

HOUSE OF REPRESENTATIVES

SEVENTY-NINTH GENERAL ASSEMBLY

SIXTY-SIXTH LEGISLATIVE DAY

MAY 14, 1975



MAY 14 1975

1.

Doorkeeper: "All those not entitled to the floor, would you please go to the gallery."

Doorkeeper: "All those not entitled to the floor, would you please go to the gallery."

Speaker Redmond: "The House will come to order, the Members will please be in their seats."

Speaker Redmond: "We will be lead in prayer this morning by Reverend Krueger, 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. Oscar Wilde said, What is beautiful is joy for all seasons and a possession for all eternity. Let us pray. O Thou who art the light of the minds, that know Thee, the Life of the souls that love Thee, and the Strength of the wills that serve Thee; help us in this Legislature so to know Thee that we may truly love Thee, so to love Thee that we may fully serve Thee, whom to serve is perfect freedom; that in all our actions the joy of perfection may be the possession and value to all in this State; through Jesus Christ our Lord. Amen."

Speaker Redmond: "Roll Call for attendance."

Speaker Redmond: "Representative Choate."

Choate: "Mr. Speaker ah...would you please have the Journal indicate the absence of Representative Keller today and probably the rest of the week, because of the sudden death of his father."

Speaker Redmond: "The Journal will so show."

Speaker Redmond: "Introduction, First Reading."

Jack O'Brien: "House Joint Resolution Constitutional Amendment 31. Choate, et al. Resolved, by the House of Representatives of the 79th General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of this State, at the general election next occurring at least 6 months after the adoption of this resolution, a proposition to amend paragraph (a) of Section 3 of Article IX. Section 3. Limitations of Income Taxation. (a) Any tax on or measured by income shall be at a non-graduate rate. At



MAY 14 1975

2.

any one time there may be no more than one such tax imposed by the State for State purposes on individuals and one such tax so imposed on corporations. In any such tax imposed upon individuals the rate shall not be more than one half the rate imposed by the tax on corporations. (b) Laws imposing taxes on or measured by income may adopt by reference provisions of the laws and regulations of the United States, as they then exist or thereafter may be changed for the purpose of determining the income upon which the tax is imposed. Schedule: This amendment to the Constitution applies to taxable years beginning after December 31, 1976. First Reading of the Constitutional Amendment."

Selcke: "House Joint Resolution Constitutional Amendment 32. Totten, et al. Resolved by the House of Representatives of the 79th General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of this State at the general election next occurring at least 6 months after the adoption of this resolution, a proposition to amend Article IX of the Constitution by adding Section 11 thereto, the added Section to read as follows: Article IX. Section 11, Limitations on total of State Taxes and share Committed to local Government - Prohibition of mandate of local programs without State funding. (a) There is hereby established a limit on the taxes imposed by the legislature for any fiscal year. Effective with the first fiscal year beginning after approval of this Section by the electors, and for each fiscal year thereafter, the legislature shall not impose taxes of any kind which, together with all other revenues of the State, shall exceed the percentage of personal income of Illinois for the same fiscal year that was the ratio of all such State taxes imposed and revenues collected in fiscal year 1974 to the personal income of Illinois for that fiscal year. "Personal income of Illinois" means the total income received by persons in Illinois from all sources, as defined and officially reported by the United States Department of Commerce or its successor agency. "Revenues of the State" means all public funds received by the State but does not include federal aid nor the contributions to and earn-



MAY 14 1975

3.

ings of trust funds in the custody of the State Treasurer. (b) An Emergency Fund equal to two-tenths of one percent of the personal income of Illinois in each fiscal year shall be established. Revenues shall be allocated to this emergency fund and shall be included in the total level of allowable taxation as limited by subsection (a) of this Section. Expenditures from this fund shall be allowed only upon the Governor's declaration of an emergency situation and the affirmative vote of three-fifths of the members of each house of the Legislature. Income earned from the funds maintained in the Emergency Fund shall accrue to the fund. At the end of each fiscal year any balance in the Emergency Fund in excess of the amount estimated to be required by this subsection for the Emergency Fund for the succeeding fiscal year shall be transferred to the General Revenue Fund. (c) For any fiscal year, in the event that revenues of the State exceed the limit established in subsection (a) of this Section, the excess shall be refunded to the taxpayers in proportion to their respective State income taxes as reported on the income tax annual returns filed in the next succeeding fiscal year. (d) For any fiscal year beginning after the approval of this Section by the electors, that proportion of State expenditures paid to all units of local government and school districts shall not be reduced below that proportion in effect in fiscal year 1974 and no new program, or increase in the level of service under an existing program shall be mandated by the legislature to units of local government or school districts unless an appropriation has been made by the legislature to pay the costs of the mandated program or service. First Reading of the Resolution."

Speaker Redmond: "Representative Totten."

Totten: "Thank you, Mr. Speaker and Members of the House. House Joint Const.... Resolution Constitutional Amendment Number 32, which was just read, I've introduced into the House today as a taxpayers right Amendment to the Illinois Constitution. I'm introducing this Amendment so that the taxpayers of this State will have the right to approve a limit of the total amount of money the legislature and



MAY 14 1975

4.

the Governor can raise and spend in any fiscal year. Sooner or later every taxpayer comes to realize that Government has an insatiable appetite for tax dollar. I believe the only way to curb that appetite is to impose a reasonable but inescapable control as a means of achieving tax discipline. We're sitting on a time bomb, anyone who is listening can hear the bomb ticking and it's only a question of time when it will go off. In 1966 the State of Illinois spent one-million dollars every 4 hours and 8 minutes, 1974 it took us only 1 hour and 27 minutes to spend that same one-million dollars. In 1976 it is estimated that this State will spend one-million dollars every hour and 4 minutes unless we break this trend now... a promise predict, we will be spending one-million dollars every 17 minutes by the year 1986. This Amendment is our only hope to guarantee the spending discipline that everyone wants, but no one will exercise independently. Very simply, Mr. Speaker and Members of the House... this Amendment says to the Legislature and the Governor, you have a set amount of money to spend and you must make all your spending choices by setting priorities within this limit and I invite Members to be co-sponsors on Hou....Const.... House Joint Resolution Constitutional Amendment Number 32. Thank you, Mr. Speaker."

Speaker Redmond: "Senate Bills, First Reading... Representative Hill, for what purpose do rise?"

Hill: "Mr. Speaker and Members of the House. I rise on a point...that I am thoroughly dissatisfied with. You have a woman in your office by the name of Miriam Ringo... who is causing so much trouble amongst the Secretaries...."

Speaker Redmond: "Representative Hill, I don't consider that a point of..."

Hill: "Then I want..."

Speaker Redmond: "Well that is a point of personal privilege, the House floor is not intended to malign anybody."

Hill: "...you're not going to tell me whether it is or it isn't. My voice will carry without a mike..."

Speaker Redmond: "Okay."

Hill: "You get rid of her, she is causing you problems, she's causing me problems and everybody else problems in this House and it's about



time.... let's have a meeting on this Mr. Speaker and straighten this thing out once and for all. to tell those girls over there what they can and can not do, those girls are working for us not the State, we're the elected officials. She is an employee and it about time she finds that out..... she messed up the Secretary of States office and now of time and allow her to do the same thing with this House of Representatives."

Speaker Redmond: "What else do we have.... Senate Bills, First Reading."

O'Brien: "Senate Bill 525. A Bill for an Act creating the abuse and neglected child reporting Act. First Reading of the Bill. Senate Bill 527. A Bill for an Act to provide reimbursement for reduced transit fares and fare support for special transportation services for the handicapped. First Reading of the Bill."

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

Washburn: "Ah... thank.... thank you ah... Mr. Speaker and Ladies and Gentlemen of the House. Could I have your attention ah.... Mr. Speaker. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. We are privileged to have with us this morning in the Speaker's gallery, students and teachers and staff of History and Government class from the Illinois Braille Sight Saving School in Jacksonville. And, the Legislative District represented by Representative Rose, Boyle and Sharp. Would you stand ah... students in the ah... Speaker's gallery from the Illinois Braille and Sight Saving School."

Speaker Redmond: "House Bills, Third Reading. I understand there was an agreement yesterday that certain lists of House Bills on Third Reading would return to Second Reading for the purpose of an Amendment. Order of business is Agreed Resolutions."

O'Brien: "House Resolution 265, Dyer. House Resolution 266, Brinkmeier."

Speaker Redmond: "Representative Madigan, moved the adoption of the Agreed Resolutions. All in favor say 'aye' and opposed 'no'. The 'ayes' have it, the Resolutions are adopted. Further Resolutions."

O'Brien: "House Resolution 267, Schuneman."

Speaker Redmond: "Committee on Assignments."

Speaker Redmond: "House Bill, Third Reading. On House Bills, Third Reading appears House Bill 22. Recognize Representative Deuster... Rep-



representative Duester in the Chamber? 70, Representative Duff... 378, Representative Berman... 505, Ron Hoffman."

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

This time I would like to move House Bill 505 from the order of Third Reading back to the order of Second Reading for the purpose of an Amendment."

Speaker Redmond: "Does the gentleman have leave? Return to the order of Second Reading for the purpose of an Amendment."

Hoffman: "Thank you, Mr. Speaker. At this time I would like leave of the House to table Amendment Number 1, which was adopted prior to this and adopt Amendment Number 2."

Speaker Redmond: "Any discussion? The gentleman has moved the adoption of Amendment Number 2, to House Bill 505.... Oh, the gentleman has moved... pardon me, the gentleman has moved to table House Bill... Amendment Number 1, to House Bill 505. Any discussion? All in favor say 'aye' Representative Lechowicz."

Lechowicz: "Was that a Committee Amendment ah... I'm sorry, Mr. Speaker, will the sponsor yield to a question? Will the sponsor yield to a question?"

Hoffman: "Yes... yes Representative ah... that was put on at the request of ah... Tom Madison who is ah... representative from the Illinois Association of County Superintendents of Highway. The Amendment that we are tabling, attempted to clarify one Section now based on a request made by a gentleman on your side of the aisle, we are ah... tabling the first Amendment and the Second Amendment will further clarify that which they are having difficulty with."

Lechowicz: "Thank you, very much."

Speaker Redmond: "All in favor say 'aye', opposed 'no'. The 'ayes' have it, the Amendment is tabled. Any further Amendments?"

O'Brien: "Amendment Number 2, Ron Hoffman. Amends House Bill 505 on page 1, line 16 by deleting a period and inserting in lieu thereof the following, so forth."

Speaker Redmond: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This as I had indicated, further clarifies one phrase in the Bill and I



MAY 14 1975

7.

would move for its adoption."

Speaker Redmond: "Any discussion? The gentleman has moved for the adoption of Amendment Number 2, to House Bill 505. All in favor say 'aye', opposed 'no'. The 'ayes' have it, the Amendment is adopted. Any further Amendment?"

O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 70, Representative Duff."

Duff: "Ah... Mr. Speaker, Ladies and Gentlemen of the House. Ah... I would like to table Amendment 2, it was put on in error."

Speaker Redmond: "The gentleman has moved to table Amendment Number 2, to House Bill 70. Any objections? Those in favor say 'aye', opposed 'no', the 'ayes' have it and the Amendment is tabled. Anything further? Representative Kosinski."

Kosinski: "Mr. Speaker, I'm... it's probably very much in order but, just out of curiosity, what did we table?"

Speaker Redmond: "Representative Duff, would you explain the Amendment Number 2, that was tabled."

Duff: "We tabled Amendment Number 2, ah... I had told the Appropriations Committee I would change the effective date which is on table.... Amendment Number 1 and ah... Amendment Number 2, was to put ah... the Bill in conjunction with the appropriation Bill which I then tabled ah... as I promised the Committee I would."

Speaker Redmond: "Representative Kosinski."

Kosinski: "Ah... and then Brian, is ah... are you going to put on another Amendment changing the effective date, is that it?"

Duff: "I can't un..... the effective date is on Amendment Number 1, which we left on."

Kosinski: "Oh, that you left on."

Duff: "Yes."

Kosinski: "The correct effective date."

Duff: "Yes."

Kosinski: "Hah huh, and you ah... tabled the appropriation."

Duff: "Yes."

Kosinski: "Thank you."

Speaker Redmond: "Anything further? 378 ah... that goes back to Third



MAY 14 1975

8.

Reading 378. Representative Berman, 378."

Berman: "Ah... Mr. Speaker, I would ask for leave to bring 378 back to the order of Second Reading ah... for purposes of an Amendment."

Speaker Redmond: "The gentleman has moved to return House Bill 378 from the order of Third Reading to the order of Second Reading. Any objections? It's on Second Reading."

Berman: "Representative Peters, I believe has an Amendment."

O'Brien: "Amendment Number 1, Peters. Amends House Bill 378 on page 2, line 15 by deleting the period and inserting in lieu thereof the following, so forth."

Speaker Redmond: "Representative Berman."

Berman: "Peters."

Speaker Redmond: "Peters. Representative Peters."

Peters: "Yes. Mr. Speaker, Ladies and Gentlemen of the House. Ah... the Bill itself has to do with the rotation of candidates for the General Assembly on the ah... on the ballot and what in fact the Amendment provides is that, in counties in which the voting machine is used as opposed to a electronic voting machine, ah... the Amendment applies only to those counties in which voting machines are used. It would end providing that candidates for the State Legislature, if there are more candidates filed than can be accommodated on one line of the machine, both candidates would be rotated by precinct. It further goes to provide that this rotation ah... is limited to those individuals who end-up filing on the first day... on the first day which would be Monday. Candidates who file after... that period of time ah... would stay in the lottery but would not be rotated, I move the adoption of the Amendment. And, I repeat again, it applies only to those counties in which voting machines are used and I believe that's only Cook and Madison. Voting machine...a question was just brought up, what do you call a voting machine? A voting machine in the statute is defined as a voting device other than a electronic voting device and the language pertains to only... the machine, the mechanical machines which are used in Cook and I believe Madison County. There are only two counties that it applies too. I move the adoption of the Amendment."

Speaker Redmond: "Representative Madigan."



Madigan: "Mr. Speaker, will the sponsor yield to a question?"

Madigan: "Pete, I was ah... detracted by someone else. Could you explain the Amendment again please? I'm sorry."

Peters: "What the Amendment is providing Representative Madigan, again is that only in those counties that use mechanical voting devices, Cook County, candidates for State Representatives... if there are more candidates filed than can be acommodated on one line of the machine, which I think in terms of Cook County is more than three, that those candidates end-up filing at 8 A.M. on Monday, either person or by mail will then be rotated..... okay... will then be rotated precinct by precinct. It does not apply to rotation to those candidates who file after that period of time."

Madigan: "Yeah, this is a good Amendment, I vote for its adoption."

Speaker Redmond: "Representative Bradley."

Bradley: "Mr. Speaker, I was just wondering ah... what.... would you give us a definition of the machine, I want to make sure we're not getting into vote-o-matic machine, this does not effect the vote-o-matic machine that we have downstairs..... say with the I.B.M. cards."

Peters: "No, it does not effect any electronic voting machine, any machines in which I.B.M. has used or Stylist has used. As defined in the code, it applies to mechanical voting devices and as defined the only places where they use that now is Cook County the City and Suburban Cook and one County downstate, which I believe is Madison."

Bradley: "Thank you."

Speaker Redmond: "Representative Barnes."

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

Speaker Redmond: "He indicates he will."

Peters: "Very happy to."

Barnes: "Ah... Representative Peters, just so I'm clear, I think I agree with what you're doing here. But, you're saying that if... as the machines that we have in the city of Chicago.... more candidates filed than the machine can accommodate on the normal Party line, that they would go the line beneath which is the practice now. But, on the line below that they would be rotated and precinct, is that correct?"



MAY 14 1975

10.

Peters: "Ah... Representative Barnes, if I might restate it..."

Barnes: "Mr.... Mr. Speaker... Mr. Speaker, could we have a little.... little quiet, I couldn't hear his explanation and that's the only reason that I'm asking him again."

Speaker Redmond: "Will you give the gentleman some order, please."

Peters: "Representative Barnes, we start out with situation one, I believe that the machines we're talking about can only accommodate one machine, three candidates. If only three candidates file for office, only three candidates file, they are all accommodated on line one... the rotation effect is not triggered. All right we stay with the lottery system as it is now, in the event that more than... more candidates than can be accommodated on one line, which in the city of Chicago is three. If more than three file on Monday at 8 o'clock, either in person or by mail those candidates that file at that period of time will be rotated. So that if there is four or five candidates, assuming that there is five candidates you as a candidate would be number one and 20% of the precinct number two and another 20% number three and the other 20% so forth and so on. So that every candidate then has a shot at being first in some precinct on the ballot. Okay, this does not apply however, to any candidates who end-up filing after 8 o'clock on Monday, if they file 6th, 7th, 8th 9th that's exactly where they stay."

Barnes: "Okay, so.... so to clarify in my mind, so I can understand. Assuming that there are five candidates that fall within the purview of... of... of this Amendment, each one of them would be rotated and position of 1, 2, 3, 4, 5 in the number of precincts involved in that district...."

Peters: "Correct."

Barnes: "Is that correct?"

Peters: "Correct."

Barnes: "Thank you."

Speaker Redmond: "Representative Mann."

Mann: "Would the gentleman yield?"

Peters: "Very happily."

Mann: "Okay. Pete, this would ah... in effect ah... preclude the use of



the lever number on campaign literature, right?"

Peters: "It... it would make it in a sense, Representative Mann, ah... it wouldn't preclude the use of the lever, it would make it... it would make it a little more difficult in terms of preparing your literature, but the other half of that is or the other part of that is ah... that it does not leave the candidate for the Legislature to really the mercy of the lottery system and... and being left in a 4th or 5th position just by virtue of having your name picked out last out of a hat. I think that it's equitable in that it gives everybody a shot at each of the places on... on the ballot."

Mann: "Well, you say it would make... make it more difficult, I mean..."

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

Madison: "Well, Mr. Speaker, I..."

Peters: "Representative Mann, my Amendment has... has nothing to do with lever numbers."

Speaker Redmond: "Anything further? Representative Mann."

Mann: "Ah... Representative Peters, ah... don't tell me your interest has nothing to do with lever numbers..."

Peters: "Ah... I'm saying that my... my Amendment does not change lever numbers, you still use lever numbers. It's got nothing to do with that. It doesn't abolish the use of the number."

Mann: "It doesn't abolish the use of the number obviously but, all I'm pointing out... I'm not saying that I'm against your Amendment that it would make it impractical in terms of campaigning to list your lever number because it would change from precinct to precinct."

Peters: "And... and I agreed in my statement Representative Mann, that if you had five candidates in your district, you would in fact have five different lever numbers depending upon the precinct that you were campaigning in, however, I think that although that's a burden on a campaign it's more equitable than ending up 5th or 6th on the machine ah... just by the ah... process of picking your name out of a hat."

Speaker Redmond: "Representative Madison."

Madison: "Thank you very much, Mr. Speaker. Would the sponsor yield for a question?"

Peters: "I yield."



Madison: "Representative Peters, what is the right canal for your amendment having a dual lottery rotation system?"

Peters: "Representative Madison, as you may well know, the courts upheld and I think in fairness to individuals we have had decisions and I think we've reached a conclusion that the individual candidate when the filing for State Representative some discrimination has to be made on whose on the ballot in what spot. All right? Now in terms of the actual campaigning itself, I don't, I think the conclusion is inescapable that an individual who is placed on the second or third or fourth line because of the multiplicity of candidates by virtue of that fact has a disadvantage. Now if there are only three candidates filing, the machines in Chicago can accommodate all three names and all three names are on the same line and basically visible within reach of the average voter on the same line. What I am trying to do is protect that situation by saying the lottery still happens in that case, but if you should have more than three candidates then we ought to go on some rotation system to give candidates four, five and six some kind of protection in terms of rotation."

Madison: "But Representative Peters, the rotation triggering mechanism only goes into effect when there are four or more candidates who file at eight."

Peters: "Three or more, right."

Madison: "Four or more. Because the machines in Chicago will handle three."

Peters: "Right. More than three."

Madison: "Well, is it not true, Representative Peters, that not only is there a disadvantage in being on the second line, but there's a, also a decided disadvantage in being on the first line in the third or second position."

Peters: "Well, Representative Madison, that might well be true, but that is the way the law and the decisions function now. If there's three candidates, they are by



lottery and I don't see any other way that you can really get around that."

Madison: "Well, what I'm suggesting Representative Peters is a possibility that there be a rotation period, a rotation situation where there are two or more candidates, because if I file with three people and in the lottery I'm pulled second then I'm going to stay in the second position. However if four people file then I'm going to have a shot at the first position, twenty five percent of the time. Now it seems to me that your amendment is discriminatory against situations where only three candidates file and it gives all candidates a decided advantage if four or more file. What I'm suggesting is that we're going to have a rotation then there should be a rotation period. Not only when there are four or more candidates."

Peters: "I...I don't think Representative Madison that the statistics in elections have shown that when three candidates for State Representative are on the same line that they suffer any great disadvantage by either being second or third in position. I think the problem we get into is when people fall to the second or third line."

Madison: "Well I think I can personally dispute that because of my campaign in 72' Representative Peters. Thank you very much Mr. Chairman."

Speaker Redmond: "Representative Berman."

Berman: "Mr. Speaker, I move the adoption of the amendment."

Speaker Redmond: "The gentleman has moved the adoption of amendment number 1, to House Bill 378, all in favor say 'aye', opposed 'no', the 'ayes' have it. The amendment is adopted. Third Reading. The gentleman has requested a roll call. All in favor vote 'aye', opposed vote 'no'. Representative Peters."

Peters: "Mr. Speaker just in terms of explaining my vote again I did want to assure the people downstate that this applied only to where a mechanical voting device is used



MAY 14 1955

14.

and that's Cook County."

Speaker Redmond: "Have all voted who wished? On this.....
Representative Madison."

Madison: "Mr. Speaker, in explaining my vote, I think that Representative Peters is to be commended for recognizing a problem. However, it seems to me that his amendment does not go far enough in guaranteeing candidates equal treatment. It seems to me the amendment should be for rotation where there are two or more candidates and not just the rotation where there are four or more. It appears to me that candidates ought to have an equal shot not only at the first line but at the first position in the first line. Therefore, I would suggest that this amendment be defeated and that we offer an amendment that would make available rotation, period."

Speaker Redmond: "Have all voted who wish? On this question there's 109 'aye', '9' nays, the amendment's adopted.
Any further amendments?"

Jack O'Brien: "No further amendments."

Speaker Redmond: "Representative Washburn, for what reason do you rise?"

Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It's a pleasure for me to introduce to you fifty Juniors from the Livingston High School, with their Social Studies teacher Judy Uphaw. Now Lovington is located in the 52nd Legislative District, represented by Representative Hirschfeld, Representative Stone and Representative Satterthwaite. The students are in the Speaker's Gallery right now with Representative Hirschfeld, and Representative Stone. Would you rise and be recognized? Students from Lovington and Representative Satterthwaite's up there."

Jack O'Brien: "Representative Bradley in the Chair."

Bradley: "Representative Jaffe on 620, Senate Bill 620, House Bill 620.....will be brought back to Second Reading and
~~we'll hold it on Second Reading until the amendment is~~



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 14 1975

15.

prepared. Is Representative Stubblefield here on House Bill 650? It's on Third Reading, we'll return it to Second Reading for the purpose of an amendment. We brought it back to Second, 650 is now on, House Bill 650 is now on Second Reading."

Jack O'Brien: "Amendment number 1, Stubblefield, amends House Bill 650 on page 1, line 14 by deleting regular and so forth."

Bradley: "The gentleman from Winnebago, Mr. Stubblefield."

Stubblefield: "Mr. Speaker, Ladies and Gentlemen of the House, this is an amendment which modifies the definition of strike breaker, makes the bill more acceptable to employer groups and only clarifies the definition. I move for its adoption."

Bradley: "The gentleman moves the adoption of amendment number 1 to House Bill 650. All those in favor say 'aye', opposed say 'no', the ayes have it. Third Reading. House Bill 850, those amendments adopted, Third Reading. House Bill 859, Representative Luft. Representative Luft on House Bill 859. We'll return 859 to Second Reading."

Luft: "Mr. Speaker, I don't think the amendments been distributed yet."

Bradley: "Well we'll hold it on Second Reading until the amendment gets there."

Luft: "Alright, thank you."

Bradley: "House Bill 988, Representative Mudd. The amendment prepared?"

Mudd: "Uh...Mr Chairman on 988, we brought that back uh... I think it was two days ago and tabled, for the purpose of tabling the amendment was to it, I don't think it, I think it's ready now for Third Reading."

Bradley: "Well it's on Third Reading now, we'll just leave it on Third Reading."

Mudd: "Thank you."

Bradley: "House Bill 1034, we'll move 1034 back to Second Reading for the purpose of the amendment. With the leave



of the House. The gentleman from Cook, Mr. Caldwell on amendment number 1, we'd better read the amendment first."

Jack O'Brien: "Amendment number 4, Caldwell, amends House Bill 1034 as amended on page one by inserting immediately after subsection a, and so forth."

Bradley: "The gentleman from Cook, Mr. Caldwell."

Caldwell: "Amendment number 4, Mr. Speaker, broadens the bill to include recipients of Social Security checks. I move it's adoption."

Bradley: "The gentleman moved the adoption of amendment number 4, to House Bill 1034, all in favor say 'aye', those opposed say 'no', the 'ayes' have it. Adopted, the amendment is adopted. Third Reading. Are there further amendments?"

Jack O'Brien: "Amendment number 5, Caldwell, amends House Bill 1034 as amended on page 1, in line 2, and so forth."

Bradley: "The gentleman from Cook Mr. Caldwell on amendment number 5."

Caldwell: "That amendment Mr. Speaker, Ladies and Gentlemen of the House includes all checks in the welfare category. I move its adoption."

Bradley: "The gentleman moves the adoption of amendment number 5 to House Bill 1034. All in favor say 'aye', those opposed say 'nay', the 'ayes' have it. Are there further amendments? For what purpose does the gentleman from Cook, Mr. Walsh arise?"

Walsh: "Mr. Speaker, it's my pleasure to introduce the eighth grade class of the Broadwell Grade School, in company with Mr. Richard Hissler and Mrs. Ellen Sprague. They're from Logan County the 44th District, represented by Representatives Lauer, Deavers and the temporary Speaker, Representative Bradley. They're in the gallery on our left."

