

Speaker Redmond: "The House will come to order and the Members will be in their seats. The prayer this afternoon will be by the Clerk, Jack O'Brien. O'Brien, the Clerk."

Clerk O'Brien: "Let us pray. Lord bless this House and all those who serve and work here. Amen."

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

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed a Bill of the following title and the passage of which I am ask concurrence of the House of Representative to with, Senate Bill 1572, passed by the Senate June 4, 1975. Kenneth Wright, Secretary. A Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representative that the Senate has concurred with the House of passage of Bills of the following titles to with, House Bill 3355, passed by the Senate June 4, 1976, Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representative passage of Bill of the following title, to with, House Bill 3301, together with Amendments passed by the Senate as amended June 4, 1976. Kenneth Wright, Secretary. A Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representative that the Senate has concurred with the House of Representative of the passage of the Bills of the following titles to with, House Bill 3360, together with Amendments passed by the Senate as amended June 4, 1976. Kenneth Wright, Secretary. A message from the Senate, by Mr. Wright, Secretary. Mr. Speaker,



2.

I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives the passage of the Bill of the following title to with, House Bill 3844, together with Amendments passed by the Senate June 4, 1976, Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representative that the Senate refused to recede from the Amendments #1 and 2, to a Bill of the following title to with, House Bill 3116, action taken by the Senate June 4, 1976. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to recede from the Amendments #1, 2, 3, 4, 5, and 6, of the Bill of the following title to with, House Bill 3115. Action taken by the Senate June 4, 1976, Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to recede from Amendment #2, the Bill of the following title to with, House Bill 3068. Action taken by the Senate June 4, 1976. Kenneth Wright, Secretary."

Speaker Redmond: "Committee Reports."

Clerk O'Brien: "Representative Mann, Chairman of Committee on Higher Education which the following Bills were referred, reported the same back with the following recommendations, do pass House Bill 3637, do pass as amended House Bill 3963 and 3964. Representative Lechowicz, Chairman of Committee on Appropriation I, to which the following Bills were referred, action taken June 4, 1976. Reported the same back with the following recommendations, do pass as amended House Bill 3417. Representative Washington, Chairman on Committee on



3.

Judiciary I, to which the following Bills were referred, reported the same back with the following recommendation, do pass as amended House Bill 3917 and 3958."

Speaker Redmond: "Senate Bills, First Reading. Representative Bradley."

Bradley: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I would request that the records show and be journalized that Representative Tipsword is excused from attendance today, Sir."

Speaker Redmond: "Any objections? The record will so show. Any excuses from the Republicans not being here? Senate Bills First Reading."

Clerk O'Brien: "Senate Bill 1935, Hanahan. A Bill for an Act to provide for the ordinary contingent expense of the State Board of Education. First Reading of the Bill."

Speaker Redmond: "Representative Telcser."

Telcser: "Mr. Speaker, could the Journal show that Representative Peters and Representative Jones, are absent because of illness."

Speaker Redmond: "Any objections? Hearing none, the records of the Journal will so show. Senate Bill, First."

Clerk O'Brien: "Senate Bill 1945, Madigan. A Bill for an Act to authorize Municipal real property tax increment allocation redevelopment financing. First Reading of the Bill."

Speaker Redmond: "Representative Madigan."

Madigan: "Mr. Speaker, would the records show that Representative Kosinski, is excused."

Speaker Redmond: "Any objections? The Journal will so show. Representative Kosinski."

Clerk O'Brien: "Senate Bill 1604, Richmond. A Bill for an Act to provide for the ordinary and contingent expense of the Department of Mines and Minerals. First Reading"



4.

of the Bill. Senate Bill 1947, Lechowicz. A Bill for an Act making additional appropriations for printing for the Senate of the 79th General Assembly. First Reading of the Bill."

Speaker Redmond: "House Bills, Second Reading. House Bills, Second Reading appears House Bill 3225."

Clerk O'Brien: "House Bill 3225, McClain. A Bill for an Act in relation to the Illinois Veterans' Home at Quincy. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3335... is Representative Skinner on the floor? Take it out of the records. 3367... Representative Collins, do you want... Representative Collins, 3367... out of the records at request of the Sponsor. 3602, Representative McMaster... out of the record. 3651... Representative Stiehl... 3651."

Clerk O'Brien: "House Bill 3651, a Bill for an Act to amend the State Comptrollers Act. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3653."

Clerk O'Brien: "House Bill 3653, a Bill for an Act authorizing temporary interagency transfers of State employees. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3787."

Clerk O'Brien: "House Bill 3787, a Bill for an Act to provide for the veterans' employment representative in each of the full service offices of the State of Illinois Employment Services. Second Reading of the Bill, no Committee Amendments."



JUN 04 1976

5.

Speaker Redmond: "Any Amendments from the Floor? Representative DiPrima."

DiPrima: "Mr. Speaker, I would like to have this held up for an Amendment."

Speaker Redmond: "Take it out of the record at the request of the Sponsor. 3840."

Clerk O'Brien: "House Bill 3840, a Bill for an Act to provide courtesy transportation to certain guests at patriotic organization gatherings in Illinois. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3484... out of the record. 3935, is Representative Schneider, on the floor? Is that Schneider? Representative Mugalian."

Mugalian: "A point of information, Mr. Speaker. On House Bill 3840, I was advised that a request for a fiscal note had been made... I don't know if that's so, and I wanted to not delay the Sponsor of the Bill if in fact that was the case."

Speaker Redmond: "Mr. Clerk... there is no record of a request having been made, Representative Mugalian. 3935... Schneider, that's out of the record. 3948."

Clerk O'Brien: "House Bill 3948, Choate. A Bill for an Act to create the Jackson-Union Counties Regional Port District. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Representative Choates, do you want 3948, advanced to Third Reading? Third Reading. 3949."

Clerk O'Brien: "House Bill 3949..."

Speaker Redmond: "Is Representative Skinner, on the floor? 3949..."

Clerk O'Brien: "House Bill 3949, a Bill for an Act to amend



JUN 04 1976

6.

an Act to provide the manner of proposing Amendments to the Constitution and submitting the same to the electors of this State. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Speaker Redmond: "Representative Skinner, 3335, are you ready on that? We went pass that one once, down in the library."

Clerk O'Brien: "House Bill 3335, Skinner, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill."

Skinner: "Mr. Speaker, I believe there was an Amendment on that other Bill as well to make it effective immediately. The Reference Bureau blew the drafting."

Speaker Redmond: "Is there an Amendment on 3335?"

Clerk O'Brien: "No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor on 3335?"

Clerk O'Brien: "Amendment #1 . . ."

Speaker Redmond: "Amendment #1. The rules say you're not supposed to bother the Clerk."

Skinner: "This is an Amendment that makes this effective immediately. I move the adoption of the Amendment."

Clerk O'Brien: ". . . 3335."

Speaker Redmond: "Did he find the Amendment on 3335?"

Clerk O'Brien: "Floor Amendment #1, Mugalian, amends House Bill 3335 on page 1 by deleting lines 1 and 2 and so forth."

Speaker Redmond: "Representative Mugalian."

Mugalian: "Thank . . ."

Speaker Redmond: "We . . . we found the Amendment."

Mugalian: ". . . thank you, Mr. Speaker and Members of the House. This Amendment is what your Local School Districts have been waiting for. It's an Amendment that your Local Park Districts have been waiting for, your Library Districts have been waiting for quite anxiously; and I'm happy to . . . accommodate these . . . these various interests. This Amendment does what many of you privately favor. This Amendment offers the greatest boon to homeowners in this history of our state. The most significant, most fair homeowners tax relief Bill that can be devised. In one fell swoop it would bring hundreds of millions of dollars of assessed valuation for our counties, cities, schools and units of local government; and it is a just and rational to these . . . to those organizations who will no longer be exempt from real estate taxes. On economic



JUN 04 1976

8.

terms, it affirms the use of the price system to influence the allocation of resources. All real estate development uses the facilities and services paid for by the real estate tax, whether it's fire protection, police protection, sewers, the streets, whether it's flood control, sanitation services, public health and public safety. The burdens for these local governmental services have become . . . increasingly onerous to homeowners and renters. This Amendment will go a long way towards solving our school financial crisis. It will bring equity to the real estate tax system. It will make every landowner pay its own way. The groups affected already have a huge federal subsidy . . . subsidy, and it's an enormous one in that their income is not normally taxable and that contributions to them are tax deductible. This is an idea that was sound five, ten or forty years ago. Its time has now come in the public arena. We owe it to our local governments and to the hard-pressed taxpayers of Illinois, and I move for its adoption."

Speaker Redmond: "Any discussion? Representative Skinner."

Skinner: "Mr. Speaker, this is the . . . the time of day to get through Amendments that are extremely controversial and that no one understands. Now, Representative Mugalian has proposed an Amendment to abolish every real estate tax exemption . . . in the State of Illinois. That means the Senior Citizens Homestead Tax exemption, the exemption for churches, the exemption for charitable hospitals. You name the exemption and it has been included in this Amendment. For that reason, I would suggest that even if we agree with Representative Mugalian that very few of us will have the political guts to vote for this Amendment; and for that reason, I would ask its defeat."

Speaker Redmond: "Representative Maragos. Maragos."

Maragos: "Mr. Speaker and Members of the House, reluctantly, I hate to arise objecting to this Amendment and speaking against it because although in many ways I may sympathize with the purposes of the Sponsor of this particular Amendment, I think the timing is very bad, and I would ask him that maybe the next Session, when he returns as a Member of this House, he pass and put into the record and follow into the hopper a statute of uses, which they did many,



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

many moons ago in the English government and in the English law. If we're going to at this time by this Amendment try to abolish all exemptions for all the charities and charitable organizations, including churches, hospitals, schools, it will only mean one thing, that . . . that it will mean that the tax burden of this country will become so great to support these charitable causes that any gain that we may have from the tax rolls will be offset by a great margin and gains in the taxes that we will. So that . . . in the cost it will have to support these institutions. Therefore, I rise in . . . against this Amendment."

Speaker Redmond: "Representative Madigan."

Madigan: "Mr. Speaker, would you bring the House to order and ask Representative Mugalian to explain the Amendment again?"

Speaker Redmond: "The request has been made that you explain the Amendment again, Representative Madigan . . . Mugalian."

Mugalian: "This Amendment to the Revenue Act would delete certain present exemptions from real estate taxes. The intention is to give some relief to our hard-pressed homeowners. This . . . it does not repeal the exemption for governmentally owned real estate of the cities, villages and public school properties, but it does . . . it would eliminate the real estate tax exemptions under Section 500.10, for example, for certain military schools and academies, non-profit parking areas, railroad terminal corporations . . ."

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

Porter: "A point of order, Mr. Speaker."

Speaker Redmond: "State your point."

Porter: "At least so on our side of the aisle, I have House Bill 3335 on the front and on the back have House Bill 3338. So I don't have the Bill to which this Amendment relates and it's unintelligible without the Bill. It looks like the printing got messed up."

Speaker Redmond: "I don't know whether I should thank you or not. Take it out of the Record until we get the printing. 3935 that we had moved to the order of Third Reading. We find that there's an



Amendment on that, so we'll take that back from the order of Third Reading to the order of Second Reading. 3949... pardon me. 3949."

Clerk O'Brien: "This Bill was read a second time previously... floor Amendment #1, Skinner. Amends House Bill 3949, by adding after page 3, the following; Section 2, this amendatory Act takes affect upon it becoming a law."

Speaker Redmond: "Representative Skinner. This is 3949, Representative Skinner do you move the adoption of the Amendment?"

Skinner: "Yes, I move the adoption of this Amendment."

Speaker Redmond: "The question is on the adoption, all in favor indicate by saying 'aye', opposed 'no', the 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3972... 3972."

Clerk O'Brien: "House Bill 3972, a Bill for an Act to amend The Civil Administrative Code of Illinois. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "There is a discrepancy here... Amendments on this... Have been advised that the Amendment has not been printed, so we'll have to take it out of the Record. House Bills, Second Reading 3403."

Clerk O'Brien: "House Bill 3403, a Bill for an Act to provide for the ordinary and contingent expense of the Department of Conservation. Second Reading of the Bill, this Bill has been read a second time previously... Amendment 1 and 2, were adopted, 3 was withdrawn, Amendment 4, failed... Amendment 5, was adopted... Committee Amendment #6, amends House Bill 3403 as amended by deleting all of Section 18, and inserting in lieu thereof, the following,



Section 18, and so forth."

Speaker Redmond: "Representative Boyle."

Boyle: "I understand that Representative Lechowicz, has number 6."

Speaker Redmond: "Representative Lechowicz, do you have Amendment #6? Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Committee Amendment #6, was offered by Representative Hart in Committee. Committee Amendment #6, adds a hundred thousand dollars for the Department of Conservation for dredging and drainage ditches in Union County refuge, including in cost of planning, supplies, material, labor services and other expenses necessary for dredging. According to the testimony that we heard in Committee on Amendment #6, this money was expended and is supposed to be reimbursed by the State to the respective county. And, in turn it would overtly omitted and for this reason the Amendment was offered in Committee and adopted in Committee. I move for its adoption."

Speaker Redmond: "Any discussion? Representative Leinenweber."

Leinenweber: "A question for the Sponsor. Representative Lechowicz, now what was the basis that for the reimbursement from the State to Union County."

Lechowicz: "It's the Union County refuge and in turn was a part and parcel of the Department of Conservation lands program. It provides for the ducks and the geese in that area... hunting as well. The money was expended and was supposed to be reimbursed to the County by the State..."

Leinenweber: "Union County spent the money?"

Lechowicz: "Correct."

Leinenweber: "What basis was the Union County did the work, that's what I don't understand."



Speaker Redmond: "Representative Choate."

Choate: "What happen is the drainage ditch that the Department of Conservation owns... over 60% of the land has become filled up in the past year to the extent that now the drainage ditch does not carry the water that it had originally intended to do, thereby causing flooding of several thousand of acres of the rich fertile delta land of the Mississippi bottoms and ruining the crops of the farmers, the drainage ditch Commission has brought about the draining of the ditches and the Department of Conservation readily admits that their proportion share is a hundred thousand dollars and that hundred thousand dollars was arrived at by them, not by us."

Leinenweber: "Does the Department favor the Bill?"

Choate: "Well, I suppose they favor the Bill because it's their annual budget and they also favor the Amendment."

Leinenweber: "I mean, excuse me, of the Amendment. They do favor the Amendment. Okay, thank you."

Speaker Redmond: "Representative Boyle."

Boyle: "I... as far as the Department is concerned the Department agrees that something has to be done, I think that the cost is correct that there is some problem, I have been advised that the Army Corp of Engineers as to whether the drainage ditches caused the problem or the creeks caused the problem, I don't know... as far as we're concerned...."

Speaker Redmond: "The question is on the adoption of the Amendment #6, all in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, Tipword. Amends House Bill 3403 as amended by deleting all of Section 19, and so forth."

Speaker Redmond: "Representative Tipword, is not on the



floor. Representative Boyle, are you familiar with this Amendment?"

Boyle: "Is this Amendment #7?"

Speaker Redmond: "Yes, it's Representative Tipsword's Amendment."

Boyle: "Let's see, Amendment #7... is a hundred thousand or so much from the C.D.B. Bond Fund to Shelby County for the acquisition of right away for widening or re-locating of access roads to Coon Creek... Possum Creek and Lone Point, recreation and access areas on Lake Shelbyville. That's Representative Dunn's district, maybe Representative Dunn is over here and he knows about Possum Creek and Coon Creek... he'll get up there..."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Mr. Speaker, I would have to oppose Amendment #7, we passed a Bill similar in nature for Representative Tipsword, where the money came out of the Road Fund which is supposed... really the popular approach, now this is a new approach we're going to be using C.D.B. money to widen, resurfacing the drifting of roads. I think it is an incorrect imposition on this Amendment and I would have to oppose it."

Speaker Redmond: "Representative Dunn."

Dunn: "Obviously... thank you, Mr. Speaker. Obviously we certainly wouldn't want this project funded twice, in Representative Tipsword absence, I will have to advocate the Amendment because we have no assurance that any other Bill for this particular funding item will become law, will be signed by the Governor. This is a one hundred thousand dollar appropriation for access roads to the Lake Shelbyville area which is a large popular recreational area serving everyone in the State of Illinois. A lot of people come from all over to boat and fish in that area and as a result, the county roads which are maintained by the county have been having the traffic but from the



county roads to the reservoir area itself, the recreational area there are some township roads that have gone into a terrible state of disrepair because of the large volume of traffic. So, what we need to do is take care of the visitors to the Lake Shelbyville access area who have to travel off the county roads on these township roads to the access area mentioned. The names of the areas are actually the names of campgrounds in the Lake Shelbyville area. So, those of you have any constituents from your area who are inclined to visit the Shelbyville reservoir area will know that this is an important item so I respectfully urge the adoption of this Amendment. Would be happy to answer any questions."

Speaker Redmond: "Representative Stone."

Stone: "Mr. Speaker and Ladies and Gentlemen... this is the first time I have ever known Representative Lechowicz, to be mistaken. And, I'm afraid he is, in the meantime before I forget it, I would like to congratulate Representative Boyle, he's the first person that I've heard properly pronounce those words, it is Coon Creek most people have pronounced it Coon Creek. Representative Boyle, is right and Possum Creek and not Creek. Now, Representative Lechowicz indicated that this money was for widening and resurfacing of the roads, as I understand from Representative Tipword, this is money that will be used to purchase land for rightaway, so that the roads can be built by the Corp of Engineers. The... for some reason the Corp of Engineers does not have money... cannot use the money they have to purchase rightaway. This money will be used by Shelby County to purchase rightaway on which, the Corp of Engineers will build roads... access roads to these three areas. Now, Representative Dunn, has directly pointed out that these roads are not for the use of the people in the general



area, they are used primarily by visitors to Lake Shelbyville. Lake Shelbyville had over twelve million visitors last year from all over the State of Illinois and all over the United States, for that matter, and those are the people that use these roads. It is imperative, I think that Shelby County had the money to purchase the rightaway on which the Corp of Engineers can construct roads and I urge an 'aye' vote on the Amendment."

Speaker Redmond: "Representative LaFleur... Representative Lechowicz, state your point."

Lechowicz: "Thank you, Mr. Speaker, on a point of order. I would ask Representative Stone, to read the Amendment and it is a very short Amendment and I think that the House should listen to the Amendment and see who's right or wrong. There is a sum of a hundred thousand dollars, or so much thereof, is appropriated from the Capital Development Bond Fund to Shelby County for acquisition of rightaway, for widening or re-locating or both... existing access roads to Coon Creek, Possum Creek, Long Point Recreation access areas of Lake Shelbyville. My point was, Mr. Speaker, you can use it for the purchase... the widening, or re-locating of the county roads... mind you, and using C.D.B. money for that... I think that it is wrong."

Speaker Redmond: "Representative LaFleur."

LaFleur: "Thank you, Mr. Speaker. I join with Mr. Lechowicz, in opposing this Amendment. In that if you will find and look at the Capital Development Bond request this year, that there has been a shifting of the burden of ordinary expenses and expenses from other tax levy to the Capital Development Board. I think this will be resisted when comes to the House but, I believe the proper place for the funds to come from for the road



construction, would be the highway and I hope that Mr. Lechowicz, will join us later on in opposing the other expenses that are being brought to bear upon the Capitol Development Board. And, I would urge all Members to vote 'no', on this Amendment."

Speaker Redmond: "Representative Maragos."

Maragos: "Mr. Speaker, I question the germaneness of this Amendment because if I understood... that up til now, the Department of Conservation, until recently has not become involved with Capitol Development Funds. I want to know if there's... this particular Amendment is really germane to the issue of an Appropriation Bill because it really, I think deals with Capitol Development Bond Funding and I would like to have a ruling on that particular issue."

