	Shea	
	Giorgi	
	Shea	HB 3016 - Out of order to hear this Bill
	Giorgi	
	Washburn	
	Giorgi	
33	Shea	Get Bill over to Senate
	Giorgi	Continue on
	Shea	
	Giorgi	
	Shea	OK

233

Giorgi

Walsh

Giorgi

Washburn

Motions on Speaker's Table

Giorgi

Washburn

Two related motions

Giorgi

HB 522 - Postponed Consideration

Washburn

Giorgi

Washburn

Giorgi

34

Totten

Giorgi

Totten

Giorgi

Totten

Giorgi

HB 522 - Postpone Consideration

Friedrich

Explains the Bill

Giorgi

Recognition of Representative

Hoffman, Gene

Asks for No votes

35

Giorgi

Washington

Concurs with Hoffman

36

Giorgi

Byers

Opposes the Bill

Giorgi

Marovitz

Moves previous question

Giorgi

So moved

Friedrich

To close

37

Giorgi

Vote

Brinkmeier

Explains vote

237	Giorgi	HB 522-Take the record - Bill lost Order of Motions
	Farley	HB 1609, 1610 - Leave to table
	Giorgi	Tabled
	Berman	Leave to change vote
238	Giorgi	Leave granted
	Hart	HB 690 - Change vote to No
	Giorgi	
	Washburn	Two motions
	O'Brien	Reads the 1st motion
	Giorgi	
	Washburn	Explains first motion
239	Giorgi	
	Shea	On the motion
	Giorgi	
	Washburn	Responds to Shea's comments
240	Giorgi	
	Shea	On the motion - asks to withdraw it
	Giorgi	Recognition of Representative
	Ryan	Speaks on the motion
241	Giorgi	
	Shea	Responds to Ryan's query
	Giorgi	
	Ryan	
	Giorgi	
	Matijevich	Point of Order
242	Giorgi	
	Choate	Agrees with Matijevich
	Giorgi	

42

LaFleur	Agrees with motion
Giorgi	
Pierce	

43

Giorgi	
Maragos	
Washburn	Question of Shea
Shea	9:30 to convene (morning)
Washburn	Amend motion
Shea	Asks question
Giorgi	
Washburn	
Shea	

44

Washburn	
Shea	
Washburn	
Giorgi	
Matijevich	Point of Order

Giorgi	
Washburn	Discussion on motion
Giorgi	
Shea	Question

5

Washburn	
Giorgi	
Fennessey	Announcement - Meeting cancelled
Giorgi	
Leon	Announcement
Giorgi	
Schneider	Announcement - Postpone Bills
Giorgi	

245	Matijeovich	No meeting of Executive Committee
	Giorgi	
	Taylor	Cities & Villages Committee will meet
	Giorgi	
	Taylor	Repeats announcement
	Giorgi	
	Washburn	Restates motion
246	Giorgi	
	Shea	Hold this motion
	Washburn	
	Shea	
	Washburn	
	Giorgi	
	Shea	Go with 2nd motion first
	Washburn	
	Giorgi	
	O'Brien	Reads motion No. 2
247	Giorgi	
	Washburn	Explains Motion No. 2
	Giorgi	
	Tipsword	
	Washburn	Explains the five bills to be removed
	Giorgi	
	Shea	On the motion
	Washburn	
	Giorgi	
248	Lechowicz	In all fairness
	Giorgi	
	Ryan	

248	Lechowicz	
249	Ryan	
	Giorgi	
	Matijeovich	Work out list tomorrow
	Giorgi	
	Matijeovich	Move to adjourn
	Giorgi	
	Shea	
	Giorgi	
	Shea	
	Giorgi	
	Duff	
250	Giorgi	
	Lechowicz	Motion is in order
	Giorgi	
	Choate	
	Lechowicz	
	Giorgi	
	Berman	Clerk's attention
	Giorgi	
	Giorgi	Leave granted
	Geo-Karis	Energy Seminar cancelled
	Giorgi	
	Hoffman, Gene	Against the motion
251	Giorgi	
	Washburn	Move to adopt motion
	Giorgi	
	Madison	Question of the motion
	Giorgi	
	Lechowicz	

251

Giorgi

McClain

Protests this

Giorgi

Vote on motion

Matijevich

Explains vote

252

Giorgi

Recognition of Representative

Choate

Explains vote

Giorgi

Houlihan, J.

Giorgi

Washburn

Houlihan, J.

Giorgi

Shea

Explains vote

Washburn

Absolutely

Giorgi

Motion No. 2 passed

253

Shea

Three Committee meetings in the morning

Washburn

Restates first motion

Giorgi

McGrew

Takes 107 votes

Giorgi

McGrew

Check the Rules

Giorgi

McClain

Giorgi

254

Washburn

Moves to adopt motion

Giorgi

Choate

Voting on Motion No. 1 (not No. 2)

Washburn

Right

Giorgi

Vote on Motion - Motion No. 1 passed

Shea

Move to adjourn

Giorgi

Adjourned until 9:30 a.m.