Bradley: "We from the 44th district appreciate that introduction Mr. Walsh. Are there further amendments? Being no



MAY 14 1973

17.

further Amendments, House Bill 1034 will be returned to Third Reading. House Bill 1057, Representative McLain. We will return House Bill 1057 to Second Reading with leave of the House."

McLain: "Speaker. Thank you, Mr. Speaker. I don't believe the Amendment has appeared yet. Do you have an Amendment yet, Mr. Clerk? Leave it on Second Reading until the Amendment is prepared. Thank you, Mr. Speaker."

Bradley: "House Bill 1069. Mr. Calvo. Is Mr. Calvo on the Floor, 1069. House Bill 1129, Mr. Hudson. I see Mr. Calvo is on the Floor now. We will go to House Bill 1069 and return it to Second Reading for the purpose of Amendment. The Gentleman from Madison, Mr. Calvo."

Calvo: "I believe that's Amendment #3."

Jack O'Brien: "Amendment # amends House Bill 1069 on Page 1, Line 1 and 5 and so forth."

Calvo: "What Amendment #3 does is put the State Fire Fighters in the same posture as the State Police. By changing their.... increasing their contribution to the pension fund to 8% of their earnable compensation. And it also makes the other changes commensurate with that as through their benefits from 2% to 2-1/4%. In other words, it raised it a quarter percent which is the same thing we did for the police and it increases their contribution so they pay for this. And I would ask..... move the adoption of Amendment #3."

Bradley: "Are there questions, the.... the Gentleman from Peoria, Mr. Tuerk. Did you want recognition? If not, the Gentleman from Will, Mr. Kempiners."

Kempiners: "Mr. Speaker, you've changed the number on the board and I was looking at the digest and the number for 1269 didn't relate to what he was talking about."

Bradley: "No, it's supposed to be 1069. Further discussion? The question is on the motion to adopt Amendment #3 to House Bill 1069. All in favor say 'aye', opposed 'no'. The 'ayes' have it. Are there further Amendments."



MAY 14 1976

18.

Jack O'Brien: "No further amendments."

Bradley: "Third Reading. The amendment is adopted. Now Mr. Hudson on 1129 will return to House Bill 1129 to Second Reading for the purpose of an Amendment, with leave of the House. Leave granted. Mr. Hudson on the amendment."

Hudson: "Mr. Speaker."

Bradley: "Perhaps we'd better read the amendment."

Hudson: "I have a question. Mr. Speaker."

Bradley: "State your..."

Hudson: "The other day I combined amendments number two and, that is I tabled amendments number 2 and 3 and passed, had passed the House amendment number 4, which took care of the situation as far as I know. My question is, does someone else have an amendment on this bill, that I am not aware of?"

Bradley: "Are there further amendments to House Bill 1129?"

It appears that there aren't. We'll return 1129...leave it on Third Reading then. On Consideration post-poned appears House Bill 22 we'll return House Bill 22 to Second Reading for the purpose of amendment. The Clerk will read the amendment."

Jack O'Brien: "Amendment number 2, Deuster, amends House Bill 22 on page 1, by deleting line 27 through 30 and so forth."

Bradley: "The gentleman from Lake, Mr. Deuster on the amendment."

Deuster: "Mr. Speaker, I ask leave to return this to the order of Second Reading, for the purpose of considering amendment number 2 and I'll explain amendment number 2. Amendment number 2, this is a bill relates to the general public of conflict of interest and this amendment will provide that a person may continue to serve on a unit of local government or on a School District even though they may, if they have a minimal interest in a contract. Provided three things. Provided 1, that they don't vote in any other way than present in a matter



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

relating to such contract comes up. Provided 2, that at the time such matter is considered they publicly identify the nature of the interest, and 3 provided that the question carries by an affirmative vote of three fifths of the members. Another change is that contract being void they become voidable so they're not automatically void, but action is required to void them. I would urge the adoption of amendment number 2, which would put House Bill 22 in the form that I'd like to have it considered by the House."

Bradley: "The question is on the motion to adopt amendment number 2. The gentleman from Franklin, Mr. Hart."

Hart: "I don't have a copy of this amendment, has it been circulated? It has...advised, so I withdraw my objection."

Bradley: "The gentleman renews his motion to adopt amendment number 2, to House Bill 22. All those in favor say 'aye', the gentleman from Union, Mr. Choate."

Choate: "Mr. Speaker, Ladies and Gentlemen of the House. I'm sorry but because of the request of Leadership to talk to me I was off of the floor when this amendment was presented and I'm not sure what...is an amendment that I opposed in Committee. If the gentleman would explain it to me."

Bradley: "The gentleman to explain the amendment."

Deuster: "In explaining the amendment, Representative Choate, this amendment I don't believe was considered in committee. No it was not, considered in committee. This amendment would provide this. That a person may continue to serve on a unit of local government while on a school board if they have a minimal interest in a contract, provided three things. Provided that they don't vote other than present and provided that they publicly identify the nature of the interest at the time the matter is considered and thirdly that a vote by the body receives an affirmative vote by three-fifths of the members elected and the other changes that the contract



instead of being absolutely void would be voidable. And does this...of course the thrust of this is so the House can address itself to the subject of whether a school board or local government person can have a minimal or insignificant interest and at the same time just say I'm not voting because I have an interest and state the nature of the interest. That's what the amendment does."

Choate: "I...I was wrong when I said I spoke against the amendment in Committee. If I recall correctly, now, I'm sure that I do, I spoke against the bill on Third Reading the other day. I think that you're attempting by this amendment to remove some of the objections we talked about as far as the main bill is concerned... However, if I understand the amendment correctly, and you correct me if I'm wrong. Really the only thing that your changing in the bill that they can still have, as far as I'm personally concerned a conflict but it would take an affirmative vote of three fifths of the members of that elected body to ratify said contract or what have you. Is that correct?"

Deuster: "The change is there are two major changes, one is the adjective minimal it has to be a minimal, which is a very minor insignificant conflict and secondly it would require a three fifths vote. Well on Third Reading of course, you and all members have conformed a judgement and determine what to do. I thought this does improve the bill..."

Choate: "Well Mr. Speaker. Just let me say this to the gentleman that if he wants to put the amendment on, I have no objections to him putting it on the bill however, in my candid opinion at this particular time I can't see unless he can convince me otherwise where it helps a bit as far as my concern with the piece of bill, piece of legislation is concerned. Simply because in attempting to correct it appears to me now that you might even be forcing those members who would have a conflict to really



MAY 14 1975

21.

vote on the proposition because you need a three-fifths membership vote. If you want to put it on, I don't really care, but it doesn't as far as I'm concerned help the Bill one iota."

Bradley: "Is there further discussion? If not, we'll renew....

The Gentleman renews his Motion to adopt Amendment #2 to House Bill 22. All those in favor say 'aye', the opposed 'no'. The Amendment is adopted. Are there further Amendments."

Jack O'Brien: "No further Amendments."

Bradley: "Third Reading. House Bill 1133. Mr. Rayson, we will..... the Bill is on Second Reading. Mr. Rayson on the Amendment."

Jack O'Brien: "House Bill 1133. A Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. The Bill has been read a second time previously. And Amendment #1 was adopted. Amendment Number 2. Rayson. Amends House Bill 1133 on Page 1, Line 1, and so forth."

Rayson: "Mr. Speaker and Members of the House. This is the flat grant bill for Junior Colleges which amounts on Amendment #1 adhered to the agreed formula of the Governor's Bureau of the Budget and the Junior College Board and others but the Comptroller, Mr. Kindburg, and the Auditor General, Mr. Cronson, wanted to add another Amendment here added to certain educational trust funds giving your colleges, more particularly the East St. Louis Community Colleges and I've taken this up with the leadership on both sides and I now move to adopt Amendment #2."

Bradley: "The Gentleman has moved the adoption of Amendment #2 to House Bill 1133. All in favor say 'aye', opposed say 'nay', the 'ayes' have it. Any further Amendments? The Amendments adopted, further Amendments."

Jack O'Brien: "No further Amendments."

Bradley: "Third Reading. 1134. The Gentleman from Kankakee, Mr. Beaupre. For what purpose do you rise?"



MAY 14 1975

22.

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House.

For the purpose of announcement, I'd like to announce the presence of a Gibson City Middle Grade School, on the Republican side in the balcony who is with us today on a visit to Springfield. They are from the 43rd legislative district, represented by minority leader, Representative Washburn, Representative Ryan and myself."

Bradley: "House Bill 1134, take it back to Second Reading for the purpose of an amendment. Will you read the amendment?"

Jack O'Brien: "Amendment number 2, Rayson, amends House Bill 1134 page 2, line 21, so forth."

Bradley: "The gentleman from Cook, Mr. Rayson on the amendment."

Rayson: "Thank you Mr. Speaker. This is a hand gun control bill. And the Democratic House Committee Staff working on this and with the advice of the Illinois Department of Law enforcement they're asking that this amendment be put on this bill as a clarifying amendment with regard to pistol clubs. It sets down the same criteria that the Illinois Department of Law Enforcement has under the Illinois Registration Firearms act. I would move the adoption of amendment number 2."

Bradley: "The gentleman moves the adoption of amendment number 2, to House Bill 1134. All in favor say 'aye', opposed 'nay', the 'ayes' have it. Further...the amendment is adopted. Further amendments?"

Jack O'Brien: "Amendment number 3, Rayson, amends House Bill 1134 on page 4, and so forth."

Bradley: "The gentleman from Cook, Mr. Rayson, on amendment number 3."

Rayson: "Again Mr. Speaker on the advice of staff members and the Illinois Department of Law Enforcement this amendment strikes some language, some five words on the definition on the collectors of guns to have their..... nothing impeded in their right to have collectors have guns if this bill would pass. And I would move for the adoption of amendment number 3."

MAY 14 1911

24.

Jack O'Brien: "Amendment Number 1. Terzich. Amends House Bill 1381, by deleting lines 1, 2 and 3 and inserting in lieu of the following and so forth."

Bradley: "The gentleman from Cook, Mr. Terzich, on Amendment Number 1."

Terzich: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment Number 1 amends the Uniform Disposition of Unclaimed Property Act. To make it easier for corporations to comply by reducing the length of the reporting period and to affect economy by the reduction of number of hearings. The Bill will permit the division to operate more economically and will immediately add approximately ten million dollars to the Fund and I urge adoption of Amendment Number 1."

Bradley: "The gentleman moves the adoption of Amendment No. 1 to House Bill 1381. All in favor, say 'aye', opposed say 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Jack O'Brien: "No further Amendments."

Bradley: "On the Calendar appears House Bill 1437. With leave of the House, we'll return House Bill 1437 to second reading for the purpose of amendments. Leave being granted, the Clerk will read the Amendment."

Jack O'Brien: "Amendment Number 2. Catania. Amends House Bill 1437, on page 2, line 1, by deleting 8 and inserting in lieu thereof 9 and so forth."

Bradley: "The Lady from Cook, Mrs. Catania, on Amendment Number 2."

Catania: "Thank you, Mr. Speaker, Members of the House, Amendment Number 2 to House Bill 1437 was suggested by some people who thought that the Commission on the Status of Women should be 9 instead of 8, so that's what the Amendment proposes and it also specifies that the Commission shall deal only with the Illinois Constitution, no other Constitution. I move for the adoption of Amendment No. 2."



MAY 14 1975

23.

Bradley: "The Gentleman moves the adoption of Amendment #3 to House Bill 1134. All in favor say 'aye', those opposed say 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Jack O'Brien: "No further."

Bradley: "Third Reading. On the Calendar appears House Bill 1135. We will return it, with leave of the House, to Second Reading for the purpose of Amendment. The Clerk will read the Amendment."

Jack O'Brien: "Amendment #3, Rayson. Amends House Bill 1135 on Page 1, Line 28 and 29, so forth."

Bradley: "The Gentleman from Cook, Mr. Rayson."

Rayson: "Again, Mr. Speaker, the staff and the advisor of the Illinois Department of Law Enforcement requested this Amendment for purpose of clarifying this Bill, which is the ammunition ban Bill and it merely strikes some language that is ambiguous or not needed or confuses the clarity of the Bill otherwise. And I would move the adoption of Amendment #3 to House Bill 1135."

Bradley: "The Gentleman moves the adoption of Amendment #3 to House Bill 1135. All in favor say 'aye', opposed say 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Jack O'Brien: "No further Amendments."

Bradley: "Third Reading. House Bill 1381 will return with.... for what purpose does the Gentleman from Macon, Mr. Borchers arise?"

Borchers: "Mr. Speaker. I think that the Gentlemen and the Ladies of this House may be interested to know that on the radio..... that on the radio just now, three Cambodian war ships fired on our planes and the planes were attacked and sank all three Cambodian war ships."

Bradley: "House Bill 1381 is on Third Reading. We'll return it with leave of the House to Second Reading for the purpose of the Amendment. The Clerk will read the Amendment."



MAY 14 1971

25.

Bradley: "The Lady moves the adoption of Amendment Number 2 to House Bill 1437. Is there any discussion? The gentleman from Lake, Mr. Deuster."

Deuster: "Would the Sponsor yield for a question?"

Bradley: "She indicates that she will."

Deuster: "Representative Catania, ah.... I've misplaced Amendment Number 2. This was the one we had discussed and this is the one that clearly indicates the Commission on the Status of Women would ah.... would not be engaged in the same subject as involved in House Joint Resolution 4, which is the study of the legal consequences of the Equal Rights Amendment, and I want to indicate to the House that ah... Representative Catania has agreed to put the adjective 'Illinois' before Constitution so it makes clear the Commission would be studying equality of rights under the Illinois Constitution and not the Federal matter and I fully support Amendment Number 2, and I thank the Sponsor for developing and putting forward this Amendment, which clarifies a great matter to some."

Bradley: "The Lady moves the adoption of Amendment Number 2 to House Bill 1437. All in favor, say 'aye', those opposed say 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments."

Jack O'Brien: "Amendment Number 3. Catania. Amends House Bill 1437, on page 1, line 1 and 2 and then line 12 and so forth."

Bradley: "Lady from Cook, Mrs. Catania, on Amendment Number 3."

Catania: "Thank you, Mr. Speaker, Members of the House. Amendment Number 3 empowers the Commission to accept Federal Funds or foundation funds. I move for the adoption of Amendment Number 3."

Bradley: "Further discussion? The gentleman from DuPage, Mr. Hudson."

Hudson: "Yes, thank you, Mr. Speaker. Would the Sponsor



MAY 14 1975

26.

yield for a question?"

Bradley: "She indicates she will."

Hudson: "Susan, do you see any danger, whatsoever, in this Amendment in that when our Commissions begin to accept grants from the Federal Government and any other sources as your Amendment says from the Federal Government or charitable foundations or professional associations, any other reputable source, permit these grants to be held in trust by the Commissions and so forth, is there not a danger if we begin to go in this route with our Commissions, that our Commissions will really get ah... considerably out of control of our legislative body? That would be question number one."

Catania: "Well, this is a standard amendment that has been put in several conditions, enabling statutes. This is what I requested from the Legislative Reference Bureau and I don't see them going out of control. The problem as you know is that we've had a great deal of difficulty getting adequate funding from the Illinois Legislature. We have seen other Commissions getting Federal funds and we have asked the Attorney General if we could do the same. He has said not without this language. So this is why we're requesting it, the standard language."

Hudson: "Question Number 2. Would this permit the Commission on Status of Women to receive funds from such groups as the Actors Guild or ah... the NOW group, or Playboy Magazine or whatever?"

Catania: "That would depend on whether you considered those reputable or not. I suppose, in the way the language is drafted, however I think that we would be requesting Federal money and the money of places such as the Illinois Humanity Council, which is the organization that is co-sponsoring the May 16 and 17th Conference that the Commission is having in Peoria. This is certainly the direction in which we would be going."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 14 1975

27.

Hudson: "Well, Mr. Speaker, may I speak on the Amendment?"

Bradley: "Proceed."

Hudson: "I feel and I'm not meaning here to take out, after the Commission on the Status of Women. I feel very much the same way about any of our Commissions. Now, all be it, maybe some of the Commissions are going this route. It would seem to me, that there is a great danger when we begin to get into this area of accepting, particularly Federal monies, into our Commissions. It seems to me that our State Legislatures are being run more and more by the Federal government. Federal funds mean, in many cases, Federal control. There is pressure when we begin to accept these monies. And I can't think of any better way of beginning to lose our legislative control of these Commissions then to begin to go this route and take these monies from outside sources, which all have a particular axe to grind and I believe it's wrong. I believe it's wrong for this Commission, and I think it's highly questionable in any of our Commission's to encourage this type of funding of our Commission. And I oppose it and I would urge others to do so."

Bradley: "The gentleman from Cook, Mr. Fleck."

Fleck: "Would the Sponsor yield for a question?"

Bradley: "She indicates that she will."

Fleck: "Susan, I'd like to get the intent of this Amendment straightened out in my own mind. It appears to me that the General Assembly has appropriated how much to the Status of Women Commission?"

Catania: "\$30,000 for fiscal year 1975."

Fleck: "And this money would come from private sources to continue the general purposes of that Commission?"

Catania: "No, this money would come from foundations and perhaps from the Federal Government, more likely from foundations, such as the one mentioned, the Illinois Humanity Council."



MAY 14 1975

28.

Fleck: "Would any of this money be used for the purposes of lobbying for the Equal Rights Amendment?"

Catania: "God forbid."

Fleck: "Well, that's not the answer I asked. I don't want to get religious. I just want to know if it will be spent on lobbying for the ERA."

Catania: "Representative Fleck, we've been through this before and I have assured you, on my word, as an elected official, as long as I'm chairing the Commission, we're not going to use it for that purpose."

Fleck: "Mr. Speaker, ah.... I believe Representative Catania but I, as Representative Hudson, have some grave doubts, with the fact that the Federal Government is now going to be given the opportunity to contribute to a State Commission as they have maybe in other commissions. I don't think that's wise. I don't think it's wise for other State Commissions, because we know that the history of the Federal Government is that once they contribute to anything to the State in the way of financial support, there is always strings and if not strings, there are chains attached to it and they usually assert the directions and purposes of the Commission or the agency who they are contributing funds to. I don't think this is a wise amendment. I would hope that maybe Representative Catania would leave in the charitable and professional associations but exclude the Federal government, because I don't think Big Brother has any more right sticking his nose into our State Commissions than I do into their Commissions, so for that purpose, and that purpose alone, I'm going to vote against this Amendment."

Catania: "Well, Representative Fleck, the problem seems to be that Representative Hudson would like the charitable and professional organizations out and you want the Federal government out, which would mean that the whole Amendment would come out."



MAY 14 1975

29.

Bradley: "The gentleman from Lake, Mr. Deuster."

Deuster: "Well, Mr. Speaker, I was going to suggest to the Sponsor, too, that this Amendment is pretty broad and that you might have support for some parts or some aspects of it, but ah... what concerns me ah... is, well we do have the Federal government, I don't mind that so much, ah... but in charitable foundations or professional associations, that's something else. But when we get into any other reputable source, I have a letter in my hands from the General Council of Playboy Magazine, which I sent a letter to Hugh Hefner, saying had they really supported ERA essentials, and he indicated yes and to our knowledge there is nothing improper with it. Now I have supported and....."

Catania: "We're not asking for any permission for doing anything with ERA central, which does not have any State ties."

Deuster: "Representative Catania, do you regard....."

Catania: "I don't see where that's relevant."

Deuster: "Will you yield for a question? Mr. Speaker, may we have some order?"

Catania: "Mr. Speaker, could we have a ruling on whether he's getting relevant or not?"

Deuster: "I would like to ask Representative Catania a question. Do you regard ERA Central as a reputable source?"

Catania: "Mr. Speaker.... Mr. Speaker.... Representative Deuster is bringing in all sorts of matters that have nothing whatsoever to do with the issue that we're discussing."

Bradley: "Mr. Deuster."

Deuster: "Well, Mr. Speaker, I asked the Sponsor of the Amendment one specific question. Her Amendment Number 3 indicates that the Commission on the Status of Women may accept monies from any reputable source, and I'm asking her a simple question, is ERA Central a reputable source?"



MAY 14 1951

Catania: "I really couldn't say, Representative Deuster.

I think that's a matter of personal opinion. Maybe your personal opinion would be different from mine."

Deuster: "Well, I would think you would have an opinion and I would really think that you would want to hold this Amendment and take it out of the Record and work it out if you're sincerely interested in getting the money, and I think you are, and I have supported your appropriations and I support the work of the Commission, but I would like for you to take this Amendment out. Otherwise, we must oppose it."

Bradley: "Gentleman from Cook, Mr. Mann."

Mann: "Mr. Speaker, well I just think, you know, ah... questions are one thing, but I think the gentleman is harrassing the Lady."

Bradley: "I think he's just completed his remarks. Would the Lady like to close on the Amendment Number 3."

Catania: "I would ask for the support of the House for this Amendment."

Bradley: "She moves the adoption of Amendment Number 3 to House Bill 1437. All those in favor, say 'aye', those opposed say 'no'. Are there five people who want a roll call? Gentleman from Cook, Mr. Madigan, on an announcement."

Madigan: "Mr. Speaker, seated in the Gallery behind the Speaker's Podium is a group of students from the Elk Grove High School. They're with their Teacher, Mr. Richard Terrico and they're from the Third District, represented by Representatives Chapman, McDonald and Totten. Seated behind the Speaker's Podium. Also, Mr. Speaker, we have been asked by the Office of the Secretary of State once again, evacuate the building because of a bomb scare, and this evacuation is requested immediately."

Bradley: "We'll leave the building and get back here, I think it's from quarter to 12 until 1:00 O'Clock. The



MAY 14 1955

31.

House will stand in recess until 1:00 O'Clock. One O'Clock. We'll be in recess until one O'Clock. The Lady from Champaign, Mrs. Satterthwaite."

Satterthwaite: "Will the Office Building be open during this period?"

Bradley: "No, the office building will not be open. The whole state complex will be evacuated until one O'Clock. For the benefit of those people across the street, the House will stand in recess until one O'Clock due to the threat of a bomb."

Bradley: "The House will be in Order. We'd like to have leave of the House to go to Senate Bills First Reading, while we are waiting for the Members to return. With leave of the House, we will go Senate Bills, First Reading."

Jack O'Brien: "Senate Bill 356. McLendon. A Bill for an Act amending the Illinois Banking Act. First Reading of the Bill. Senate Bill 359. Leon. A Bill for an Act to amend Sections of an Act concerning the powers of corporations authorized to accept and execute trusts. First Reading of the Bill."

Bradley: "With leave of the House, we will go to House Bill 1739. Representative Epton has requested that we move that from third to second for the purposes of Amendment. The Clerk will read the Amendment."

Jack O'Brien: "Amendment Number 2, Epton. Amends House Bill 1739 on page 1, by deleting line 17 and inserting in lieu thereof the following and so forth."

Bradley: "The gentleman from Cook, Mr. Epton, on Amendment Number 2."



MAY 14 1975

Epton: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is a Bill that governs the Guarantee Fund to insure that no assured has any possible lost in the event of a solvency. In correcting this to meet certain problems that we found in our first two years, we included an order returning any sum to which the insured might be entitled. Inadvertently, we have included some of the unearned premium claims. The Department of Insurance has called to the attention of the Insurance industry finds it will be almost impossible for them to issue checks of \$6.00, \$7.00 or \$12.00 and therefore we're introducing this Amendment, which was discussed in the Committee and with the Carrier and the Department. Since there is no objection to it, I move its adoption."

Bradley: "The gentleman has moved the adoption of Amendment Number 2 to House Bill 1739. All in favor, say 'aye'. Opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Jack O'Brien: "No further Amendments."

Bradley: "Third Reading. We have on the Order of Third Reading, House Bill 1111. I understand the Gentleman from Union, has requested that House Bill 1111 to go back to Second Reading and be left on Second Reading. Is that correct?"

Choate: "I don't think that's correct. I suggested that House Bill 1111 be held on Second Reading. Where is it now?"

Bradley: "The Chair understood it was on Third Reading. We have a request up here to move it back to Second."

Choate: "But that will be for the purpose of an Amendment."

Bradley: "The Bill is on Second, I am informed, so we'll leave it right there."

Choate: "I want to hold it there." If it would save time, well, we won't do that either, because there's members who are interested.... I started to say, we could move



MAY 14 1975

33.

it to third and bring it back for the purpose of Amendment, which would save a Legislative day. I don't care."

Bradley: "Well, let's leave it on Second then." It's past the hour of one and when we recessed, we were on the Order of House Bills Second Reading, 1437, Mrs. Catania. There was a request for a roll call vote on Amendment Number 3 to House Bill 1437. We will proceed. Would you wish to close on that Amendment?"

Catania: "Thank you, Mr. Speaker, I move the adoption of Amendment 3, which includes standard language in the Statute on the Commission on the Status of Women."

Bradley: "The Lady moves the adoption of Amendment Number 3 to House Bill 1437. All those in favor, will vote 'aye'. Those opposed shall vote 'no'. The Representative or the Gentleman from Cook, Mr. Walsh."

Walsh: "Mr. Speaker, I see that the Majority Leader has returned from setting the table at the Conrad Hilton. I'm concerned about considering this Amendment that a number of members had indicated they wanted to be recorded on at this time. Could we take this from the Record and consider it when we have a little better attendance?"

Bradley: "We'll have to get permission of the Sponsor, Mr. Walsh. We were recessed until one O'Clock. Every member, I think, heard us at that time. We've got to get the business of the House started again. I see one of the Member's who asked for the roll call vote is back on the Floor of the House. Ah.... and we are going along with his wishes and we're getting a roll call vote on this Amendment. The gentleman from Cook, Mr. Fleck, to explain his vote."

Fleck: "Mr. Speaker, I don't know what's been said. I just got back on the Floor. I know that this was the Amendment that dealt with the Federal financing of our State Commission. I pointed out my concern then. I'm just



MAY 14 1955

34.

going to reassert the concern that I have now on this measure, but I see by the vote that it is fruitless to pursue it much further, so let's get on with the business."

Bradley: "Thank you. The gentleman from Cook, Mr. Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to take this opportunity to introduce a group of citizens from Berwyn, Cicero and the western suburban area from the Seventh District, that are represented in the House of Representatives by Representatives Sevcik, Klosak and myself. I wish they'd stand up, please."

Bradley: "On this question, there are 57 'ayes', 2 voting or 6 voting 'no', 2 voting 'present' and this Amendment having received a majority is hereby declared adopted. Are there further Amendments."

Jack O'Brien: "No further Amendments."