Speaker Redmond: "Come to the parliamentarian... Representative Maragos."

Maragos: "I don't know what the ruling is, they say... is it a form of an appropriation or is it in a proper form, is the next question that I want to ask the parliamentarian. But, I want to first of all... I thought it was an authorization for Capitol Development Bond, if it's only an appropriation then it might be no question about the germane... but, my next question is, is it in the proper form?"

Speaker Redmond: "Will have to check the other Amendments so, we'll have to take this out of the records temporarily. Representative Mudd."

Mudd: "Yes, Mr. Speaker, I think that the intent here has a great deal of merit and the only argument that I can hear from the... Representative Lechowicz, is that he feels that it's coming out of the wrong fund, is that right, Representative Lechowicz? Is your objection that you feel that these funds are coming out of the wrong



source."

Speaker Redmond: "Representative Lechowicz ."

Lechowicz: "That is correct, and I would like to point out to the House that we passed a Bill, took the money out of motor fuel tax money which is the proper source, for the acquisition of roads even though they are county roads, we passed a Bill for Representative Tipsword, in his name."

Mudd: "But, I would like to ask another question that... I was wondering if maybe the proper Amendment might be the one..."

Lechowicz: "It shouldn't be a conservation... it should be in D.O.T..."

Mudd: "All right..."

Lechowicz: "Out of either series A, B, or C, money."

Mudd: "Do you feel that it would be a better Amendment for the House to support than one on the Conservation Department."

Lechowicz: "No, I think it would be a duplication... we've all ready passed a Bill that takes care of this situation."

Mudd: "Okay, I think though that... if there is a source, that's fine but I think what we've got to realize and this happens in a lot of cases in our townships and county roads..."

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

Dunn: "Mr. Speaker, if I may, I would like to address Representative Lechowicz... In the absence of Representative Tipsword, I would like to just point out that these roads are merely for access from the recreational area to the roads normally traveled by the public. So, the Department of Conservation does have some jurisdiction in the recreational areas around the State and this is a function of their's to help the general public get in



and out and these roads are... if they are not improved... may well be impassible this summer because they are just dirt roads... that they are full of ruts at the present time and something has to be done because of the millions of people who visit this reservoir in the summer recreational months so, you're not talking about what road funds are normally used for. Road funds are normally used to improve heavily... to improve roads traveled by the public for whatever purpose they choose to travel over and we're talking here only about access to and from a recreational area established by the Army Corp of Engineers and supported by the State of Illinois and with some jurisdiction of the Department of Conservation. So, I am sure that the Department of Conservation appropriates funds for the construction of lanes, access lanes within all the State Parks, in order to use the State Parks, you have to be able to get there and that's all we're talking about here, is the way to get there."

Speaker Redmond: "Representative Totten..."

Totten: "Well, thank you, Mr. Speaker. I want to first of all, congratulate Chairman Lechowicz, because this is one of the two times that he has been right despite what Representative Stone, has said and he has made two very viable points. One, we have already passed a Bill with funds from the road funds to do this project and this Amendment is really superfluous. Secondly, I believe that you can't appropriate money, in an appropriation Bill, to fund the Capitol Development Board, the question is when that comes before us, whether you want to do it or not. The appropriation is in order, but to take it from this fund is not in order as the Chairman has pointed out, and secondly we already have given the money to do this widening, which was indicated



in Committee to the Lake Shelbyville area and Coon Creek and the others, and I think that this Amendment should be defeated, I join the Chairman."

Speaker Redmond: "Representative Fleck."

Fleck: "I move the previous question."

Speaker Redmond: "The Gentleman has moved the previous question. The question is, shall the main question be put, all in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it. Representative Dunn, to close."

Dunn: "Thank you, Mr. Speaker. On behalf of... again Representative Tipword's Amendment. Just let me point out and emphasize again that we are not talking about providing funding for county highway department or a township road district, to improve its roads to serve the people in the area. We are talking about roads that the residents of the Shelbyville area really don't need. We're talking about an access to a State recreational area surrounded by a number of campgrounds, which include the Coon Creek area and the Possum Creek area, for those of you upstate and downstate will pronounce it both ways, and some of you come down from Chicago, to use these areas and when you get into these lovely campgrounds you have a good time but if you can't get into them you don't have any fun at all. And, that's what's going to happen if we don't get funds to match with the funds that the Army Corp of Engineers will also provide, to improve these access areas. So, we're not talking about the typical situation of appropriating funds to use for general road purposes, we're talking about... if you can conceive what this really is, the access from the main road back into a State recreational area, the same as any other State Park. You've got to get off the main road and into the park, to do



that you have to drive some kind of lane, if the lanes are not improved now... they badly need repair, they're almost impassible and without this fund you can jeopardize the value and the existence of this fine recreational area which is one of the best in the entire State."

Speaker Redmond: "Representative Maragos."

Maragos: "Mr. Speaker, I'm still waiting for a ruling from the Chair as to the question of the form of the Amendment, before we go on to further debate."

Speaker Redmond: "The answer to your first question, the parliamentarian is of the opinion that it is germane."

Maragos: "How about the second..."

Speaker Redmond: "It is also the opinion that the form is adequate but, there is a serious question here... looking at the original statute, it seems to provide that money can be used for buildings and apartments and so forth and it doesn't specify rights of way. And, it may very well be... or any roads for that matter, it may very well be that this may be hollow honor because... serious question as to whether or not it would be authorized. Anything further?"

Maragos: "Mr. Speaker, then may I explain my vote."

Speaker Redmond: "Proceed.... Oh, that's right. On this question those in favor of the adoption of the Amendment vote 'aye', opposed vote 'no'. Representative Maragos, to explain his vote."

Maragos: "Mr. Speaker, in reiterating the questions that were raised by the Chairman of the Appropriations Committee, Representative Lechowicz and also the Republican Minority Spokesman in that Committee, Mr. Totten, the fact is that these funds have already been appropriated in another Bill in another form, and since the Chair has also ruled that this particular Amendment may be bad form, I think we should vote it down at this time



and save the taxpayers money and a lot of headaches later on. Thank you."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there are 24 'ayes', 29 'nos', and the motion fails and the Amendment is not adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #8, Richmond. Amends House Bill 3403, as amended by deleting all of Section 20, and so forth."

Speaker Redmond: "Representative Richmond."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think with the failure of the adoption of Amendment #7, it will be necessary then for me to move to Table Amendment #8, and move on with Amendment #9. And, I do so move, Mr. Speaker. Leave to Table #8."

Speaker Redmond: "The Gentleman has moved to Table Amendment #8, any objections? Hearing none, Amendment #8, is Tabled."

Clerk O'Brien: "Floor Amendment #9, Richmond. Amends House Bill 3403, as amended by deleting all of Section 19, and so forth."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #9, is very simple one and is very small amount of money... it would appropriate ninety-four hundred dollars to the J.T. Blankinship and Associates consulting engineers for work that they did at the Giant City State Park for the Department of Conservation. This amount is in excess of the money appropriated by the General Assembly for that particular work but, it was also entered into.. the agreement was entered into by the Department of Conservation and it has gone before the court of claims and the Park, in excess the appropriated fund has already been awarded



and they state that it's clearly the intent of the Department through their testimony and the facts presented that this is a just claim and I think that very definitely the State owes the money to this firm and the Department is in agreement apparently, according to their testimony before the court of claims therefore, I move for the adoption of Amendment #9, to House Bill 3403."

Speaker Redmond: "Any discussion? The question is on the... Representative Leinenweber."

Leinenweber: "I have a question for Representative Richmond."

Speaker Redmond: "Proceed."

Leinenweber: "According to the Amendment, it seem to indicate that Blankinship and Associates were unable to get an award... to win an award from the court of claims and this is a way to by-pass their failure to win their case. Is that true, or am I misreading the Amendment."

Richmond: "No, I think your interpretation of the Amendment is accurate. I have a copy of the court of claims opinion, originally the amount in contest... that was being contested, was fourteen thousands, ~~two~~ hundred and fifty dollars and the part that had been laps but had been appropriated in previous year for this project, was forty-eight hundred and fifty dollars and they say that the bill... the entire bill was clearly a legitimate one but, the court of claims could not award the amount above that which had been appropriated for the purpose. And, in the testimony it was brought out that a Representative of the Department of Conservation, testified that it was always the intent of the Department of Conservation and the Office of Supervising Architect that claim would be paid for services provided."

Leinenweber: "Well, it would seem to me that, that would be the subject of the contest in the court of claims, whether or not the services provided equal the sum requested. It



23.

would appear from the Amendment that the court of claims would arbitrate claims against the State of Illinois felt that their services were worth ninety-four hundred dollars less than Blankinship and Associates demanded, that... it just appears to me they were trying to get around the fact that they lost their case."

Richmond: "Let me read one more paragraph from their opinion.

It does appear that claimant performed substantial services for respondent not contemplated in the original contract between the parties, for which claimant has not been paid because the office of the Supervising Architect neglected to promptly process change orders and to supply claimant with an additional contract as called for in the original contract. All but the sum of forty-eight hundred and fifty dollars of the original appropriation for the project has been expended and the balance of the appropriation is since lapsed."

Leinenweber: "Well, Mr. Speaker, just briefly. It does sound, the Court of claims is a... similar to our Courts of Law in which... regardless of the amount appropriated the... it is the court which determines the validity of claims of litigants suing the State of Illinois. And, it seems that this is an attempt to get around what apparently was an award granted but, now as high as the plaintiff desires... I think that it's kind of a bad practice to appropriate money in this manner."

Speaker Redmond: "Anything further? Representative Richmond, to close."

Richmond: "I think that there is a misunderstanding in the previous speakers interpretation of what this action has been... that has just transpired, actually the Department agrees that they order the services... they agreed that they were performed, they agree that they owe it and this is part of the testimony... the facts are only forty-eight hundred and fifty dollars of it had



been... the funds that had been appropriated. The un-appropriate funds are the amount that had been contested and I think that it is a clear cut case that the State has a valid responsibility here, to pay for services that have been performed and accepted as being very satisfactory. I ask you to help me correct this and vote for this Amendment."

Speaker Redmond: "The question is on the adoption of the Amendment. All in favor of the adoption indicate by saying 'aye', opposed 'no'... unable to determine. All in favor vote 'aye', opposed vote 'no'. Have all voted who wished? The Clerk will take the record. This question, 69 'ayes', 10 'no', the motion carries and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Amendment #10, Skinner. Amends House Bill 3403, by inserting after Section 8, the following, Section 8 (a), and so forth."

Speaker Redmond: "Representative Skinner."

Skinner: "Yes, Mr. Speaker and Members of the House. This is an Amendment for seventy-five thousand dollars, twenty-two thousand dollars of which is for a bridge over the west half of the... the West Branch of the DuPage River, forty-four thousand to resurfacing or that is to surface 5.5 miles of Aurora Branch Railroad line and lesser sums for grading improvements and automobile... and erecting automobile barriers against trespassers for the Illinois Prairie Path, that is in DuPage and Kane County at this point, this is a bicycling trail... and the Chicago Tribune on the 15th of May, editorialized in favor of our passing an appropriation for seventy-five thousand dollars and wanting to do what the Tribune wants me to do on at least one issue. I decided to introduce this Amendment. I ask its adoption."

Speaker Redmond: "The question is.... Representative Boyle."



Boyle: "Well, the Department has advised me that this project is eligible for federal grant funding and as the Amendment is drafted the grant would be from the General Revenue Fund, but if the Amendment would provide that the project would be funded from the Capitol Development Bond Fund, or the Federal Funds the Department would not oppose the Amendment but, as the Amendment is drafted using General Revenue Share Funds, the Department will oppose it."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Well, Mr. Speaker, to just point out to the Membership that this money that is appropriated, seventy-five thousand dollars... not only will Representative Boyle, pointed out that with the adoption of this Amendment you can't apply for any Federal Funds, or actually allocating a grant of seventy-five thousand dollars to the Illinois Prairie Path Corporation, and I would like to know who they are, and what expertise they have in the... to construct a bridge over the West Branch of DuPage river, to resurface 5½ miles of the Aurora Branch Railway and also to upgrade the automobile barriers, who are these people and what's their expertise?"

Speaker Redmond: "Representative Skinner."

Skinner: "The Illinois Prairie Path is a not for profit Corporation which is developing a trail and has been for about the last five or ten years, I would say, it is very similar to a trail we all hold dear to our hearts called the Rock Island Trail. The only difference is, that we're not going to have to buy the rightaway for this and we're not going to maintain the rightaway for this and instead of spending a million for it, as I think the Rock Island Trail would be, it's a seventy-five thousand dollar one shot appropriation. I'm sure



that non-profit corporation will not actually build the bridge itself, or resurface the railway rightaway, I suspect they will contract it out. Perhaps there are other people on the floor that could... maybe Representative Dyer, could explain who the people are that are in charge of the non-profit corporation. That's the extent of my knowledge, Mr. Chairman."

Speaker Redmond: "Any thing further?"

Lechowicz: "Excuse me, is Mrs. Dyer on the floor? To respond to the question."

Speaker Redmond: "No, she's not. The question is on the adoption of the Amendment, all those in favor will indicate by saying 'aye', opposed 'no'. All those in favor vote 'aye', opposed vote 'no'. Glenn Schneider."

Schneider: "Well, thank you, Mr. Speaker and Members of the House. The Illinois Prairie Path Corporation, is a group that has tried and has received federal recognition as an environmental group that authorizes them to care for and respond to needs of that Corporation on the Prairie Path. It's the former Aurora and Elgin Roadway, which basically the easement is held by Commonwealth Eddison, so the possibilities of ever purchasing are pretty remote. The likelihood that you can help in this area at all is, with this small Bill that the Tribune has sufficiently indicated as important because it will allow many citizens in the urban area to benefit from what still remains of the natural areas in DuPage and parts of Cook County. So, this could be a helpful vote, it's a small amount of money and I would ask for more 'aye' votes."

Speaker Redmond: "Anything further? Have all voted who wished? Representative Mudd."

Mudd: "Yes, Mr. Speaker and Representative Skinner, and the rest of you people who support this, I'm voting green



on this because at no time am I opposed to trails for bicycles or nature areas. But, I am opposed to one in my district because it is very controversial and we have a very tough problems between the property owners and those people who support the trails, so I'm happy to support this one. And, to send the money up there if it means we're going to take the money down... from down in the Rock Island area to pay for it because, we haven't resolved our problems up there. Thank you."

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

Waddell: "Mr. Speaker, and Ladies and Gentlemen of the House. I think that an improper word had been used and that was Environmental. I think that if you looked into this group you'll find out that they are the garden clubs of Illinois, Izaak Walton League Audubon Society, and all of those groups that are interested in the out-of-doors recreation that has been provided by this Trail and the abandoned old railroad has been put to good use, and I think that it has a future for the State of Illinois. Encourage an 'aye' vote."

Speaker Redmond: "Have all voted who wished? Clerk, take the record. On this question there are 73 'aye', and 55 'nos', the motion carries, the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #11, Totten. Amends House Bill 3403, as amended on page 2, line 18 and so forth."

Speaker Redmond: "Representative Totten."

Totten: "A question, Mr. Speaker and Members of the House. Amendment #11, makes a reduction in the appropriation by deleting the seven hundred and sixteen thousand... to six hundred and fifty-three. It's a total reduction of a hundred and thirty-four thousand and two hundred of which sixty-three thousand, one hundred.... come out of



a very misused line item in the budget which is contractual services and the other seventy-one, one comes out of nature preserves and I move for the adoption of the Amendment."

Speaker Redmond: "Any discussion? Representative Boyle."

Boyle: "Well, I think this is a very important Amendment, Mr. Speaker, the Amendment #1, which has already been adopted reduces contractual services in the land and historic sites division by fifty-eight thousand and six hundred dollars. Amendment #11, if it's adopted, will reduce the services an additional sixty-three thousand, one hundred dollars for a total reduction of a hundred and twenty-one thousand, seven hundred dollars. This Amendment if it is adopted, will cost the facilities and the machinery... and equipment, in that division which as Representative Totten, knows is not in very good shape to fall in further state of disrepair, and in many instances will cause it to become, I am advised by the Department, disfunctional. In addition, this Amendment will entirely eliminate the Nature Reserve Commission... and the support services provided by this Commission. This Commission is statutorial mandated, so again, Mr. Speaker, and Ladies and Gentlemen of the House. We will have a situation where we have a statutorial mandated Commission and you're trying to do away with it by, doing away with their appropriation instead of striking the enabling Act, which created the Commission and the Department is very much opposed to Amendment #11."

Speaker Redmond: "Anything further? Representative Totten, to close."

Totten: "Well, thank you, Mr. Speaker and Members of the General Assembly. Let me point out that the contractual line item of the Department of Conservation budget is, two million, ninety-one thousand dollars. And, that's



only the division of land and historical sites, we have taken out a mere sixty-three thousand, one hundred dollars out of that total, which in no way... disable the Department from carrying out its functions. And, quite frankly if I would have had a lot more time to look at the contractual services, I think we would have been able to reduce a lot more. Now, many of us have sat here and continually complained about the way we're spending money, you look at the contractual line item in most of these Department budgets and you find a great way to start reducing the cost of government. This is a small percentage reduction, it leave them with more money they had in the last fiscal year, and they can take that natural perserve budget cut and do that within their operation budget without hindering the statutory responsibility of that. I think that it is about time we start taking a look at these Agencies and rather than adding money as we have in most of the previous Amendments, that we reduce them and this one does it without hurting the Department at all and I would encourage an 'aye' vote."

Speaker Redmond: "The question is on the adoption of the Resolution, all in favor vote 'aye', opposed vote 'no'. Have all voted who wished? The Clerk, will take the record. On this question there are 38 'ayes', 66 'no', the Gentleman's motion fails... the Amendment is not adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #12, Boyle. Amends House Bill 3403, as amended on page 1, line 32, and so forth."

Speaker Redmond: "Representative Boyle."

Boyle: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #12, restores the three hundred and fifty-three thousand, nine hundred dollars to House Bill 3403. The restorations occur in the division



of land and historic sites, in administrative services and in natural resource management. The Department advises that the... over half a million dollar cut will cause a consequential layoff, in personnel services I have to discharge some employees and that it is necessary for them to restore this money in order to adequately provide services that have been performed by the... and are being performed by the Department. The Department realizes that various Members of the General Assembly like to hang their bobbles on the Departmental Christmas tree, the same being their Appropriation Bill and if the Members of the General Assembly are going to expect the Department to have the personnel services and the people around to do the projects that you're hanging on the Department, then they are going to have to have this three hundred and fifty-three point nine... restored to their budget and we would ask for a green light and a favorable Roll Call on Amendment #12."

Speaker Redmond: "Representative Totten."

Totten: "Well, Mr. Speaker and Members of the General Assembly. This is absolutely unbelievable. Here we have the Department and the Sponsor coming before us to restore appropriation cut that was taken out of the appropriation Committee, of three hundred and fifty-three thousand, seven hundred dollars in General Revenue Funds. In no way did the Department substantiate to the Appropriations Committee our reasons for adopting Amendment #3, which took these cuts out of there. Let me point out again, that in the prior Amendment where I had attempted to reduce contractual, this Amendment is going to put an additional fifty-eight thousand, six hundred dollars in there, it's going to restore a hundred and eighteen thousand in General Revenue Funds to Personnel Services, and of course retirement and social security which are



related, that are not substantiated at all, there is no reason to believe that there will be personnel cuts because of the adoption of Amendment #3, and the adoption of Amendment #12, will incur the additional hiring of many unneeded employees of this department and I request its defeat."