Bradley: "Third Reading. On the Calendar appears House Bill 1682. The gentleman from Moultrie, or 1682, the Clerk will read the Amendment." With leave of the House we'll move it from Third Reading back to Second Reading. With leave granted, we'll read the Amendment." The Amendment is not up here, Mr. Stone."

Stone: "Well, Mr. Speaker, I don't know of any Amendment to this Bill. It was passed onto Third. I know of no amendment. No one has asked me about any and I have none."

Bradley: "Third Reading. On The Calendar appears House Bill 2353. With leave of the House, we will return 2353 to Second Reading for purposes of Amendment. Clerk will read the Amendment."

Jack O'Brien: "Amendment Number 1. Schraeder. Amend House Bill 2353, on page 2, by deleting line 26 through 30 and so forth."

Bradley: "The Gentleman from Peoria, Mr. Schraeder."

Schraeder: Mr. Speaker, Members of the House, this was an Amendment worked out by the Consumer Advocate and the



MAY 14 1977

35.

Retail Merchant. It basically doesn't change it. It is just a clearing language and I move the adoption of the Amendment."

Bradley: "The Gentleman moves the adoption of Amendment Number 1 to House Bill 2353. All in favor will say 'aye'. Those opposed will say 'nay'. The ayes have it. The Amendment is adopted. Further amendments?"

Jack O'Brien: "No further Amendments."

Bradley: "Third Reading. Representative Getty in the Chambers? Representative Hanahan? On 1139. With leave of the House, we'll move House Bill 1139 from Third to the Order of Second Reading for the purposes of Amendment. Leave being granted, we will read the Amendment."

Jack O'Brien: "Amendment Number 1. Fleck. Amend House Bill 1139 on page 1, line 1, by inserting after 'of' the following and to add Section 16.1, 2 and so forth."

Bradley: "Is the gentleman from Cook, Mr. Fleck, on the Floor. There he is. The gentleman on Amendment Number 1 to House Bill 1139."

Fleck: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, Amendment Number 1 simply states that it deals with the new policy, which has been undertaken by the Director of the State Police. Ah... the Amendment reads that 'all motor vehicles used by State Policemen in connection with the enforcement of traffic laws shall their license plates be identified as being issued by... for State vehicles and shall be conspicuously identified as State Police vehicles.' As we all know, the Director has taken it upon himself to institute a policy of hidden, concealed and disguised vehicles in the State Police. I think that ah... we have recognized enough concealment in law enforcement agencies, be it in Washington or the local community, and I am very concerned and I know most of the Members of this House are concerned where law ends and tyranny begins. I think that this is a very important



REPLY 147.

measure that the State police should be responsible to the General Assembly when they initiate new policy. They are the State Police. They should have marked cars and I think that to drive licensed vehicles with passenger citizen plates, hidden.... hiding and concealing their identify, is wholly impracticable and I think it is wrong. It ah.... to me is back to the beginning of the secret police that we have just recently heard the footsteps walking away years ago and we don't want those footsteps and the goosesteps again in this State and I would ask for support of Amendment Number 1 to House Bill 1139."

Bradley: "For what purpose does the Gentleman from Macon, Mr. Borchers, arise?"

Borchers: "I want to speak on the Amendment."

Bradley: "Speak on the Amendment."

Borches: "Ah.... the day before yesterday morning, when I heard about the unmarked cars, I called the head of the State Police and talked to them specifically about the point of the possibility of women being stopped by unauthorized individuals, who thought they were legal and maybe rape or murder occurring. I was assured by the Department that no such thing would be, that only a marked car, a regular marked police car, state car, would make the arrest. I have learned as of yesterday, that I was told frankly a lie. That a Member of this House was arrested by an unmarked car and taken into Pontiac, Illinois by an unmarked, and the arrest was made, not as they assured me, with an unmarked car. I for one, have no intentions of stopping for an unmarked car and I want to support this Amendment, because it's something of importance to us all. In the past, I have had some serious trouble in relation to being followed, having both my rear wheels, both my rear wheels, the bolts got loosened on them. I've had difficulty with relation



MAY 14 1955

37.

to threats, et cetera and this can happen to any of us. And to be possibly, theoretically brought to a halt by an unmarked car, when it could be someone actually wishing us harm, would certainly be ridiculous on our part. So I certainly support this. I wanted you to know the story of what I had already done and that they lied to me."

Bradley: "The Gentleman from Cook, Mr. Houlihan. The Gentleman from Franklin, Mr. Hart, on a point of order."

Hart: "I do not believe that this Amendment has been circulated among the Membership, and hopefully by the time it is, the Sponsor of the Amendment and the Gentleman who just spoke can get the true facts about. I think there is some concern which should be cleared up, but before we vote on this Amendment, I think we should know what the facts are and I object to the further consideration of this Amendment until it has been circulated."

Bradley: "We'll check and see if it's circulated. While we're checking on that, Mr. Hart, we'll go to the gentleman from Cook, Mr. Houlihan."

Houlihan: "I wanted to ask the Sponsor of the Amendment one question. Mr. Fleck, is this prohibition in the Amendment on the use of unmarked vehicles, is that prohibition limited to where those vehicles are used in traffic patrol?"

Fleck: "It's for the enforcement of traffic laws. Period."

Bradley: "The gentleman from McHenry, Mr. Hanahan."

Hanahan: "Mr. Speaker, I thought the Amendments were being distributed and that's why we ask that the Bill be moved. And I'm accepting the Amendment. I'm the Sponsor of the Bill. I hope that the Amendments had been distributed in time, so we could move along on the Bill because we have two amendments."

Bradley: "We're checking on it.... We're checking on it right now."



MAY 14 1975

38.

Hanahan: "Both of them are very important."

Bradley: "In the meantime, we'll go to the Gentleman from Cook, Mr. McAuliffe."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Amendment. Ah... the unmarked traffic enforcement vehicles are not doing the proper job. I think if the cars are out on the street and are marked, it would be a much more deterrent to speeders. Hiding behind hills and hiding around corners and running around cars with straight plates, people are going to be afraid to be stopped by these cars. I know if I were alone and I saw somebody late at night and you wouldn't know who it was, you wouldn't want to stop. I believe the proper way to have the cars identified, have lights on them, and have State Police plates on them. People would know that they were being stopped by a Police officer, not being stopped by someone who might pretend to be a police officer. I'm very much in support of this amendment."

Bradley: "It appears that the Gentleman from Franklin's point is well taken. The amendment has not been distributed and we will take it out of the Record for right now and we'll get back to it. Mr. McClain back there? Mr. Downs. On the Calendar appears House Bill 2145. With leave of the House, we'll take it from Third back to Second for purpose of an Amendment. 2145."

Downs: "I have no Amendment."

Bradley: "No Amendment, then it will remain on Third Reading. On ah... the Order of Third Reading appears House Bill 2299. With leave of the House, we'll return it to Second Reading for the purpose of an Amendment. The Clerk will read the Amendment."

Jack O'Brien: "Amendment Number 1. Garmisa. Amends House Bill 2299, by deleting everything after the enacting clause and inserting in lieu thereof the following."



MAY 14 1975

39.

Bradley: "The Gentleman from Cook, Mr. Garmisa, on the Amendment."

Garmisa: "Ah..... Mr. Speaker and Ladies and Gentlemen of the House, I've discussed 2299 with the Illinois Department of Public Aid, and it's my understanding based on these discussion that the....."

Bradley: "Pardon me, for what purpose does the Gentleman from Cook, Mr. Walsh, arise?"

Walsh: "Mr. Speaker, we don't have a copy of this Amendment."

Bradley: "Mr. Walsh, there was 2399, it was really 2299. Is that the one you are referring to?"

Walsh: "Just a moment. I don't think we have either of them. No we don't have that, Mr. Speaker."

Bradley: "Take it out of the Record. House Bill 1544. The Sponsor is not on the Floor. House Bill 2300. Mr. Garmisa, 2300. On the Calendar appears House Bill 2300. With leave of the House, we will return it to Second Reading for the purpose of Amendment. The Clerk will read the Amendment."

Jack O'Brien: "Amendment #1. Garmisa. Amends House Bill 2300 by deleting everything after the enacting clause and inserting in lieu thereof the following and so forth."

Bradley: "The Gentleman from Cook, Mr. Garmisa."

Garmisa: "Mr. Speaker, I think the Republican Staff came by here, wanting to know if they could take some time to take a look at these Amendments and I told them it would be all right as far as I was concerned."

Bradley: "Take it out of the Record. On the Calendar appears, on Third Reading appears House Bill 1668. With leave of the House, we'll return House Bill 1668 to Second Reading for the purpose of an Amendment. The Clerk will read the Amendment."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 14 1975

40.

Jack O'Brien: "Amendment Number 1. Mann. Amends House Bill 1668 by deleting line 17 and 18 and inserting in lieu thereof the following, and so forth."

Bradley: "The Gentleman from Cook, Mr. Mann."

Mann: "Mr. Speaker, Members of the House, this is a Bill dealing with Members pension rights, and when it came up in Committee before the Pensions Committee, I agreed to put this Amendment on which would give rights to Members who were nominated or appointed to fill vacancies limited to the year in which they were appointed and which would also prevent duplication, if they would happen to serve in two houses, and I think the Bill in its amended form will ah.... will meet the approval of the Pension Laws Committee, and I urge its adoption."

Bradley: "The Gentleman moves the adoption of Amendment Number 1 to House Bill 1668. All those in favor, say 'aye'. Opposed 'no'. The 'ayes' have it. The Amendment's adopted. Any further amendments?"

Jack O'Brien: "No further Amendments."

Bradley: "Third Reading. On the Order of Third Reading appears House Bill 1822. With leave of the House, we'll return House Bill 1822 to Second Reading for the purpose of Amendment. The Clerk will read the Amendment." Mr. Ewell, on 1822, did you request this Bill to be taken to Second Reading?"

Ewell: "No, No. 1822? Not that I know of."

Bradley: "No Amendments. We'll leave it on Third Reading. There is no Amendments with the Bill. We'll return it to Third Reading. For what purpose does the Gentleman from Cook, Mr. Madigan arise?"

Madigan: "For purposes of an announcement, Mr. Speaker."

Bradley: "Proceed."

Madigan: "Seated in the Gallery to my left is a Senior Civics Class from Granite City South High School. They



MAY 14 1975

41.

are accompanied by two of their instructors, Mr. Al Lewis and Mr. Roy McCokie, they're from the 56th legislative district, represented by Representatives Lucco, Calvo and E. G. Steele and they're seated to my left in the Gallery. Would you rise and..."

Bradley: "On the calendar appears House Bill 1937, on Third Reading. With leave of the House we'll return 1937 to Second Reading for the purpose of an amendment. Mr. Deavers. And the Clerk will read the amendment." It'll take a little while for that amendment to get down, so we'll take that out of the record. On the calendar appears House Bill 1057. Alright...House Bill 1949, with leave of the House, we'll return 1949 from the Third Reading to Second Reading for the purpose of an amendment. The Clerk will read the amendment."

Jack O'Brien: "Amendment number 1, McLain, amends House Bill 1949 on page 2, line 16, by deleting 1 and inserting in lieu thereof the following, a."

Bradley: "The gentleman from Adams, Mr. McLain."

McLain: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. House Bill number 1 to 1949 is an agreed amendment to put on in the sub-committee of Child Welfare and once we got to the full committee I was not present and the full committee forgot to adopt the amendment. The amendment just clarifies removal of the cloud that we had in the original amendment which might inhibit the validation of nursing care homes, and I would urge the adoption of amendment number 1, to House Bill 1949."

Bradley: "The gentleman moves the adoption of amendment number 1, to House Bill 1949, all in favor say 'aye', opposed say 'no', the 'ayes' have it, the amendment is adopted. Are there further amendments?"

Jack O'Brien: "No further amendments."

Bradley: "Third Reading. On the calendar appears House Bill 1544, with leave of the House we'll return House Bill 1544 to Second Reading for purpose of an amendment."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 14 1975

42.

Leave granted. The Clerk will read the amendment."
Mr. Maragos, on 1544. Are there amendments? We will return it to Third Reading then, Third Reading. It's on Third Reading now. Have the amendments been distributed on 1139? I understand the amendments to House Bill 1139 are being distributed right now so. The gentleman from McHenry, Mr. Hanahan. I believe it was Mr. Flecks amendment."

Hanahan: "Right but if we want in support of amendment number 1, to House Bill 1139, I'd like to say that I think there is nothing more despicable and certainly what we have learned in America is that the deceit that some law enforcement agencies have utilized against a citizen has never been really brought out to be bearing any good truth. I think that our State Troopers in the main are very good decent people and I don't think that they really enjoy the fact that they could somehow be assigned to drive some old hippie Volkswagen van to cruise up and down the highways to entrance well meaning citizens and to curve well meaning citizens that may be violating a simple motor vehicle law. I think that the intent of America being a free country certainly would deplore the usage and the deceit, the deceitful method of using other than State Police vehicles for this purpose of enforcing our State Motor Vehicle laws. And I support Representative Flecks amendment to House Bill 1139."

Bradley: "The gentleman from Cook, Mr. Collins seeking recognition?"

Collins: "Yes Mr. Speaker and Ladies and Gentlemen of the House I too rise in support of this amendment to House Bill 1139. I really decry the use of unmarked squad cars in any area and especially on our State Highways. It is my opinion and my belief that the reason for the existence of highway patrol is to increase traffic safety to encourage citizens to obey those laws. An unmarked



MAY 14 1975

43.

car is nothing better than entrapment. The mere sight of a squad car with its oscillating light and markings, I think, it's enough inducement for anyone to slow down. If he doesn't, he's foolish. The unmarked car that is used today, not only is an unmarked car as we're use to with the State plates on it, now they've gone so far as not only using regular Illinois plates, but I am told they are now using Indiana and Michigan and Missouri plates, which is ridiculous. If a Michigan car came after me with an oscillating light, my inclination, I think, anyone's inclination would be to run away. So this is not, this is not to promote traffic safety. This is entrapment of citizens. I think this is an excellent Amendment and I would urge its adoption."

Bradley: "The Gentleman from Franklin, Mr. Hart."

Hart: "Thank you, very much, Mr. Speaker. I don't strenuously object to this Amendment. I just think the Membership ought to know what's happening here in this Bill, and there's another Amendment coming along that I think is objectionable and I question whether or not Representative Collins' statement is correct that this or the other Amendment will improve law enforcement at all. In fact, I think it will probably have the other kind of effect. I do not believe that the State Policemen should be put down in any way by an Amendment such as this. I think they're trying to do their job and most of them do it very well. And if you've had some particular problems with them, perhaps it hasn't all been their fault. But.... if we are in, if we are for enforcement of traffic safety regulations and laws which we have passed on the books of the Statutes of the State of Illinois, then I think it's rather ludicrous that we would come along and tie the hands of those who we supposedly charge with the duty of enforcing the laws that we make. And I, I'm not particularly objecting to this Amendment which required that they have license plates, State license plates,



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 14 1953

although it isn't clear to me that they have to be Illinois License Plates, even with this amendment. And they'll, to be some conspicuous identification as a State Police Vehicle, but I want to call attention to the membership to the fact that there is another amendment following this one which is going to supposedly require all of the State Police Vehicles when they are in a position surveillance or enforcement to have their red light rotating. I think that would be an amendment that if adopted would give the Governor no alternative to veto this bill. So if the Sponsor of the bill and the Sponsor of the amendment are sincere in their efforts to pass this basis of legislation into law then I would think that they would be well advised to withdraw amendment number 2, when it comes to the House."

Bradley: "The gentleman from McLain, Mr. Deavers."

Deavers: "Mr. Speaker would the Sponsor of the amendment yield to a question?"

Bradley: "He indicated that he will."

Deavers: "Charlie, have you taken into consideration the airplane that the State Police also own?"

Fleck: "No."

Deavers: "Okay, thank you."

Bradley: "The gentleman from Cook, Mr. Lundy."

Lundy: "Thank you Mr. Speaker and members of the House."

I compliment the gentleman on this amendment. Secret Police activities have no place in this country. There are certain kinds of criminal activity conspiratorial activity in which we have to allow our law enforcement officers to engage in covert and...activities. But enforcement of traffic laws is not one of those, we don't want any secret police in this country. I would urge an 'aye' vote on this."

Bradley: "The gentleman from Lake, Mr. Greisheimer."

Greisheimer: "Thank you Mr. Speaker, I would also like to rise to support this amendment. I think it's a very good



MAY 14 1975

45.

amendment from the standpoint of law enforcement. I would like to add my voice to it. The whole concept of enforcement is the current factor on the streets and with our police cars hiding behind hedgerows or driving his old pickup truck with out of State plates we're not doing that job. If there's anything wrong with this amendment, I would say Mr. Fleck, it just doesn't go far enough. I have an amendment at the present time being prepared wherein I suggest that all Fire trucks and Fire vehicles be painted red, all ambulances be painted white and all police cars in the State of Illinois be painted canary yellow with orange lettering on them, so we can see them. I think this is a good amendment and we should pass it."

Bradley: "The gentleman from Cook, Mr. Kozubowski."

Kozubowski: "I move the question, Mr. Speaker."

Bradley: "The previous question has been moved, the question is shall the main question be put. All those in favor say 'aye', those opposed say 'no' the 'ayes' have it Mr. Fleck to close."

Fleck: "Is the amendment adopted I won't close if it has been? Okay. Mr. Speaker and Ladies and Gentlemen of the House. Secrecy, disguise, deception, misrepresentation and entrapment mark the character of the traffic surveillance recently undertaken by the State Police in this state. They are not laudible characters and indeed unless the State Police have adopted them an arrogance of fairness openness in the rule of law this General Assembly should do something about it. I personally fear the day when the State Police becomes an armed force for protection and participation which indeed they are doing. Therefore, I ask this General Assembly to make the State Police in their deceptive and misrepresenting conduct to be answerable to the General Assembly and the people, and I so move the adoption of amendment number 1, to House Bill 1139."



MAY 14 1913

Bradley: "The gentleman moves the adoption of amendment number 1 to House Bill 1139. All in favor say 'aye', opposed say 'no', in the opinion of the chair the 'ayes' have it, are their further amendments? The gentleman from Franklin, Mr. Hart."

Hart: "I'd like to know how we're going to proceed here, Mr. Speaker. I had my light on and if it's the intention of this chair to ramrod through amendments that the chair supports, then I want you to say so, so that we all know what we're doing here."

Bradley: "Mr. Hart you had ample opportunity to speak on the question, you even talked to amendment number 2, that hasn't been offered yet. I didn't see your light on at this time."

Hart: "Well I wish you'd look."

Bradley: "It's not the chair, we're not trying to ramrod through anything we've had a twenty minute discussion on this amendment, do you wish to make a motion, Mr. Hart?"

Hart: "I wish to raise a point of order, which I would have raised if you would have called on me when my light was on. If you'd look down there you would have seen it, but you were not looking you were so intent upon having this amendment adopted that that was the only thing you could think. Now I question the germaness of this amendment to the bill. And I'd like to have a ruling on that question."

Bradley: "The...amendment number 1, or amendment number 2?"

Hart: "Amendment number 2."

Bradley: "But we're not on 2 yet Mr. Hart."

Hart: "We are on 2, we just adopted it."

Bradley: "We just adopted amendment number 1."

Hart: "Amendment number 2 is on the board, amendment number 1 was adopted and you just ramrod through amendment number 2."

Bradley: "We put amendment, the Clerk..."



MAY 14 1975

47.

Hart: "If you don't even know what Amendment was being adopted."

Bradley: "The Clerk tells me he put Amendment #2, up on the board after we adopted Amendment #1."

Hart: "Well, then, I apologize. As far as I could see, Amendment #2 was on the board: It was being considered by the House."

Bradley: "It is not being considered. It has not been offered yet, Mr. Hart. That was Amendment #1. Now if Amendment #1, having been adopted, are there further Amendments?"

Jack O'Brien: "Amendment #2, Fleck. Amends House Bill 1139 on Page 1, Line 1, by inserting after of the following and to add Section 16a2 and so forth."

Bradley: "The Gentleman from Cook, Mr. Fleck. The Gentleman from Franklin, Mr. Hart, on a point of order."

Hart: "I raise the question on whether or not this Amendment is germane to this Bill. The Bill has to do with lie detectors. The Amendment has to do with red flashing lights."

Bradley: "We'll make a ruling. For what purpose does the Gentleman from Cook, Mr. Ewell, arise?"

Ewell: "Parliamentary inquiry. Mr. Speaker, it appears to me, that if we've adopted Amendment #1, to House Bill 1139, which refers to motor vehicles in the importance of traffic laws, then certainly Amendment #2 would be germane."

Bradley: "We're going to make a ruling, Mr. Ewell. In the opinion of the Chair, the Amendment is germane. So we will proceed with Amendment #2. For what purpose does the Gentleman from Moultrie, Mr. Stone, arise?"

Stone: "Mr. Speaker, I'm certain that my light was turned on immediately when the other Amendment was called. Now, I just want to call your attention to the fact that my light at least here is blinking, I would appreciate it if I could be."



MAY 14 1975

48.

Bradley: "The previous question...are you speaking with amendment...to amendment number 1?"

Stone: "I'm not speaking to any amendment, I'm, I wanted to be recognized to ask for a roll call vote on amendment number 1. I was denied the right one way or another to speak on it, the only way I knew how was to ask for a roll call vote and I could then explain my vote. Now I was waving my arm and I'm sure that my light was blinking and I don't know why I can't at least be recognized once in a while."

Bradley: "If you have four other members supporting your motion, we'll go back and have a roll call vote on amendment number 1, to House Bill 1139. Do we have five? We're extending the courtesy to the gentleman from Moultrie who we seem to have overlooked, we've done it before and I think it's in order. The gentleman from Winnebago, Mr. Simms."

Simms: "Well Mr. Speaker, I object to that because that is not in order, that is not the order of business, you have declared that amendment number one has passed and you are now, the discussion has been on the second amendment. I object to that and the rules do not provide for going back."

Bradley: "Mr. Simms, you know that the gentleman can move to reconsider that vote if he so desires and this will save some time of the House, and you know we're pressed for time and he has five members joining him in this request. Mr. Simms."

Simms: "Well then I think that's the motion that he should make at this time."

Bradley: "The chair, Mr. Simms has acknowledged that the gentleman has asked for a roll call vote, we've done it before and we're going to go ahead with the...turn Mr. Simms on."

Simms: "What authority and what rule are you basing that on. You've already went to another order of business



you're on the second amendment, you're not on the first amendment. Now you've already had discussion on the Second amendment, there is no rule that provides for going back."

Bradley: "Simply out of courtesy to the gentleman."

Simms: "Well I object to that, because we're going to follow the rules of the House."

Bradley: "Objections have been heard Mr. Stone on your motion. We'll take amendment number 2, Mr. Fleck."

Fleck: "Well I had no idea, Mr. Speaker, that these simple amendments would cause so much trouble. Amendment number 2, requires State Policemen who are engaged in traffic surveillance to have their red Mars lights flashing. While they're in the surveillance of the traffic, and this is whether they're moving or not moving. And the essence of this amendment is enforcement, not arrest. Safety. Frequently there are cars, State Police cars parked along the sides of our highways with their lights, Mars lights not flashing, and this presents a hazard to oncoming traffic. But most importantly the State Police seem to think that you enforce traffic laws by arresting every motorist..."

Bradley: "For what purpose does the gentleman from Cook, Mr. Madison arise?"

Madison: "Mr. Speaker, there are several of us here who don't have copies of amendment number 2."

Bradley: "I think they've been distributed Mr. Madison."

Madison: "I have one now."

Bradley: "Continue Mr. Fleck."

Fleck: "Thank you. Also it is practical, common sense that when the Mars lights are flashing on any State vehicle the entire flow of traffic for miles slows up. This is an amendment that is directed toward enforcing our State laws to slow up the traffic and it is also directed at the safety of oncoming traffic for those State Police that are parked along the sides of the



704 12 1975

highway. Frequently, frequently, there's requirements that on holidays when the traffic is heavy the mars lights on the law enforcement vehicles are flashing. It seems to me that if we are going to require these squad cars to flash their lights when it's a period of high vehicle accidents, we should do it on a normal day. We will end up with less accidents and we'll end up with slower moving traffic and for those reasons I move for the adoption of Amendment #2 to House Bill 1139."

Bradley: "The Gentleman from Moultrie, Mr. Stone, on Amendment #2."

Stone: "Thank you, Mr. Speaker. You know, I think if we're going to take all powers away from the State Police, we just do away with the State Police. Just because two or three or half dozen legislators have been stopped and that includes me coming down here driving too fast. And if we can come down here just because we feel that we are in some way privileged that we should be allowed to break the speed laws of the State of Illinois and change the rules that the police have to go by, I think we're getting a little beyond where we should go. Now, it's been said that... that the State police are a hazard to well-meaning citizens. Now if we're a well-meaning citizen and there's a 55 mile an hour speed limit, I don't know why a Legislator or any other well-meaning citizen shouldn't abide by that law. Now if we don't want to enforce the laws then let's do away with the policemen that are suppose to enforce it. Let's don't take all the powers away from them. Amendment #2 says that any time that a State Policeman is on the highway, he has to have his red lights flashing. Well, that is absolutely ridiculous. There wouldn't be any speeders within sight of those red lights. That I'm sure of. I have driven on the highway of this State trying to abide by the speed limit at 55 miles an hour and I've had



trucks pass me up going 70. I followed them to see how fast they were going and the reason the State police can't stop the trucks is because they are allowed to have a citizens ban radio. The police, the State Police are not allowed to have a citizens ban radio in their automobiles. The traffic violator is given every advantage and the State Police have none. Now I think that it's about time that we had some unmarked State Police cars on the road if we're going to have a 55 mile an hour speed limit. If you don't care for that then let's do away with the law, let's don't do away with all of the powers of the policeman."

Bradley: "The gentleman from Madison, Mr. Steele. On amendment number 2."

Steele: "Thank you Mr. Speaker, Ladies and Gentlemen. I rise too as my colleague to oppose this amendment. I think we're either for law enforcement or else we're against law enforcement. I think if we're going to take away the two of legitimate means to enforce the law then I don't think that we could rightly expect the police to enforce these laws. As I've pointed out there are all kinds of evasive tactics that are available today trucks on our highways that are doing damage to our highways through their citizens ban radios to avoid the State Police and I think that if they have these evasive of tactics available to them that certainly we should not take away legitimate tools for the police to enforce our laws. We're spending a lot of time up here on evenings, weekends, holidays to try to pass laws and I think that at the same time we're making it impossible to enforce the laws that are on the books and I think this amendment should be defeated."