Speaker Redmond: "Anything further? Anything further? Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What Representative Totten has pointed out is absolutely true, and enter leave... in reviewing this budget, as it was amended in the Appropriations Committee, as it appears on this floor before Amendment #12, was offered, they have three hundred and sixty-five thousand dollars more... in there fiscal '77, budget as amended than their '76, estimated expenditures. Let me also point out to you that they have over a million dollars... million twenty-seven thousand dollars, for extra help in this budget as it is submitted. We didn't even touch that, so Ladies and Gentlemen, Amendment #12 should be defeated, we're talking about close to one million, four hundred thousand dollars that they have... still a three hundred and sixty-five thousand dollar expenditure... their revenue is more than anticipated expenditure of fiscal '76, which is more than adequate for this Department and I would strongly encourage a 'no' vote on Amendment #12."

Speaker Redmond: "Representative Boyle."

Boyle: "Well, thank you, Mr. Speaker and I must disagree with the Gentleman. The Department's total appropriation was cut five hundred and sixty-four thousand, six hundred dollars, now this Amendment restores, three hundred and fifty-three thousand of that, if the Amendment is not adopted, there will be eleven full time personnel that



JUN 04 1976

32.

will be discharged in the division of land and historic sites, if this Amendment is not adopted there will.... at Lake Defiance, they're going to have problems staffing it, the permits down there at Lake Defiance, Horseshoe Lake, in Madison County, staffing at 'Schabada' and Castle Rock will be seriously impaired, in addition in the part of the budget that we sincerely need more people and that is the Law Enforcement, they'll have to get rid of seven conservational police officers whose jobs include game, fish and enforcement as well as hunter and boat safety programs. It's necessary that we have the seven conservation enforcement officers, we've got a lot of problems in this State with respect to violation of the fish and game codes, we had problems with respect to enforcing the hunting code and we need this restoration of this ninety-one thousand, for personal services in the enforcement division. I have talked to the Chief, personally and he feels that this is essential if we're going to adequately enforce the laws of the State of Illinois. It doesn't make much sense for this General Assembly to pass laws with respect to game... and with respect to fish in the number of rabbits and quails and what not the people can shoot, if you haven't got enforcement officers out there to enforce the law. I'm surprised that the Appropriations Committee, took the knife to this budget and hacked it over a half a million dollars. The Department is willing to take a two hundred and fifty thousand dollar cut but, it certainly can't take a cut of such monumental proportions as five hundred and sixty-four thousand, six hundred dollars without laying off much needed personnel in these various divisions. And, I again, especially like in Madison County, Horseshoe Lake and those areas in Lake Defiance, I would urge the Members support...



support this Amendment to keep these people up there working, you hang bottles on the Christmas tree and you want the Department to perform your services but when it comes down to paying for the people to go out there and do the work, then you want cut them off and lay them off and I would urge a green light on Amendment #12."

Speaker Redmond: "Questions on the adoption of the Amendment... Representative Yourell."

Yourell: "Would the... thank you, Mr. Speaker. Would the Sponsor of the Amendment answer a couple of questions?"

Speaker Redmond: "He will."

Yourell: "Who is the Sponsor?"

Speaker Redmond: "Boyle."

Yourell: "Representative Boyle, can you tell me how many enforcement officers the Department of Conservation has in the Chicago area."

Boyle: "I would have to check with my staff, here. I have been advised, Representative Yourell, that there are approximately ten conservation officers enforcing the game code in Chicago Loop area."

Yourell: "Well, I tell you something...."

Speaker Redmond: "What's the game?"

Yourell: "I'll tell you something, Representative, I fished that Lake Michigan from one end to the other for the past seven years and I can tell you that there is at least fifteen hundred fisherman fish from Calumet Harbor to Waukegan, and in seven years I have to see my first conservation enforcement officer, checking any catches that come out of those ports. I don't know where they are, they may be down in some little pond in Southern Illinois, but I can tell you that there is not one conservation officer that I have ever seen. Now, at Burnham Harbor, for example, I fished practically week-



end, about five hundred boats with three or four people in each boat that come in there over the week-end and some of those catches that I see being unloaded from those boats are astronomical, eighteen, twenty fish with two people in the boat. Thirty-one fish last Saturday, two people in the boat, now if you really want to protect the greatest fishery in Illinois and in the Middle-West, you better get some enforcement officers up in the Chicago area. Now, many of the club members, Salmon Unlimited, Trolling Unlimited and some of the other more responsible clubs and their Members are doing the job that the Department of Conservation ought to be doing. We enforce the law as it relates to numbers of fish taken by our Members and we have a reporting system and every once in awhile we check those reporting systems and if the Members are lying to us we check their catch, and we kick them out of the club. But, that does not do the job, it's not our responsibility to do it. So, if you want some money to further the cause of conservation and particularly the great sport fishing industry, in Lake Michigan, you better get some more officers, now, I'm going to vote against cutting any appropriations for law enforcement officers in the Department of Conservation. But, I think somebody... somebody ought to tell that Director to get two or three of those guys up in Chicago, on Lake Michigan every week-end. Because if they don't get up there, the rest of this year, I'm going to vote against the entire Conservation budget next year."

Speaker Redmond: "Representative Maragos."

Maragos: "Mr. Speaker, could I just briefly.. BUS, four of the seven are going to Chicago area under this Amendment. So, you ought to vote for this Amendment because they advised me that four of the seven are going to



the Chicago Land area."

Speaker Redmond: "Representative Maragos"

Maragos: "Mr. Speaker and Members of the House. Since this controversy involves the conservation area to the State of Illinois in Cook County, I would like to state that there are some conservation officers already assigned at the William H. Powers conservation area at Wolf Lake. However, the enforcement personnel is on a part-time basis and they will get into office, I think the remarks made by Representative Yourell, should be well headed, but there are conservation officers in Cook County, in Chicago at the William H. Powers conservation area."

Speaker Redmond: "The question is on the adoption of the Amendment. All in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 70 'ayes', 39 'no', and the Gentleman's motion carries and the Amendment is adopted. Anything further?"

Clerk O'Brien: "Floor Amendment 13, Meyer. Amends House Bill 3403, on page 11, by inserting between line 16 and 17..."

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

Meyer: "Mr. Speaker, I would like to Table Amendment #13, and defer later on..."

Speaker Redmond: "Any objection? Hearing none, the Amendment 13, is Tabled."

Meyer: "Heard later in Amendment #16."

Speaker Redmond: "Any further Amendments?"

Clerk O'Brien: "Floor Amendment #14, Lucco. Amends House Bill 3403, as amended on page 11, and so forth."

Speaker Redmond: "Representative Lucco."

Lucco: "Mr. Speaker, Ladies and Gentlemen of the House. Amend-



ment #14, to House Bill 3403, provides appropriation of twenty thousand dollars from the Capitol Development Bond Fund to the Department of Conservation for a grant to Edwardsville Township, in Madison County for the purpose of development of a Community Park. The Edwardsville Township in Madison County, has been working on this project for several years. They have allocated twenty thousand dollars of their money for the purpose and establishing of this Community Park which will lie between Edwardsville and Glen Carbon. And, we've asked the Department of Conservation, they have been down there... they have just checked the land, they think it's very very good, in fact they have asked them to put in for a grant and this would just facilitate and assure the building of this Community Park and recreational facility. I appreciate your support on this Amendment #14."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "A question for the Sponsor."

Lucco: "Yes."

Leinenweber: "Did the township file under the local government Department of Conservation a program for local government acquisition grant?"

Lucco: "Yes, they have filed one and I have been told, I talked with several of them in the Department just yesterday, they told me that the application was in final order but... remember there is only about one out of every ten, that apply that get these particular grants and they suggested that we go this route, to give a little better assurance of getting the needed money."

Leinenweber: "Mr. Speaker, briefly on the Amendment. I would have to oppose the Amendment, one term ago we passed, I thought a pretty good Act for the Department of Conservation to award matching grants to units of local



government for acquisition of open space land. We have funded that from time to time, in varying amounts and one of the problems is of course, they're more applications than there is money available, I think if we're going to by-pass that particular program, we ought to repeal it and go back to the Christmas tree approach. I think that this is a very bad idea to start passing out money and by-passing the local government land acquisition, grant program."

Speaker Redmond: "Representative Steele."

Steele: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would rise to speak in favor of this Amendment, it's a much needed grant in the amount of twenty thousand dollars which is needed to enable completion of a part that would serve, not only a populace area in this State but, it would also serve residents from many parts of Illinois who are students at the near by Edwardsville University Campus, some twelve thousand students and I would urge support of this Amendment."

Speaker Redmond: "Anything further? The question is on the adoption of the Amendment. All in favor indicate by voting 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 67 'ayes', 39 'no', the Gentleman's motion carries and the Amendment is adopted. Any further?"

Clerk O'Brien: "Floor Amendment #15, Choate. Amends House Bill 3403, as amended by inserting on page 9, after line 2, the following; Section 58."

Speaker Redmond: "Who's the Sponsor? Representative Choate."

Choate: "Mr. Speaker, Ladies and Gentlemen of the House. This is the identical Amendment that the House, just a few moments ago, adopted by something like a 50 to 1, vote with the exception of one thing, this spells out exactly



38.

the drainage ditch which is know as the sea lined ditch, that shall be drained rather than just giving, you know, any drainage ditch in that particular area. Mr. Speaker, I would move for the adoption of this Amendment and then at which time, if and when it is adopted, I will Table #6."

Speaker Redmond: "Anything further? The question is on the adoption of the Amendment, all in favor vote 'aye', opposed vote 'no'. Have all voted who wished? The Clerk will take the record. On this question there are 58 'ayes', and 1 'no', and the Gentleman's motion carries and the Amendment is adopted. Any further Amendment? Representative Choate."

Choate: "Now, Mr. Speaker, in accordance with what I just advised the House. I would like to... in having voted on the prevailing side, I would like to reconsider the vote by which Amendment #6, was adopted."

Speaker Redmond: "Any discussion? Having voted on the prevailing side, Representative Choate, moves that the vote by which Amendment #15, was adopted..."

Choate: "6... 6... 6..."

Speaker Redmond: "Oh, Amendment #6, was adopted be reconsidered. All in favor vote 'aye', opposed vote 'no'. The motion carries."

Choate: "Mr. Speaker, I would move to Table House Amendment #6, to House Bill 3403."

Speaker Redmond: "Any objections? Hearing no objections, Amendment #6, is Tabled. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #16, Meyer. Amends House Bill 3403..."

Speaker Redmond: "Representative Maragos."

Maragos: "A point of order, Mr. Speaker."

Speaker Redmond: "State your point."

Maragos: "I would like to ask the Clerk, how many more Amend-



ments there are because, according to the Calendar, we had a special order of business at 2 o'clock."

Speaker Redmond: "Yes, we have one. At 2 o'clock, we'll go to it."

Clerk O'Brien: "One Amendment after this one."

Maragos: "All right."

Speaker Redmond: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker. Floor Amendment #16, appropriates the sum of seven hundred and ten thousand dollars from the Capitol Development Bond Fund for the acquisition of an additional eight hundred and sixty acres to establish the Illinois Bicentennial American Bald Eagle Refuge. Mr. Speaker, there are few people in this room that realize that fully 25% of our National Emblem spends its winters in Illinois. The reason why they come to Illinois is, that birds breed and live in Wisconsin and Michigan, and Minnesota and Southern Canada, during the summer then migrate down the Mississippi River as far as they can go, at this point in Rock Island, in Warsaw, Keokuk, Iowa they come to Lock and Dam 16, they stay there and quite frankly, their homes are being threatened. Recently the Rock Island County Board, recently turn down a zoning improvement which would have log the area, maybe Mr. Franklin, was correct that the turkey should have been our National Emblem, but Ladies and Gentlemen of the House, if you disturb the area in which the Eagle lives, he will wither and die. This would permit the acquisition of an additional eight hundred and sixty acres which is next to land owned by the Natural Conservancy and the Western Illinois University and it's a good project and I urge its approval."

Speaker Redmond: "Any discussion? Representative Boyle. The question is on the adoption..."



Boyle: "Mr. Speaker, just a moment, I would like to ask the Sponsor of the Amendment if he knows who owns this eight hundred and sixty acres that we're..."

Meyer: "It's in private ownership, I don't know... I believe it's four tracts of land. The ornithologist at Western Illinois University has identified the land, the trees it is not the land owned by Western Illinois or Northern Nature Conservancy."

Boyle: "Well, that's Kidney Life Science Station there, is owned by Western isn't that right?"

Meyer: "Right. In the Nature Conservancy, land is owned by the State of Illinois. This is the land on the River.

Boyle: "Well, Mr. Speaker, I have been advised that on this one, the Department is standing firmly in mid air and they are neutral."

Speaker Redmond: "Representative Byers."

Meyer: One, briefly to close, Mr. Speaker. The Department of..."

Speaker Redmond: "Representative Byers, has seeked recognition."

Byers: "Will the Gentleman yield?"

Speaker Redmond: "He will."

Byers: "Representative Meyers, how many Eagles come here to rest every year?"

Meyer: "About two hundred."

Byers: "About two hundred, how many years have they been coming there?"

Meyer: "In the Cedar Glen, this particular area... as long as there has been recorded history."

Byers: "And, if they have been making it this long, why can't they continue to make it without eight hundred and fifty thousand dollars."

Meyer: "Well, Mr. Representative Byers, if the land is occupied by housing developments or industrial developments,



if the trees in which they live are destroyed, quite frankly, if you destroy the habitat you would destroy the birds because you've got to know where they go."

Byers: "Thank you."

Speaker Redmond: "Representative Davis."

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

I have the privilege of presenting to this House, the students from a school that's named after one of the distinguished Scientist of our Nation. The Einstein School, built and located at 38, and Cottage Grove in the heart of the great 22nd, district. They are here with their teachers, Mr. Penny, McGee, Mrs. Smith, Georgia Walker, White, Mrs. Mary Kay, Karen Williams, Mrs. Foster, and Mr..Steven Core, Marrine Bib, Mrs. Arnel Boxfield, Mr. James Trivey. Will the Einstein School, please stand."

Speaker Redmond: "Representative Davis, who represents the famous 22nd, district?"

Davis: "And, Mr. Speaker, I now want to present to the Einstein School, the distinguish Representatives of the 22nd District, which is the district in which your school is located. We are firmly committed to E.R.A., Equal Rights for women and I give you your Representative to prove it, that distinguished Lady Miss Susan Catania. Susan, would you stand and let the students see you. I give you now, one of the great lawyers, who represents your district, the Chairman of our Committee on Personnel and Pensions, Jim McLendon, will you please stand. And, I am your Representative, I spoke at... West Point Baptist Church, which is right there by you, a few Sundays ago and I love to pass Einstein School and you're welcome here in the Land of Lincoln, we hope that your stay will be beneficial and rewarding. Thank you, for coming."

Speaker Redmond: "Any further Amendments? Representative



Palmer."

Palmer: "Mr. Speaker, may I inquire... of the Sponsor of the Amendment."

Speaker Redmond: "Proceed."

Palmer: "How many bald Eagles are there in population in North America."

Meyer: "Continental North America has approximately eight hundred."

Palmer: "And you, indicated that there would be two hundred or that there is two hundred that roost in Illinois."

Meyer: "Right, 25% of the total..."

Palmer: "And our National Emblem is the Bald Eagle, isn't that correct?"

Meyer: "Correct."

Palmer: "Mr. Speaker, this being the Bicentennial year, I can't think of money better spent than the acquisition of this land."

Speaker Redmond: "Representative McMaster."

McMaster: "Well, the Sponsor of the Amendment..."

Speaker Redmond: "Will the Gentleman between the Chair and Representative McMaster, please be seated."

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

Meyer: "Yes, Sir."

McMaster: "Teddy, I think you recognize that this area that you're talking about is located within my district in Hancock County, right?"

Meyer: "Correct."

McMaster: "Do you have any local support for what you're doing?"

Meyer: "Western Illinois University, ornithologist department."

McMaster: "Pardon."

Meyer: "Western Illinois University, the Department of... the bird department from Western Illinois University."

McMaster: "What is this land currently, is it swamp... is it



usable land?"

Meyer: "No, it's one Island, Mink Island located on... the Mississippi River and this is all... I've got a map over here of it. It's all timber land, flood flanked."

McMaster: "Is it private ownership?"

Meyer: "Yes, Sir."

McMaster: "Who owns it?"

Meyer: "There are seven owners, I really don't know who."

McMaster: "What is the current use, is it used for duck hunting facility or what?"

Meyer: "No."

McMaster: "Just an Island... the river that is not used. That has a stand of timber on it and what is the amount of money that you're going to pay the seven people for this Island?"

Meyer: "Seven hundred and ten thousand dollars, for eight hundred and sixty acres of land."

McMaster: "Seven hundred and ten... what does that work out per acre?"

Meyer: "Nine hundred dollars."

McMaster: "That seems like quiet alot money for an unusable Island, in the middle of the river, Ted."

Meyer: "Mr. McMaster, I had the same project up in 1971, and I believe the amount of money that could have acquired it for was less than a quarter of a million, at that time."

McMaster: "Well, I'd certainly like to know who these owners are that are going to benefit by the sale of that Island to the State of Illinois. And, you say, or someone said, maybe Representative Boyle, but the Department of Conservation has no stand on this issue?"

Meyer: "I'm told that the Department does not have a standing. I will speak to the Department interest in Eagles, if when I close."



McMaster: "Well, I would just like to know who's getting this money."

Meyer: "I don't know, Tom. I don't know the landowners."

Speaker Redmond: "Representative Friedrich."

Friedrich: "Would the Sponsor yield to a question?"

Speaker Redmond: "He will."

Meyer: "Yes, Sir."

Friedrich: "Has there been an appraisal by a competent person.."

Meyer: "No, Sir."

Friedrich: "To determine the fair cash of market value basis.."

Meyer: "No, Sir."

Friedrich: "Highest and best use. Then, how did you arrive at seven hundred thousand?"

Meyer: "It was an estimate made by some people at Western Illinois University."

Friedrich: "Isn't it actually the amount that the owners would like to sell it to you for?"

Meyer: "Well, if the Department... if this Bill passes and if the Department does acquire it, be of the commendation proceedings if isn't a negotiated purchase and it's what the court determines. Just because we appropriate an amount of money, doesn't mean that..."

Friedrich: "In other words the amount that you're asking for does not necessarily have any relation to the fair cash market value."

Meyer: "I am told, it does."

Speaker Redmond: "Representative Collins."

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

Speaker Redmond: "The Gentleman moves the previous question. The question is, shall the main question be put, all in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it. Representative Meyers, to close."

Meyer: "Mr. Speaker, this fall the Department of Conservation instituted a program where they went out to all the



school children of the State of Illinois and said, will you please give your nickles and dimes and pennies, towards a fund which acquire the sites where the American Eagle does spend its time when it's in Illinois. Ladies and Gentlemen the school kids of this State contributed over fifty-five thousand dollars of their money, not their parents money, in small amounts... in nickles, dimes, quarter towards this project. I think it's a good project and it's deserving your merit. I hope you vote for it."

Speaker Redmond: "The question is, on the Gentlemen's motion. Representative Neff."

Neff: "Mr. Speaker, I would like to say... ask the Sponsor a question, please."

Speaker Redmond: "Representative Shea."

Shea: "Excuse me, for interrupting the debate but, there is a friend and colleague of all of us here that I would like to introduce. Governor Sam Shapiro."

Governor Shipiro: "Thank you... thank you."

Speaker Redmond: "Representative Neff."

Neff: "Representative Meyers, which I'm somewhat acquainted here, but I can't pick this particular Island out. Which side of the... side is this on, the Iowa side or the Illinois side, do you know that... this particular Island that you are..."

Meyer: "It's the Illinois side, immediately below lock and dam 19."

Neff: "It's on the Illinois side, but you don't know who owns it."

Meyer: "I have... I subequently found out... I found in my file a plot plan, plaque book rather, I believe and this is just a guess, Oliver Darrell..."

Neff: "Well, that's one of the owners... there's seven owners, is that right?"

Meyer: "Goldie Saw Mill, Ira DeYoung, C. J. Nixon..."



Speaker Redmond: "The just as the main question has been put..."

Meyer: "Union Electric Company..."

Neff: "I would like to have one more question, please."

Speaker Redmond: "Proceed, I just... for the attention of all the blinking lights though, the main question has been put, debate has been closed."

Neff: "Representative Meyers, has this been logged off?"

Meyer: "No, Sir. That's the reason why we're trying to acquire it."

Neff: "You mentioned the Goldie Lock... logging Company and I thought that maybe it had been all logged off."

Meyer: "No, Sir. It has not been logged. That's the reason why the acquisition is necessary."

Neff: "It... I agree with what you're trying to do here, it does seem a little high for this type of particular ground, as I am familiar with somewhat, along the river. The only question that I would have was that we're talking about nine hundred dollars an acre for ground, that even with today's prices seems a little bit out of line otherwise, I am familiar with these Bald Eagles resting here and I think that definitely what you're trying to do to preserve area for them, but that's the only thing that I would question there, is whether this ground has been appraised and if that isn't out of line, a little bit in price."

Speaker Redmond: "The main question has been voted upon and the question is shall this... the Gentleman has moved that the adoption of Amendment #16. The question is on the adoption of the Amendment. All those in favor vote 'aye', opposed vote 'no'. Representative Totten."

Totten: "As to explain my vote, Mr. Speaker. Let me point out to the Members of the General Assembly that we are again going to Bond Funds for something of questionable



value. The total debt service over the period of these bonds, for seven hundred and ten thousand dollars will be one million, two hundred and twenty-eight thousand, three hundred dollars that will come out of General Revenue Funds. Let me point out also, to the Members that this may be a home for the Bald Eagle, but what we're doing to the dollar, will remove the Bald Eagle from the back of it if we keep going in this area."

Speaker Redmond: "Representative Deavers."

Deavers: "Mr. Speaker, in explaining my vote, I wanted to... Representative Meyer, would explain something... how many walnut trees are on this piece of ground?"

Speaker Redmond: "Representative Meyers."

Meyer: "To the best of my knowledge, Sir, they are all sycamores."

Deavers: "Thank you."

Speaker Redmond: "Representative Downs."

Downs: "Thank you. Mr. Speaker, the only thing that concerns me as I talked with the Department of Conservation people when it was indicated that they were up in the air, it was like they were neutral. They know nothing about the project and nobody has approached them until they saw this Amendment. I think that we should at least know that, that concerns me. For that reason, at least at this point I'm going to vote 'present'."

Speaker Redmond: "Representative Huff."

Huff: "Thank you, Mr. Speaker. I'm voting against this Amendment because as I sit here and listen to it, the explanation on the part of Representative Meyers, the Sponsor of the Amendment, was so vague... I wanted to ask him, had the Bald Eagles been notified of the beneficent of the Capitol Development Board. I think that seven hundred and ten thousand dollars is quite a bit of money and knowing that department as I know it, I



suspect that there might be a possibility of a rip-off here that won't benefit me or the Bald Eagle. That's why I'm voting 'no', on this Amendment."

Speaker Redmond: "Representative Boyle."

Boyle: "Well, I might suggest a way out of this possible dilemma. Since the Department... this is about the first that they have learned of it and I might suggest that we put the Amendment on the Bill now and give them the chance to investigate further, the Bill will go over there to the Senate, perhaps in the Interim, but we'll have a chance to investigate this matter further. So, rather than kill what might otherwise be a very worthwhile project, I going to vote 'aye' and then let the Department take a look at the thing over there in the Senate."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there are 44 'ayes', 34 'no' and the Gentleman's motion carries, the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Amendment #17, Cunningham. Amends House Bill 3403, on page 11, by inserting between line 16 and 17, the following; Section 18..."

Speaker Redmond: "Representative Cunningham, yields to... Representative O'Daniels."

O'Daniel: "Mr. Speaker, Members of the House. This appropriates two hundred and fifty thousand dollars or so much there of, as may be necessary. This appropriates from the Capitol Development Bond Fund, to the Department of Conservation for the construction of a Lake to be known as Lake Michigan South, in Crawford County. A few years ago the Department of Conservation purchased this land for the purpose of a reservoir and I feel like that since it was purchased for that purpose, the thing should be funded so they can go ahead and build this



Lake. I might give you a little background on it, this is I feel like is a pork barrel Bill... waste of money, I think is an investment in Southern Illinois. This.... 90% of the water shed for this lake, is either in pasture land or timberland. You don't have the silting problem you have in the cornbelt where the plow falls water shed and have all the siltation problems, this lake will be as good in a hundred years as it is to day and I would appreciate a favorable vote. Thank you."

Speaker Redmond: "Representative Byers."

Byers: "Mr. Speaker, will the Gentleman yield?"

Speaker Redmond: "He will."

Byers: "Representative O'Daniel, how many lakes do you have down there now?"

O'Daniel: "Well, we don't have as many as you have, I'm sure of that. We don't have Shelbyville and Carlyle. We have very few small lakes."

Byers: "So, it seems like if you don't have one, Representative Cunningham got one, if you two don't then Representative Keller, got one. And, it would seem like to me there would be enough lakes down there in this area. However, I will support this..."

Speaker Redmond: "Representative Mudd."

Mudd: "Mr. Speaker, and Members of the House. We had an occasion to get down to Southern Illinois to work on some conservation Bills and was able to look at this site and listen to a presentation of some of the people who favor this site on this lake. And, Representative O'Daniel's description is very accurate that this lake, if installed is going to be a terrific lake with a minimum amount of maintenance for a good many years to come. I think that we all have to realize that we've got to many productive areas in some parts of our State to take amount, but in the Southern part of our State



where we have the land and we have the access to these lakes and we can use them, that we should try to promote these... and I think this is going to be a worthwhile project in Southern Illinois and I would hope that everyone would support it."

Speaker Redmond: "Representative Totten."

Totten: "Well, Mr. Speaker and Member of the General Assembly. The perseverance of the Gentleman from Lawrenceville is really unbelievable. Sitting on Third Reading, is a Bill for a lake in.... or on postponed consideration, is a Bill for a lake in Crawford County, which has been held up because of some negotiations between the Chairman of the Appropriations Committee and the Gentleman from Lawrenceville. And, those negotiations, may I point out as I did before have created some rather weird situations in the Appropriations Committee over the past few days. I alluded to this lake as really a precocious pimple on the pachyderm pelvis the other day and it certainly is, when we see it reappear as an Amendment on a Conservation Bill. I think that this Amendment deserves the same fate as the original Bill even though the name is probably more laudable in Lake Michigan South."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It was pointed out by Representative Totten, it is a fact as far as House Bill 3302, is on postponed consideration, at that time I pointed out to the Membership that there was an agreement by the Sponsor to hold the Bill on Third Reading and not to call it. I have not waived, I have not made any negotiations... has been directed on this House floor, nor do I intend to. My word is my bond and I believe that the Gentleman's word should be his bond as well when he



stated to the Appropriations I Committee that he would not call the Bill on Third Reading. This is Amendment #17, on House Bill 3403, it is exactly as House Bill 3302, I oppose Amendment #17, as I oppose the Amendment... House Bill 3302. May I also point out to you, in the Committee it was pointed out by the Department of Conservation, who also opposes that Bill. That within a vicinity of fifteen to twenty-five miles there are two lakes already within that county. The Department opposes House Bill 3302, I would hope that the Sponsor of the Bill would also indicate the Department's position on Amendment #17, in order to be consistent they should be opposed to Amendment #17. I encourage a 'no' vote. Thank you."

Speaker Redmond: "Anything further? Representative O'Daniel, to close."

O'Daniel: "Mr. Speaker and Members of the House. I didn't introduce the other Bill but, I did this Amendment and I would appreciate a favorable vote. Thank you."

Speaker Redmond: "The Gentleman has moved for the adoption of Amendment #17, to House Bill 3403. All in favor of the Gentleman's motion will indicate by voting 'aye', ... indicate by voting 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? Representative Cunningham, been maligned..."

Cunningham: "Well, Mr. Speaker, I haven't been maligned but the people of Crawford County have been maligned. You're showing by your vote in this matter that you have more concern for a bunch of mangy old bird, than you have for the people who live in the 54th District. As my distinguish-ed colleague put it so very well, this is an ideal site for a lake, it has in the past been repeatedly promised by this entire administrations. We're asking you to make the State's word good. Now, in this particular



case, the question has been impliedly asked... why a different Bill and the answer is quite clear and it was known by those who raised the question. And, that is that there was some question made by the purist, that the original Bill failed to precisely designate the area in which it was to be located. This Amendment provides that it should be in the Crawford County conservation area, we accepted their suggestion and Representative O'Daniel and Representative Keller, commendably grabbed the ball so the people that we seek to represent against your indifference to their well-being. I want to point out to the people from Chicago, that the access to this lake, named as indicated, will be on Richard J. Daley Highway, named in honor of a great living American, formerly known as Route #1, and it's two hundred and twenty miles straight south of the Loop. Now, with that kind of a background, how you can vote against it, and go back to Chicago to meet your master, I want to see. I urge you to switch now, you'll feel better inside."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. Representative Gaines, 'aye'. Representative Stubblefield, 'aye'... wait a minute now... Deavers, 'aye'. Darrow, 'aye'. Grotberg, 'aye'. I think we better have another Roll Call. Dump this one... Well, make up your minds... On this question there are 58 'ayes', and 54 'no', the motion carries and the Amendment is adopted. Any further Amendments? Third Reading. The hour of 2 o'clock having arrived, we go to the order of special business of the day and on the special business of the day appears House Resolution 872, Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House. I have been charged with an impropriety by a Resolution



filed in this House. I categorically deny any such impropriety, for the past few weeks I have been the subject of rumors, conclusion, innuendos which have been given great circulation in the media, particularly in the papers that circulate within my district. My reputation after having served with many of you during the last ten years, has been attacked and by implication the reputation of this Body. I have deliberately, patiently and reluctantly reframed from responding to all such allocations. I have done this so that it could be done at a proper time before you, my colleagues. That opportunity for response demands some basic procedural rules to be adopted, that allow the opportunity to fully and completely respond. Not in a charged atmosphere but in a common deliberative manner so, that you my colleagues may judge my conduct intelligently and reasonably. I anxiously await that opportunity."

Speaker Redmond: "Mr. Clerk, House Resolution 872."

Clerk Selcke: "House Resolution 872, Schlickman... or Executive Committee. Be it resolved by the House of Representative of the 79th... you want me to read this all?"

Speaker Redmond: "Yes."

Clerk Selcke: "Be it resolved by the House of Representatives of the 79th General Assembly of the State of Illinois, that the Rules of the House of Representatives are amended by adding thereto the following: XII. Disciplinary Proceedings. 80. Initiating Disciplinary Proceedings. (a) Disciplinary proceedings may be commenced only by a resolution calling for an investigation into allegations concerning the conduct of a member to disciplinary action by the House of Representatives. Such resolution shall not include specific charges, specifications, or allegations of impropriety. (b) A Resoltuion to initiate disciplinary proceedings



may be introduced by any member. (c) A resolution to initiate disciplinary proceedings shall not be assigned to committee, notwithstanding the provisions of Rule 41. Such resolution shall lie on the Speaker's Table and shall be called within 5 legislative days. (d) A resolution to initiate disciplinary proceedings shall be debatable provided that no debate, comment, or statement pertaining to specific charges, alleged facts or improprieties shall be in order unless and to the extent first raised on the record by the member who is the subject of the resolution. (e) A resolution initiating disciplinary proceeding may be adopted only by an affirmative vote of 89 members. (f) This rule may be suspended only by unanimous consent.

81. Preliminary Investigation. (a) Upon the adoption of a resolution initiating disciplinary proceedings, the Speaker shall appoint a special investigating committee consisting of 6 members, of whom 3 shall be from the Majority party and 3 shall be from the Minority party. The Speaker shall appoint the Chairman of the special investigating committee from among the 6 members thereof. (b) The special investigating committee shall conduct a thorough investigation of all allegations and charges of impropriety concerning the member named in the initiating resolution which are brought to its attention to determine if reasonable grounds exist to bring charges against such member for formal disciplinary proceedings by the House of Representatives. The special investigating committee shall confer with the Sponsor of the initiating resolution. (c) The special investigating committee shall conduct all of its proceedings in Executive Session, and shall maintain strict confidence as to all of its proceedings, and all witnesses, testimony, information and exhibits that may come before it. No transcript



or record of proceedings shall be taken. This subsection shall be adopted and effective upon an affirmative vote of 118 Members. This subsection may not be suspended.

(d) Except for its initial meeting, the provisions of Rule 18 shall not apply to meetings of the special investigating committee, but the Chairman shall give notice of all meetings to the member named in and the Sponsor of the initiating resolution and shall give reasonable notice to the public. (e) Except for subsection (c), this rule may be suspended only by an affirmative vote of 107 Members.

82. Report of Special Investigating Committee. (a) The special investigating committee shall report in writing. All reports shall be signed by the Members supporting the report. (b) If a majority of the membership of the special committee determines to prefer charges, it shall file with the Clerk of the House a formal statement of charges and specifications, and shall appoint 2 Members of the House who are not Members of the special investigating committee to be managers for the House at the hearing on the charges. The statement of charges shall constitute the report of the special committee but the special committee in its discretion may file a supplementary report stating its reasons for not bringing any other charges which may have been suggested to it. (c) If the special committee determines not to prefer charges, it shall file with the Clerk a resolution exonerating the Member named in the initiating resolution together with a report stating its reasons for not preferring charges. (d) If the special committee cannot by Majority vote of its membership determine whether or not to prefer charges, the committee shall file with the Clerk a resolution of exoneration and a report stating the affirmative reasons for not preferring charges. That report shall be signed by all Members of



the special investigating committee, irrespective of their original vote in the committee proceedings on whether to prefer charges. (e) This rule may be suspended only upon an affirmative vote of 107 Members.

83. Selection Committee on Discipline. (a) Whenever charges are preferred against any Member of the House pursuant to Rule 82, the Speaker shall appoint a committee, to be known as a select committee on discipline, to hear and determine such charges. The select committee shall consist of 12 Members of the House, 6 of whom shall be of the Majority party and 6 of whom shall be the Minority party. The Speaker shall appoint a Chairman of the select committee from among the 12 Members. No Member who served on the special investigating committee may serve on the select committee.

(b) All appointments to a select committee on discipline shall be completed and the select committee shall convene within 30 days of the filing of charges for which the committee is appointed. (c) This rule may be suspended only upon an affirmative vote of 118 Members. 84.

Hearings on Disciplinary Charges. (a) Proceedings before the select committee on discipline shall be adversary in form, with the managers for the House presenting the case for disciplinary action. The respondent Member may be represented by counsel. (b) Stipulations of fact shall be permitted with the approval of the select committee. (c) The rules of evidence shall apply except as may be waived by the managers or the respondent, as may be appropriate. (d) This rule may be suspended only upon an affirmative vote of 118 Members. 85.

Report of Select Committee. (a) The committee shall vote on each specification and charge, provided that a vote of not guilty on a charge shall be a vote as to all specifications under that charge. All final votes on the merits of a charge or specifi-



cation shall be by record Roll Call. (b) A finding of guilty or exoneration on any specification or charge shall require an affirmative vote of a majority of the Members appointed to the select committee. (c) The committee shall file a report of its findings on each specification and charge and a recommendation as to penalty with the Clerk. The report shall state the reasons for each conclusion and recommendation. If the committee finds the respondent Member not guilty of any charge, it shall report a resolution of exoneration together with its report. If the select committee finds the respondent Member guilty of any charge, it shall report a resolution embodying its findings and recommended penalty. (d) If a select committee reports a finding of guilty on any charge, any Member of the select committee may file a Minority report with the Clerk either dissenting from a finding, reason, or recommendation in the Majority report or starting a concurrence therewith on different grounds. A dissenting report may include a resolution of exoneration as to any charge or specifications. (e) Whenever a select committee has found a Member guilty of a charge, the committee shall adopt a recommendation for disciplinary action. The committee may recommend a reprimand, a censure, expulsion from the House, or that no penalty be invoked. The recommendation on disciplinary action shall require an affirmative vote of the Majority of the Membership of the select committee. (f) This rule may be suspended only upon an affirmative vote of 107 Members.

86. House Action on Disciplinary Reports. (a) The report of a select committee, together with any dissenting or concurring reports, and any accompanying resolutions, shall be printed and placed on the Members' desk. The report shall be placed on the Calendar under the heading "Report of Select Committee on Discipline".



The report shall be carried on the daily Calendar for 2 Legislative days prior to any action by the House.

(b) If the report of a select committee or a special investigating committee exonerates the respondent Member, the House shall take up the resolution or re-refer the case to the select committee for further proceedings.

(c) If the select committee reports a finding of guilty as to any charge, the House shall take up the resolution for disciplinary action together with any Minority resolutions. The House may amend a resolution for disciplinary action to decrease the recommended penalty. (d) The House shall take action by a record

vote on each such resolution. Adoption of a resolution finding the respondent Member guilty of charges and specifications shall dispose of any Minority resolutions of exoneration on such charges and specifications. If the House adopts a Minority resolution of exoneration as to any charge or specification, a Majority resolution shall be amended in accord with such disposition of those charges and specifications before it may be called for a final vote. If the adoption of Minority resolution disposes of all the charges and specifications in a Majority resolution for disciplinary action, the Majority resolution shall be tabled. (e) Following

record votes on all Majority and Minority resolutions arising out of a select committee finding of guilty on a charge or specification, if there remains any such charge or specification on which the House has neither exonerated the Member or adopted the guilty finding, then any Member may introduce and move a resolution of exoneration on such charge or specification. (f) A resolution finding a Member guilty of a charge may be adopted only upon an affirmative vote of 89 Members, provided that a resolution the effect of which is to expel a Member may be adopted only by an affirmative vote of 118 Members. (g) This rule may be suspended



only upon an affirmative vote of 118 Members."