Bradley: "The gentleman from Cook, Mr. Fary on amendment number 2."

Fary: "Mr. Speaker and Ladies and gentlemen of the House. I think maybe now is the right time for us to get



Amendment together and submit it making the legislative car an emergency vehicle while driving to and from Springfield and that would solve all our problems."

Bradley: "The Gentleman from Cook, Mr. McAuliffe, on Amendment #2."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House. I strongly supported Amendment #1, but I can't support Amendment #2 if it's going to require police vehicles to have their lights flashing at all times. It's like crying wolf too many times. People will get used to seeing the lights flashing and when they're really needing to go through an intersection in an emergency, no one will pay any heed to it, and I think it's completely unreasonable to require police cars, State Police cars or any other police cars to have their emergency lights flashing at all times. You wouldn't know if the policeman behind you is chasing you and you wouldn't know whether to stop or not and this is a bad Amendment, and there is no way that a policeman in pursuit of you could indicate who he was after. In the daylight, a spotlight is almost unnoticeable and if a police car had to get somewhere in a hurry and go through a red light or a stop sign, people approaching from the opposite direction would not know if the policeman really wanted to go through because they would become immune to the flashing red lights. They'd see them all year round and this is a particularly bad and while I supported Amendment #1, I can't support this one. This would be a bad one, would endanger the policeman and endanger the public. I urge its defeat."

Bradley: "The Gentleman from Will, Mr. VanDuyne, on Amendment #2."

VanDuyne: "Mr. Speaker, thank you very much. I, what I was going to say more or less reiterates what Representative McAuliffe said. But I would like to respond to



Representative Stones argument. We are not trying to take away the authority of the State Police, my own secretary had a man follow her with a blue light in his car, pickup truck rather for five miles and the girl was terrified to have this person chasing her. She didn't know who he was or what was going on, so I would just hope that Mr. Stone would understand this, we can't let every kook in the country start chasing our people around and terrifying them, the State Police have their authority and I think they should stay within it."

Bradley: "The gentleman from Cook, Mr. Hoffman. R. Hoffman."

Hoffman: "Thank you Mr. Speaker and Ladies and Gentlemen of the House I support this amendment and I think this goes back a few years the point was very well taken in Chicago. One of the things they approved there is the more visible law enforcement agencies are, the greater reduction in crime. One of the things that they indicated there is where they use to turn in the squad car and have the officers off duty then drive home in their own cars left them less visible. The more they encouraged them to use the police cars, take the police cars home, park them in the various neighborhoods made them more visible and thereby did reduce crime. As far as the, one of the comments made on the other side of the aisle that if all the squad cars were going up and down the highways with the flashing lights on, you wouldn't have any speeders, that only tells me that that's exactly what we're trying to do. We're trying to get the people cognizant to where they are, what they're doing. If they see the flashing lights and they do slow down, we've accomplished it. We're not trying to get constituencies bound up in tickets in traffic courts, all we want to do is solve the problem. One of the other things that came out of Chicago is they encourage the policemen now to wear their uniforms to and from work. It makes



MAY 14 1975

54.

them visible. That's what we want, people aware what the law is and they are, law enforcement agencies are out there and I would support this amendment."

Bradley: "The gentleman from St. Clair, Mr. Flinn. On amendment number 2."

Flinn: "Thank you Mr. Speaker, Mr. Speaker and Ladies and Gentlemen of the House. I would also like to correct something that our good friend Representative Stone said. He said that the State Police were not allowed C. B. radios, well I happen to be a C. B. radio fan and belonged to the C. B. radio club for many years, I have one in my automobile right now. And all of the State Police running up and down the highway have C. B.'s they have three radios in there and one of them is a regular State Police and one is connected with the Secretary of States people and the other is the C. B. radio and I have talked to the State Police on many occasions on my C. B. radio. In fact the C. B.'s serve very good service in that they have channel 9 set aside for emergencies and we notify the State Police very often of accidents. Now one other thing, I think if all the lawyers would get their statutes books out and look under Chapter 38, Section 107, that they would find out that we the legislator while we're in session or attending the legislative business, the judges, the lawyers going to and from court, the electorate going to and from the polling places are all exempt from being arrested. Well I am one of those few legislators who got arrested and objected to it, objected to the policeman seizing my drivers license, he took them in spite of that, I drove all the way back up to Hillsboro, Missouri to post a cash bond to get my license back, the case is still pending in circuit court right now. I think some of the State Police and most of them of the 1,600 State Police almost all of them are gentlemen and very much so but there are some of them that have taken advantage



MAY 1 1913

of their law enforcement and to the extent that this is the sort of thing we're faced with. So even though this may not be the ultimate answer, I stand in support of amendment number 2 to House Bill 1139."

Bradley: "The gentleman from Cook, Mr. Madigan."

Madigan: "Mr. Speaker for purposes of an announcement.

Seated in the gallery to my right on the Republican side of the aisle are 95 eighth graders and teachers from the Stockton Middle School, accompanied by the assistant Superintendent Mr. Dater. They are from the 35th legislative district represented by Representatives Brinkmeier, Rigney and Mulcahey. On the Republican side of the aisle."

Bradley: "The lady from Lake, Ms. Geo-Karis on amendment number 2."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House. I move the previous question."

Bradley: "The question has been...the previous question has been moved. The question is shall the main question be put. All in favor say 'aye', opposed 'no', the 'ayes' in the judgement of the chair, the 'ayes', have it. The question is on the adoption to amendment number 2 to 1139. We will have a roll call. All those in favor shall vote 'aye', opposed shall vote 'nay'. The gentleman from Kankakee, Mr. Beaupre to explain his vote."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House. It seems to me that what we're doing is truly ludicrous this is one of the reasons why this General Assembly so often has a bad image in the minds of the public. This is why there's a crisis of confidence in government, because we refuse to give our law enforcement officers the proper tools to enforce the law. It's just most unfortunate it seems to me that this kind of a debate even goes on on the floor and it's most unfortunate that we see 40 green lights up there. I, I just can't really understand how



MAY 14 1975

56.

we can ask, pass laws, ask our Executive Branch to enforce them and yet we try to place all kinds of road blocks in the way. There have been a number of lawyers who've stood up and talked about entrapment, there isn't one of them who doesn't really understand that the legal definition of entrapment is not involved in this issue at all, there isn't a one legislator who has gotten up and spoken about making our law enforcement officers visible, who doesn't realize that when you put that police car out there on the highway with a red flashing light that they slow down for about two miles and then speed up to about 65 or 70. It's a terrible thing for us to do it seems to me and I encourage a no vote."

Bradley: "The gentleman from Cook, Mr. Porter, to explain his vote."

Porter: "Mr. Speaker and Ladies and Gentlemen of the House. I just hope that everybody realized that Representative Flecks next amendment is to require the State Police is to patrol only on foot."

Bradley: "The gentleman from Cook, Mr. Madison, to explain his vote."

Madison: "Thank you very much Mr. Speaker and in explaining my vote, I'm voting no on what I consider a rather dilatory amendment. All of us know that there is a definite reason why those, why those State Troopers have the domes on top. When those lights are flashing it is suppose to indicate to other vehicles that an emergency exists and they are at that time being emergency vehicles. Now if this amendment were to pass we would create a situation where because the lights are flashing they are deemed to be emergency vehicles and all vehicles are suppose to pull over to the side or let them by, or we would be faced with a situation where we would become immune to the flashing lights and would not be in a position to ever tell when an



MAY 14 1975

57.

emergency did in fact exist. And for that reason I'm voting no."

Bradley: "The gentleman from Knox, Mr. McGrew."

McGrew: "Thank you very much Mr. Speaker. I would just like to point out for the last four speakers that have spoke against this. There are 97 'no' votes, let's get on with it."

Bradley: "The lady from Lake, Geo-Karis to explain her vote."

Geo-Karis: "No, forget it. Forget it."

Bradley: "We don't want to miss anybody. Have all voted who wished? This amendment. Take the record. There are 32 'ayes' 106 'nos', this amendment having failed to receive a simple majority is hereby declared lost. Are there further amendments? Third Reading. The gentleman from...what purpose does the gentleman from Kankakee, Mr. Beaupre rise?"

Beaupre: "I would like you to back up a second before you move that bill to Third Reading because I would like to make a motion to table amendment number 1 to House Bill 1139."

Bradley: "I'm sorry we're a little bit late, we've already advanced it to Third Reading."

Beaupre: "Well, I don't see how we're late, I'm standing up here waving my arm the light was lit, you were still announcing the roll call and it seems to me it was just a matter of the chair not recognizing a member who is trying to be recognized."

Bradley: "Mr. Beaupre, if you will recall I said we didn't want to miss anybody, I was sitting back looking at this board to see if a light was flashing, I did not see yours flashing and I moved the bill to Third Reading. And I'm sorry that's where it is now. The gentleman from Cook, Mr. Walsh."

Walsh: "I'm sorry is there something before the chair, I thought we were between bills. I have an introduction to



MAY 11 1975

58.

make."

Bradley: "We're between bills..."

Walsh: "Alright, Mr. Speaker, it is my pleasure to introduce the Littlewoods School 6th grade class. They are located in St. Charles. They're accompanied by Mr. James Higland the teacher, Edith Kosell, an aid, Dale Ramsey, a chaperone and Fred Radaz, a chaperone. These people are represented very capably by Representatives Grotberg, Ewing and Fennessey. They're to our left in the rear."

Bradley: "Mr. Beaupre, would you like to try to get leave of the House to move that bill from Third to Second? We don't wish to cut off anybody."

Beaupre: "Well maybe it would be more appropriate for me to make a motion to move it from Third back to Second."

Bradley: "I think that would be more appropriate, yes."

Beaupre: "So moved Mr. Speaker."

Bradley: "The gentleman has moved that House Bill 11... he has. The gentleman from Cook, Mr. Meyers. On a point of order."

Meyer: "Point of order Mr. Speaker. I thought only the sponsor of a bill could, could move his own bill. I mean you're embarking in dangerous waters."

Bradley: "The gentleman from McHenry, Mr. Hanahan."

Hanahan: "In being the sponsor of House Bill 1139, I have no objection to moving it back to Second Reading because I'm sure in the wisdom of the House that with the debate that went on on House Amendment number 1, that I think it would look foolish if we didn't bring it back because I think overwhelmingly we're going to adopt amendment number 1, and I have no objection and I as sponsor of the bill would wish a roll call on House amendment number 1, to House Bill 1139 and urge an 'aye' vote by every member on this floor on this amendment."

Bradley: "The gentleman from McHenry has moved that House Bill 1139 be returned to Second Reading all in favor say 'aye', those opposed say 'no', the 'ayes' have it



MAY 14 1950

the Bill is on Second Reading. Now Mr. Beaupre on a Motion."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House, I move to table Amendment #1."

Bradley: "The Gentleman has..... The Gentleman from Cook, Mr. Collins. Point of Order."

Collins: "Well, Mr. Speaker, I think the only Motion that is proper on that Amendment is the Motion to reconsider the vote by which it was adopted. It must be moved by a Member of the prevailing side and since it was not a roll call vote, it is impossible to identify a Member of the prevailing side. And so the Motion is out of Order and I would suggest to the Chair."

Bradley: "The Gentleman from Cook, Mr. Shea."

Shea: "I'm sure Mr. Hanahan as the Sponsor of the Amendment or Mr. Fleck either one will make the Motion to reconsider and then ask for a Roll Call vote."

Bradley: "The Gentleman from McHenry, Mr. Hanahan, has moved to reconsider....."

Hanahan: "Having voted on the prevailing side, I move to reconsider, but I want to explain that in full so that everyone knows what I'm doing. I am for Amendment #1, but I want to make sure nobody in this House hasn't had the opportunity to be recorded on that Amendment to House Bill 1139. So I move to reconsider the vote which House Bill 1139 was amended with Amendment #1 at this time."

Bradley: "The Motion has, the Motion to reconsider Amendment #1, to House Bill 1139 by which it was adopted. We will have a roll call vote. All those in favor..... the Gentleman from Cook, Mr. Shea."

Shea: "I, the position that we're on now. You've reconsidered the vote? You can do that by leave, can you not?"

Bradley: "Do we have leave of the House to reconsider the vote? Leave being granted, there are objections. We'll have a roll call vote on the Motion. If you're in favor of the Amendment, you will vote 'no'. If you're against



MAY 14 1965

the amendment you will vote...the gentleman from Cook, Mr. Shea."

Shea: "We've reconsidered, with leave of the House you've reconsidered the vote by which it was adopted."

Bradley: "The gentleman from Union, Mr. Choate."

Choate: "Mr. Speaker, I understand that Representative VanDuyne was the one that objected and he has withdrawn his objection, then you have now with the withdrawal of that objection the permission granted to reconsider the vote which I presume now is reconsidered. Now it's on the adoption of the amendment, is that not correct?"

Bradley: "That is correct."

Choate: "Alright."

Bradley: "Now the question is on the adoption of amendment number 1, to House Bill 1139. All those in favor will vote 'aye', those opposed will vote 'no', we'll have a roll call. The gentleman from Rock Island, Mr. Polk, to explain his vote."

Polk: "Mr. Chairman I would like the sponsor to once again briefly explain the amendment number 1."

Bradley: "The Clerk will take the roll. The gentleman from Cook, Mr. Palmer, to explain his vote."

Palmer: "I did not know that we had gotten to that place yet, Mr. Speaker, I wanted to ask a question or two about amendment number 1. It is too late?"

Bradley: "I believe you're out of order, Mr. Palmer, I'm sorry, we're..."

Palmer: "Alright then, on the explanation of the vote. I'm voting no."

Bradley: "For what purpose does the gentleman from Cook, Mr. Madison arise?"

Madison: "Mr. Speaker, I have difficulty understanding how a person can explain his vote when the vote has already been taken, I heard you advise the Clerk to take the roll at that point it would seem to me an explanation of a vote would be ludicrous it's not going to change.."



MAY 14 1975

61.

Bradley: "We're extending that gentleman the courtesy of having the opportunity to explain his vote the same as we would anyone else Mr. Madison."

Madison: "Thank you."

Bradley: "And we haven't, we haven't announced the vote. Mr. Palmer."

Palmer: "The roll call I don't think has been declared on this so I think explanation is in order. There are many times that the State Police not only in connection with the enforcement of the traffic laws, not only in that case have to use unmarked vehicles, vehicles with tags that are not clearly distinguishable as belonging to the State Police as using stickers, windshield stickers that are not clearly identifiable as belonging to the State Police. Now, the question might very well come up in the commission of a crime where you've got a traffic offense involved that you might need one of these vehicles. If the State Police does need an unmarked vehicle, one that's not clearly distinguishable their hands have been tied. Now Mr. Speaker and Ladies and Gentlemen of the House, we've expressed some strong opinions in this House of Representatives relative to law enforcement, yet in this bill here, we seek to tie the hands of a valuable law enforcement agency of this state. It's ludicrous, it doesn't make sense. Now if the sponsor of the bill is referring to something that occurred recently, relevant to the operation of the State Police in traffic surveillance, why not? If you're going to zoom down these highways at high rate of speed, why not have at least some vehicle that's not clearly distinguishable to catch those violators. You don't go turkey hunting with bells on your feet, and neither should the State Police be tried to this extent. It's a ludicrous amendment and should be defeated."

Bradley: "The gentleman from Union, Mr. Choate."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 14 1975

62.

Choate: "No, that was left over from while ago when I was speaking. I didn't have my light on."

Bradley: "On this question, there are 118 'ayes', 18 'nos', 1 voting present and the amendment is adopted. Are there further amendments? Third Reading. What purpose does the gentleman from Cook, Mr. Duff arise?"

Duff: "For the purpose of making an introduction, Mr. Speaker."

Bradley: "Proceed."

Duff: "In the Speakers Gallery, there are fifty Credit Union Leaders from all sections of Illinois, attending a credit union conference here in Springfield. The group is with a Mr. Henry Coopman, President of the Illinois Credit Union League and Richard Enswiler, managing director of the Illinois Credit Union League. The chairman of the seminar is Harold Kennedy of Alton, League President. They are in the Speakers Gallery at the invitation of Representative Malloy."

Bradley: "The gentleman from Cook, Mr. Walsh. For the purpose of an introduction."

Walsh: "Yes, another introduction, Mr. Speaker. The students from Central Junior High of Zion, Illinois, are in the left rear balcony. They're from District 31 with their instructor, Mr. Vel Urugo, VerUrugo, I'm corrected, Mr. Johnson, Mr. Martindale, Mrs. Martindale, Mr. Norrin. They're Represented by Representatives Geo-Karis, Greisheimer and Matijevich."

Bradley: "Is Mr. Waddell back there? For what purpose does the gentleman from Cook, Mr. Maragos arise?"

Maragos: "Mr. Speaker, The motion that I made last night has been agreed upon now with the minority spokesman of the Revenue Committee and I now move that House Bill 3004 be rereferred to the Revenue Committee for further consideration and also for leave to allow that posting for 3004 and 3008 through 3123 for next Monday night which is beyond the six and a half day rule and I ask for leave from the House."



MAY 14 1915

63.

Bradley: "The gentleman has asked that, leave of the House be granted to post House Bills 304, 308 and 312 for hearing."

Maragos: "304, 308 through 312."

Bradley: "All right. 304, 308, 309, 311 and 312 so that they can be heard..."

Maragos: "Next Monday night after we adjourn the House."

Bradley: "And he has also asked to House Bill 3004 being rereferred to the committee, to the Revenue Committee. Is leave granted? No objections being heard. The Clerk will have to have 107 votes to suspend the rule all those in favor of the gentlemans motion will vote 'aye', opposed will vote 'no', the Clerk will take the roll. We'll need 107 votes. The Clerk will take the record. On this question there are 127 'ayes' no 'nos' and the motion is declared passed. Now back to. On the calendar appears on Third Reading, House Bill 1845 Mr. Getty and with leave of the House we will return 1845 to Second Reading for the purpose of an amendment. The Clerk will read the amendment."

Fred Selcke: "House Bill 1845, has been read a second time amendment number 2, Getty, amends House Bill 1845 on page 2, line 28, and so forth."

Bradley: "Mr., the gentleman from Cook, Mr. Getty on amendment number 2."

Getty: "Mr. Speaker and Ladies and Gentlemen of the House. The other day when this bill was moved from Second to Third Reading Mr. Schlickman kindly called to my attention an ambiguity in the bill where we referred to multimember districts where there would be...ah...several counties where one public defender within a circuit would serve that county. And this is merely corrective language to clearly modify the preceding paragraph to indicate that we are referring to such multi-county circuits and I would move for the adoption of this amendment."



Bradley: "The gentleman has moved the adoption of amendment number 2 to House Bill 1845. Any discussion? If not all in favor will say 'aye', those opposed will say 'nay', the amendment is adopted. Are there further amendments? Third Reading. On the calendar appears House Bill 2001 on Third Reading. Take it out of the record. On Third Reading appears House Bill 2199, with leave of the House we will return that to Second Reading for the purpose of amendment. Leave being granted the Clerk will read the amendment."

Fred Selcke: "Amendment number 1, Garmisa, amends House Bill 2299 and so forth."

Bradley: "The gentleman from Cook, Mr. Garmisa."

Garmisa: "Mr. Speaker and Ladies and Gentlemen of the House. I've discussed 2299 and 2300 with the Illinois Department of Public Aid and it's my understanding based on these discussions that the Department has made a concerted and effective effort to provide services to those non-english speaking persons requiring public assistance. They have committed to continue to make essential literature policy buttons, bulletins and public information booklets to the interested parties to know that in languages other than English and particularly in Spanish. You may be interested to know, that in the past year the Department has increased its employment of Spanish speaking case managers from approximately 90 to presently employing in excess of 200. Therefore, the intent of House Bill 2299 and 2300 can be fully satisfied by administrative rather than legislative initiative. And on the proposed amendment to House Bill 2299, like to amend this bill that would require the Department of Public Health to dispose of the legislative advisory committee on Public Aid the results of us monitoring and evaluation of the quality of health care delivered in long term facilities in our State where Federal and State funds pay for this care. The Department



MAY 14 1975

65.

would be required to report to the legislative advisory committee on Public Aid, the results of inspections of these nursing homes any deficiencies in physical plant or health care programs and a list of waivers granted by Public Health for deficiencies for which any home is sighted. I would move Mr. Speaker that we adopt amendment number 1 to House Bill 2299."

Bradley: "The gentleman has moved that we, the adoption of amendment number 1 to House Bill 2299. Is there any further discussion? If not, all those in favor of the adoption will say 'aye', those opposed will say 'no', the 'ayes' have it, the amendment is adopted. Are there further amendments. Third Reading. On the calendar Third Reading appears House bill 2300, with leave of the House we will return it to Second Reading for the purpose of the amendment. Leave being granted, the Clerk will read the amendment."

Fred Selcke: "Amendment number 1, Garmisa, amend House Bill 2300, and so forth."

Bradley: "The gentleman from Cook, Mr. Garmisa on amendment number 1 to House Bill 2300."

Garmisa: "Thank you Mr. Speaker, I would like to thank the Republican House Staff for catching the clerical error that I had prepared for amendment number 1 to House Bill 2300. As it stands now, this bill would be amended and it would require that the Illinois Department of Public Aid to dispose of the legislative advisory committee on Public Aid, all placements of patients in the skilled nursing homes, intermediate care facilities, sheltered care facilities and all other long term care facilities licensed in the State. The reporting requirement will include a list of vacant beds by county, an explanation of basis replacements as they are made and a justification of the reimbursement form it'll use for making payments for a long term services that would be rendered. I would ask for the adoption of amendment number 1, to House



Bill 2300."

Bradley: "The Gentleman has moved the adoption of Amendment #1 to House Bill 2300. All those in favor will say 'aye', those opposed will say 'nay'. The 'ayes' have it. The Amendment is adopted. Are there any further amendments? Third Reading. 1129. Is Mr. Hudson on the Floor? Ray, on 1129, you wanted that left on Third Reading? 1129 is on Third Reading. Mr. Waddell, 1886. Take it out of the record. Mr. Getty on 2001. For what purpose does the Gentleman from Knox, Mr. McGrew, arise?"

McGrew: "Mr. Speaker, I would like to take House Bill 838 off of Third Reading and back to Second for the purpose of Amendment."

Bradley: "Which number?"

McGrew: "838."

Bradley: "If you could hold that Motion. That's not the one. That's on the list that we have to get by due to the date. The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, I'd like to.... leave of the House to move House Bill 1654 to Second Reading for the purpose of Amendment."

Bradley: "Mr. Giorgi, the Chair reminds you that we're trying to get through this list of the Bills....."

Giorgi: "I thought it was on the list."

Bradley: "What's the number sir?"

Giorgi: "1654."

Bradley: "Not on the list."

Giorgi: "All right."

Bradley: "Mr. Deavers, is the Amendment on the Floor on House Bill 1937?"

Deavers: "Mr. Speaker and Ladies and Gentlemen of the House. I'd like to take House Bill 1397 back to Second Reading for the purpose of removing Amendment and putting on a new Amendment."

Bradley: "Mr. Deavers, I'm informed that 1937 is not on the list either. The Order of business is House Bills,

Third Reading. House Bills, Third Reading, appears House
GENERAL ASSEMBLY



Bill 146, the Clerk will read the Bill."

Fred Selcke: "House Bill 146, A Bill for an Act to amend the Vehicle Code. Third Reading of the Bill."

Bradley: "The Gentleman from DuPage, Mr. Hudson."

Hudson: "Thank you very much, Mr. Speaker. House Bill 146, is a Bill that was originally introduced by our good colleague, another one that was introduced by our good colleague, Representative Bob Juckett. Now this Bill came out of the Motor Vehicles Committee with no descending vote. It is endorsed by the National Paraplegia Foundation, the Illinois Council, the Congress of organization of the Physically Handicapped and also the Illinois Amputees Services Association. Very briefly, House Bill 146 exempts physically handicapped drivers to whom special license plates for handicapped drivers are issued, or who are disabled veterans from ordinances imposing time limits on parking in business districts. Such drivers would be able to park longer than a half an hour, for example, in a parking area where a sign has been posted limiting the parking to 30 minutes. Handicapped drivers would still have to observe all other parking and traffic regulations. I am pleased to be handling this Bill and would ask for a favorable vote."

Bradley: "Further discussion? The question is shall House Bill 146 pass? All in favor will signify by voting 'aye', those opposed by voting 'no'. The Clerk will take the record. Roll Call. Have all voted who wished? The Clerk will take the record. Madison 'aye'. On this question there are 120 'ayes', 4 voting 'no', 3 present. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 153."

Fred Selcke: "House Bill 153. A Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Bradley: "The Lady from Cook, Mrs. MacDonald. Take it out of the Record. On the Calendar appears House Bill 229."



MAY 14 1975

68.

Fred Selcke: "House Bill 229. A.... Calvo, a Bill for an Act."

Bradley: "Is the Gentleman on the Floor? Take it out of the record. On Third Reading appears House Bill 454."

Fred Selcke: "House Bill 454. Dave Jones. A Bill for an Act to amend an Act in relation to airport authorities. Third Reading of the Bill."

Bradley: "Who's Bill is this? The Gentleman from Sangamon, Mr. Jones."

Jones: "Mr. Speaker, Ladies and Gentlemen of the House, 454 is an Amendment to the Airport Authority Act and requires the members of the security force established for police protection to have proper training in a Police Training School created by an Illinois Police Training Act. I'd appreciate your green lights."

Bradley: "Further discussion? The question is shall House Bill 454 pass? All in favor will signify by voting 'aye' those opposed by voting 'no'. The Clerk will take the roll. Have all voted who wish? The Clerk will take the record. On this question there are 111 'ayes', 1 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Calendar on Third Reading appears House Bill 494."

Fred Selcke: "House Bill 494. Klosak. A Bill for an Act to amend the Election Code. Third Reading of the Bill."

Bradley: "The Gentleman from Cook, Mr. Klosak."

Klosak: "Mr. Speaker, Members of the House. At the present time, we have provisions in our Election Code for having referenda dealing with public policy on the ballot. But more in the Election Code are there any guidelines as to the form and content of these petitions for this referenda. And even more important to me, no where is there a provision which permits a challenge to this petition for a referendum. We have been informed by the Chicago Board of Election Commission that if you sat down and just copied the names out of a telephone



MAY 14 1975

69.

book, the Board of Election Commissioners would have no choice. So what House Bill 494 does, it sets up these guidelines and makes provisions for challenging a referendum on matters of public policy to conform to our nominating petitions. The guidelines for the petitions are the same as they are for a candidate for public office and the challenge is exactly the same way. If it's another public policy in a city, then, of course the challenge is to the Clerk of that municipality. I ask your favorable consideration."

Bradley: "Further discussion? The question is shall House Bill 494 pass? All those in favor will signify by voting 'aye', those opposed by voting 'no'. The Clerk will take the record. Have all voted who wish? The Clerk will take the record. On this question there is, there are 125 'ayes', no 'nos', one voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Madison 'aye'. On the Calendar appears on Third Reading House Bill 501."

Fred Selcke: "House Bill 501. Polk. A Bill for an Act in relation to compensation of emoluments of Members of the General Assembly. Third Reading of the Bill."

Bradley: "The Gentleman from Rock Island, Mr. Polk."

Polk: "Mr. Speaker, Ladies and Gentlemen, House Bill 501 simply states that if a person is appointed to fill a vacancy in the General Assembly that his pay will be prorated over the balance of time that he will serve in the General Assembly. We also amended this Bill to state that his expense account also would be... he would receive it on the same prorata. The Bill came out of Committee 21 to nothing. I'd appreciate an 'aye' vote."

Bradley: "Further discussion? The question is shall House Bill 501 pass? All in favor will signify by voting 'aye', those opposed by voting 'no'. The Clerk will take the roll. Have all voted who wished. The



JAN 14 1975

Clerk will take the record. On this question, there are 134 'ayes', no 'nos', none voting 'present'. House Bill 501, having received the Constitutional Majority, is hereby declared passed. On the Calendar on Third Reading appears House Bill 505. We'll hold that for a day. House Bill 526."

Fred Selcke: "House Bill 526. A Bill for an Act to amend the Election Code. Third Reading of the Bill."

Bradley: "The Gentleman from Stephenson, Mr. Rigney."

Rigney: "Well, Mr. Speaker and Ladies and Gentleman of the House, House Bill 526 is a very simple Bill. It says that those who are filing for office as independents will file at the same time as those who are running for office or running under, under political parties."

Bradley: "Further discussion? The Gentleman from Cook, Mr. Mugalian."

Mugalian: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Bradley: "He indicates that he will."

Mugalian: "I wonder if the Sponsor can tell me what problem, if any, this Bill is intended to cure."

Rigney: "I would say this, that you and I run on party labels, for instance, have to announce our candidacy almost a year in advance of that election. I think it's only fair, I think the Constitution mandates that elections shall be free and equal and I think there's an implication here that there's a uniformity required in our election process. When some candidates have to file a year in advance of the time that they are being elected, I don't think it's fair for others to file seven or eight months later."

Mugalian: "Well, isn't the early date because there may be a primary?"

Rigney: "That's correct....."

Mugalian: "Independents don't run in primaries."

Rigney: "Well, that may be true, but I think what we're



MAY 14 1975

trying to do here is say that we're going to establish who are the candidates for this office and we're going to establish them all at the same time. I think it's an excellent concept."

Mugalian: "Mr. Speaker, may I speak to the bill, very briefly. I don't think that one should classify, with all due respect to the sponsor, whom I respect, classify this as election reform. The theory of an independent candidate can very well be that he and his constituents do not believe that the candidate of either major party would be a worthwhile addition to public office. And it is only after the constituency can determine who will be nominated by the major parties that an independent candidacy might emerge. That is the principal function it seems to me of an independent candidacy and I don't think that we should foreclose the people of this state from being able to make that determination. Therefore, this, and this bill would prevent that kind of consideration and I suggest that this bill should be defeated."

Bradley: "The gentleman from Cook, Mr. Holewinski."

Holewinski: "Mr. Speaker I'd like to ask a question of the sponsor."

Bradley: "He indicates that he will yield."

Holewinski: "The digest makes mention, makes mention of exceptions that were put in by amendment number 1, I was wondering if you could direct yourself to that."

Rigney: "I did not hear your question, would you please repeat it?"

Holewinski: "Representative, I was just looking at the digest and it makes mention of certain exceptions."

Rigney: "Mr. Speaker, could we have just a little bit of order, I can not hear the gentleman."

Bradley: "Could we have some order please, the sponsor can not hear the question from the gentleman."

Holewinski: "Thank you. The digest makes mention of certain exceptions that were put in by amendment number 1. I was



wondering if you could..."

Rigney: "Let me tell you what that does. In some elections, in some elections, for instance I think in the city of Rochelle, in my district, a community of about 10 thousand. They do not run on party labels down there and there are other communities where they do not run on party labels. The exception provides that they'll go ahead and file the way they always have filed."

Bradley: "The...further discussion, the gentleman from Cook, Mr. Downs."

Downs: "Mr. Speaker and Ladies and Gentlemen of the House. As one member of this General Assembly who at least at one time might have welcomed such a bill as this, I do think that it is a restrictive kind of measure which does defeat the peoples opportunity to run somebody as an independent candidate in the general election. A person that may not have filed in time for the primary, which I understand to be the intent of the bill. And I say that as somebody in which a defeated candidate turned around and filed as an independent. I still think none the less that the people should be given these additional opportunities to make their selection. And I would oppose this bill on that basis."

Bradley: "The gentleman from Winnebago, Mr. Simms."

Simms: "Well Mr. Speaker, Ladies and Gentlemen of the House. This is an excellent bill. If people are running for public office whether they be one political party or the other or independent the general public should have the opportunity to screen and be able to hear all of the candidates for the same length of time in which party candidates from the regular parties seek office. The same time this would prevent a lot of instances where individuals will hesitate not to run or they haven't made up their mind or they will do it on a revengeful type basis. If we want to have an informed electorate in the State of Illinois, if we want to have



MAY 14 1955

73.

a full campaign from the beginning of the primary to the general election it's only an opportune thing that all individuals be running at the same time so you can have a full discussion of the political issues in a campaign. And to do otherwise puts some of these candidates at a terrific disadvantage and most of all it hurts the ordinary citizen, because they don't get a complete picture of the candidate seeking political office. And of all issues that pertain to election machinery in election type legislation this perhaps is the most reformed type of good government bill that we have today. It treats every candidate and every citizen for office equally. Everybody has the same opportunity, the same filing dates in order to file for political office and at the same time it gives the general input from the candidate from the political party and also from those independents that choose to seek political office. If independents want to run a slated candidate, that's fine. But they have to meet the same requirements as the candidates from the major political parties in the primary and again in the general. So I urge each and every one of you to vote for this consumer bill because it does give the consumer it does give the citizen the right to know those candidates that are seeking office and asking for his support. So I urge a yes vote."

Bradley: "The gentleman from Cook, Mr. Taylor."

Taylor: "Mr. Speaker, will the gentleman yield for a question?"

Bradley: "He indicates that he will."

Taylor: "Representative Rigney. Should this bill become law, would the candidate file as an independent and be placed on a separate line other than that of the party candidate."

Rigney: "Would you please repeat that question?"



Taylor: "I said, should a candidate file as an independent under your bill, would he be placed, or her be placed on a different line other than the party candidate."

Rigney: "Now you're talking about on a voting machine, is that.."

Taylor: "On the voting machine, yes."

Rigney: "You know there's a subject that's completely foreign to me because, you know, frankly we don't deal with that. I can't see where that is going to be a factor. Keep in mind, they will not be running in the primary, they will only file at the same time as the other candidates. Their name will not appear on the machine until the November election."

Taylor: "Then should I lose in the primary, and use the option of running in November as I have did in the past, would I be eligible under your bill?"

Rigney: "No, you would not."

Taylor: "Mr. Speaker and members of this House. I would oppose this bill and hope that all of this House beat this bill bad."

Bradley: "The gentleman from Cook, Mr. Madison."

Madison: "Thank you very much Mr. Speaker, will the sponsor yield for question."

Bradley: "He indicates he will."

Madison: "Mr. Sponsor, at the present time the law requires a different number of signatures for independent candidates than it does for party candidates under your bill. Would that requirement change?"

Rigney: "I did not address that question in this bill."

Madison: "Well I think it has some implications though one of the things that, that at the present time if a person, because a person, an independent files later than the person running in the primary, the law prohibits him from getting signatures from persons who voted in the primary. In other words, primary voters have already indicated their primary choice and so they can not



MAY 14 1975

75.

under the present law, sign the petition of an independent. Would your bill negate the need for individuals to seek signatures other than those of primary voters?"

Rigney: "I...if I understand your question, I think the answer would be no."

Madison: "Are you saying then that if I was to file as an independent, having to file at the same time, the signatures that I would receive would not be scrutinized as to whether or not individuals voted in the primary?"

Rigney: "Well I think your, any potential opponents could perhaps scrutinize them, that's the way it's done...ah... if they had, felt they had some reason to challenge."

Madison: "What effect would your bill have on a bill that's pending in the Legislature that would require party registration some days in advance of the primary?"

Rigney: "Well, I have not addressed myself to that question, I don't know whether that legislation's going to be successful or not, I think it would really probably have no effect. I'm only addressing one issue, now there's there are other issues, other things that we need to clear up about independent voting, fine. You know I might be able to support your bill, I was only concerned with filing date, and that's really all I've addressed myself to."

Madison: "Thank you very much."

Bradley: "The gentleman from McLain, Mr. Deavers."

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

Bradley: "The previous question has been moved. The question is, shall the main question be put? All those in favor will say 'aye', those opposed will say 'no', in the opinion of the chair, the 'ayes' have it. Mr. Rigney to close."

Rigney: "Well very briefly Mr. Speaker. I think the debate has fully explained what we're attempting to do here. We as incumbent legislators come down here and we establish a record on perhaps 3,000 different bills



MAY 14 1975

76.

within the legislative session. I think if we have to stand up and be counted on our record, if we have to declare our candidacy a year ahead of time, I think everybody should be on the same footing. I solicit your 'aye' vote."

Bradley: "The question is shall House Bill 526 pass. All in favor will signify by voting 'aye', those opposed by voting 'no'. The Clerk will take the roll. The gentleman from Cook, Mr. Stearney, to explain his vote."

Stearney: "Speaker and Ladies and Gentlemen of the House. I speak in favor of this particular bill, I feel that the independent..."

Bradley: "The Clerk will take the...Have all voted who wished? The gentleman from Cook, Mr. Madison, to explain his vote."

Madison: "Mr. Speaker, I'm voting present on this particular bill, I...I applaud the Sponsor's intent, however, I think there are some mitigating circumstances that the, that the sponsor did not deal with in his bill that should have been dealt with. The fact is the law requires that an independent who files not be allowed to get the signatures of primary voters. With the filing date being one and the same the question arises as to whether or not that prohibition against primary voters now reverts back to the previous primary, I think that question needs to be answered, and it has not been answered. And I see there are a lot of green lights up so I'm going to shut my mouth."

Bradley: "Have all voted who wish? The Clerk will take the record. On this question there are 117 'ayes' 24 'nos', 16 voting 'present'. This bill having received the constitutional majority is hereby declared, Hudson 'aye', declared passed. On the order of Third Reading appears House Bill 529."

Fred Selcke: "House Bill 529, Rigney, a bill for an act in relation to compensation of emoluments to members of



the General Assembly. Third Reading of the Bill.

Bradley: "The Gentleman from Stephenson, Mr. Rigney."

Rigney: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I have another Bill that affects Elections. This says that for those of us who are making bulk mailings of such material as newsletters and questionnaires and so forth, that we shall not be allowed at this extent to do any of this type of activity within the 30 days immediately prior to the primary of the General Election."

Bradley: "Is there any discussion? The Gentleman from Kane, Mr. Grotberg."

Grotberg: "Yes, Mr. Rigney, I salute your meritorious Bill, but I have a question. Will you yield?"

Bradley: "The Gentleman indicates that he will."

Grotberg: "If you'll recall last year, Representative Rigney, the veto session is in September, right? Did we not come back here in September? If you wanted to put out a newsletter with your voting record on it with the final thing, and there were a lot of them last year. That there were no votes finalized until September. I could not accurately inform my voters or anybody about my voting experience of that General Assembly until after it was almost October 1st. Then you have to go to the printer and get that thing out sometime as soon as possible. I..... I worked as hard as I could and still it was a timely thing the way it was because it came out just before the election but I couldn't get it out any faster. Now I..... I worry about that with a Bill like your's. Cause I think we're all in that same bag. As long as we have fall veto sessions and want to tell our voters what we did and what's going on and get the final roll call of the season. You're going to bump right into election date no matter what you do, Harlan."

Rigney: "Well, I recognize, Representative Grotberg, that what you raise is certainly a valid point. However, I



MAY 14 1978 78.

would point this out to you, that we are making these mailings at State expense from our legislative allowance. Now I, you know, I put out a little campaign flyer to those on my mailing list, within about a week of the election. But I pay for it out of my campaign fund. I look upon that as being basically a campaign type of activity. Regardless....."

Grotberg: "Do you suggest that a late..... Pardon me, Mr. Speaker, is dialogue allowed or can I just.....?"

Bradley: "Not in the decorum, you are asked to, asked a question and I think you were asked it and if you want to address the Bill you may continue."

Grotberg: "O'kay, continue, Mr. Rigney, I'll speak later."

Rigney: "I think basically I've said what I want to on it. I recognize that perhaps it might be nice if we could put out that last minute bulletin explaining all about our voting record and so forth, but I think if we're going to be honest with ourselves, we have to admit that when we are doing those last minute things, we at least certainly do kind of have one eye on the election. I think it's perfectly proper to communicate with our constituents by newsletters, questionnaires and so forth as long as they are not in any way tainted with the upcoming election. I think when we want to do these type of activities in the last 30 days, then it should come out of our own campaign fund."

Bradley: "The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, the Bill was passed out unanimously by Executive Committee. And when Representative Grotberg talked about issuing a newsletter that close to elections to inform his voters. Let's face it, that's not informing your voters, that's only an election piece and he ought to pay for it. The taxpayers shouldn't pay for his electioneering. It's a good Bill. We ought to vote for it."



Bradley: "Further discussion. The Gentleman from Stephenson, Mr. Rigney to close."

Rigney: "I think we've had....."

Bradley: "Pardon me, the Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Mr. Speaker, Members of the House, I'd like to ask the Sponsor a question. It will be very brief. If we're in Session in April, March or April of next year, and we're in trying to..... legislation descending before this House on such as Department of Children and Family Services and we put a questionnaire out to all those agencies in our District covering Child and Family Services under this Bill, that would be prohibited? How in the world can we do that?"

Rigney: "First of all, I'm not really sure I understand your question. How does Children and Family Services come in to this?"

Schraeder: "Well, under this Bill, as I understand it, you can not put out a questionnaire during the 30 days prior to the election. Now if we're trying to find something out in March."

Rigney: "You mean from your Constituents back home?"

Schraeder: "That's right. You're talking about questionnaires."

Rigney: "No, denying it, I mean in that last 30 days prior to the primary or prior to the election that, that's the effect of the Bill."

Schraeder: "Ladies and Gentlemen, I think this Bill with that type of a provision in it is detrimental to the citizens of Illinois. All of us in March and April are very seriously considering legislation effecting all the agencies in my area. I happen to be very concerned about the Child and Family Services Department. And I happen to communicate with them on a regular basis and particularly during the Session. And it seems to me that if I'm precluded from sending out a questionnaire to those agencies during that crucial period when we're debating issues covering Family Services, the Law Enforcement agencies



MAY 14 1975

80.

or any other one, particularly, Child and Family Services, then I'm precluded from knowing what is needed to what my constituency needs and wants and for that reason alone I have to vote 'no' on it, but I happen to like the other provisions of the bill."

Bradley: "The gentleman from Cook, Mr. Totten."

Totten: "Thank you Mr. Speaker, will the sponsor yield for a couple questions?"

Bradley: "He indicates that he will."

Totten: "The 30 days prior to is, does that refer to ...ah... receipt of it or mailing of it."

Rigney: "No, 30 days mailing."

Totten: "That would be the time you got it to the Post-Office."

Rigney: "Right."

Totten: "What does..."

Rigney: "I think I see what you're leading up to, Mr. Totten, you're wondering on some of these bulk mailings, sometimes they lay around the Post-Office for a week or so..."

Totten: "Some of mine take 3 weeks."

Rigney: "Yes, I understand that, that would be no fault of yours, in other words, if you've gone down to the Post-Office at least 30 days in advance and you have mailed that material, you really can't be responsible for the delivery service of the United States Postal Service...You will have a receipt."

Totten: "Okay, I would suggest that when you get this over to the Senate, you should put the words, mailed 30 days, or after, so that's clear. Let me ask you another question. What is the definition or what's your meaning of similar printed material? You indicate bulk mailing, newsletter, questionnaire or similar printed material. What does that mean?"

Rigney: "Well I guess what I was really attempting to say here in that particular section is that bulk type of material that you're sending at the bulk rate to people in your district...ah...you know newsletters and



questionnaire were a couple of things that came to my mind, I don't know what others might be mailing out but I think this type of activity where we're using our legislative expense account and in this fashion I just don't think it's correct in the last 30 days."

Totten: "Okay, it only refers to bulk mailing then, okay thank you."

Bradley: "The gentleman from Madison, Mr. Byers."

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

Bradley: "The previous question has been moved. The question is, shall the main question be put? All those in favor will say 'aye', those opposed will say 'no', in the opinion of the chair the 'ayes', have it, the gentleman from Stephenson, Mr. Rigney, to close. The question is shall House Bill 529 pass? All those in favor will signify by voting 'aye', those opposed by voting 'no'. Mr. Deuster to explain his vote."

Deuster: "Well Mr. Speaker and Ladies and Gentlemen of this House, all of us are elected for a 2 year term, We're State Representatives for 2 years and that doesn't mean minus 2 months. Under this bill there would be 2 months and if we do change the primary to May it would be the month of April and the month of October we couldn't fulfill one of the most basic parts of our duties as State Representatives and that is to inform the public of how we've voted and what our views are on subjects. As State Representatives we are sitting ducks for criticism, and I think it's only fair that there be no undue restrictions on our ability to explain what we've done down here on behalf of the people, and I think it would be wrong to wipe out 2 months of the year and say you can't communicate the way you did the rest of the year during those 2 months and I urge a 'no' vote."

Bradley: "The gentleman from Vermilion, Mr. Campbell to explain his vote."

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



I wanted to ask a question on this and of course I already know the answer that we're already prohibited, obviously, from sending out campaign literature at State expense. Now we are in Session here the year round, and many times we're here within a month before the primary or a month before the general election. And why in the world that we can't use the expense purposes necessity of sending out questionnaires, it just seems utterly ridiculous and I do have faith in the Sponsor and I have respect for him, but I think it's a terrible Bill because nobody's trying to take advantage of anybody. We can't send out campaign literature anyway."

Bradley: "The Gentleman from Cook, Mr. Madison, to explain his vote."

Madison: "Thank you very much, Mr. Speaker. Mr. Speaker, I'm voting 'no' on this Bill..... ah..... it may very well have good intentions, but then the road to hell is paved with good intentions. I think, Mr. Speaker, that for instance, I am on the Appropriations Committee, the Appropriations Committee is one of the most active committees in the even numbered year of all the House Committees. I have a responsibility to let my constituents know what I'm doing on the Appropriations Committee and this Bill would preclude that happening. The Bill specifically indicates bulk mailing. Now that it's going to force is those of us who want to make mailing to our constituents are going to now increase the State expense because to bypass this provision we're going to mail first class instead of bulk. We still have to contact our constituents. I think that this Bill increases State expense and I would therefore urge more red lights on the board."

Bradley: "Mr. Schraeder to explain his vote."

Schraeder: "Mr. Speaker and Members of the House, I don't want to take up too much time of the House, but this is an extremely serious Bill we're discussing now. We presently have on the Statutes a prohibition against



using State funds or any State equipment for campaigning. I think that the Statute in itself is quite clear. What we're doing with this piece of legislation is restricting the legislators right to inform and seek knowledge from their constituents in their districts. Ladies and Gentlemen, if you don't want to do your legislative homework by finding out what your constituents want, and what they need and for advice from those agencies in your own district, then I say keep your green lights on. But if you want to do your job as Legislators to find out what the constituents need and find out their advice on matters pertaining to your legislative duties then put on your red lights. We already have prohibition against State funds, using for campaign purposes. This is a bad Bill because it restricts your lives to fulfill your obligation as legislators and all I can say is you're tying your own hands for two months when the books are already covered with anti-campaign fund..... literature..... campaign fund....."

Bradley: "Have all voted who wish? The Clerk will take the record. On this question there are 126 'ayes', 18 'nos', 9 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. 5..... The Gentleman from Grundy, Mr. Washburn, for the purpose of an announcement."

Fred Selcke: "House Bill 56....."

Bradley: "Wait a minute. Wait a minute."

Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It's my privilege this afternoon to introduce the 8th grade class of St. Paul's Lutheran School in Kankakee. The 8th grade class is accompanied by their teacher, Mr. Newendank. They're in the Speaker's Gallery and of course Kankakee is located in the great 43rd District represented by Representatives Beaupre, Ryan and Washburn. Would the 8th grade class of St. Paul's Lutheran School please stand and be recognized?"



Bradley: "On the calendar on Third Reading appears House Bill 563."

Fred Selcke: "House Bill 563. Daniels, a bill for an act in relation to use of assumed in conducting or contracts in business of this state. Third Reading of the bill."

Bradley: "The gentleman from DuPage, Mr. Daniels."

Daniels: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 563 merely makes a change in the necessity for recording on your assumed name if your in the assumed name business. What the law presently is it says that if you conduct business at any county in the state you must register in that county. The change is made in amendment number 5, which is now the bill, while all other amendments having been tabled. Basically says that all you have to do is register in the principal place of business, where that business is located. It also changes the penalty structure from a Class D, misdemeanor to that of a petty offense. This is, has the backing of the county clerk association and other business orientated groups, and I would move for the passage of House Bill 563."

Bradley: "The gentleman from Franklin, Mr. Hart."

Hart: "Will the sponsor yield?"

Bradley: "He indicates that he will."

Hart: "Who is the sponsor? I can't find him. Oh, Lee, alright. What is the principal place of business? I'm not sure what that means."

Daniels: "Well that would be indicated by the company saying that he has or transacts in one particular location when they file their certificate of registration."

Hart: "It still would be in the county clerk's office?"

Daniels: "Oh yes, the county clerk's office is still where it's registered."

Hart: "Alright, thank you very much."

Bradley: "The gentleman from Macon, Mr. Borchers."



Borchers: "I didn't quite understand what you meant in relation to the business affairs. For example, does a company register we'll say in a, A county and but doing business principally in B county. Does that change the structure in relation to taxation or not."

Daniels: "No it doesn't effect taxation at all."

Bradley: "Further discussion? If not the gentleman to close."

Daniels: "I just ask your favorable support of House Bill 563."

Bradley: "The question is shall House Bill 563 pass? All those who...will...in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? The Clerk will take the record. On this question there are 131 'ayes', 4 'nos', 1 voting 'present', this bill having received the constitutional majority is hereby declared passed. Porter 'aye', Grotberg 'aye', Campbell 'aye', Stubblefield 'aye'. On the calendar appears House Bill on Third Reading, House Bill 577."

Fred Selcke: "House Bill 577."

Bradley: "Pouncey 'aye'."

Fred Selcke: "House Bill 577, Greisheimer, a bill for an act to amend the vehicle code, Third Reading of the bill."

Bradley: "The gentleman from Lake, Mr. Greisheimer."

Greisheimer: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. This is a somewhat technical bill, but I don't want you to think this is merely a technical amendment. This creates a new approach on service of process for a motor vehicle driver to hide after an automobile accident. One of the problems which many parties injured in automobile accidents have been faced with in our State, is that after the accident takes place, either they or their attorney is contacted by the other drivers insurance company and some offer of settlement is made, generally at a very low figure."



JAN 14 1957

When they choose not to accept that figure, the insured individual who is the driver of the other car disappears. Now if he was a non-resident motorist, we could serve the Secretary of State. But if he is a resident under our present law you actually have no way to proceed, no way to take action even though you know this man is in Illinois someplace and is hiding, and he in fact has insurance. What this bill does is it creates the opportunity for an attorney after due diligence attempting to locate the other party, after filing an affidavit with the clerk stating that he cannot find him, to then serve the Secretary of State on an unavailable, hiding in residence just as he does a non-resident to get valid service of process in order to commence the case.

I think this is a valuable bill, it was suggested to me by a member of the bar association who handles a great deal of this work, tells me that in our county alone, in Lake county that this problem has come up in his practice at least 8 times in the last three years. I can imagine this problem is very prevalent in the City of Chicago. And I would urge your passage."

Bradley: "Further discussion? The gentleman from Cook, Mr. Porter."

Porter: "Ron, can I ask one question?"

Bradley: "He indicates he will yield."

Porter: "When, when the Secretary of State is served, what further responsibility does he have to notify the out of state driver if any?"

Greisheimer: "Well the way this bill was requested to be drafted, first of all, it's not an out of state driver, it's an in state driver."

Porter: "No, no I'm talking about the present law, what obligation does the Secretary of State have under present law?"

Greisheimer: "Well under present law, it's my understanding that all they have to do is file an affidavit setting



out the last known address of the individual and I'm not sure whether the Secretary of State has any obligation to forward any documents. Whether he does, I'm not aware of it."

Porter: "Okay, thank you."

Bradley: "The gentleman from Lake, Mr. Greisheimer to close."

Greisheimer: "Well, Mr. Speaker, I ..."

Bradley: "I'm sorry, I'm sorry, Mrs...the lady from Champaign Mrs. Satterthwaite."

Satterthwaite: "Mr. Greisheimer, I would like to follow up the questioning of the previous speaker. I think the real question in my mind is what good to have this affidavit served on the Secretary of State? What is the process, after that what's the advantage of having this?"

Greisheimer: "Well that takes the place of a summons and then it's valid service to processing you can proceed against that defendant. If the defendant chooses not to reply to it you can go ahead and have a default prove up in court take judgement and since you then know who the insurance company is even though you haven't physically laid hands on the defendant you can go ahead and have execution served against the insurance company to make recovery for the plaintiff that was injured in the law suit."

Satterthwaite: "Sir, is the means of getting to the insurance that would be available."

Greisheimer: "Yes, that's correct."

Satterthwaite: "Thank you."

Bradley: "The gentleman from Cook, Mr. Ewell."

Ewell: "I wanted to ask a question of a similar vein. What you're really saying is that if you can't find the man you can't collect any of his assets or anything. Is that correct?"



Greisheimer: "That's exactly correct."