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

Schraeder: "Mr. Speaker and Members of the House. At the very beginning of the introduction of this Resolution... it seems to me that it is extremely important, not only for today but for tomorrow and many days in the future. As of 11 o'clock this morning, I requested a copy of the Resolution, so that I might study it... because I think it is far reaching. At that point I was advised by the Clerks office that it was not available, on reaching the House Chambers I looked for the Resolution and was unable to find it. Sometime after we became active in this Session, the Resolution was placed on my desk. I have attempted to look it over during the discussion on passage of recent Amendments of the House Bills that were before us, and felt that it was... time was very limited and inadequate. During the reading of the Resolution, there was placed on our desk, seven Amendments and I'm quite sure there is no Member of the House that has had a chance to study them, let alone read the Resolution. And, I would ask Mr. Chairman, if this couldn't be held until a day next week so that we might study the Resolution and the Amendments and may make a final determination."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House. I think that Representative Schraeder has some merit to what he says and as Chairman of the Executive Committee, I appreciate his comments and I would think that we should not vote on this matter, at least until we come back Monday or Tuesday... based on the complexity of the subject. And, I think that he would hold still for that so that we could consider what is brought forth



JUN 04 1976

60.

today as a special order of business. Mr. Speaker, as Chairman of the Executive Committee, and this matter having brought forth to the Full Committee by a Subcommittee, of which the Vice Chairman cannot be here or the Chairman of that Subcommittee and Vice Chairman of the Full Committee, Ralph Capparelli, and before I turn this over to Ralph... to Art Berman, who will explain the Amendment, I want a few comments as the Chairman of the Executive Committee, because let me say that as the Chairman, I burden for some time with some proposed rules to consider House Resolution 777, and believe me it's not easy. I think that everybody on the floor of this House knows that if anybody has been diligent in trying to study the Rules, I have been that. And, if there is anything that everybody knows and surely on the other side of the aisle, I very often on matters of Rules, stood-up here and fought for the other side of the aisle because they had the Minority and the Rules have protected them. And, I want to assure everybody that this Resolution and the nature of the Amendment of the Rules, if you're not careful about it can be one where the Majority, being a Majority Party, can take advantage politically of the Minority and we never know who that Minority will be. So, I want to mention that because I think that you have got to be careful about the deliberation. I'm also going to turn this over to Art Berman, because frankly, as Chairman of the Committee I was one of those who didn't vote for the recommendation of the Subcommittee. My feeling was that, the matter should not be a two tiered type of investigative process and I mentioned to the Parliamentarian when they were going to draft this Amendment and when I understood that there was still further study, that some were looking at proposed Amendments, I said,



JUN 04 1976

61.

keep it simple because all that we really need when someone makes a charge, is a Committee to investigate to the truth of the matter, to look at the truth of the matter and what is quasar judicial process. I don't think that we need a long rule change that frankly will be a straightjacket. I think that all we need is to get at the matter when allocations are made and to make sure that a Committee look into those charges. In fact I think that a simple Amendment, and I haven't drafted anything, I saw my comments in the Executive Committee, went unheaded when I said that, there could be a simple rule change. That where charges are made, that a select committee could be formed to look into the allocations with authority to adopt reasonable rules which are not inconsistent with House Rules, and report back to the floor. I don't think that we need something very complicated, frankly and I think that may end up as a bad precedent and I'm worried about precedent. Now, let me read to you what... I have done a lot of research into this matter as Chairman of the Executive Committee, but in my research I came across a quote that I think is very apropos and I mention the fact that sometimes a Majority can trample on the Minority, and we're in a rough business, when we're in the political business. I frankly don't know if an indictment is made against a politician, if you will, that a politician isn't guilty on the publication of that indictment because really, we are judged by the public and I really think that in this day and age, a public official is guilty as soon as an allocation is made and I think that we have to be careful about that, Ladies and Gentlemen of the House. Now, let me read this quote that goes way back, way back to 1821, and letters of Julius, and this not only goes to the matter



GENERAL ASSEMBLY

STATE OF ILLINOIS

JUN 04 1976

62.

I think that allegations of misconduct you might say, but the whole matter of lawmaking, if we listen to it in its whole context, and I quote. "You cannot know but know, sir, that what was Mr. Wolf's case yesterday maybe your's or mine tomorrow." Consequently the common right of every subject of the realm is invaded by it. If the expulsion of a Member not under any legal disability, of itself creates in him any incapacity to be elected I see a ready way marked out, by which the Majority may at anytime remove the most honest and ablest men who happen to be in opposition to them. To say that they will not make this extravagant use of their power would be a language unfit for a man so learned in the laws as you are. By your doctrine, sir, they have the powers in laws you know are intended to guard against what men may do, not to trust what they will do. Now, Ladies and Gentlemen of the House, I want you to understand what that really means, because what it really means is that if you are not careful... if you are going to write into the rules, procedures which do not protect the insolent you've done nothing. If you are going to take the easy political route and not be careful of that you are really responding, I think to some fears that really aren't justified, I have fought on the Committee, I proposed some rules basis on the fact that a Resolution was presented to the House Executive Committee that I felt would be fair to all parties but at that first Committee meeting, I said that I'm troubled with the rules that I proposed. They sat up an adversary process and I said, I don't think that's right in accusatory type of situation. I think that the real procedure ought to be an non-adversary process where a Legislative Committee, conduct an investigation but it be in a quasi-judiciary nature to protect the rights of an accused of

the accused or any witness that may appear before that Committee. So, all I can say, Ladies and Gentlemen of the House, this is not an easy subject. I thought when the original Resolution was offered to the Executive Committee, that we might have a quick hearing there has been pressure for a quick hearing, but if a quick hearing means that any individual of this General Assembly is not protected, then I say we should not act fast because I said, at the first Committee, I would rather be fair than fast. Now, the whole matter is before the House of Representatives, I think if we were going to adopt a procedure... before us for example, I could not stand for them being permanent. I think that an easier way out could be a very simple... very simple Amendment to the rules. I place that before you, Ladies and Gentlemen of the House and I want to add... with just to close. Because all of the attention... all of the attention on the Resolution that has been offered, has been against a Gentleman. I think that many didn't look at that Resolution, many didn't look at that Resolution and it goes beyond that... because really, because one in his powerful position may have been accused.. let me say, that if you read that Resolution very carefully, what I stated that pertains to 1821, really pertains to many others."

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

Walsh: "Mr. Speaker, the Gentleman is obviously out of order."

Matijevich: "I'll close..."

Speaker Redmond: "Bring your remarks to a close."

Matijevich: "I'll close very quickly because I think that what I've said, is very plain and I'll close by turning it over to Mr. Berman, who handled the matter in the Sub-committee on the Amendment. Thank you."



Speaker Redmond: "Representative Choate."

Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House. I want to first to... rest assure that I do not rise at this particular moment to speak to the merits of the Resolution, or to debate the matter before this august body at this time. I can well realize how the accused, especially would like to bring a hasty end to the matter before the House and I would assume that the accuser would also like to bring a hasty end to this matter that is before the House..."

Speaker Redmond: "Representative Walsh."

Walsh: "This Gentleman too, is out of order."

Speaker Redmond: "Bring your remarks to a close, Representative Choate."

Choate: "I don't know why I'm out of order... I'm not... I just mention to you that I was not going to debate the Resolution, that I was going to make a suggestion."

Speaker Redmond: "Please bring them to a close... your suggestion, please."

Choate: "I would say, Mr. Speaker, that in as much as this Resolution has not been and I have not talked to neither individual involved, but in as much as this Resolution has not been distributed to the extent that the Membership has had an opportunity to look at it in its depth nor have we had an opportunity to look at the Amendments and see the effect of the Amendments upon the Resolution. I would suggest to the Sponsor of the Resolution and to the Committee and to this General Assembly, that anyone desiring a copy of the Resolution, be given the opportunity to get that Resolution, take a look at the Amendments and post a time certain of this coming Tuesday, that this matter can be considered by this House of Representatives."

Speaker Redmond: "Representative Berman."



JUN 04 1976

65.

Berman: "Thank you, Mr. Speaker. I listened to Representative Schraeder, I have listened to Representative Choate; the Sub-committee that was appointed by the Executive Committee attempted to do a creditable job in suggesting some rules. This is a very very important subject, today because of the introduction of Resolution 777, one of our colleagues is charged with certain improprieties. Tomorrow it could be any one of us. This was the guiding thought behind the Sub-committee in our deliberation because of the importance of this matter, not only in the form of the Resolution that is before us, Resolution 872, but because of the fact that there are 13 Amendments so far that have been suggested. And, some of it does become complicated, I personally have no objection to Representative Choate's request to put over until Tuesday. However, I would ask for a moment to give a little bit of explanation so that when the Members read this over the week-end, if they see fit to put this over until Tuesday, if they understand why the necessity or why the Sub-committee felt and the Executive Committee confirmed it, why we have come forth with suggested rules. Today, and up until we revise the rules... the House rules that are set forth in our handbook, that everyone of us have... are the rules by which we operate. Now, some people look askant when we talk about the rules, these rules to us are the same as the laws of the State of Illinois are to, every person in this State. These are our laws... and if we are going to be an effective body, we must live by law. The laws that we operate under today... do not have specific procedures has to disciplinary proceedings. There is a reference in this book of our rules, to Roberts Rules of Order, that is what incorporated by reference... into our rules, for disciplinary proceedings and if you have the desire and



the time, you can look at Chapter 20, of Roberts Rules of Order, newly revised and see the lengthy details set forth therein. That is our laws for disciplinary proceedings today, the reason for House Resolution 872, Ladies and Gentlemen, is because Roberts is inconsistent with Constitutional principles and obligations in three respective areas. We have to make changes in order to allow Roberts, to be applicable to us as a Legislative Body in the General Assembly. Number one, Roberts calls for certain confidentiality requirements our Constitution says that there has to be certain procedures followed, namely a two-thirds vote of the House before there can be confidentiality in our hearings. Number (b), the evidence standards... the evidence standards in disciplinary trails as to hear say evidence, are different in Roberts than what we in this General Assembly may want them to be. And, thirdly, the rights of a Member pending disposition of a formal disciplinary charge are different in Roberts than what they can be on the floor of the House. Roberts calls for suspension of the rights of a Member under inquiry, but we have no authority to suspend anyone's voting rights in this body, while that inquiry is going on. So, I want you to recognize that there are three inconsistencies in Roberts... that we cannot operate until those inconsistencies are changed. Now, this is what the Sub-committee and the Executive Committee has addressed themselves too. We have discussed this and yesterday in the Executive Committee, certain suggestions have come to change the body of House Resolution 872, and in those 13, Amendments... some of those are changes that are recommended by the Executive Committee and concurred in by the Sub-committee. So, we are saying to you that 872, is not etched in granite, there are some changes that ought to be made in 872...



but I would urge you... each of you, to read 872, read the proposed Amendment, so that on Tuesday we can come back and debate and vote up or down a very crucial matter, crucial to each of us as well as to the standing of the General Assembly in the State of Illinois. And, with those remarks, Mr. Speaker, I would move to suspend the provisions of Rule 11, so that the question of House Resolution 872, could be posted as a special order of business at an hour decided by the Speaker, on Tuesday."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Thank you, Mr. Speaker, Members of the House.

I think, Mr. Speaker and Members of the House, for the twelve years that I have had the privilege of serving in this House, I amly distristrated, at least to my satisfaction and others, my concern with respect to the rules... with respect todue process and with respect to the deliberate nature of this House... and I am pleased to say, Mr. Speaker, and Members of the House... during the twelve years that I have been here I have never... never acted with malice in my heart towards anyone. I have, Mr. Speaker and Members of the House supported..."

Speaker Redmond: "Representative Hanahan, state your point."

Hanahan: "The motion before the House on moving this, I thought I heard Representative Berman, make a notion. Is this Gentleman addressing himself to that."

Speaker Redmond: "He is addressing himself to the motion."

Hanahan: "Well, I wish he would get on to addressing the motion unstead of all this rhetoric that I'm hearing."

Schlickman: "Mr. Speaker and Members of the House. On a number of occasions I have supported Bills of people that I didn't like as much as others, in a number of occasions I have opposed Bills of people that I love... now, Mr. Speaker and Members of the House, with respect



to the subject matter that was originally initially raised by the Majority Leader without objection. I can say, as I stand here... that prior to the offering of House Resolution 777, I made every effort to obtain a satisfactory solution of the matter quietly and informally. Now, Mr. Speaker, with respect... and Members of the House, with respect to the issue at hand... we do have a problem, the only rules that apply to a disciplinary procedure here are the rules of the House. Now, mention has been made of Robert Rules of Order, however, in making that mention... it has not been stated except by me, that there is no way in this House that Roberts Rules can be invoked with respect to disciplinary matters and I quote specifically, "A Member should at a time when non-members are not present, offer a Resolution." There is nothing with respect to anything that we can do in this House... when non-members are not present, that is unconstitutional. Now, it's obvious, Mr. Speaker, and Members of the House... from a reading of the preface, introduction in Chapter 20, of Roberts Rules of Order newly revised that those disciplinary procedures are not appropriate to this General Assembly and are contrary to public policy..."

Speaker Redmond: "Representative Hanahan, state your point."

Hanahan: "Mr. Speaker, I understand that we're on a motion to defer to Tuesday, at a certain hour. That is the business of this House at this moment and I wished that the Gentleman would refer to only to that motion and not all the rhetoric that we're hearing about Roberts Rules. That is what's before the Body, let him address himself if he wants to hear it Tuesday."

Speaker Redmond: "Your point is well taken, please bring your remarks to a close, Representative Schlickman."

Schlickman: "I will, Sir. To conclude, Mr. Speaker, in



support of the motion to postpone to a date certain.

Roberts Rules of Order demonstrating...."

Speaker Redmond: "Representative Washburn.... Oh, pardon me. Proceed, Representative Schlickman."

Schlickman: "Roberts Rules of Order, demonstrating a need for these rules... a set of rules, I should say, and their adoption in a deliberative way are complex and time consuming and rightly so, for they are geared to the right of a member of society to associate with other members within a private organization, they in no way take into account the vital differences between a Legislative body and a non Legislative body. And, as the public policy Roberts Rules of Order disciplinary procedure infringe upon the public rights to be knowledgeable and informed of the conduct and activities of an elected Representative. When I offered House Resolution 777, I operated within the House Rules...."

Speaker Redmond: "Please bring your remarks to a close."

Schlickman: "Thank you, for the courtesy of your attention."

Speaker Redmond: "Representative Washburn."

Washburn: "Thank you, Mr. Speaker, I rise in support of the motion to defer this matter until next Tuesday, and if I might, Mr. Speaker, I would inform the Republican Members of this aisle that we had planned a conference last night on this matter and we then found out that there were going to be Amendments presented... we waited until today and we were going to hold one this afternoon on it, but as long as it will be deferred until Tuesday, Mr. Speaker, I would assume and hope and ask that you permit the Republicans to hold a conference Tuesday... Monday afternoon, shortly after we convene. Thank you."

Speaker Redmond: "I'm sure that the Body will permit them. Representative Maragos."

Maragos: "Mr. Speaker, before we... I also rise in support



of the motion but, I would like to ask the Clerk to distribute all of the Amendments before we leave today that have been filed on this particular issue."

Speaker Redmond: "Representative Lauer... Representative D. L. Houlihan... Representative Friedrich."

Friedrich: "Mr. Speaker, I would like to inquire... it looks like we are about to engage in an unusual procedure here... we're amending the rules not just because of Mr. Schlickman's Resolution but, for the guidelines from here on as far as I'm concerned, or at least to the immediate future. This is the first time that I know of, and I'm a member of the Rules Committee, that we have attempted to make a major overhaul of the rules without referring it to the Rules Committee. I think this is most unusual and the Rules Committee is the Committee set up for the hearing of public input or Member input, into the change of the rules. This certainly is a major and necessary part of the rule, now why we should take this up before the whole House, which is going to be an ungainly procedure, I would like to know."

Speaker Redmond: "I have been advised that we suspended the rule last night, inquiring the reference to the Rules Committee."

Friedrich: "I do not challenge the House's right to do that, but I'm wondering why we get away from a standard procedure on this important measure."

Speaker Redmond: "I think the House voted on it last night. Representative Duff."

Duff: "Mr. Speaker, I would also would like to make a suggestion and this may not be entirely impossible... but, if we are going to have... if the Members have the time to read this over the week-end, and in fact some Members have intended additional Amendments, it would be helpful I think to all of us.... that as many people as possible



get Amendments on Monday rather than on Tuesday, because on Tuesday... on a very serious matter we will then be confronted with lack of opportunity for notice of very important things, I don't know if I can put it in a formal statement, Mr. Speaker, that Amendments should all be in by Monday, but it seems to me that it would be appropriate that any Amendment to offered on Tuesday, should be on the Member's desks on Monday. And, if a motion to that effect be appropriate, I would make it."

Speaker Redmond: "I don't think that under our rules that it is possible to have that motion prevail. Representative Matijevich."

Matijevich: "Mr. Speaker, and Ladies and Gentlemen of the House. Only to respond to Representative Friedrich comments, ordinary there is no doubt about it... Amendments to the rules should go to Rules Committee and I think that this is such an important thing that it probably should have gone to Rules Committee. It just happens that because the House Executive Committee was meeting on a particular Resolution and it found it very difficult to resolve that matter without the appropriate rules and finding out that we really had no rules on disciplinary process, that we took that under our own authority and I agree that it probably should have gone to Rules Committee but, because of the time problem and the fact that there would be further acquisitions of delay... when really the delay was caused by trying to determine a fair process and that's why the delay. I would like to add in closing, some of the comments that were made about further Amendments.... the problem as I can see it is, that everybody is going to look at the proposed rule that came out of the Sub-committee and draft all kinds of Amendments to that proposed rule and



I want the Members to think very carefully about the fact that it may be that you're going to get so complex in those Amendments that you're going to defeat the real matter here and that's to get at something fairly in a deliberative manner with fairness to everybody concerned and let me leave you with a thought that, I think that it can be done in a simple way rather than a complex way and I think... I have a feeling we're heading the wrong direction. One other thing, and we found it almost impossible here... even Representative Schlickman, found it impossible too... it's going to be very difficult when we come back Tuesday, to discuss these proposed rules without somehow speaking to House Resolution 777, that's very difficult. I tried in all the deliberations of the House Committee, to divorce whatever I thought was fair from Schlickman vs. Shea, Shea vs. Schlickman... because the important matter here is to develop a fair procedure in our rules on how to handle disciplinary processes and I think that's going to be difficult to do that Tuesday, but we've got to be very careful that that's really what we're about."

Speaker Redmond: "Representative Lundy."

Lundy: "Thank you, Mr. Speaker. Members of the House, I was under the impression that the Resolution 872, would be considered today and thus filed two Amendments to it. Since it is being put over until Tuesday, a day in which I will be unavoidably absent from the House, I would ask leave of the House to withdraw those Amendments. I will not be able to present them."

Speaker Redmond: "Any objection? Hearing none..."

Lundy: "Amendments 13 and 14."

Speaker Redmond: "Representative Lauer."

Lauer: "Mr. Speaker, and Ladies and Gentlemen of the House. I rise to request the indulgence of the House.... to



thess thoughts. The rules that we are asking you to consider over the week-end, are not rules drawn to a specific situation in which we presently find ourselves. The House Executive Committee in handling House Resolution 777, found itself at an impasse...in handling it which we felt should not be allowed to continue as a prescient for the future. So, actually the action of the House Executive Committee, in recommending these rules for your consideration has been that we wish to establish a prescient recognizing as we now do, that prescients in this area are thankfully very low. But, we had to go all the way back to 1905, in order to have a prescient, so please look at these rules in the context that quite conceivably 70 years from now someone... in a future General Assembly, will be looking back to 1976, for prescient and realize that you are not considering rules for 777, but it is necessary to think in terms of the prescient for the future. Thank you."

Speaker Redmond: "Representative Keller."

Keller: "Yes, Mr. Speaker. I wish everybody would address themselves to the motion, I think there is a motion made because we're going to debate this all next week and we just as well vote on the motion to lay it over until Tuesday, where we're going to."

Speaker Redmond: "Representative Berman."

Berman: "Thank you, Mr. Speaker. I renew my motion to waive the appropriate rule... provision for rule 11, and to set House Resolution 872, for special order of business on Tuesday at a time set by the Speaker, and suspend this special order of business that we are presently in."

Speaker Redmond: "The Gentleman has moved that rule 11, be which requires a special order to appear on the daily



Calendar for three Legislative Days, be suspended. This requires an affirmative vote of 107 Members. The question is on the Gentleman's motion to suspend rule 11 (b), all those in favor vote 'aye', opposed vote 'no'. Representative James Houlihan..."

Houlihan: "Mr. Speaker, and Members of the House. A point of information or a parliamentary inquiry. If we adopt rules Tuesday or some date subsequent to that, what will be their effect in relationship to the Resolution which was introduced prior to rules being adopted. Is there any difficulty in adopting rules to deal with a Resolution which was introduced prior to their... the adoption and I'm not sure what position I put this in, but I think somebody ought to address that question."

Speaker Redmond: "Representative Berman."

Berman: "Thank you, Mr. Speaker and I want to thank Representative Houlihan. I meant to address myself in the context of my remarks. And, I would ask that the media pay special attention... Representative Houlihan, has raised the question as what would be the status of 777, if we adopt new rules. Those of you who covered the deliberations yesterday in the House Executive Committee, heard some discussion, I think it was Representative Hill, raised a question regarding 777. In some of the reports that I have read in the newspapers, the impression is given that these rules are being urged in order to affect, perhaps adversely effect House Resolution 777, that is not true... as one member of the Executive Committee and of the Sub-committee and one member of the four of this House, and as an attorney, I would submit to you that the new rules will have no affect on House Resolution 777, because 777, will introduce before the new rules will be adopted. I want to underline that... there is no attempt by addressing ourselves to new rules, to have



those new rules binding on 777. The new rules will be affective from their date of adoption forward, 777 pre-dates those adoptions of the new rule. I believe that we will address ourselves to 777, as applicable under the old rules at the proper time in the Executive Committee on the floor of the House."

Speaker Redmond: "Representative Houlihan."

Houlihan: "Well, Mr. Speaker and Members of the House. I feel compelled to make a comment then, it seems to me that this is a very difficult situation for all of us and particularly for probably the Sponsor and the individual in question, with Resolution 777, and I know that we all feel very strongly that we ought to have a procedure by which to operate in future cases.... but, I feel very... I'm going to have to change my vote from 'yes', to 'no', on this motion to postpone this consideration because each day we debate and deal with the issue, it's not just the whole process that's called in the question but the press and the public is... recall the allegation and I think if somebody mentioned... I think it was Representative Matijevich, every time an allegation is mentioned a man's reputation is called into question and the way that the public looks at situation right now... all too frequently that man's reputation is not given the benefit of the doubt and I think that's terribly unfair and I feel that it's that kind of dragging on of this situation, which is going to be injurious and terribly too unfair to the individual in question and if the rules that we are going to adopt are not going to affect this Resolution, then I think we have to move with the Resolution... move and consider it and try to resolve it... but, why would we adopt rules that aren't going to have any impact on the Resolution. And, I vote 'no'."



Speaker Redmond: "Representative Choate."

Choate: "Well, Mr. Speaker and Ladies and Gentlemen of the House. 777, is not the subject matter before this House of Representatives at this time but, in response to the previous speaker, I can see the media throughout this State, if we attempted to adopt any kind of rules such as suggested here today, talking about the Legislature being stampeded without the Members having an opportunity to read the Resolution, without the Members having an opportunity to see the input of the Amendments to the Resolution, if you want some good publicity just go ahead and delay this motion. I vote 'aye'."

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

Matijevich: "Mr. Speaker, only because the matter of 777, has been referred to by Representative Houlihan and its affect by any rule change... and I'm not sure about that expofacto law because we are talking about procedural matters and I think any Committee can... as long as not being inconsistent with the House rules, can adopt some procedural rules to live by. But, let me tell you, as long as I'm Chairman of that Committee, we're not going to handle an accusatory Resolution without some fair rules and anybody will have to fight me to get that done."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there are 143 'aye', and 6 'no', the Gentleman's motion carries and the rule 11 (b), is suspended. Representative Berman.... Representative Von Boeckman, 'aye'. The regular order of business now.... Representative Berman, do you seek recognition? Yeah, I'll set the time as Tuesday, at 2 o'clock. Committee Reports."

Clerk Selcke: "Representative Boyle, Chairman of Appropriations



II, to which the following Bills were referred, reported the same back with the following recommendations, do pass as amended Senate Bill 1606. Representative Chapman, Chairman of the Committee on Human Resources, to which the following Bills were referred, reported the same back with the following recommendation, do pass. House Bill 3696, do pass as amended House Bill 3208, no further Committee Reports."

Speaker Redmond: "House Bills, Third Reading appears House Bills, Third Reading is 3475."

Clerk Selcke: "House Bill 3475..."

Speaker Redmond: "3475."

Clerk Selcke: "Bill for an Act to provide for the ordinary and contingent expenses of the Department of Public Aid. Third Reading of the Bill."

Speaker Redmond: "Representative Madison."

Madison: "Thank you, very much Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3475, provides for the ordinary and contingent expenses for the Department of Public Aid for fiscal year 1977. It provides, Mr. Speaker, with the... in its amended form, it provides one hundred fifty-five million and one hundred and ninety-five thousand, seven hundred, sixty-three dollars for operations. One billion, eight hundred and thirty million, five hundred and sixty-nine thousand dollars for distributive purposes for a total budget of one billion, nine hundred eighty-five million, seven hundred sixty-four thousand, seven hundred and sixty-three dollars. Mr. Speaker, this Bill has been heard and harangued and amended and debated for an awful long time, particularly on Second Reading on the House floor yesterday, and so, rather than go through anymore rhetoric, Mr. Speaker, on House Bill 3475, I simply ask for a favorable Roll Call."



Speaker Redmond: "Any discussion? Representative Downs."

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

Speaker Redmond: "Representative Porter."

Porter: "I thought we decided it was customary that the Sponsor of appropriation Bills, compare them with the previous year's appropriation. And, I wonder if the Sponsor might do that, how much less is this than last year, Jesse?"

Madison: "Representative Porter, the appropriation for fiscal year '76, was one billion, seven hundred and sixty-three million plus dollars and... can you hold it just a second, Representative Porter... and as you are aware of there was a deficiency of a hundred and forty-five million, which I guess would bring that somewhere in the neighborhood of one billion, nine hundred million dollars, so it's somewhere around eighty-seven million dollar increase. My figures may not be totally exact but, in that area."

Speaker Redmond: "Anything further? The question is, shall this Bill pass? All those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? Representative Leinenweber."

Leinenweber: "Very briefly, to explain my vote. To pass this Bill is fiscal insanity the only way you're going to get any sanity back in our State spending program is withhold 89 votes in this Bill and make them take it back to Second Reading and pass some of the good Amendments which were defeated yesterday. I urge a 'no' vote."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there are 96 'ayes', and 37 'no's', the Bill having received the Constitutional Majority is hereby declared passed. Senate Bills, Second Reading. Senate Bills, Second Reading, 1593..."



Clerk Selcke: "Senate Bill 1593, a Bill for an Act making appropriation for State Employees' Group Insurance Advisory Commission..."

Speaker Redmond: "Out of the record at the request of the Sponsor. 1607."

Clerk Selcke: "Senate Bill 1607, an Act to provide the ordinary and contingent expenses of the Department of Finance. Second Reading of the Bill, four Committee Amendments. Committee Amendment #1, amends Senate Bill, Lechowicz, amends Senate Bill 1607, as amended on page 2, line 10, and so forth."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Committee Amendment #1, makes the following changes in Senate Bill 1607. Take out two hundred and eighty thousand dollars for the operation of M.I.D. service Bureau and centralized payroll service, put in by the Senate and that's the extent of Amendment #1. What they did is, we're putting this back into the respective department but, they were originally were in Department of Personnel primarily... an agreed Amendment by both the Democrats and Republicans and I move for its adoption."

Speaker Redmond: "Any discussion? The question is on the adoption of Amendment #1, all in favor indicate by saying 'aye', opposed 'no', the 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Selcke: "Committee Amendment #2, Lechowicz. Amends Senate Bill 1607, as amended and so forth."

Lechowicz: "Thank you, Mr. Speaker. Committee Amendment #2, is a corrective Amendment as far as the spelling and on certain words. I move for its adoption."

Speaker Redmond: "The question is on the adoption of the Amendment, all in favor indicate by saying 'aye', opposed



'no'. The 'ayes' have it, the Amendment is adopted.
Any further Amendments?"

Clerk Selcke: "Committee Amendment #3, Lechowicz. Amends
Senate Bill 1607, on page 2, line 22, and so forth."

Lechowicz: "Mr. Speaker, I move to Table Committee Amendment
#3..."

Speaker Redmond: "Any objection to Tabling Amendment #3,
hearing none, Amendment #3, is Tabled."

Clerk Selcke: "Committee Amendment #4, Totten. Amends
Senate Bill 1607, on page 1, line 18 and so forth."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. This is again an agreed
Amendment, this Amendment reduces certain line items
to bring the Bill in compliance with our review with
the cut of approximately ten thousand, four hundred
dollars and I move for its adoption."

Speaker Redmond: "The question is on the adoption of the
Amendment. All in favor say 'aye', opposed 'no'. The
'ayes' have it and the Amendment is adopted. Any
further Amendments?"

Clerk Selcke: "Amendment #5, Lechowicz. Amends Senate Bill
1607, on page 2, line 22, and so forth."

Lechowicz: "Thank you, Mr. Speaker. Amendment #5, is a
corrective Amendment that replaces Amendment #3, replaces
two hundred and two thousand dollars in the Finance
Budget, we've discussed it with the Senate and they
agree, when they made their cut over there, they didn't
make the calculations properly, it also makes some other
minor technical changes and I move for its adoption."

Speaker Redmond: "The question is on the adoption... Rep-
resentative Schlickman."

Schlickman: "Would the Sponsor yield?"

Lechowicz: "Yes."

Schlickman: "Is this a reduction or a transfer?"



Lechowicz: "Neither, what the Senate did... they took out a million and were suppose to transfer the money and they only transferred eight hundred thousand and in turn there was a slight error of two hundred and two thousand, nine hundred dollars that they did not transfer, this corrects that."

Schlickman: "Does it increase then from..."

Lechowicz: "No, it did not."

Schlickman: "Okay, thank you."

Speaker Redmond: "The question is on the adoption of the Amendment, all in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Any further Amendment? No further Amendments, Third Reading. 1619."

Clerk Selcke: "Senate Bill 1619, a Bill for an Act to provide for the ordinary and contingent expenses of the Illinois Commerce Commission. Second Reading of the Bill... out of the record."

Speaker Redmond: "Take it out of the record. 1621... out of the record. 1863..."

Clerk Selcke: "They took it out of the record."

Speaker Redmond: "1863..."

Clerk Selcke: "Senate Bill 1863, an Act making an appropriation to the Capital Development Board. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk Selcke: "None."

Speaker Redmond: "Third Reading. 1937."

Clerk Selcke: "Senate Bill 1937, a Bill for an Act making a supplemental appropriation to the ordinary and contingent expenses of the Department of Revenue. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk Selcke: "None."

Speaker Redmond: "No... Amendments from the floor. Third



Reading. Senate Bills, Third Reading. Senate Bills,
Third Reading 1620."

Clerk Selcke: "Senate Bill 1620..."

Speaker Redmond: "I guess Representative Tipsword, is not
here we'll have to take that one out. 1632, Representat-
ive Merlo... out of the record. House Bills, Third
Reading on House Bills, Third Reading is House Bill 3518,
Representative Jaffe, do you have a motion with respect
to 3518?"

Jaffe: "Mr. Speaker, I would like to take House Bill 3518,
back to Second Reading for the purpose of an Amendment."

Speaker Redmond: "Any objection? Representative Walsh."

Walsh: "Well, I object, Mr. Speaker."

Speaker Redmond: "Unanimous consent has been refused, Represent-
ative Jaffe, do you have a motion?"

Jaffe: "Mr. Speaker, would you just take it out for a little
while."

Speaker Redmond: "Out of the record. House Bill 3522, Re-
presentative Craig... out of the record. 3565, Represent-
ative Choate..."

Choate: "No, out."

Speaker Redmond: "Out of the record. 3609, Representative
Barnes, out of the record. 3611... out of the record.
3688, Representative Byers... out of the record. 3830,
Representative Maragos... out of the record. 3835,
Representative Chapman... Representative Chapman... 3835,
Representative Chapman... out of the record. 3851, I
know this is a good one. Representative Mahar... Re-
presentative Pierce... out of the record. Any of the
Sponsors of any of those Bills on House Bills, Third
Reading from 3853 on... anybody want any of those called.
Representative Maragos."

Maragos: "Mr. Speaker, for House Bill 3912, is a very simple
Amendment, it just corrects equity in the income tax



law. There has been no objections to it, it came out with a resounding vote and I would like to know if there is any objection to having it pass in debate, if there is no debate, I would like to have it passed...."

Speaker Redmond: "3912."

Clerk Selcke: "House Bill 3912, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Redmond: "The question is on the... shall this Bill pass. Those in favor vote 'aye', opposed vote 'no'. Representative Kane."

Kane: "Yes, what does the Bill do?"

Speaker Redmond: "Representative Maragos."

Maragos: "Mr. Kane, as a Member of the Revenue Committee you should know what it does. What it does primarily is, when people receive some benefits from the medicaid and they are... or any other form of hospitalization benefits and they are taxed on it, they don't have... they pass tax on it but they don't have a right to use it as deduction the following year if payments... and they pay the bill later on. It is just an equity which is unfair and it has been long needed and the Department of Revenue with this program, they have no objections to it at all and I ask for your adoption."

Speaker Redmond: "Representative Beatty... Shall this Bill pass, all those in favor will vote 'aye', opposed vote 'no'. Merlo, 'aye'. Have all voted who wished? The Clerk will take the record: On this question there are 112 'ayes', no 'nay', the Bill having received the Constitutional Majority is hereby declared passed. 3908."

Clerk Selcke: "House Bill 3908, a Bill for an Act to provide for the designation of flood plains, regulation of construction therein and penalties for violation thereof. Third Reading of the Bill."

Speaker Redmond: "Representative Taylor... Representative



JUN 04 1976

84.

Taylor... Representative Williams."

Williams: "Thank you, Mr. Speaker. We were to bring... I would like to have leave to bring 3908 back to Second Reading."

Speaker Redmond: "The Gentleman seeks leave to return 3908, to the order of Second Reading, for the purpose of an Amendment. Does he have leave? Hearing no objections, it will be returned to the order of Second Reading. Read the Amendment, Mr. Clerk."

Williams: "Amendment #4."

Clerk Selcke: "Amendment #4, amend House Bill 3908, and so forth."

Speaker Redmond: "Representative Williams."

Williams: "Yes, Mr. Speaker. Amendment #4, was asked to be put on by the Illinois Municipal League and the only reason... actually what this does.. deletes Section 8, of the Bill because that was covered in Amendment #3, where we added six... lets see, Section 604, and the League thought that this might lead to a duplicate type of coverage so, I would move for the adoption of Amendment #4."

Speaker Redmond: "Any objection? Representative Maragos."

Maragos: "Mr. Speaker, I respectfully ask the Chair if they could go to an item for consideration postpone. I have a son graduating from high school this week-end and I would like to have leave to get to this important matter if we can, if it is not too much of a burden..."

Speaker Redmond: "Representative Madigan."

Madigan: "A point of order, Mr. Speaker. On the order of Second Reading, House Bill 3908..."

Speaker Redmond: "Correct, the question is on the adoption of the Amendment. All those in favor of the adoption say 'aye', opposed 'no', the 'ayes' have it and the Amendment is adopted. Any further Amendments? Third



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

JUN 04 1976

85.

Reading. 3913."

Clerk Selcke: "House Bill 3913, an Act relating to the inspection, supervision, licensing and regulation of Alcoholism ect. Third Reading of the Bill."

Speaker Redmond: "Representative Downs."

Downs: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. This is a companion Bill to the revision in the Alcoholism Act Bill which is now on Second Reading in the Senate, this provides for the licensure of facilities. It's the key to the whole thing because it enables certain insurers, such as Blue Cross, to cover payment in these facilities and I move your favorable consideration."

Speaker Redmond: "Any discussion? Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker Redmond: "He will."

Leverenz: "Representative, when is the actual enactment date and will these be licensed prior to the enactment date."

Downs: "Well, the effective date of the other Bill, the Alcoholism Prevention and Treatment Act, is July 1. The effective date of this will be when it is signed by the Governor, and it needs to be as soon as possible, obviously."

Leverenz: "The other Bill, then is July 1, of '76 or '77."

Downs: "Yes, '76. '76."

Leverenz: "Thank you."

Speaker Redmond: "The question is, shall this Bill pass. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 101 'ayes' and 7 'no's', the Bill having received the Constitutional Majority is hereby declared passed. Anything else... Representative Choate."

Choate: "Make me 'aye' on that last..."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

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

Anything else on Third Reading. House Bills, Third Reading the Sponsors ready? House Bills, Second Reading. House Bills, Second Reading 3420. Representative Duff."

Clerk Selcke: "House Bill 3420, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill, one Committee Amendment. Amends House Bill 3420, page 1, line 15, and so forth."

Speaker Redmond: "Representative Duff."

Duff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Committee Amendment #1, eliminates in House Bill 3420, a limitation on prosecutor that the Committee didn't want... it simplifies the Bill and it was un-animously approved. The Amendment was unanimously approved by the Committee and I move the adoption of..."

Speaker Redmond: "Any discussion? The Gentleman has moved the adoption of Amendment #1, to House Bill 3420. All in favor say 'aye', opposed 'no', the 'ayes' have it and the Amendment is adopted. Any further Amendments? Third Reading. Anything else on Second Reading that the Sponsor wants called? 2115, Representative Kane, do you want that one called?"

Clerk Selcke: "House Bill 2115, a Bill for an Act in relation to the rate of interest, etc. Second Reading of the Bill, one Committee Amendment."

Speaker Redmond: "Representative Kane."

Clerk Selcke: "Amend House Bill 2115, and so forth."

Kane: "Mr. Speaker and Ladies and Gentlemen of the House. This is a Committee Amendment that was adopted to House Bill 2115, which puts the Bill into the shape that we wanted it, it conforms the requirements of House Bill 2115, with the Pennsylvania Plan and I would move the adoption of the Amendment."

Speaker Redmond: "Any discussion? The question is on the



JUN 04 1976

87.

adoption of the Amendment... Representative Barnes, stand up."

Barnes: "My only question is, I don't know what the Pennsylvania law... or whatever it is, is would...."

Speaker Redmond: "Representative Kane, will you explain a little bit more thoroughly."

Kane: "What it does is, puts a maximum interest rate of 2½% over the long term federal bond rate."

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

Choate: "No... yes, I did. I forgot to turn my light off. I was going to ask the same question that Representative Barnes, did. I didn't know what the Pennsylvania Plan was."

Speaker Redmond: "That's the same as we have in House Bill 3910."

Choate: "I'll take a look at that Bill."

Speaker Redmond: "The question is on the adoption of the Amendment. All in... Representative Barnes."

Barnes: "Would the Sponsor yield?"

Speaker Redmond: "He will."

Barnes: "Representative Kane, what would this make the interest rate, for example, today... what would the interest rate be."

Kane: "It would make it 9.25%."

Barnes: "So, if anyone was going out to buy a home and they had the proper amount of money to make the down payment then, the banks could charge up to 9.25%?"

Kane: "Yes, which it would be a quarter percent less than what they could now charge. Presently the maximum is 9½ under the present statute."

Barnes: "But, this doesn't let the banks actually charge that amount."

Kane: "No."

Barnes: "You mean, if they still wanted to make a loan for



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

eight and three-fourths, or something of that nature..."

Kane: "Yes, all this does is float the maximum."

Barnes: "And, what's the reasoning behind this again."

Kane: "Well, what it does is, it makes it a flexible maximum so that when the money market goes down, then the maximum interest rate goes down also and it protects the consumer."

Barnes: "What then is the history of this proposed one that you're trying... is that floated up and down quite a bit."

Kane: "No, it has been fairly stable, it's a long term bond rate and so it doesn't have the wide swing that the others... because it is fairly stable."