Ewell: "Alright, then the only thing that you're saying is that all you want to do is open up the insurance company so that when we send the notice to the Secretary of State the insurance company will be liable."

Greisheimer: "That's exactly correct."

Ewell: "What is the fairness to the insurance company that they don't run into just multiple default judgements that are just plain ripoffs then?"

Greisheimer: "Well the insurance company always has the opportunity if the defendent or the insured is not cooperating they have a right to go in and petition the courts and withdraw coverage. This is in that limited circumstance where the insurance company knows where the defendant is and they come to the plaintiff and they attempt to negotiate and when there can't be agreed negotiation the insurance company in effect says, well it's too bad, you try to find our insured in this case and if you can't you have no right of action. If...if the insured secretes himself from the insurance company and refuses to cooperate, then they can come in under the terms of the caselaw in our state and say there's a lack of cooperation and we wish to withdraw coverage."

Bradley: "Further discussion? The gentleman wish to close?"

Greisheimer: "I'll only urge an affirmative vote on this."

Bradley: "The question is shall House Bill 577 pass? All those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 124 'ayes', 3 voting 'no', 7 voting 'present', this bill having received the constitutional majority is hereby declared passed. On the order of Third Reading appears House Bill 604."

Fred Selcke: "House Bill 604. Greisheimer. A bill for an act to amend the State Fire Marshall Code and the School Code. Third Reading of the bill."



MAY 14 1975

89.

Bradley: "The gentleman from Lake, Mr. Greisheimer."

Greisheimer: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. This bill is extremely important to all parents of school children in our state. This matter was brought to my attention by a school board member in Lake County, and when he brought it to my attention I couldn't believe that this was the fact in our state. How many of you in this room know that a fireman is not allowed to go into a public school in this state to inspect it for safety purposes? Notwithstanding some of the ghastly fires that have taken place in schools in this state. Since 1962, as a result of an attorney generals opinion, no fireman, unlessing he was invited by a school board could go into a public school and check to see if that school was complying with any base minimum fire safety standards. When I double checked this with the State Fire Marshalls office they said that that was exactly the case, that they were only allowed in schools when they were invited in the schools and even then they could only suggest changes for fire safety purposes, they could not mandate them as they do in other private buildings. Further I found out that the Fireman could go into private schools, Catholic and parochial schools and mandate fire code enforcement and tell them to make these changes in compliance. So really, our children in the public schools became second class citizens. What this bill does is it changes that attorney generals opinion, it leaves the authority with the State Board of Education to promulgate life safety standards for the schools but it says specifically any fireman as a deputy registered fire marshall, and for those of you that wonder what a deputy fire marshall is, the chief of any fire department in the State of Illinois is automatically a deputy fire marshall, it gives the fire marshalls office, and therefore the deputy fire marshalls, the authority to go into any



MAY 14 1975

90.

state school to examine the school as they would do any private facility and then make demand orders upon that facility for correction of fire code violation. This matter was set down in Executive Committee for hearing it passed out of Executive Committee 24 to nothing. There is an amendment on this it exempts cities over 1 million I believe that we have a fireman in the House here that might be able to explain that. Chiefly because of the fact that there are some cities which are already complying with this very strongly and as I understand it the city of Chicago is one of those cities, just as Waukegan is. But let me assure that there are other cities and villages in this state which are using very obverse means to, adverse means to keep firemen out of the schools. In one small town in the county of Lake there has been a situation that has existed for over 2 years where the fire alarm system is not connected because it's broken to the central board in the fire station. One of the village councilmen tried to come into the school with a fireman to check it out to see if it was true and they barred him at the door and said he couldn't come in and check it. The schools are very much opposed to this for the reason that it does involve some cost, but I think with the safety of children is at stake here and we must pass this law."

Bradley: "The question is shall House Bill 604 pass? Is there any debate? The gentleman from Will Mr. Kempiners."

Kempiners: "Thank you Mr. Speaker, will the gentleman yeild?"

Ron, I...I've got the digest the synopsis here and I'm kind of wondering if the bill provides for a time period during which the schools will have at least time to make the repairs or if a fire official comes into the school and says you've got to do this by next week. Do they have to do it by then? I could see where there would be a financial problem in some school districts where they might need a period of time to come up to



MAY 14 1975

91.

standards."

Greisheimer: "Well...ah...you know any law is subject to reasonable interpretation and reasonable enforcement and I don't believe the fire marshalls are waiting at the thresholds of the schools to rush in there and make demands upon them they cannot meet. I believe it will be enforced reasonably, there is no specific wording in the bill that says this will be delayed for 30, 60, 90 days, matter of fact with my 2 kids in school, I don't want this delayed. I want those schools to be inspected immediately because of the safety of my children while they're in school is more important to me than the cost of the repair. I would also point out to you, that under the same subject matter, schools have the authority now to collect each year a certain amount of money which is designated for the repair of schools for fire safety programs. I...I can't give you the specifics of that maybe some of the other Representatives here that are more involved in school law than I am, so that they have a special fund already set up for this purpose so that it's not going to cause a new draw, but it will require them to meet minimum fire code standards."

Kempiners: "Do you have any idea how many schools might be sub-standard at present?"

Greisheimer: "Well I met with the Northeastern Illinois Fire Inspectors Association last August out in St. Charles, and at that time at least 8 of them came up to me some from suburban Cook county and many others as a matter of fact in your area out in the Elgin area, or was it Elgin or Aurora, I can't recall just off hand and said that there were very significant problems. One structure out in Elgin is an old wooden school building and quite frankly the whole school building should be condemned and they've been allowing it's use for many years."

Shea: "You aren't closing are you? Are you through Mr...."



MAY 14 1950

92.

Shea: "The gentleman from Kankakee, Mr. Beaupre."

Beaupre: "Mr. Speaker, a question to the sponsor."

Shea: "He'll yield."

Beaupre: "I'm sure that all of us, Representative Greisheimer, are concerned about safety in the schools, and I know you to be a legislator who always does his homework. I'm, My question really goes to...to the issue of whether or not we're duplicating efforts and giving local municipalities the right to do something that's already done by the state. And I...I am aware that there is a life safety code in... involving schools and it would seem to me that it was probably the duty of the Illinois Office of Education to see that that life safety code is enforced and I would merely ask you that if you can explain for us, what is being done in regard to enforcement of that and therefore explain whether or not this is necessary."

Greisheimer: "Alright, I would like to respond to that. The Life safety code is promulgated by the State Board of Education, but the matter of the fact right now is not being enforced, the way they handle this is that they send out forms once a year to the principal or superintendent of the school districts and tell the superintendent to check his schools to see if it meets with fire...fire code safety standards under the life safety act. And needless to say, these principals and superintendents are not fire experts, they don't even know what they're looking for. For instance one principal in our district stated to me that his school has not been checked for 7 years. Now this is not a good situation and therefore it does need enforcement. The standards that they establish are certainly good standards and I'm not suggesting that they shouldn't establish the standards. What I'm looking for is an enforcement that knows something about fire standards."

Beaupre: "If we're setting the standards on the state level then should not the enforcement take place by a state



MAY 14

agency rather than a municipality who may or not follow those standards."

Greisheimer: "They must follow the standards, they have no choice, the way this bill is written, the fire...life code safety for schools is still in effect and no municipality in enforcing through the fire inspection can lower those standards, in other words these are base minimal standards. All I'm suggesting by this bill is that a municipality can set higher standards for his school."

Shea: "The gentleman from Lawrence, Mr. Cunningham."

Cunningham: "Mr. Speaker and Ladies and Gentlemen of the House. I voted for this very bad bill when it was in the Executive and I've been anguished every since for having done so. It's harsh and it's unreasonable, it's impractical and it deserves a 'nay' vote and I assume that the final vote here will be 144 to 1, in favor of its passage. But the reason that I say that it's unworthy of your support. The reasons are first, in regard to the life safety code. Contrary to the representation of the sponsor, the life safety code is being impunitively enforced at the present time, it's closed down one high school in my district, one kindergarten in my home town. They have never shown any mercy whatever that I have seen. It would be a more humanitarian gesture on the part of Government if it puts its foot down on the neck of the governed if it adopts the rule that where there 2 penalties involved given the lesser penalty. That I submit to you would be the quality of mercy. But no, we have just the opposite in this instance, we have the new principal being ...by the gentleman from Waukegan that says when there are two penalties and one is more harsh than the other, why in the name of good government we'll enforce the more harsh penalty. If you follow that rather strange dogma a little farther you can



see the potential that's involved. We have many offenses on the books that say that they are petty business offenses. What if some enterprising City Council should decide that we'd make it a Class A felony? Class I felony, excuse me. Under the rule now being as followed, we would have more serious offenses and the governed would be governed to extinction. Now's the time to vote for the people. Vote no."

Greisheimer: "One in six against Roscoe?"

Cunningham: "No, let me answer that, Mr. Sponsor. On this thing, we don't need any copies of the speech, because down in my district your manifest opposition is sufficient guarantee to my re-election again and again so long as my constituents demand that I be here."

Shea: "The Gentleman from Cook, Mr. Madigan."

Madigan: "Mr. Speaker, for the purpose of an announcement. Seated in the Gallery to my left on the Democratic side of the aisle are a group of 8th graders from the Cooper Upper Grade Center in Chicago. That's in the 20th District represented by Representatives Huff, D'Arco and Stearney. If you'd stand up and take a bow."

Shea: "The Gentleman from Madison, Mr. Byers."

Byers: "Mr. Speaker, I prev..... I move the previous question."

Shea: "The question is, shall the main question be put? All those in favor will say 'aye', those opposed 'nay'. The 'ayes' have it. Mr. Greisheimer to close."

Greisheimer: "Well, very briefly in closing, Mr. Speaker, I must say that I'm shocked and dismayed that the Gentleman from Lawrence would put the symbolism of good government over the lives of poor, helpless children in our State. I don't know what goes on down in Lawrence County, but it must be something that we don't know about. If they're closing down schools at the rate he is stating. Maybe we need the fire inspectors to get out and look into the schools. The problem of the matter is

now, is not the forensics of some politicians on this
GENERAL ASSEMBLY



MAY 14 1975

95.

it's the lives of the children in the State of Illinois. And I'd very much hope that we would look to the lives of the children, not look to bureaucracies, not look to fool-hearty comments but let's place the lives of the children first and foremost, and I urge your support of this Bill."

Shea: "The question is, shall House Bill 604 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. The Lady from Adams, Mrs. Kent to explain her vote. Hill."

Kent: "Due to the fact that I was, Mr. Chairman, that I was not called on before where I could ask a question, I will make a statement. Hopefully, the fire safety code, also besides just inspecting the building, also educates those who might be caught in a fire. We have had a very sad experience in our area where they had fire extinguishers they were all in good order, they'd all been checked. But no one had been instructed as to how to use them. And when a child became on fire in a chemistry lab.... ah... no one knew how to open the little screw that started the fire extinguisher. So if I could urge by voting 'yes' for this, that they also educate those people who might become involved in a fire and have to use the equipment, that hopefully they know how to do it. Thank you."

Shea: "Have all voted who wish? Miss Satterthwaite to explain her vote."

Satterthwaite: "Mr. Speaker and Mr. Greisheimer, I am voting 'no' on this Bill for reasons similar to those that Mr. Cunningham has already stated. I find that in my district there are nurseries having to put in very elaborate equipment for complying with the Code as the Law Enforcement Department is now telling them to do and it is not even clear that there are any written regulations about what those standards will be. So that it's almost impossible for anybody to find out what they need to do to comply until they are visited and told by the law enforcement



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 14 1975

96.

department. Even if they have been registered licensed in order to operate...those licenses are being taken away from them, I'm not sure that this agency is equipped to handle this duty as they are now organized."

Shea: "The gentleman from. There are 127 'aye' votes on this and I have 3 people that still want to explain their votes. Mr. Hirshfeld, go ahead."

Hirshfeld: "Thank you Mr. Speaker, I just wanted to make a suggestion to the chair that when it makes the copies for the distinguished gentleman from Lawrence County of his argument, it might also make a copy of the roll call to show the effectiveness of the argument."

Shea: "Take the record Mr. Clerk. On this question there are 127 'aye' votes, 18 'no' votes, 16 votes voting 'present'. House Bill 604 having received the constitutional majority is hereby declared passed. On the order of House Bills Third Reading appears House Bill 627."

Jack O'Brien: "House Bill 627, Mugalian. A bill for an act to amend the probate act. Third Reading of the bill."

Shea: "On the, Mr. Mugalian if you'll wait a minute. On the priority of call House Bill 620 was the next bill, my understanding that bill was taken back and amended and it must stay on the order of Third Reading until such time that it's enrolled and engrossed. Mr. Jaffe."

Jaffe: "What we would like to do is take it back to Second Reading because we have an amendment to put on it. It's not been put on it yet Mr. Speaker."

Shea: "Now...now wait a minute, it's now on Second Reading right now Mr. Jaffe."

Jaffe: "Okay that's fine."

Shea: "Alright. The...Mr. Hoffman did you want something on this bill or another bill? Turn Mr. Hoffman on."

Hoffman: "Thank you Mr. Speaker, just parliamentary inquiry. I noticed on the priority of call for House Bill 620 that the date is 5-22, which is the priority that we're presently on, if he brings this back for the purpose of



MAY 14 1915

an amendment does this put this at the very last of the priority of all calls then?"

Shea: "It keeps the same date. It's 30 days after it gets on the calendar sir. The gentleman from Cook, Mr. Mugalian."

Mugalian: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. House Bill 627 amends the Probate Act to clarify the conditions under which a guardian ad litem must be appointed to represent a minor or incompetent person. It does not, I repeat, it does not do away with a guardian ad litem but will eliminate appointment where appointment is unnecessary and will also reduce the time of lawyers in petitioning the courts with a waiver of an appointment of a guardian. A guardian ad litem is a court appointed person, usually a member of the Bar to protect persons who are not considered able to protect their own interests. A fee is paid to the guardian ad litem which usually comes from the share that the minor or the incompetent would receive. This bill covers three probate court situations. One is proof of will, the second is the sale of real estate, and the third has to do with the final account of the executor or the administrator or the conservator I would guess that all of you have received letters urging the adoption of the uniform Probate Code. Or who have otherwise complained about the expenses of probate or the delays in the settlement of an estate. The Uniform Probate Code may never be adopted and at least its adoption is still several years away. Most experts in Probate believe that our present probate act is basically sound but that we must not delay improvement in the act. Changes that would make Probate easier and less costly. This bill represents a substantial important step in reducing the time and expense of Probate proceedings. To the credit of the organized bar. Both the Illinois State Bar Association and the Chicago Bar Association support this bill. This bill received a 14 to 2 do-pass in



Judiciary 1, and this very same bill overwhelmingly passed this House last year. I urge your adoption."

Shea: "The question is shall House Bill 627 pass. Is there any debate? Hearing none those that, those that wish to pass the bill will vote in the affirmative, those opposed will vote in the negative. Mr. Beatty, did you want to talk on this? Mr. Beatty on a question."

Beatty: "Representative Mugalian, under what circumstances would you, what...what cases are we talking about where you're not going to be appointing the guardian ad litem?"

Mugalian: "Take the case...take the case of a minor say 15 years old, who has a brother 25 and a sister 28, in that situation the court would hold that there is an identity of interest on the part of adults who would necessarily represent the interest of the minor. Or if there is a guardian appointed for the minor you would not then appoint a guardian ad litem as well. Those are just two examples."

Beatty: "Well if the...ah...older brother or sister had a similar interest...ah...would, there wouldn't be any guarantee that they had leave of council, Representative, would there?"

Mugalian: "No, they would have what we call an identity of interest."

Beatty: "You're saying..."

Mugalian: "In other words their interests would be exactly the same as the minor. And therefore there would be no necessity to appoint a guardian ad litem for one of the three."

Beatty: "Well couldn't the minors interests be defeated even though they had a similar interest? Isn't it possible that neither...?"

Mugalian: "No, if there interests were different, if one, if the minor had a different standing under the will than the two adults then a guardian would be appointed."

Beatty: "This is left to discretion of the judge?"



Mugalian: "Exactly."

Beatty: "Thank you."

Shea: "Is there further debate? The question is, shall House Bill 627 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. The gentleman from Cook, Mr. Walsh."

Walsh: "Did I understand that this bill was taken to Second Reading and amended?"

Shea: "No that was the last bill, Mr. Walsh."

Walsh: "Okay, thank you."

Shea: "Have all voted who wish? Have all voted who wish? Take the record Mr. Clerk. On this question there are 118 'ayes', 8 'nays', 8 voting 'present', House Bill 627, having received the constitutional majority is hereby declared passed. Laurino 'aye'. Van Duyne 'aye'. Did I get it right LeRoy? House Bill 6...House Bill 641."

Jack O'Brien: "House.."

Shea: "House Bill 640."

Jack O'Brien: "House Bill 640, Flinn. A bill for an act to amend an act to revise the law in relation to Counties. Third Reading of the bill."

Shea: "Mr. Flinn, on House Bill 640."

Flinn: "Thank you Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House. House Bill 640 does two things it changes chapter 34, Section 50 of the statutes and it takes away to the reference to Board of Supervisors and changes to County Board. It also changes the date of the annual meeting from the Second Monday of June, and leaves it up to the County Board as when to call it. For example. Many of the County Boards do not meet on Mondays normally and this is confusing, creates confusion rather, to the members who want to attend the County Board member, meeting rather. And this permits the County Board to hold it on the normal weekday that they have their normal Board Meetings. So I'd ask for your support."



MAY 14 1975

100.

Shea: "The gentleman from Cook, Houlihan, D.L."

Houlihan: "I have a question of the sponsor, Mr. Speaker."

Shea: "He indicates he'll yield."

Houlihan: "Representative, can you tell me what effect this bill has relative to the holding of public hearings by the zoning board of appeals and the townships for the property which is the subject matter of a map amendment...ah...is located."

Flinn: "I...I think you're probably talking about 641, which is next. 640 doesn't have anything to do with the zoning."

Houlihan: "Oh, I'm sorry, I was looking at 641."

Shea: "Is there further discussion? The question is, shall House Bill 640 pass, 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 Mr. Clerk. On this question there are 130 'ayes', no 'nays', 1 voting 'present', House Bill 640, having received the constitutional majority is hereby declared passed." House Bill 641."

Jack O'Brien: "House Bill 641, Flinn. A bill for and act to amend an act in relation to County Zoning. Third Reading of the bill."

Shea: "The gentleman from St. Clair, Mr. Flinn."

Flinn: "Thank you Mr. Speaker. House Bill 641 is in relation to County Zoning, and for example, right now under the present law my County has 22 townships. And if there is a general change in the zoning laws we must have a hearing in all 22 Townships. What this does is permit them, permits the zoning hearing to be held in the courthouses with proper notification through the newspapers and so forth. If for example the zoning change takes place in one particular Township, then the meeting would be held in that Township. I don't know whether I answered Representative Houlihan's question from the previous bill, but if he has any question I'd be glad to



MAY 14 1975 101.

try to answer it."

Shea: "The gentleman from Cook, Houlihan, D. L. on a question."

Houlihan: "Representative Flinn, can you tell me how this bill relates to the bill that was passed this House the other day sponsored by Representative Tuerk. I thought that, based upon his explanation does the same thing that this bill does."

Flinn: "Well basically it does the same thing, I...I don't know that they're exactly alike, what mine does if it would, effects more than one Township, then the zoning meetings can be held, permissible to be held in the county courthouse. If it effects only one Township it be held there. I don't know that there's a great deal of difference there but, I think there is that difference."

Houlihan: "But there is no provision in the bill that we are considering now, that eliminates the requirement on a map amendment hearing where property is situated wholly within one Township. That the public hearing by the zoning board of appeals, be held at some location in that Township."

Flinn: "That's what this bill does."

Houlihan: "Well then perhaps I'm misunderstanding you. I thought that what you were referring to on the bill, if for example a tax amendment to a zoning ordinance which amendment taxually would be applicable to the entire ordinance in all parts of the County the hearing on that to be held in the County courthouse or wherever the County offices are. But for a map amendment classification involving a specific piece of property wholly situated within a single township, that then you must still hold the public hearing by the zoning board of appeals which considers the application, you must still hold that in the township in which the property is located."

Flinn: "That's right, that's exactly what it does."



MAY 14 1975

102.

Houlihan: "Alright, no further questions."

Shea: "The gentleman from McHenry, Mr. Skinner."

Skinner: "This is a bill that's going to lower the cost for Township Government, for County Government when they want to pass a new zoning ordinance, instead of having to hold it in every dinky little Township, they'll be able to hold one hearing that will be well advertised and well attended. It's a great bill."

Flinn: "In answer to, I know Representative Skinner was not asking questions, but he's right, very often we're holding Township meetings when nobody shows up, we go Township after Township and it's a money saving matter it was presented by the people that own the County Problems Commission, it's not my bill, I have no pride of authorship at all, it, but it is a little bit different than Representative Tuerks that we passed the other day in that respect so I would ask for your support, Mr. Speaker and Ladies and Gentlemen of the House."

Shea: "The question is shall House Bill 641 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 145 'aye', one 'nay', two voting 'present', House Bill 641 having received the constitutional majority is hereby declared passed. House Bill 819."

Jack O'Brien: "House Bill 819. Hart, a bill for an act to amend sections of the Election Code, Third Reading of the bill."

Shea: "The gentleman from Franklin, Mr. Hart." On House Bill 819."

Hart: "Thank you very much Mr. Speaker and Ladies and Gentlemen of the House. This is a simple bill. It was requested by our former colleague, Tobias Berry, who's now a member of the Appellate Court. And what it would do it would prevent persons who are running for the Judiciary for the first time from using the word 'retain'



MAY 14 1975

103.

or words of similar import when they run in the election. Judges who have been elected run on the retention ballot. And apparently some of those judges who are temporarily appointed when they sought to run for the first time on a primary collection have used the word 'retain', so I think it's a good bill, I would appreciate the support of the House for myself and for former colleague, Toby Berry."

Shea: "The question is shall House Bill 819 pass? Is there discussion? Hearing none. 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 151 'ayes', no 'nays', 0 'present'. House Bill 819, having received the constitutional majority is hereby declared passed. On the order of House Bills Third Reading appears House Bill 829."

Jack O'Brien: "House Bill 829, R. K. Hoffman. A bill for an act to amend the Illinois Vehicle Code. Third Reading of the bill."

Shea: "The gentleman from Cook, Mr. R. K. Hoffman."

Hoffman: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 829 would enter provisions for the Secretary of State may change General Assembly Members license plates, front license plates only. To reflect the State Seal and the office that you hold. One of the things we have found in the past is that a lot of times conversation wise, you find they really can't disserve what office you're holding, what the plate designates. Many times we're confused with used cars deal...used car dealer plates. This would provide that the plates that you presently have on the rear of your automobile would remain the same with the designated number and the same coding as for an official and House however, the front plate, the Secretary of State could change to eliminate the number on the front plate and put in the State Seal. It's distinctive, it's something



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

that I think the office that you're elected to serve in warrants this, many of the states utilize this and presently the page has, is supposedly passing out at this time an artists rendering of what this...ah... particular plate would look ."

Shea: "The question is, shall House Bill 829 pass? Is there discussion? The gentleman from Macon, Mr. Dunn."

Dunn: "Mr. Speaker, I probably shouldn't say this but I'm going to say it anyhow, with 4,000 bills on the calendar, we've certainly got better things to do than this. To worry about what's on our license plates. They're fine the way they are now, it's a bad bill, it ought to be defeated."

Shea: "The gentleman from Lake, Mr. Deuster."

Deuster: "I was going to ask the sponsor, I read the synopsis and the description doesn't seem to conform with the synopsis and I was wondering whether there had been an amendment or whether the synopsis is in error. The synopsis doesn't say anything about the State Seal that I can see."

Hoffman: "All we have to do is change the interpretation of what the Constitutional provision provides and that's what this bill will do. It will allow the Secretary of State to designate specific front plates."

Shea: "Is there further debate? The question is shall House Bill 829 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. The gentleman from Cook, Mr. Fary."

Fary: "In explaining my vote Mr. Speaker. Now is probably the right time for us to think of retaining our license plates when we retire. Keep the same number that you had when you left the House, with a little 'R' in the right hand corner."

Shea: "John, they give you Congressional plates where you're going. Have all voted who wish? The gentleman from Cook, R. K. Hoffman to explain his vote. Have all voted?"



MAY 14 1975

Have all voted who wish? Mr. Hoffman doesn't wish to explain his vote. Take the record. On this question there are 95 'ayes', 31 'nays', 16 members voting 'present' House Bill 829, having received the constitutional majority is hereby declared passed. House Bill 834. Laurino 'aye'."

Jack O'Brien: House Bill 834. Getty. A bill for an act to amend the Civil Practice Act. Third Reading of the bill."

Shea: "Mr. Walsh, are you taking off your shirt? You know rolling up your sleeves helping me with those tables tonight? The gentleman from Cook, Mr. Getty."

Getty: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill 834 amends the Civil Practice Act to bring it in conformity with other laws that have heretofore passed this House reducing age limits from 21 to 18. Where the court may in its discretion upon motion order service to be made by a private person over the age of 18 years, rather than 21 years. I know of no opposition to it. I would ask for a favorable roll call."

Shea: "The question is shall House Bill 834 pass? Is there debate? Hearing none, all those in favor will vote 'aye' those opposed will vote 'no'. Have all voted who wish? Take the record Mr. Clerk. On this question there are 147 'ayes', 5 'nays', one voting 'present', House Bill 834 having received the constitutional majority is hereby declared passed. Leon 'aye'. On the order of House Bills Third Reading appears House Bill 921."

Jack O'Brien: "House Bill 921. Fleck. A bill for an act to amend an act in relation to rate of interest and other charges in connection with sales on credit and the lending of money. Third Reading of the Bill."

Shea: "The gentleman from Cook, Judge Fleck."

Fleck: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 921, it deals with the treatment of interest rates payable on installment contracts for the purchase of real estate. This was on oversight when the mortgage increase interest bill was passed last session,



MAY 14 1975

and this is merely meredial...meredial...remedial legislation to bring the contracts for purchase of real estate in conformity with the mortgages. The bill is drafted in such a way with the work of Representative Leon, that the tie in date for this bill is tied in with the mortgage bill which is over in the Senate. When that expiration of the interest rate on mortgage goes back to 8% so does it on the contracts on purchase of real estate, it passed the Banks and Savings and Loan Committee by a 17 to 0 margin and I know of no opposition to this bill and I ask for your support."

Shea: "The question is shall House Bill 921 pass? The gentleman from Cook, Mr. Greiman."

Greiman: "Mr. Fleck, will the gentleman yield for question?"

Shea: "He indicates he will."

Greiman: "Charlie, do I understand that this is going to relate back to contracts that are already in...in ah, being?"

Fleck: "The way the bill is drafted, yes. It would relate when they originally, we passed last session the mortgage interest entree, we thought that at that time it would include contracts. But evidently it didn't, I was told that Attorney Generals opinion came out said thats a different area, you're going to have to pass credit legislation, now if any, this would hold true I can see your problem."

Greiman: "Okay, then I...I'd like to address myself to the bill, I think the bill is just patently unconstitutional. We are clearly impairing a contract and to allow contract to be renegotiated, which is what we're doing, we're saying that a contract that was entered into in July or August of 1974 at 8% can now be renegotiated to 9% or 9 and a quarter per cent, and I, I think it, it just is patently unconstitutional. What the law was, or what the intention of the legislature or the drafters might have been at that time is one thing but if we didn't pass



the law, we certainly can't pass that now and go back and essentially reform contracts by statutorily amending this act. And I would, I would, I oppose the increase in any event but I certainly would oppose it on a retroactive basis and I suggest that we vote no on this bill."

Shea: "Is there any further discussion? Is there any further discussion? Mr. Fleck to close."

Fleck: "Well, Mr. Speaker, I would like to ah, clear up a misunderstanding of Representative Greiman. The way the bill reads and I have it before me. It will not void any contracts that have been entered into, previous to the accepted date of this bill. What it will do, will make those contracts legal. And the language of the bill is this. If such a contract has been entered into, on or after July 12, 1974, for an interest rate not in excess of 9 and one half per cent, that interest rate is lawful. That's what it says. It doesn't give the right to renegotiate it just simply states that if there was a real estate contract that might have been entered into at 9 and a half per cent and those parties to the contract were under the misunderstanding that the contracts were in the original mortgage bill we passed, that those contracts will be legal, as was the intent of the original mortgage increase."

Shea: "The gentleman has moved for the passage of House Bill 921. All those in favor will vote 'aye', those opposed will vote 'nay'. The gentleman from Kane, Mr. Sangamon...er...the gentleman from Sangamon, Mr. Kane to explain his vote. I'm sorry Doug, I didn't mean to put you in the wrong County. I got Walsh in front of me, I can hardly see here."

Kane: "I think with the adoption of amendment number 2 to this bill, it takes the time limit off for the extension of the interest rate to 9 and a half per cent. And I



MAY 14 1975

think that we raise the usury rate to 9 and a half per cent for home mortgages we extended it for only 1 year or 1 and a half years and with the adoption of amendment number 2 to House Bill 921, it would allow for contracts for deed to go to 9 and one half per cent for ever with no termination and I vote 'no'."

Shea: "Have all voted who wish? Have all voted who wish? The gentleman from Cook, Mr. Duff, the assistant minority leader to explain his vote."

Duff: "I was trying to get your attention for Mr. Fleck."

Shea: "Well I can see Mr. Fleck, I thought maybe you wanted to speak."

Duff: "If you thought that pointing finger meant that then I'm sorry."

Shea: "Oh, well I thought it meant something else. Mr. Fleck please, to explain his vote."

Duff: "It did."

Fleck: "I would also like to clear up what Representative Kane has just eluded to. The mortgage bill, which we passed, which is part of this bill, states that all written contracts shall be lawful and it goes on and states the interest, and its a written contract for the purchase of land, now what this bill simply states...and it sets the cut off date for mortgages and, which are contracts for the purchase of land. What this bill says it's for purposed of this paragraph, a contract for deed for residential real estate is a loan secured by residential real estate. The same definition that they use for a con...for a mortgage. So accordingly when you read it in parameterial with the previous sentences when the mortgage date transpires so does the date for contract for purchase of real estate. And there are, I see no great difficulty with that, it's just a matter of reading the bill and reading it in parameterial with what we've set up for the mortgages."



MAY 14 1975

110.

Shea: "Is there any further discussion? Is there any further discussion? Mr. Greiman wants to explain his vote now."

Greiman: "Well, uh..... Mr. Fleck, I've heard both of the explanations and they both or neither, I should say, correct the problem of a retroactive interest rate. Apparently, we did not express our intentions. We left it blank. We retained the old interest rate for these contracts. We were, we can only extend, we can only read into the Statutes that we passed last year, what we said in that Statute and I don't know how we can possibly go back and validate a usury contract. Those contracts were usury and we are now kind of giving them a cleansing process. They were usury and I don't know how this House can go ahead and save and rescue usury contracts. That's precisely what we're doing in this Bill, and I would like to see somebody get off of it."

Shea: "Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 90 'ayes', 32 'nays', 16 voting 'present', House Bill 921. I hear the voices but I don't see the hands. Mr. Kane."

Kane: "I respectfully ask for a verification."

Shea: "Mr. Fleck."

Fleck: "Request for a, poll the absentees."

Shea: "There's been a request for verification of the affirmative vote. And there's been a request for poll of the absentees. Mr. Walsh. Mr. Walsh votes 'aye'. Mr. Clerk, please poll the absentees."

Jack O'Brien: "E. M. Barnes. Brandt. Caldwell. Caldwell votes 'aye'."

Shea: "Mr. Caldwell, 'aye'. Mr. Stone 'aye'. Mr. Klosak 'aye'. Proceed with the polling of the absentees, Sir. Would the..... Would the Members please wait until their names are called and vote at that time, so we don't get the Clerk's records confused. We started off this



MAY 14 1975

111.

roll call with 90 'ayes' and ' 32 'nays', since that time there have been three members, four members voting 'aye'. We're now at 94. Proceed with the absentees, sir."

Jack O'Brien: "We've got Caldwell, Klosak, Walsh and Stone. Capparelli. Capuzi, Davis, Ewell, Fary, Frederick, Garmisa, Geo-Karis, Giglio, Huff, Emil Jones, J. D. Jones, Keller, Lechowicz, Leverenz."

Shea: "Excuse me Sir. Mr. Huff did you wish to be recognized?"

Huff: "Yes, I'd like to be recorded as 'aye' on that."

Shea: "Mr. Huff votes 'aye'."

Jack O'Brien: "Madison, Marovitz, Matijevich."

Shea: "Marovitz votes 'aye'. Matijevich 'no'."

Jack O'Brien: "Mautino."

Shea: "Mautino 'aye'."

Jack O'Brien: "McAuliffe."

Shea: "McAuliffe 'aye'."

Jack O'Brien: "Merlo, Meyer."

Shea: "Mr. Clerk, Mr. Capparelli would like to be recorded 'aye'. Did you skip, or did you call Mr. Madison's name?"

Jack O'Brien: "Madison, Madison."

Shea: "He wishes to be recorded 'no'."

Jack O'Brien: "Merlo, Meyer, Polk, Rayson, Schlickman, Schoeberlein, Shea."

Shea: "Shea 'aye'."

Jack O'Brien: "Telcser, Washington, White, Winchester, Younge, Yourell."

Shea: "Fary 'aye', Ewell 'aye', Palmer 'aye', Tipsword, turn Mr. Tipsword on please."

Tipsword: "Mr. Speaker, having had time to check the amendments I think this does remove the latest effective date, and I vote 'no'."

Shea: "Mr. Tipsword goes from 'aye' to 'nay'. Now Mr. Clerk, would you give us the number we're starting with. Mr. Calvo. Mr. Calvo is 'no', Mr. Craig. Mr. Craig is 'no'. Mr. Craig and Mr. Calvo wish to go from 'aye'



MAY 14 1975

112.

to 'no', Mr. Clerk. Mr. Skinner."

Skinner: "Mr. Speaker, when the lawyers start disagreeing, I want to vote 'present'."

Shea: "Mr. Skinner goes from 'aye' to 'present'. Now, Mr. Clerk, can we find out where we are so we can proceed with the verification."

Jack O'Brien: "99 'ayes', 37 'nays'."

Shea: "We have 99 'aye' votes and 37 'nay' votes. The gentleman from Sangamon, Mr. Kane."

Kane: "With the results of the poll of the absentees, I withdraw the request for a verification."

Shea: "Thank you, Sir. On this question, there are 99 'ayes', the Gentleman from McLean, Mr. Bradley."

Bradley: "Mr. Speaker, I wonder if I might have my vote changed to a 'present' vote, please?"

Shea: "Bradley goes from 'aye' to 'present'. On this question there are 98 'ayes, 32 'nays'..... well, here we go, Mr. Marovitz?"

Marovitz: "How am I recorded?"

Shea: "You're recorded as 'aye'."

Marovitz: "I'd like to change that to 'no'."

Shea: "Mr. Marovitz goes from 'aye' to 'nay'. Mr. Brinkmeier. Mr. Brinkmeier goes from 'aye' to 'nay'. Mr. Birchler."

Birchler: "I want my 'no' vote changed to an 'aye' vote."

Shea: "Mr. Birchler 'no' to 'aye'. I think that's the appropriate thing. I'm going to open up the switches again. All those in favor will vote 'aye'; those opposed will vote 'no'. Record Shea as 'aye'. Mr. Berman."

Berman: "May I explain my vote?"

Shea: "Mr. Berman to explain his vote."

Berman: "I think there's nothing wrong with this House deciding whether we want future real estate contracts be it 9-1/2 percent. But this is not what this Bill does. The thing about this Bill that disturbs me, the reason I'm voting no is, is that we are attempting here to



legitimatize contract for the sale of real estate, which has had a bad reputation in the past, and which have been made at a ludicrous amount of interest since last July. We're legitimatizing them. This is giving us..... if you vote 'no' and not pass this Bill, you're giving the little guy, who is too often getting ripped off with these contracts, at least an eight month break. This is a bad Bill. I think if it is not passed now, you can amend it and make it a prospective, if that's the will of the House, but don't go backwards and make illegal contracts legal. That's why I'm voting 'no' at this time."

Shea: "Have all voted who wished? Now we have Mr. Fleck to explain his vote."

Fleck: "I would like to point out to the previous speaker, that when we passed the increase for the interest rate on mortgages, at that time it was assumed that it would also include contracts for deeds. What this Bill is attempting to do, and you can talk to your Chairman on the Banks and Savings and Loan Committee, that heard this Bill, it's merely trying to straighten out, evidently in an attorney general opinion or some opinion is stated that you have to clearly designate the contract and the meaning of it and it's not merely a mortgage, so therefore contracts for deeds weren't in the original Bill, so have a new Bill. This is merely trying to clear up the legislative intent of last session's mortgage increase. All it's attempting to do, now sure there were some contracts that were entered into under the misunderstanding that those contracts were valid and good, and all this is attempting to do is raise legality into the misunderstanding of the original Bill that was passed by this General Assembly."

Shea: "Have all voted who wished? Have all voted who wished? Take the Record, Mr. Clerk. On this question, there are 92 'aye' votes, 48 'nay' votes, 20 voting 'present'. House Bill 921, having received a Constitutional Majority....."



MAY 14 1975

114.

Mr. Kane...."

Kane: "I respectfully ask for a verification."

Shea: "Mr. Kane, we opened this up to get a new roll call.

The gentleman has an absolute right for a verification and I'm sure he's joined with the same number of people, so Mr. Fleck."

Fleck: "Mr. Speaker, Members of the House, I apologize for this, but I'm going to have to have to ask for a poll of the absentees."

Shea: "All right, Mr. Clerk, one more time."

Jack O'Brien: "E. M. Barnes."

Shea: "Mr. Barnes. Mr. Barnes votes 'no'."

Jack O'Brien: "Fary."

Shea: "Mr. Fary. You wish to be recorded on this vote?"

Fary: "Aye."

Shea: "Mr. Fary votes 'aye'."

Jack O'Brien: "Frederick. Garmisa. Emil Jones. Keller."

Shea: "Mr. Jones. Go ahead, I'm sorry. I thought I saw Mr. Jones say something."

Jack O'Brien: "Laurino. Lechowicz. Lundy. McClain. Merlo. Nardulli. Rayson. Schlickman. Telcser. Winchester. and Younge."

Shea: "Ms. Younge, how do you wish to be recorded?"

Younge: "As voting 'no'."

Shea: "Ms. Younge votes no. That was Yourell."

Jack O'Brien: "That was Yourell recorded as not voting, not Younge."

Shea: "Garmisa 'aye'. How many votes do we have now, Mr. Clerk. On this question, there are 94 'ayes'. Start the verification. Will the Clerk please call the affirmative roll call."

Jack O'Brien: "Arnell. J. M. Barnes. Beaupre. Birchler. Bluthardt."

Shea: "Mr. Byers wishes to be recorded 'aye'."



Jack O'Brien: "Boyle. Brandt. Byers. Caldwell. Campbell. Capparelli. Carroll. Chapman. Coffey. Collins. Craig. Daniels. D'Arco. Deavers. Deuster. DiPrima. Duff. John Dunn. Ralph Dunn. Dyer. Ebbesen. Ewing. Farley. Fary. Fleck. Flinn. Friedland. Garmisa. Getty. Giglio. Griesheimer. Grotberg. Hirschfeld. G. L. Hoffman. R. K. Hoffman. D. L. Houlihan. Hudson. Huff. Kempiners. Kent. Klosak. Kucharski. LaFluer. Lauer. Leinenweber. Leon. Londrigan. Macdonald. Mahar. McAvoy. McCourt. McLendon. McMaster. McPartlin. Miller. Mugalian. Neff. O'Daniel. Palmer. Patrick. Pierce. Polk. Porter. Pouncey. Randolph. Reed. Rigney. Rose. Ryan. Sangmeister. Schoeberlein. Schraeder. Schuneman. Sevcik. Shea. Simms. Stearney. E. G. Steele. C. M. Stiehl. Stone. Taylor. Terzich. Totten. Tuerk. VonBoeckman. Waddell. Wall. Walsh. Washburn. Mr. Speaker."

Shea: "Would you record Mr. Winchester and Mr. Yourell as 'aye' please and give me the number we're starting with the verification."

O'Brien: "97 'ayes'."

Shea: "We're starting with 97 'aye' votes. The gentleman from Sangamon, Mr. Kane."

Kane: "Mr. Deavers."

Shea: "Is Mr. Deavers on the Floor? How's the gentleman recorded?"

Jack O'Brien: "The gentleman is recorded as voting 'aye'."

Shea: "Take Mr. Deavers off the roll call."

Kane: "Mr. DiPrima."

Shea: "Mr. who?"

Kane: "Mr. DiPrima."

Shea: "Mr. DiPrima. Is Mr. DiPrima on the Floor? How is he recorded?"

Jack O'Brien: "The gentleman is recorded as voting 'aye'."

Shea: "Take him off the roll."

Kane: "Mr. Griesheimer."



Shea: "Mr. Griesheimer. Is Mr. Griesheimer on the Floor?
How is he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Shea: "Take him off the Roll."

Kane: "Mr. Ron Hoffman."

Shea: "Mr. Hoffman. R. K. He's in his chair."

Kane: "Mr. Kempiners."

Shea: "Mr. Kempiners. Is Mr. Kempiners on the Floor? How
is he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Shea: "Take him off the Roll Call."

Kane: "Mr. Klosak."

Shea: "Oh, I'm sorry, Mr. Kempiners just flew in. Put him
back on the Roll Call. What was the next question, Mr.
Kane?"

Kane: "Mr. Klosak."

Shea: "Mr. Klosak is in his seat."

Kane: "Mr. McPartlin."

Shea: "Mr. McPartlin. Is Mr. McPartlin here? How's he
recorded?"

Jack O'Brien: "The Gentleman is recorded as voting 'aye'."

Shea: "Take him off the Roll Call, and put Mr. Griesheimer
back on the Roll Call."

Kane: "Mr. McMaster."

Shea: "Mr. McMaster. Mr. McMaster is in his seat."

Kane: "Mr. Polk."

Shea: "Mr. Polk. Mr. Polk is in his seat."

Kane: "Mr. Rose."

Shea: "Mr. Rose. Mr. Rose is in his seat."

Kane: "Mr. Terzich."

Shea: "Mr. Terzich. Mr. Terzich is not on the Floor. How
is he recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Shea: "Take him off the Roll Call."

Kane: "Mr. Capparelli."



MAY 14 1975

117.

Shea: "How is Mr. Capparelli recorded?"

Jack O'Brien: "Gentleman is recorded as voting 'aye'."

Shea: "Take him off the Roll call."

Kane: "Mr. Nardulli."

Shea: "Mr. Nardulli. How is Mr. Nardulli recorded? Mr. Fleck, do you wish to make a motion?"

Fleck: "I wish you would announce the vote, and I would ask you to put it on Postponed Consideration for an Amendment later on."

Shea: "The gentleman moves to put House Bill 921 on Postponed Consideration. On the Order of House Bills, Third Reading, appears House Bill 963."

Jack O'Brien: "House Bill 963. A Bill for an Act to amend the Election Code. Third Reading of the Bill."

Shea: "The gentleman from McHenry, Mr. Skinner, moves that House Bill 963 be returned to the Order of Second Reading for the purposes of an Amendment. Does he have leave? Hearing no objection, leave is granted."

Skinner: "Amendment Number 1 is an Amendment that will....."

Shea: "Could the Clerk....."

Jack O'Brien: "Amendment Number 1. Skinner. Amends House Bill 963 on page 2, by striking lines 34 and 35 and so forth."

Shea: "The Gentleman from McHenry, Mr. Skinner on Amendment Number 1."

Skinner: "This Amendment will make the Bill make sense. This is a recount Bill for referenda such as the regional transit authority referendum. It's sort of like closing the barn door after the railroad train and bus have left, but better some change in the law than none. What this does is say that instead of counting electronic voting machines, you know the vote-o-matic, they will count the ballot cards, which would seem to be a better idea. I move its adoption."



MAY 14 1975

118.

Shea: "Gentleman moves for the adoption of Amendment Number 1. All those in favor, Mr. Houlihan."

Houlihan: "I have a question of the Sponsor. Could you explain it again? Instead of counting the electronic voting machines, you would count what?"

Skinner: "The ballots instead."

Shea: "The gentleman moves for the adoption of Amendment Number 1. All those in favor, say 'aye'. Those opposed 'nay'. The 'ayes' have it. The Amendment is adopted and the Bill is returned to House Bills, Third Reading. On the Calendar, appears House Bill 973."

Jack O'Brien: "House Bill 973. Hart. A Bill for an Act to amend an Act in relation to Township Community Buildings. Third Reading of the Bill."

Shea: "Gentleman from Franklin, Mr. Hart."

Hart: "Thank you very much, Mr. Speaker and Ladies and Gentleman of the House. This Bill, ah... corrects an oversight that was ah... left out when we consolidated township elections, in the interests where you have a township community building, have trustees elected and under the present statutes, we still have to elect a trustee in the township each year, and this would provide that those trustees would be elected at the same time that the supervisors are elected so that we wouldn't have the unnecessary expense of having an election just for that one purpose, and I move for the adoption of the Bill."

Shea: "The question is, shall House Bill 973 pass? Mr. Skinner."

Skinner: "Mr. Speaker, there's something wrong with this Bill. It's a good Bill, except it relates to another Bill, that is going to call the township board of auditors the township board of trustees. I did not know there was another township office that was called trustee."



Hart: "Well, the Community building trustees, that's what we call them, that's right. They're elected.... there are three of them. One elected every two years."

Skinner: "And they're township auditor trustees in the same township."

Hart: "Well, yes, because this is a special taxing ah.... they have a special levy for the operation of the township community building."

Skinner: "Thank you."

Shea: "The gentleman from Cook, Mr. Palmer."

Palmer: "If the Sponsor would yield for a question."

Shea: "He indicates he will."

Palmer: "Is Cook County in or out?"

Hart: "Well, they're in. Cook is in."

Palmer: "Well, we have our election different than downstate, that is, for township officials."

Hart: "Well, this just consolidates the elections that we already provided for where there is a township election for the election of the supervisors, road commissioners, auditors and so forth."

Palmer: "All right, thank you."

Shea: "The question is, shall House Bill 973 pass. All those in favor, vote 'aye'. Those opposed will vote 'nay'. Have all voted who wished? Have all voted who wished? Take the Record, Mr. Clerk. On this question, there are 119 'ayes', no 'nays', 7 voting 'present'. House Bill 973, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading appears House Bill 998."

Jack O'Brien: "House Bill 998. Hart. A Bill for an Act to amend an Act in relation to limitation. Third Reading of the Bill."

Shea: "The Gentleman from Franklin, Mr. Hart."

Hart: "Thank you, very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill would make the Statute



MAY 14 1975

120.

of Limitations on actions for damage to personal property and loss of consortium, two years the same as actions now are for damages for personal injuries. All actions for loss of consortium are derivative from actions for personal injuries. Most actions for the loss of damages for personal property arise out of automobile accidents and for some reason, the statutes now apply that the Statute of Limitations in the case is five years. One of the problems that arise from that is, is that when you have insurance companies go into receivership or so forth, those that have claims can file them up for five years and provides for a long delay in the settlement of those claims. So I think this Bill would improve the law and make the Statute of Limitations consistent in these actions that usually arise out of the same transactions."

Shea: "The question is, shall House Bill 998 pass? The Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "May I ask a question of the Sponsor, Mr. Speaker? You're changing the limitations for P.I. to what?"

Hart: "We're not changing it for personal injuries. We're making actions for loss of contortion and for personal property damage the same as personal injury, which is two years."

Geo-Karis: "In other words, you're reducing the five year claim for property damage. Is that correct?"

Hart: "For personal property, not real estate."

Geo-Karis: "Real property is still five years?"

Hart: "It wouldn't apply to any actions that have already accrued."

Geo-Karis: "I think you have a good Bill and I'd like to speak in favor of it. I think this Bill will make the law more consistent because it's rather difficult, many people forget, that it's two in one and five in another. And I certainly move the adoption of this Bill."

Hart: "Thank you."



MAY 1 1975 121.

Shea: "Gentleman from Madison, Mr. Calvo."

Calvo: "Will the Gentleman yield to a question? Dick, what's the Statute of Limitations now as to, I thought a cause of action for loss of contortion, which is a loss of services of the wife or husband, was the same as the personal injury limitations. In other words, it is already two years."

Hart: "Well, there was a ah.... question about that, Representative Calvo, when the appellate court recently held that it was five years because the Statute didn't say two years. You know, we've got the limitations act that unless otherwise specifically questioned is five years, I think the Appellate Court was probably right, although many of us thought that since it arose out of ah... actions for personal injuries that it was probably two years, but this one Appellate Court, I believe it was in the Second District, held five years."

Calvo: "Now, then, your Bill reduces any possible Statute in ah.... whether it be property damage or consortium of anything to two years?"

Hart: "Yes, as to any claims that arise after the effective date."

Calvo: "Well, Mr. Speaker, I would just like to point out one thing to the Membership. What we're doing here is affecting the rights of people in accident cases to where in cases of property damage, if they don't get their claim settled within two years, they've lost their right to file a claim or a suit, and I just want to make sure the Members know what they're voting on. In addition to that, apparently at least one appellate court felt that the loss of services of the husband or wife by the spouse had a five year limitation. We would also by this be reducing that to two years, so I would just like to make sure everybody is aware of what they're voting on."

Shea: "Gentleman from Franklin, Mr. Hart, to close."



MAY 14 1975 122.

Hart: "Well, that's right, I want everybody....."

Shea: "I'm sorry, Mr. Palmer again on this question. The Gentleman from Cook, Mr. Palmer."

Palmer: "Parliamentary inquiry, Mr. Speaker. And it is directed to the question as to whether or not ah... in the Amendment Number 1, for Loss of Contortion, is germane to the property, ah... injury done to personal property, which I assume by that you're talking about tangible personal property."

Shea: "Mr. Palmer, this Bill is on Third Reading. Had you wished to raise that question, you would have had to raise it on the Order of Second Reading, Sir."

Palmer: "All right, then I'm sorry, Mr. Speaker, I will ask a question of the Sponsor if he will yield. If you ah... Representative Hart, suppose you've got a deed in trust, with beneficiaries having certain rights with the trustee having certain duties and there is a default on the part of the trustee, which is not related or communicated to the beneficiaries. Now, let's assume that the beneficiaries know nothing about the act, the wrongful act of the trustee. Is that beneficiary, without knowledge of the wrongful act of the trustee, then barred by the Statute of Limitation under this Bill?"

Hart: "Well, this would only change it in that it would reduce.... It wouldn't be barred as to any claim that existed at the time the Act became effective. It provides in this Bill specifically that any Claims that were pending at that time would still have a five year limitation, but if that claim would have been barred by the five years, after that, then this would reduce the time in which the claim could be filed to two years."

Palmer: "Well, the prospective application of the Act is one thing, but that's not my question was directed to."

Hart: "Well, it wouldn't bar any existing actions or it



MAY 14 1975 123.

wouldn't limit the time when any existing actions could be maintained."

Palmer: "My question is directed to the point of an intangible property right being held by certain parties and not known to those parties, the party, the fiduciary, has willfully or negligently terminated some right to those beneficiaries without the beneficiaries knowledge. Would this Bill apply?"

Hart: "Well, does the present Statute of Limitation apply?"

Palmer: "No, they may or may not. It depends upon the question of fraud."

Hart: "This would not change the present Statute of Limitations, except in the time in which a Claim could be filed."

Shea: "Would the gentleman bring his remarks to a close. The Gentleman from Cook, Mr. Duff."

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

Shea: "He says 'yes'."

Duff: "What is the present Statute on wrongful death, do you recall?"

Hart: "Two years."

Duff: "So Consortium, which is essentially in the nature of the wrongful death, which is in essence, probably close to that, would be made the same. Is that right?"

Hart: "Yes, and this would make actions which are derivative. In other words, you don't have an action for consortium without having a companion act for loss of you know damage for injuries or wrongful death, and ah.... most lawyers that I talked to at least until the Appellate Court took this.... made this decision, thought that this arose out of the same cause of action, if the husband had a cause of action for personal injury, the wife had a action for loss of consortium, that it was limited to two years. But the Appellate Court said that since the Statutes do not designate that loss of consortium



MAY 14 1975 124.

is a two year statute, that it falls within the broad category of other actions and has a five year limitation."

Duff: "Well, this would mean in a sense that when you were trying to effect a settlement and working under your two year Statute for filing of your case, you could never really be sure of closing your file."

Hart: "That's right."