Barnes: "Okay, I think that maybe this Amendment makes more sense than some of the others that I have heard proposed around here and I think that I will support this."

Speaker Redmond: "Any further discussion? The question is on the adoption... Representative Dunn."

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

Speaker Redmond: "He will."

Dunn: "I'm still not sure what this Amendment does, I heard the previous discussion but I presume it was directed to the Bill. What does the Amendment do?"

Kane: "The Amendment makes the... describes between the long term United States Government bond rate and the current or maximum for mortgage rates at 2½%."

Dunn: "And, that's a change from 2%?"

Kane: "Yes.."

Dunn: "From the original Bill."

Kane: "The original Bill was 2%, this makes it 2½%, which would allow for 95% mortgages."

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

Hill: "Wonder if the Sponsor would yield to a question?"



Speaker Redmond: "He will."

Hill: "Doug."

Kane: "Yes."

Hill: "Is this a float or is it... if a person gets a loan today, and the bonds go down, does the interest on the mortgage go down too?"

Kane: "The contract that the person signs would remain in effect but no penalties for pre-payment."

Hill: "Well, sometimes it is very difficult getting the money to pay a house, especially for a working person."

Kane: "Well, if..."

Hill: "You say, right now the rate would amount to 9.2 or 3, which is less than the 9½ would have now, but wonder if that bond market starts going up again and we could end up the area of, as high as 10 or 11%."

Kane: "Well, then..."

Hill: "On the interest."

Kane: "Then the maximum would go up. Right now what happens is, if the money market goes up to that level then there are no mortgages at all available. Which was the case here about two years ago, when there just wasn't any mortgages available because the mortgage interest lid that we had was too low for the money market, so instead of having mortgages available that people could get if they wanted to, the mortgages were just not available. One can always postpone the purchase of a house if the interest rates are too high."

Speaker Redmond: "Anything further? The question is on the adoption of the Amendment. All in favor with the adoption say 'aye', opposed 'no'... All those in favor vote 'aye, opposed vote 'no'. Have all voted who wished? Have all voted who wished? Representative Hill."

Hill: "Again, Mr. Speaker and Members of the House. We're taking advantage of that person who wants to purchase



a home. We're giving the financial institution that break again and it seem to me with a 9½% that they have enough break. I can remember the crocodile tears that were shed on this floor and over in the Senate, when it was increased to 9½% and the story at that time was... that we need this because we have to put people back to work. Well let me tell you something, there is a heck of a lot of mortgage money available today... and consequently, it isn't being utilized and I would suggest that you vote 'no', on this."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there are 73 'ayes' and 19 'nos', the Gentleman's motion prevails and the Amendment is adopted. Any further Amendments? No further Amendments, Third Reading. 3972, Representative Sharp... 129, is next."

Clerk Selcke: "House Bill 3972, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill, no Committee Amendments."

Speaker Bradley: "Amendments from the floor."

Clerk Selcke: "Amendment #1, Sharp. Amend House Bill 3972, page 1, line 11, and so forth."

Speaker Bradley: "The Gentleman from Madison, Mr. Sharp."

Sharp: "Mr. Speaker and Members of the House. This is simply a technical Amendment, it's to change the language... one term in the one Section, to conform with the language in the rest of the Bill. It simply puts the term railroad passenger in place of transportation, and I move for the adoption."

Speaker Bradley: "Discussion? Hearing none, the Gentleman moves to adopt Amendment #1, to House Bill 3972, all those in favor will signify by saying 'aye', opposed 'no', the 'ayes' have it and the Amendment is adopted. Further Amendments? Third Reading. House Bill 129."



Clerk Selcke: "House Bill 129, a Bill for an Act to amend Section 4.1a and 5, an Act in relation to rate of interest etc, Second Reading of the Bill, one Committee Amendment. Amend House Bill 129, page 1, line 1, and so forth."

Speaker Bradley: "The Gentleman from Cook, Mr. Porter."

Porter: "Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1, to House Bill 129, strikes everything after the enacting clause and substitutes what basically was House Bill 3909, plus Amendment #1 that Representative Deavers offers, so now, if this Amendment were adopted it would put House Bill 129, in the posture of 3909 which was Tabled and which provides for a continuation of the 9½% rate on residential home mortgages. And, I would move the adoption of that Amendment."

Speaker Madigan: "The Gentleman moves the adoption of Amendment #1, to House Bill 129. Is there any discussion? There being no discussion, the question is shall the Amendment be adopted, all those in favor signify by saying 'aye', opposed... the 'ayes' have it and the Amendment is adopted. Are there further Amendments? Third Reading. On the order of Third Reading appears House Bill 3853, Mrs. Chapman, do you wish to call that Bill? Mrs. Chapman... which one... On the order of House Bills, Third Reading appears House Bill 3886."

Clerk Selcke: "House Bill 3886, a Bill for an Act to amend the Dangerous Drug Abuse Act. Third Reading of the Bill."

Speaker Madigan: "The Chair recognizes the Lady from Cook, Mrs. Chapman."

Chapman: "Mr. Speaker, I ask leave to hear six Bills together. They all apply to the Administrative Procedure Act, they are health Bill 3386, pardon me, 3886, 3887, 3888, 3889, 3914 and 3916. What all of these Bills do..."

Speaker Madigan: "Mrs. Chapman..."



Chapman: "Yes, Sir."

Speaker Madigan: "The Lady has requested leave to hear House Bills, 3886, 3887, 3888, 3889, 3914 and 3916, on one Roll Call. Is there leave? Mrs. Chapman, I hear objection, do you wish to proceed individually?"

Chapman: "If it was... Would you recognize Mr. Beatty, please."

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

Beatty: "Mr. Speaker, to explain that these six Bills all apply to the Administrative Review Act, it's six different agencies and it is the same motion in each of these Bills, it is just a different agency. The Bills went through Committee on almost an unanimous vote and there is no reason why they shouldn't be heard at one time."

Speaker Madigan: "Thank you, Mr. Beatty. The Chair recognizes the Gentleman from Cook, Mr. Walsh... do you object to the motion? Mr. Walsh, objects to your motion, Mrs. Chapman. Do you wish to move? Or do you wish to proceed individually."

Chapman: "I think that if Mr. Walsh objects I will be very happy to take them one at a time."

Speaker Madigan: "Fine..."

Chapman: "I was merely trying to save the House a little bit of time, since they are Bills that do identical things to six different agencies. But, if Mr. Walsh likes to stay here on the floor, I'll be happy to oblige him. The Administrative Procedure Act, provides that each agency required to adhere to it shall adopt certain rules, make the rules available for public inspection under certain circumstances... provide the opportunity for public comment when they change or amend their rules and 3886 implements this Act in regard, the Administrative Procedure Act, in regard to the danger of drug abuse Act. The Dangerous Drug



Commission... and it was a Bill that came out of Sub-committee work of the Human Resources Committee during the summer, as were all of this package. Because at that time we were concerned that the Department of Public Aid was making some drastic changes in their rules and regulations without offering any opportunity for input by pharmacist, hospital administrators or other providers of health care. People who... and agencies who provide health care to public aid recipients then, after these had been developed by the Human Resources Committees... Public Aid Sub-committees, they were heard and introduced and then given careful attention by a Sub-committee of Judiciary I. There appears to be no opposition to these Bills which have one sole purpose, to permit the public to know what's going on with State Agencies and to comment on their rules and regulations. And, I would ask for your favorable support."

Speaker Madigan: "The Lady has moved that House Bill 3886 pass and on that question the Chair recognizes the Gentleman from Cook, Mr. Walsh."

Walsh: "Mr. Speaker, I remove my objection to considering this and the five others enumerated."

Speaker Madigan: "Mr. Walsh, you withdraw your objection? You do."

Walsh: "The Gentleman from Moultrie... to see me."

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

Ryan: "Will the Sponsor yield?"

Speaker Madigan: "The Sponsor indicates that she will yield."

Ryan: "Representative Chapman, I think that you said in your opening remarks, that you were trying to do this to several Commissions and Departments, including the Department of Public Aid. Can you tell me which... where the Department of Public Aid comes into this thing."



Chapman: "Well, Mr. Ryan, we introduced the package of nine Bills and all nine Bills were introduced as Committee Bills by the Human Resources Committee, but when they were considered by Judiciary I Sub-committee... I'm sorry to say, it didn't appear to the Sub-committee that it was advisable at this time to go ahead with the measure which amended the Public Aid Act. I didn't agree with their decision but that's a matter for another time."

Ryan: "Well, you were in error when you said, that it did apply to the Department of Public Aid."

Chapman: "Oh, I'm sorry, I was explaining the Bills which were introduced and I believe what I intended to say, Mr. Ryan, was that it was this situation which caused us to develop the Bills and we introduced nine Bills and six of them still remain after consideration by Judiciary and those six, as you can see by looking at your Calendar, will make the provisions of the Administrative Procedures Act to apply to the Dangerous Drug Commission, the Department of Children and Family Services, the Department of Public Health, the Division of Vocational Rehabilitation, and the Department on aging and the final one the Department of Mental Health and Developmental Disability."

Ryan: "Then the answer to my question is, that it is not on Public Aid as you stated in your opening statement, is that correct?"

Chapman: "Either I misstated or you misunderstood and..."

Ryan: "Thank you."

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

Grotberg: "Only to speak to this series of Bills, Mr. Speaker and Ladies and Gentlemen of the House. And, ask for an 'aye' vote on them because none of the Departments



JUN 04 1976

95.

are opposed to being put on the Administrative Procedures Act and we as a Minority, to answer Representative Ryans, procedure to Public Aid Bill, that we... sent to Judiciary was still there until this morning and came out under another matter and there is no opposition as far as the Human Resources Committee and Judiciary are concerned on these."

Speaker Madigan: "The Lady has moved House Bills 3886, 87, 88, 89 and 3914 and 3916, be considered on one Roll Call and that they be passed. And, the Clerk will read the remainder of the Bill."

Clerk O'Brien: "House Bill 3887, a Bill for an Act to amend an Act creating the Department of Children and Family Services. House Bill 3888... Third Reading of the Bill. House Bill 3888, a Bill for an Act to amend an Act in relation to vocational rehabilitation of disabled persons. Third Reading of the Bill. House Bill 3889, a Bill for an Act to amend an Act to make the Illinois Administrative Procedures Act applicable to the administrative rules and procedures of the Department of Public Health. Third Reading of the Bill. House Bill 3914, a Bill for an Act to amend the Illinois Act on the aging. Third Reading of the Bill. House Bill 3916, a Bill for an Act to make the Illinois Administrative Procedure Act applicable to the Department of Mental Health and Developmental Disabilities, by amending certain Act. Third Reading of the Bill."

Speaker Madigan: "The question is, shall these six Bills pass. All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 138 'ayes', no 'nays', 2 voting 'present' and House Bills, 3886, 87, 88, 89 and 3914 and 3916, having received the Constitut-



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

ional Majority are hereby declared passed."

Speaker Bradley: "House Bills, Second Reading 3138. Representative Palmer. Has the Bill been read a second time?"

Clerk O'Brien: "House Bill 3138, a Bill for an Act to amend Sections of the Mental Health Code. Second Reading of the Bill, one Committee Amendment. Amends House Bill 3138, as follows; on page 1, by deleting line 20 to 28, and so forth."

Speaker Bradley: "The Gentleman from Cook, Mr. Palmer."

Palmer: "Mr. Speaker and Ladies and Gentlemen of the House. The Bill itself, provides the... that the Department of Mental Health give information to the Department of Law Enforcement names of those persons who have or might have been or perhaps have not been in a mental institution in the last five years as required by the Fire Owners Identification Act. The Amendment re-sections this and... let me go back a minute, there was some concern by the people from the Department of Mental Health, that the privacy was being invaded and so forth and that perhaps the Department of Law Enforcement would want more than just the identity of the names of those persons, the identity of the persons. So what Amendment #1, does is to spell that out fairly well in the last sentence indicates a method by which it may be done. Was adopted by Judiciary II, Committee on a voice vote and I ask that it be adopted."

Speaker Bradley: "Discussion? Hearing none, the question is on the adoption of Amendment #1. All those in favor will signify by saying 'aye', opposed 'no', Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Bradley: "Amendments from the floor?"

Clerk O'Brien: "No further Amendments."



Speaker Bradley: "Third Reading. House Bill 3335, Mr. Skinner."

Clerk O'Brien: "House Bill 3335, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Bradley: "Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Mugalian, amends House Bill 3335 on page 1 by deleting lines 1 and 2 and so forth."

Speaker Bradley: "The Gentleman from Cook, Mr. Mugalian."

Mugalian: "Thank you, Mr. Speaker, I'm sorry for the slight delay, I was in another portion of the Chamber. This Amendment does what I think many people who would be allowed to study . . . who had studied this and perhaps even voted in a secret ballot would favor. It would collect the willy-nilly addition of exemptions to those who pay real estate taxes. It would just completely clear the air and permit the . . . the price system to determine who pays the burden and who gets the benefits. It would eliminate the exemptions that are based . . . that have . . . that have no basis whatever in ability to pay, and which means that many people who organize in various associations and organizations get all the benefits of the local property tax without paying for them. These institutions who increasingly acquire . . . an organization that increasingly acquire valuable property and take them off the tax rolls, but require the use of the streets, sanitation services, public health and everything else that the local homeowner has to pay for; and this very simply does what I think most economists would realize that should be done, makes it . . . makes the burdens apply to all people that own real estate."

Speaker Bradley: "The Gentleman from Shea, the Majority Leader . . . from Cook, the Majority Leader, Mr. Shea."

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

Speaker Bradley: "He indicates that he will."

Shea: "Mr. Mugalian, I don't think I quite understood what the Amendment attempts to do, but as I . . . as I heard you discuss it, does it seek to put certain tax exempt property on the tax rolls?"

Mugalian: "Yes, it seeks to eliminate all exemptions for real estate taxes that are now on the books, except for governmentally-owned



property."

Shea: "Does that then mean that churches would pay property tax?"

Mugalian: "Yes, it does."

Shea: "I would be opposed to your Amendment, Sir."

Speaker Bradley: "The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Thank you, Mr. Speaker, will the Gentleman yield?"

Speaker Bradley: "He indicates that he will."

Ryan: "Representative Mugalian, what does this Amendment do to the Homestead Exemption as for those over 65?"

Mugalian: "I'm . . . I don't understand the question, what does it do . . ."

Ryan: "Okay, what does this Amendment do to the Homestead Exemption Act for those people that are over 65?"

Mugalian: "It abolishes the Homestead Exemption for the persons over 65, and I think that should be done because that is not based on ability to pay. A millionaire, who is 65 years old, would be exempt . . . would get the same exemptions as someone else. The only way to handle that situation, in the opinion of those who study it, is to use the circuit breaker."

Ryan: "What does this do to the Homestead Improvement Exemption?"

Mugalian: "It eliminates that as well because that also has no . . . no relationship to ability to pay."

Ryan: "Can . . . can you tell me what it does to homes that are used by disabled veterans, their wives and widows?"

Mugalian: "It does the same thing on the same . . ."

Ryan: "It abolishes them and makes tax . . . puts a tax on them?"

Mugalian: ". . . That can . . . that can be and is handled by the circuit breaker, which has a perfect relationship to ability to pay."

Ryan: "How about veterans' organizations?"

Mugalian: "The same thing."

Ryan: "Thank you."

Speaker Bradley: "The Gentleman from Cook, Mr. Maragos."

Maragos: "Mr. Speaker and Members of the House, by the questions that have been answered by the Sponsor of this Amendment, you have



discovered that this will take . . . put churches on the tax rolls, schools on tax rolls, hospitals on tax rolls, every charitable endeavor on the tax rolls, besides the older people. If you do that, what you're going to do then, you're going to have to substantially come in and have to subsidize all those eleemosynary institutions by a different route and you would not defeat the purpose . . . I ask that you defeat this Amendment."

Speaker Bradley: "The Gentleman . . . the Gentleman from Madison, Mr. Byers. Turn Mr. Byers on."

Byers: "Yes, Sir, will the Sponsor yield?"

Speaker Bradley: "He indicates that he will."

Byers: "Mr. Mugalian, if we would adopt this Amendment, would this . . . how much tax dollars would this raise?"

Mugalian: "I would estimate that between two and three billion dollars worth of assessed valuation would be added to the tax roll.."

Byers: "If we adopt . . ."

Mugalian: ". . . which would . . ."

Byers: ". . . if we adopted this Amendment, then we could run mental health and we could fund public welfare, schools, universities, et cetera, is that true?"

Mugalian: ". . . well, I think you may have overstated somewhat. What it would do, of course, would permit our school district to have much less reliance on state taxes; and if this . . . and if this Bill had been in effect a year ago, we would not be closing the schools in Chicago sixteen days earlier, we would be able to reduce class size, we would be able to fund 'special ed' completely and do all . . . many of the other things that we wanted to do but don't have the resources to do."

Byers: "Thank you, Mr. Mugalian."

Speaker Bradley: "The Gentleman from Cook, Mr. Mahar."

Mahar: "Thank you, Mr. Speaker, I move the previous question."

Speaker Bradley: "The Gentleman moves the previous question. The question is, shall the main question be put. All those in favor will signify by saying 'aye', opposed 'no'; in the opinion of the Chair, the 'ayes' have it. The Gentleman from Cook to close, Mr.



Mugalian."

Muglian: "Thank you, Mr. . . . Mr. Speaker. I think it was two years ago that we had a proposal for a tax freeze."

Speaker Bradley: ". . . The Lady from Cook, Miss Willer, on a point of order. State your point."

Willer: "Yes, Mr. Speaker, is it too late to ask the Sponsor to divide this question?"

Speaker Bradley: "I believe you're not timely. Continue, Mr. Mugalian."

Mugalian: "I . . . I believe it was two years ago that we had a proposal for a tax freeze on real estate. That proposal, I believe, passed the House and went to the Senate, where I believe it died. We have heard many speeches in this Chamber about the poor, suffering taxpayer, and we have been concentrating exclusively on the poor, suffering taxpayer who owns a home or who rents his . . . rents his apartment, but has to pay a higher rent because of the increasing burden of real estate taxes. We all know that we believe in an autonomous, local public school system and would like to encourage municipalities, and park districts and libraries to be self-sufficient and to rely on what they can raise from the real estate tax. At the same time, we have been carving out exemption after exemption and destroying the base on which local governments and local control must rely. This Bill very simply does two things, it eliminates the inequity in having people use local services without paying them . . . for them whether or not they are an organizations or associations, and also raises the tax base so that our local governments and our schools can do the kind of job that they should do under our mandate. This solves many problems and answers many complaints that many of my colleagues here have complained about. Thank you."

Speaker Bradley: "The question is on the adoption of Amendment #1 to House Bill 3335. All those in favor will signify by voting 'aye', opposed by voting 'no'. The Gentleman from Cook, Mr. Schlickman, to explain his vote."

Schlickman: "Mr. Speaker and Members of the House, there are some jokes going around now starting with some good news and some bad news.



I think this is a Bill that does have some good news, but it also has some bad news. The bad news . . . the good news, as I see it, is removing some of the exemptions that have no relationship to the ability of a person to pay. The bad news, as I see it, is that by removing the exemption for church property, there will be excessive entanglement to assessment of property, church property by governmental units, taxation, and the United States Supreme Court has found that to be excessive entanglement. Consequently, Mr. Speaker and Members of the House, I vote 'no' because of the bad news, the unconstitutional feature of this Bill . . . Amendment."

Speaker Bradley: "Mr. Cunningham, do you wish to explain your vote, Sir?"

Cunningham: "That's why the light's on, Mr. Speaker."

Speaker Bradley: "We'll watch it to see how many you bring with you, Sir."