Duff: "Well, Mr. Speaker, under the circumstances, as explained by the Sponsor, I think this is a good Bill in terms of clarifying for uniformity sake, ah.... strings that can be left hanging intentionally. I would have to speak for the Bill."

Shea: "The question is, shall House Bill 998 pass? All those in favor, will vote 'aye'. Those opposed will vote 'nay'. Have all voted who wished? Bradley 'aye'. Have all voted who wished? Mr. Hart, I think I neglected to call on you to close. Mr. Hart, so if you'll close now, Sir."

Hart: "Well, the purpose of the Bill is to cut down a number of claims that can be filed out of the same cause of actions. Most of the actions for personal property damage arise out of automobile accidents if it can be filed in two years for the personal property, for injury to your person, it seems logical that you could limit it to two years for damage to your automobile. In addition, actions for loss of contortion, can only arise from actions for personal injury or wrongful death, so it would make all the things start at the same time and end at the same time. Thank you very much."

Shea: "Have all voted who wished? Have all voted who wished? Take the Record, Mr. Clerk. On this question, there are 103 'ayes', 38 'nays', 9 voting 'present'. House Bill 998, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills, Third Reading, appears House Bill 1053."



Jack O'Brien: "House Bill 1053. D'Arco. The Bill for an Act to amend an Act in relation to Legislative Reference Bureau. Third Reading of the Bill."

Shea: "The Gentleman from Cook, Mr. D'Arco."

D'Arco: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1053 requires the Legislative Reference Bureau to review all reported decisions of Federal Courts, Illinois Supreme Court and the Appellate Court decisions and to report back to the General Assembly by March 1 of each year. The purpose of the report would be to remove any technical deficiencies in the Statutes and also to comply with the decisions and point out where substantive issues arise without making any judgement thereon. I would appreciate an affirmative vote on this Bill."

Shea: "Are there any questions? House the question is shall House Bill 1053 pass? On that question, Mr. Rayson."

Rayson: "On the question, I'm intrigued by the Bill real quickly, do they go back in the past decisions and make up or just start current?"

D'Arco: "Representative, ah.... I really can't answer that. I really don't know."

Rayson: "Well, let's urge that they come back after we pass the Bill."

Shea: "Is there any further question? Mr. Madison, you have a question, Sir?"

Madison: "Will the Sponsor yield?"

Shea: "He indicates he will."

Madison: "Ah.... Representative D'Arco, is there any particular reason why ah.... your Bill would require a review of the decisions other than Supreme Court. I mean, why Appellate Courts?"

D'Arco: "Ah.... well, Appellate Court Decisions do have some affect on our statutes, at least their interpretation of our statutes, we should give some leave to, and the



Legislative Reference Bureau would be able to point out any inconsistency in the Appellate Court Decisions and one of our statutes without making any judgement on that inconsistency."

Madison: "What about Appellate Court Decisions that are under review by the Supreme Court at the time of the report."

D'Arco: "I would assume those would fall under the preview of this Bill."

Madison: "I mean would that be.... would an Appellate Court Decision that's under the review by the Supreme Court at the time of the report, what substance would that add to the knowledge of the General Assembly?"

D'Arco: "Possibly none, but we should be aware of it anyway."

Madison: "Thank you, very much."

Shea: "The question is shall House Bill 1053 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wished? Take the Record Mr. Clerk. On this question, there are 141 'aye' votes, 2 'nay' votes, 4 voting 'present'. House Bill 1053, having received a Constitutional Majority, is hereby declared passed.. The Gentleman from Cook, Mr. Brandt, for an announcement."

Brandt: "Mr. Chairman, I'd like to make an announcement in regards to the Members of the softball team, I wish to announce that we're going to have practice at 5:15 at Lincoln Park at Diamond 4. We will practice from 5:15 until 6:00. I'd like to have the players of the team present there."

Shea: "The Gentleman from Cook, Mr. Madigan."

Madigan: "Mr. Speaker, I move that we now recess for five minutes and then adjourn until 10:30 tomorrow morning."

Shea: "You've heard the Gentleman's motion, but the Chair, before it takes a vote on that, wishes to announce that it will start on the Order of Priority, all House Bills,



MAY 14 1975

127.

Third Reading at 10:30 in the morning when we return on House Bill 1162, will be the first bill and we'll go down through House Bill 1287 and then we will go to House Bills 13, 14, 15 et cetera. The Gentleman, before we take that, I have one thing. Mr. Bluthardt, please."

Bluthardt: "Mr. Speaker, on a point of personal privilege."

There was distributed to most of the Members today a reprint of Herga People from the Chicago Daily News. Now, while that article may be of some interest, relative interest to two Members of this House, it's of no interest to most of us. I want to make it perfectly clear that I had nothing to do with the distribution of that article, my name appears upon it as being the one who authorized its distribution. I had no knowledge of it and I had nothing to do with the distribution of that article."

Shea: "The Gentleman from Cook, Mr. Pierce."

Pierce: "An announcement, Mr. Speaker. The House Committee on Environment, Energy and Natural Resources, meets at 8 tomorrow morning in Room 122A or B, the broom closet. I want to remind the Members to be there. We need a quorum. We've got three Senate Bills we must pass on and please be there at eight o'clock in the morning."

Shea: "Mr. Brinkmeier."

Brinkmeier: "Members of the House. Someone left this tape on my desk about two weeks ago, and the owner may have it by only picking it up."

Shea: "Mr. McClain on an announcement."

McClain: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I don't see Representative Chapman here, and I just wanted to remind the Members of Human Resources that we do have a Committee Meeting at eight AM tomorrow in room 118 and at 9:00 AM, Mary Lou Leahy, acting Director of Child and Family Services will be present for a brief budget presentation."



MAY 14 1975

128.

Shea: "Mr. Mann."

Mann: "Mr. Speaker, thank you. Just a reminder that there will be no meeting of the Committee on Higher Education tomorrow."

Shea: Now, on Mr. Madigan's motion to recess for five minutes to let the Clerk spend ten minutes reading in reports, and then adjourn the House until 10:30 AM tomorrow morning. All in favor, say 'aye'. The opposed 'nay'. The House is adjourned."

Jack O'Brien: "Message to the Senate by Mr. Wright Secretary.

Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed a Bill with the following title and passage of which I am instructed to ask concurrence of the House of Representatives to wit: Senate Bill 1490, passed by the Senate May 14, 1975. Kenneth Wright, Secretary. A Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed Bills with the following titles, passage of which I am instructed to ask concurrence of the House of Representatives, to wit: Senate Bills No. 550, 551, 552, 564, 566, 572, 594, 597, 598. Passed by the Senate May 14, 1975. Kenneth Wright, Secretary. Senate Bills, First Reading. Senate Bill 104. A Bill for an Act creating the condominium property law study commission. First Reading of the Bill. Senate Bill 105. Bill for an Act making an appropriation of Condominium Property Study Law Commission. First Reading of the Bill. Senate Bill 330. A Bill for an Act in relation to cigarette tax act. First Reading of the Bill. Senate Bill 336. A Bill for an Act to revise the Law in relation to counties. First Reading of the Bill. Senate Bill 404. A Bill for an Act to amend the school code. First Reading of the Bill. Senate Bill 496. A Bill for an Act in relation to the retention and compatibility of certain public offices. First Reading of the



2277 14 1975

129.

Bill. Senate Bill 514. A Bill for an Act making an appropriation to the Teachers Retirement System. First Reading of the Bill. Senate Bill 518. A Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 524. A Bill for an Act to make an appropriation for the Board of Trustees, State University Retirement System. First Reading of the Bill. Senate Bill 526. A Bill for an Act to amend the State Auditing Act. First Reading of the Bill. Senate Bill 529. A Bill for an Act to regulate certain practices of mortgage lenders, administration of escrow accounts. First Reading of the Bill. Senate Bill 544. A Bill for an Act to amend the Coal Mining Act. First Reading of the Bill. Senate Bill 545. A Bill for an Act to amend the Horse Racing Act. First Reading of the Bill. No further business. The House now stands adjourned."



INDEX
HOUSE OF REPRESENTATIVES
MAY 14, 1975



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

HOUSE OF REPRESENTATIVES

TRANSCRIPTION INDEX

<u>PAGE</u>	<u>TIME</u>	<u>SPEAKER</u>	<u>INFORMATION</u>
1	10:30	Speaker Redmond	House to Order
1	10:30	Reverend Krueger	Prayer
1	10:32	Speaker Redmond	Roll Call
1	10:32	Choate	Excuse Keller
1	10:32	Jack O'Brien	H.J.R. Const. Am. 31 (Choate)
2	10:34	Fred Selcke	H.J.R. Const. Am. 32 (Totten)
3		Speaker Redmond	
3	10:37	Totten	H.J.R. Const. Am. 32
4	10:39	Speaker Redmond	
4	10:39	Hill	Point of Order
5	10:40	Speaker Redmond	Senate Bills-1st Read.
5	10:40	Jack O'Brien	
5		Speaker Redmond	
5	10:41	Washburn	Intro. Students (History & Gov. II. Braille & Sight Saving)
5		Jack O'Brien	H.R. 265 & 266
6		Speaker Redmond	H.B. 505
6		Jack O'Brien	H.B. 505-2nd Amend.
6	10:45	Hoffman	Move for adoption Amend. 2 Leave to table Amend. 1
6		Speaker Redmond	
6	10:45	Lechowicz	
6		Hoffman	
6		Speaker Redmond	Amendment #1 Tabled
6		Jack O'Brien	Amendment #2
6		Speaker Redmond	
6	10:45	Hoffman	Amendment #2
6		Speaker Redmond	Amendment Adopted-3rd Read.

7	10:46	Duff	
7		Speaker Redmond	House Bill 70
7		Duff	Table Amendment #2
7	10:47	Speaker Redmond	Tabled
7		Kosinski	
7	10:47	Duff	
7		Speaker Redmond	House Bill 378
8		Berman	Leave to bring back to 2nd for Amendment
8	10:48	Speaker Redmond	Leave
8		Berman	
8		Jack O'Brien	Amendment #1-Peters
8	10:49	Speaker Redmond	
8	10:50	Berman	
8	10:50	Peters	Amendment #1
8		Speaker Redmond	
9		Madigan	Yield
9	10:51	Peters	
9	10:54	Peters	Discussion
9		Speaker Redmond	
10		E. M. Barnes	
10	10:54	Peters	
10		Speaker Redmond	
10	10:56	Mann)	Yield
10		Peters)	Discussion
10		Speaker Redmond	
11	10:56	Madison	

11		Peters	
11		Speaker Redmond	
11	10:57	Mann	
11		Speaker Redmond	
11	10:59	Madison)	Yield
11		Peters)	
11		Speaker Redmond	
11	11:03	Peters	
12	11:03	Speaker Redmond	Amend House Bill 378
13		Peters	
13		Speaker Redmond	
13	11:04	Madison	
13	11:05	Speaker Redmond	House Bill 378 Amend. #1
14	11:05	Washburn	Adopted
14	11:05	Speaker Redmond	Intro. Lovington High School
14	11:07	Bradley in Chair	H.B. 650-Brought Back to 2nd for Amend.
15		Jack O'Brien	H.S. 650-Amend #1
15	11:08	Stubblefield	Amend #1
15	11:08	Bradley	Amend. Adopt. 3rd Read.
15		Bradley	Return H.B. 859 to 2nd
15	11:09	Luft	
15		Bradley	Return H.B. 988 to 2nd
15	11:10	Mudd	
15		Bradley	H.B. 1034 back to 2nd-Amend.
16	11:10	Jack O'Brien	Amend #4
16		Caldwell	
16		Bradley	Amend. Adopted
16	11:10	Jack O'Brien	Amend. #5
16	11:10	Caldwell	

16		Bradley	Amend. #5 Adopted
16		Walsh	8th Grade Class
16		Bradley	H.B. 1069
17		Calvo	Amend. #3
17		Jack O'Brien	Amend. #3
17	11:14	Calvo	
17		Bradley	
17		Kempiners	
17		Bradley	
18		Jack O'Brien	
18	11:15	Bradley	Amend Adopt-3rd Read.
18	11:15	Hudson	Does Someone Else Have
18	11:16	Bradley	Amendment
18		Bradley	Leave H.B. 1129 on 3rd
18		Jack O'Brien	
18	11:16	Bradley	Amend. #2 - H.B. 22
18		Deuster	
19			Amend. #2
19	11:17	Hart	
19&20	11:18	Choate)	
		Bradley)	
	11:19	Deuster)	
21	11:21	Bradley	Amend. Adopted - 3rd
21		Bradley	H.B. 1133-#2 Reading
21		Jack O'Brien	Amendment #1
21		Rayson	
21	11:24	Bradley	Amendment Adopted
22	11:25	Beaupre	Purpose of Announcement
2		Bradley	H.B. 1134-2nd for Amend.
2		Jack O'Brien	Amendment #2

22	11:25	Rayson	
23		Bradley	Amend. Adopted
23		Jack O'Brien	Amendment #3
23	11:26	Rayson	
23		Bradley	Amend #3 Adopted-3rd Read.
23		Bradley	H.B. 1135-Returned to 2nd for Amend.
23		Jack O'Brien	Amend. #3
23		Bradley	H.B. 1381-Return to 2nd for Amend.
23	11:27	Borchers	Sank 3 Cambodian War Ships
24		Jack O'Brien	Amend. #1
24		Terzich	
24		Bradley	Amend. Adopted-3rd Read.
24		Bradley	H.B. 1437-2nd for Amend.
24	11:29	Jack O'Brien	Amend. #2- Catania
24		Bradley	
24	11:30	Catania	Amend. #2
25	11:30	Bradley	
25	11:30	Deuster)	Yield
25		Catania)	
25	11:32	Bradley	Amendment Adopted
25		Jack O'Brien	Amend. #3
25		Bradley	
25		Catania	Amend. #3
25		Bradley)	
25	11:33	Hudson)	Yield
26		Catania) (Disc.)	
26		Speaker Redmond	
27		Fleck)	Yield
27 & 28	11:34	Catania)	

29	11:39	Bradley)	
	11:39	Deuster)	Disc.
29		Bradley	
30		Mann	
30	11:40	Bradley	
30		Catania	Close
30		Bradley	Amend. #3 Adopted
30	11:42	Madigan	Recess
T A P E			
40	1:37	Madigan	Granite City South
41		Bradley	H.B. 1937 Returned to 2nd for Amend.
		Jack O'Brien	H.B. 1949-2nd Read. 1 Amend
	1:39	McClain	Amend. #1
	1:39	Bradley	Amend adopted-3rd Read.
		Bradley	H.B. 1544 for an Amend.
		Bradley	
42	1:40	Hanahan	H.B. 1139 - Amend. #1
		Bradley	
	1:42	Collins	Amend. #1
43		Bradley	
	1:43	Hart	
44		Bradley	
	1:46	Deavers)	Yield
	1:46	Fleck)	
		Bradley	
	1:46	Lundy	
		Bradley	
	1:46	Greisheimer	
45		Bradley	

45		Kozubowski	Moves Prev. Quest.
		Bradley	
	1:48	Fleck	To Close Amend #1-HB 1139
46	1:48	Bradley	Amend. Adopted
		Hart)	
		Bradley)	Disc.
47	1:50	Jack O'Brien	Amend. #2 - Fleck
		Bradley)	
		Hart)	Germaneness of Amend.
		Bradley	Amend. is Germane
		Ewell	
	1:54	Stone)	
8		Bradley)	
		Stone	
	1:55	Simms	
		Bradley)	
		Simms)	
9		Fleck	Amend. #2
		Bradley	
	1:57	Madison	No copy of Amend.
	1:58	Fleck	
		Bradley	
	1:59	Stone	
	2:01	Steele	
	2:01	Fary	Amend. #2 - H.B. 1139
		Bradley	
	2:03	McAuliffe	
		Bradley	
	2:04	Van Duyne	

53		Bradley	
	2:05	Hoffman, Ron	
54		Bradley	
	2:07	Flinn	
55		Bradley	
	2:08	Madigan	Stockton Mills School
		Bradley	
	2:10	Geo Karis	
		Bradley	
	2:10	Beaupre	
56		Bradley	
	2:12	Partee	
		Bradley	
	2:12	Madison	
57		Bradley	
	2:12	McGrew	
	2:13	Bradley	Amend. Lost - 3rd Read.
		Beaupre	Table #1 to H.B. 1139
		Bradley	
58	2:15	Walsh	Littlewood School
		Beaupre	
		Bradley	
	2:15	Meyer	
		Bradley	
	2:16	Hanahan	Moves HB 1139 to 2nd
		Bradley	Moved back to 2nd
59	2:16	Collins	Point of Order
		Bradley	
	2:17	Shea	

59	2:17	Hanahan Bradley Shea Bradley	Move to Re-Consider
60	2:19	Shea Bradley	
	2:20	Choate Bradley	
	2:20	Polk Bradley	
	2:21	Palmer Bradley Madison	
51	2:21	Bradley Palmer Bradley	
52	2:23	Choate	
	2:23	Bradley Duff Bradley	Amend. #1 Adopted-3rd Read. Credit Union Leaders
	2:25	Walsh Bradley	
	2:25	Maragos)	Motion passed
3	2:26	Bradley) Bradley	Motion passed
	2:27	Fred Selcke Bradley	H.B. 1845 to 2nd for Amend. Amend. #2
	2:28	Getty Bradley	Amend. #2 Amend. Ad. - 3rd Reading

64	2:30	Bradley	
	2:30	Fred Selcke	H.B. 2299- Amend. #1
	2:30	Garmisa	
65	2:32	Bradley	Amend. Adopted- 3rd Read.
		Fred Selcke	H.B. 2300 Amend. #2
		Bradley	
	2:33	Garmisa	Amend. #1
66	2:33	Bradley	Amend. Adopted - 3rd Read.
	2:35	McGrew	H.B. 838 Back to 2nd for Am.
		Bradley	
		Giorgi	H.B. 1654 to 2nd for Am.
	2:35	Bradley	Not on List
	2:35	Deavers	H.B. 1937 Back to 2nd for
	2:36	Bradley	Amend. Not on list
67		Bradley	H.B. 146 - 3rd
	2:37	Fred Selcke	H.B. 146
	2:38	Hudson	
	2:39	Bradley	H.B. 146 Passed
68	2:40	Fred Selcke	H.B. 454 - 3rd Reading
		Bradley	
68	2:40	Jones, J.D.	Sponsor
	2:41	Bradley	H.B. 454 Passed
	2:42	Fred Selcke	H.B. 494 - Klosak-3rd Read.
		Bradley	
	2:43	Klosak	
69	2:43	Bradley	H.B. 494 Passed
	2:44	Fred Selcke	H.B. 501 - 3rd
		Bradley	
		Polk	Sponsor
	2:45	Bradley	H.B. 501 - Passed

70	2:45	Fred Selcke	H.B. 526 - 3rd Read.
		Bradley	
	2:45	Rigney)	H.B. 526 - Sponsor
		Mugalian)	Question
	2:47	Bradley)	
71		Holewinski)	Question
	2:48	Rigney)	
72		Bradley	
	2:49	Downs	
		Bradley	
	2:50	Simms	
73		Bradley	
	2:50	Taylor	
74	2:54	Rigney	
		Bradley	
	2:55	Madison)	
		Rigney)	
75		Bradley	
		Deavers	Move Prev. Quest.
	2:57	Rigney	
76		Bradley	H.B. 526
		Bradley	
	2:58	Stearney	
		Bradley	
	2:59	Madison	Voting Present
		Bradley	H.B. 526-Passed
	3:00	Fred Selcke	H.B. 529 - 3rd
77	3:00	Bradley	
	3:00	Rigney	Sponsor

77		Bradley	
	3:01	Grotberg)	
78	3:01	Rigney)	
		Grotberg)	
	3:02	Bradley)	
		Bradley	H.B. 529
78	3:04	Matejevich	
79		Bradley	
		Rigney	to Close
	3:05	Schraeder	
		Bradley	
80	3:07	Totten)	Yield
	3:07	Rigney)	Disc.
81		Bradley	
		Byers	Move Prev. Quest.
	3:09	Bradley	
	3:10	Deuster	
		Bradley	
	3:10	Campbell	
82		Bradley	
	3:11	Madison	
		Bradley	
	3:12	Schraeder	
83	3:13	Bradley	H.B. 529 Passed
	3:13	Washburn	Intro. 8th Grade Class St. Paul's Lutheran
84		Bradley	
	3:14	Fred Selcke	H.B. 563 - 3rd Reading
	3:15	Bradley	

84	3:15	Daniels	Sponsor
		Bradley	
	3:15	Hart	
85		Borchers)	Disc.
		Daniels)	
		Bradley	
	3:16	Daniels	to close
	3:16	Bradley	H.B. 563 Passed
		Fred Selcke	H.B. 577 - 3rd Read.
	3:18	Greisheimer	
86		Bradley	
		Porter)	Yield
		Greisheimer)	
87		Bradley	
	3:20	Satterthwaite	
	3:20	Greisheimer)	
	3:21	Ewell)	Disc.
88		Bradley)	
		Greisheimer	to close
	3:23	Bradley	H.B. 577 - Passed
		Bradley	H.B. 604
		Fred Selcke	H.B. 604 - 3rd Read.
89	3:24	Greisheimer	Sponsor
		Shea	(in Chair)
90	3:27	Kempiners)	Yield
91		Greisheimer)	
		Shea	
92	3:29	Beaupre)	
	3:30	Greisheimer)	

93		Shea)	
	3:31	Cunningham	
94		Shea	
	3:33	Madigan	Intro. 8th Grade
		Shea	Cooper Upper Grade Center
		Byers	Move Prev. Quest.
		Shea	'Ayes' have it
	3:35	Greisheimer	
95	3:35	Shea	H.B. 604 Pass
		Kent	Explain vote
		Shea	
	3:36	Satterthwaite	
96		Shea	
	3:37	Hirshfeld	
	3:38	Shea	H.B. 604 - Passed
	3:38	Jack O'Brien	H.B. 627 - 3rd Read.
		Shea	H.B. 620 - on 2nd
	3:38	Jaffe	
	3:39	Hoffman, Ron	
97		Shea	
	3:40	Mugalian	H.B. 627
98		Shea	H.B. 627
	3:42	Beatty)	Question
	3:42	Mugalian)	Disc.
99	3:43	Shea	H.B. 627
		Walsh	
		Shea	
		Walsh	
	3:44	Shea	H.B. 627

99		Jack O'Brien	H.B. 640 - Flinn-3rd Read.
	3:45	Flinn	
100		Shea	
	3:45	Houlihan, D. L.	
	3:46	Shea	H.B. 640 - Passed
	3:47	Jack O'Brien	H.B. 641
		Flinn	Sponsor
101	3:47	Houlihan, D.L.)	Question
	3:48	Flinn)	
102		Shea	
102	3:49	Skinner	
	3:49	Flinn	
		Shea	H.B. 641 - Passed
	3:50	Hart	Sponsor
103	3:52	Shea	H.B. 819 Passes
		Jack O'Brien	H.B. 829
		Shea	
	3:53	Hoffman, R. K.	
105		Shea	
	3:55	Deuster	
	3:55	Shea	H.B. 829
	3:55	Fary	
	3:56	Shea	H.B. 829
106		Jack O'Brien	H.B. 834 - 3rd Read.
		Shea	
	3:56	Getty	Sponsor
		Shea	H.B. 834 - Passed
	3:59	Jack O'Brien	H.B. 921 - 3rd
		Shea	
	3:59	Fleck	

107		Shea	
	3:59	Greiman)	
		Fleck)	
108	4:00	Shea	H.B. 921
	4:00	Fleck	
	4:02	Shea	H.B. 921
	4:03	Kane	
109	4:04	Shea	
		Duff	
		Shea	
	4:05	Fleck	
110	4:06	Shea	
	4:06	Greiman	
	4:07	Shea	H.B. 921
		Kane	Verification
		Shea	
		Fleck	Poll Absentees
111	4:08	Jack O'Brien	Poll Absentees
		Shea	
	4:10	Huff	
		Shea	Matijevich No
		Tipsword	No
		Shea	
112	4:12	Skinner	
		Shea	
	4:13	Kane	Withdraw request for Verification
		Shea	
	4:13	Bradley	Change present
		Shea	
		Marovitz	No

112	4:13	Shea	
		Birchler	No to 'Aye'
	4:13	Shea	Open the switches
		Berman	
113		Shea	
	4:13	Fleck	
		Shea	H.B. 921
114		Kane	Verification
		Shea	
	4:17	Fleck	
		Shea	
115		Jack O'Brien	Verification of roll call
	4:27	Shea	Record Winchester-Yourell as 'Aye'
17	4:29	Fleck	Moves to put H.B. 921 on Postponed Consideration
		Shea	
	4:30	Jack O'Brien	H.B. 963
		Shea	Skinner moves back to 2nd for Amendment
		Skinner	
		Jack O'Brien	Amend. #1
	4:30	Shea	
		Skinner	Amend. #1
18	4:31	Shea	
	4:31	McMaster	
		Shea	Amend. Adopted
		Jack O'Brien	H.B. 973 - 3rd Read.
		Shea	
		Hart	Sponsor
		Shea	
	4:33	Skinner	

118	4:33	Shea	
119	4:34	Palmer)	Question
		Hart)	
	4:34	Shea	H.B. 973 - Passed
	4:35	Jack O'Brien	H.B. 998 - 3rd
		Shea	
	4:35	Hart	
120		Shea	
	4:36	Geo Karis)	Question
		Hart)	Disc.
121		Shea	
		Calvo)	
		Hart)	
122		Shea	
	4:39	Palmer	Parliamentary Inquiry
	4:40	Shea	
		Palmer)	
123	4:40	Hart)	
		Shea	
	4:42	Duff)	
124	4:42	Hart)	
	4:45	Shea	H.B. 998 - Passed
	4:45	Shea	H.B. 1053
25	4:46	Jack O'Brien	H.B. 1053 - 3rd Reading
	4:46	Shea	
		D'Arco	
		Shea	
	4:47	Rayson	
	4:48	D'Arco	
		Shea	

25		Madison)	Yield
	4:48	D'Arco)	
26	4:49	Shea	H.B. 1053 - Passed
		Shea	
	4:50	Brandt	Announcement
		Shea	
	4:50	Madigan	Recess for 5 Min-then Adj.
		Shea	
27	4:50	Bluthardt	
		Shea	
	4:50	Pierce	
		Shea	
		Brinkmeier	
		Shea	
	4:51	McClain	Announcement
		Shea	
28	4:52	Mann	
		Jack O'Brien	S.B.'s. - First Readings
9			Adjourned