Cunningham: "It'll be a long time before you'll be there, but I want . . . I wanted to publicly compliment the Sponsor for having the courage to stand for what's right. This is the most uncourageous vote that any of us cast. I wish that I had the nerve to vote 'yes' on this particular issue. Surely his Sponsor . . . his constituents are more intelligent than most. I intend to go back to my constituency and talk to them and try to sell them on the idea of being right. I'm embarrassed to vote red, but . . . excuse me, survival is the first extinct of the political animal. That's why I'm votin' red with some blushes."

Speaker Bradley: "On this question there are 3 'ayes', 120 'nays' and 2 voting 'present'; and the Gentleman's motion fails. The Gentleman from Cook, Mr. Downs, for what purpose do you arise?"

Downs: "Well, you've not closed the board publicly. I was standing to explain my vote and . . ."

Speaker Bradley: "Well, proceed, Sir, explain your vote."

Downs: "Well, I . . . I think that this is a courageous kind of thing to offer, and . . . and indeed it's time as obviously I come. In . . . and I would like some order, Mr. Speaker . . ."

Speaker Bradley: "Give the Gentleman some order."



JUN 04 1976

102.

Downs: ". . . in one of the communities of my district, Oak Park, the League of Women Voters and other groups conducted a survey and turned up somewhere between three and four hundred parcels of property that were not on the tax rolls. They also learned that there were a number of churches in that community who voluntarily had asked to be and are on the tax rolls or . . . or/and owned other properties, such as parish houses, parking lots and so on, which they have volunteered to the tax rolls. I respectfully disagree with a conclusion as to the constitutionality of this. Research in connection with that study which I read indicated that the courts have held that while the first Amendment prohibits in effect the establishment or interference with a religion, it does not in any way mandate or require a subsidy of it, and every middle class suffering, taxpaying homeowner is subsidizing these various institutions and organizations that now enjoy wholly irrational tax re-status. I'm proud to vote 'aye' on this, and it's consistent with offering that Amendment last night to the public aid Bill, and I join my good friends here who fearlessly vote 'aye' on this Bill. Thank you."

Speaker Bradley: "Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Bradley: "Third Reading. I didn't hear the motion to do that, Sir. On the Calendar on the order of Third Reading appears House Bill 3522. The Gentleman from Vermilion, Mr. Craig."

Clerk O'Brien: "House Bill 3522. . . oh, Third Reading . . . House Bill 3522, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Bradley: "The Gentleman from Ver . . . Vermilion, Mr. Craig."

Craig: "Mr. Speaker, I would like to take this Bill back to Second Reading for the purpose of an Amendment, and Shea . . . Mr. Shea would . . ."

Speaker Bradley: "Does the Gentleman have leave to return this Bill to Second Reading for the purpose of Amendment? Hearing no objections . . . are you . . . do you have an objection to returning it to Second Reading, Mr. Walsh?"



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

JUN 04 1976

103.

Walsh: "Well, I have an inquiry. Now, as I understand it this Bill is going to be taken back to Second Reading for the purpose of putting an Amendment on, that would provide for a five year license..."

Speaker Bradley: "For what purpose does the Gentleman from Cook, the Majority Leader, Mr. Shea, arise."

Shea: "Mr. Speaker, that's exactly why this Bill is to be taken back... it is an attempt to put on the five year license plate Amendment. I was going to do it today but Mr. Griesheimer, asked me if I wouldn't hold it until Monday, when he could be on the floor and I do want to exceed to his wishes. So, I will wait until Monday to do it. I would hope it would be on Second Reading.... Well, are you opposed, Mr. Minority... or Assistant Minority Leader, to the five year license plate Bill or to my getting vote to see if I can Amend it into this Bill."

Speaker Bradley: "Mr. Walsh, the Gentleman from Cook."

Walsh: "I am opposed to taking this Bill to Second, back from to Second Reading there is a vehicle available for doing what the Amendment would attempt to do and therefore, opposed to taking it back. It's that simple."

Speaker Bradley: "Mr. Craig, there are objections, we wish to move to return it to Second Reading, Sir."

Craig: "I'll move to hold it until Monday, to take it back to Second Reading. Leave the Bill on Third Reading."

Speaker Bradley: "On the order of House Bills, Second Reading appears House Bill 3787."

Clerk O'Brien: "House Bill 3787, a Bill for an Act to provide for the veterans' employment representative in each full service office of State Employment Services. Second Reading of the Bill, no Committee Amendments."

Speaker Bradley: "Amendments from the floor."

Clerk O'Brien: "Amendment #1, DiPrima. Amends House Bill



JUN 04 1976

104.

3787, by deleting line 13, 14, 15 and so forth."

Speaker Bradley: "The Gentleman from Cook, Mr. DiPrima."

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

I put this Amendment in at the request of the Department of Labor, but it has no sufficients at all, it is practically the same as it is in the Bill but to do them the favor, I put it in. All it says here is preface to those... to these positions shall be given to qualified persons who have been members of the Armed Forces of the United States in times of hostilities with a foreign country. That what it says in the Bill, but he wanted this in and I put it in. So, I move for the adoption of the Amendment #1, to House Bill 3787."

Speaker Bradley: "Discussion? Mr. DiPrima, there has been filed a motion... or a request for a fiscal note on this Legislation and until you... we can amend it but before you move it to Third Reading, there is a motion filed requesting a fiscal note, Sir. So, we can go ahead and amend it, if you want to but before we can move it to Third Reading, we'll have to have a fiscal note. Now, the Gentleman has moved the adoption of Amendment #1, to House Bill 3787, all those in favor will say 'aye', opposed 'no'. The 'ayes' have it... further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Bradley: "All right, the Bill will remain on Second Reading. The Gentleman from Lawrence, Mr. Cunningham, for what purpose do you rise?"

Cunningham: "Mr. Speaker, I rise to inquire how late we are going to work this evening will we get off in time to go the fund raiser at the Forum 30."

Speaker Bradley: "Do you have a ticket, Sir?"

Cunningham: "No, are any available, complementary."

Speaker Bradley: "They are available but not complementary."



GENERAL ASSEMBLY

STATE OF ILLINOIS

Cunningham: "Will get off in time?"

Speaker Bradley: "You will be able to make that one, I'm sure. On the order of Third Reading appears House Bill 3891."

Clerk O'Brien: "House Bill 3891, a Bill for an Act to amend the Nursing Homes, sheltered care homes, and homes for the Aged Act. Third Reading of the Bill."

Speaker Bradley: "The Gentleman from Cook, Mr. Lundy."

Lundy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Most of the Members know nursing and shelter care homes and homes for the aged in this State are currently licensed and those licenses may be revoked when the homes do not meet the standards as specified in the Act and in the regulations issued by the Department of Public Health. However, there is not presently in Illinois law, the provision for dealing with emergency, that is situations in these homes which present a serious and eminent threat to the life of a resident. For example, when the Department inspects a home as it does at least annually, and finds that the management is not providing adequate food for the residents or that the sanitary conditions are such that they pose a eminent threat to life or the health of a resident. There is no means for immediately removing those residents from the home, this Bill would provide that means, it has been requested by the Department of Public Health, it has also been amended at the request of the Nursing Home industry to include due process safeguards, 72 hours advanced written notice to permit the management of the home to seek a court order prevent the removal of a patient if they feel that the Department's determination of serious and eminent threat to the life or health of the patient is not justified, I believe in its present form, there is no opposition at least none was expressed



in the Committee. It came out 18, to nothing, I would ask for your favorable vote."

Speaker Bradley: "The Gentleman from Cook, the Majority Leader... the Gentleman from Vermilion, Mr. Craig."

Craig: "Mr. Speaker, I would like to ask the Gentleman a question. Does... we're having some problems in our county about a home that they... since they have had those fires, that we're all getting all hung up again about everything going to have to be perfect and they're going to close this home and we're going to have to vote a bond issue to build a new home. Now, this home has been used for many years and there is a lot of people going to be out any place to go and I personally believe that the people that are staying there, even though the fire facilities may not be what the Department of Public Health wants... in a first class new modern home and these people, I think, are all aware of it and I think we here in this General Assembly should realize that some of the standards we're making, we financially cannot keep up, with the standards of these professional people are making for us and for the taxpayers today. Now, a lot of these people that stay in this home probably didn't live in a first class home to begin with, maybe during their life and this may be a better place than they have ever lived before and what I'm asking you, are you going to say here in this Bill that these homes, if they don't meet these standards are going to be closed period."

Speaker Bradley: "The Gentleman from Cook, Mr. Porter."

Porter: "Would the Gentleman yield for question?"

Speaker Bradley: "He indicates, he will."

Porter: "Joe..."

Speaker Bradley: "For what purpose does the Gentleman from Cook, Mr. Madison, rise?"

Madison: "Mr. Speaker, you recognized Representative Porter,



before Representative Craig, had his question answered."

Speaker Bradley: "I'm sorry, I didn't know that you were asking a question. Turn Mr. Craig, on and Mr. Lundy, would you like to reply to Mr. Craig's, question."

Craig: "Are you saying to me that this is going to give the power to the Department of Public Health to close these homes that these standards, these rigid standards that they are asking for are not set up and met."

Lundy: "Only if the conditions in the home pose a serious and eminent threat to life of the residents in the home."

Craig: "There has been people living in this home I expect for seven-five years and I don't think no ones life has ever been threatened but, today it seems like they have taken the stand that it is threatend. Now, to get back to another subject, not pertaining to this, such as the school fire Legislation that we have had when we had a fire in the Chicago area in a parochial school, and we got hung up on a great bit of fire safety hazard in schools and one reason today that the schools are in the financial condition that they are, because we spent millions of dollars in this State trying to make schools in fire safety standards, that I think was absolutely ridiculous and I'm asking you, is this the thing that you're doing today in this Bill."

Lundy: "No, Representative Craig, this Bill wouldn't change any standards that any home has to comply with."

Craig: "You know, not change any standards that they are enforcing, no. But, you're saying to me that we are going to still close my home that doesn't meet those standards, that they so seem fit."

Lundy: "No, Sir. Only in the event that the non compliance condition poses a serious and eminent threat to the life of a resident in that home."

Craig: "Who is the man to decide a serious and threat to



someone life."

Lundy: "Alternately the court will decide. If there is a dispute."

Craig: "Who is deciding it first, it's the Department of Public Health that is deciding this issue with us."

Speaker Bradley: "Mr. Lundy, would you reply."

Lundy: "Well, was that a question?"

Craig: "I said, the Department of Public Health, is not the court."

Lundy: "Well, the Department is the licensing authority and it would decide in the first instance... but that is all subject to judicial review as..."

Craig: "The Department rules and regulations and if I'm back here next Session, I want to tell this General Assembly right now, that I expect... being some laws made before any rules and regulations are passed out by any Department head and I care not who... that there will be, I hope, ten Legislators down there to go over these regulations and rules before they are put into effect because I'm getting tired facing the taxpayers about something happening... of a home like this being closed, or something else and they ask me what are you doing down there and I find out, it's not anything that we did, it's when we give the powers to some Department head that makes the rules and regulations and they become law. And, I don't appreciate it and this particular Bill, I urge a 'no' vote."

Speaker Bradley: "The Gentleman from Marion, Mr. Friedrich. I'm sorry, Mr. Porter."

Porter: "I would like to ask Representative Lundy, a question if I may."

Speaker Bradley: "He indicates, he'll yield."

Porter: "Representative Lundy, what would happen under the present law if the Department found these standards were not getting met, what would they have to do, in order to



do the same thing.. in order to close the home for example."

Lundy: "If a condition existed that poses a threat to the life of one of the residents?"

Porter: "That's right."

Lundy: "If it's a resident that has responsible relatives, the first thing that the Department would do under... because they have no authority under the existing law to require the removal of the patient, would be to go to the patient's family and ask them to remove the person."

Porter: "Do they have authority under this Bill, to remove the person?"

Lundy: "After consulting with the responsible relative, if there are such."

Porter: "Do they have authority now..."

Lundy: "And the attending physician, I might add."

Porter: "Do they have the authority now, in the absence of this Bill to close the home completely?"

Lundy: "Only by revoking its licenses which is a very lengthy procedure, if it involves judicial review... probably a two or three year... it probably take two or three years to revoke a license if the licensee wishes to contest it in court."

Porter: "Is there any provision in the Bill for a hearing before the individuals that are removed from the home or before it's closed down by the Department."

Lundy: "Not if the reason for the removal is that there is a serious and eminent threat to the life of the resident in the home, no."

Porter: "Thank you."

Speaker Bradley: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker and Members of the House. This reminds me a little bit about the attempt when we started to regulate the camps for the migratory workers who came into my part of the country to pick strawberries.



Well, these little guys with the books keep running around and kept raising the standards till it got to the point where we plowed up the strawberries and planted soy beans. It solved the problem, the migrant workers no longer have a problem, they are now on Public Aid and we have straw... we have soy beans instead of strawberries. When you give a power to a man running around with a little book to close down a business, without any hearing whatsoever, it's a very... very dangerous thing because we've got some guys running around with books who are not responsible people. Representative Brummet and I ran into this last year with the fire marshal office and we took the little book and we were about to close down the Armory because we could use the same rules but they don't apply to the rules at the Armory, they apply to somebody out here in private enterprise or some church or something else. This is a dangerous thing and let me tell you, once you remove those patients from a nursing home, you just as well take his license because by the time he gets through the agony he's out of business anyway and broke. Now, I don't think we ought to put this kind of power in the hands of a person that's going around who is not necessarily even qualified in many cases. This is a bad Bill."

Speaker Bradley: "The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Bradley: "He indicates, he will."

Ryan: "Representative Lundy, as I understand this Bill. You can close a nursing home within 72 hours, is that right?"

Lundy: "Well, if the owner does not go to court to contest the action, he gets written notice... at least 72 hours before the Department can act and if he takes... what it really does is shift the burden to the owner to go to court to stop the closing."

Ryan: "Okay, do we not now have powers through the Department



to close the facility that doesn't meet the standards."

Lundy: "Only through revocation of its license which as I explained was a very lengthy procedure."

Ryan: "I'm not necessarily concerned about the nursing home operator, if he's a bad operator, he ought to be closed. My concern is about the 86 year old person with a broken hip that may have to be moved out to 25 miles away and then 7 days later, find out that the operator has complied with the violation and is moved back into that home. I think that's cruel and unjust treatment for those kind of patients and I don't think that's your intent but, I could certainly see where it could happen. I oppose the Bill."

Speaker Bradley: "The Gentleman from Winnebago, Mr. Simms."

Simms: "Well, Mr. Speaker, I rise in support of this Bill.

I think that we all ought to realize that you have a nursing home crisis in this State. I can give you an example up in Rockford, you had one nursing home that for six years was allowed to continue to operate without a State license. The Department of Public Health couldn't close them down and for six years this pigpen was allowed to operate and people suffered in this place. And, finally after six years the State was lucky enough through judicial action to close down the nursing home and what happens, then they go up and open up as a rooming house and the State Department of Mental Health goes and puts some more patients in. You've got an intolerable situation in this State and you've got to give the Department of Public Health some vehicle to close up these pigpens that are being operated around the State. And, there still are some... you have nursing homes in this State that are unlicensed that are operating, you have one nursing home in Northern Illinois, that is putting on an addition to a non license nursing



home and they're still being allowed to operate. Now, when is the Legislature going to respond positively to a serious problem. Maybe this Bill isn't the full answer but I think it is an attempt in the right direction and I would urge its passage."

Speaker Bradley: "The Gentleman from McLean, Mr. Deavers."

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

Speaker Bradley: "The Gentleman moves the previous question, the previous question is, shall the main question be put. All those in favor will signify by saying 'aye', opposed 'no'. The 'ayes' have it, the Gentleman from Cook, Mr. Lundy, to close."

Lundy: "Thank you, Mr. Speaker, Members of the House. I think this Bill address a serious lack in the existing regulatory scheme. I certainly understand the concerns of the Members who are affaid of bureaucrat abuses.... and we have amended the Bill specifically in line with the suggestions of the Nursing Homes Trade Associations, the Illinois Health Care Association. We amended the Bill specifically to meet their objections, so that they felt their interests were protected against arbitrary closure orders by the the bureaucrats. But, the serious problem and the one that is not currently addressed in Illinois law, is what can we do when an inspector goes into a home and finds a... they have found in the case of some Illinois homes, that there is literally no food on the premises... in a home with fifteen or twenty residents, what can they do when they find, as they have... patients tied into beds... patients who aren't being adequately cared for... patients who are far too ill to be in the kind of facility that they are in, which perhaps may not even provide skilled nursing facility. I think it's really incumbent on us to provide the legal tools, with all the necessary safeguards to allow the Department to deal with this kind of a situation.



We have had in the last four months in this State, close to fifty deaths of nursing home residents who were in facilities that were obviously weren't safe. I think it's time to call a halt to that and provide the legal tools to try safeguard these helpless people in nursing and shelter care homes. I would solicit your 'aye' vote."

Speaker Bradley: "The question is, shall House Bill 3891, pass. All in favor will signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Gentleman from Cook, Mr. Davis, to explain his vote."

Davis: "I just want ask once more what we can do.. what can you do when you can smell some of them further than you use to could smell the old Union Stockyard. I vote 'aye'."

Speaker Bradley: "Have all voted who wished? The Gentleman from Madison, Mr. Byers, to explain his vote."

Byers: "Well, Mr. Speaker, in our district we have a number of radio programs that we appear on... Representatives from time to time. And, if you mention nursing homes you get more calls, that phone lights up right away and people are concerned about the conditions that the nursing homes are in, in the State of Illinois. This is a continual complaint of people who have their relatives there, I think that this is certainly a Legislation that's needed. I have been on a special Committee, we have been around the State visiting, we have a lot of good nursing homes in the State but there is a few of them that are not and I would say, approximately 10% of them and I think this is a very necessary thing and I think it should be done now."

Speaker Bradley: "Have all voted who wished? The Gentleman from Cook, Mr. Ewell, to explain his vote."

Ewell: "Mr. Speaker, and Ladies and Gentlemen. Very briefly



JUN 04 1976

114.

you have here a group of people who cannot care for themselves, they are in essence babes... babes who have been brought into this world and who are now preparing to leave. You have people at the most helpless stage of their life, that are living in filth... horrible conditions and with no ability to do anything about it. They're those of us who stand here and cry out that we're concerned even for unborn children, we don't have just unborn children here, we have people at the other end of the spectrum... compassion... heart... feeling would dictate that you could not possibly avoid voting for a Bill of this nature. And, I ask you... and I ask you, is there anyone who's ever seen any of these homes... the hard condition that some of these people have to live in, simply because they have no ability to help themselves. We're here,.. we vote circuit breakers we vote everything, we say that the elderly need as long as they are here and able to vote, and as long as they can respond. But, once they reach the stage of helplessness... once they can no longer help themselves, we turn our backs... and Gentlemen this is just a slight thing to do... a mere... a simple thing and a humane thing to do and if you think about it, and if you think about the condition of these people... and you say, you love your fellow man and you love the elderly, then certainly this is a type of Bill that you would give a vote to."

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

Matijevich: "Only to explain my vote, because in Lake County we've had some cases where nursing homes probably should be closed but, I'm very fearful when you don't give the right due process even to businesses without a hearing, that you're really are doing what I said in that quote, that.... Representative Friedrich, eluded to it."



GENERAL ASSEMBLY

STATE OF ILLINOIS

The extravagant use of power by bureaucracy and we in Executive Committee, in fact have been looking at the administrative rule making process because of the bureaucracy... really has gone some times beyond the intent of law and I'm afraid that's a bad precedent and therefore, I vote 'no'."

Speaker Bradley: "Have all vote who wished? The Gentleman from Sangamon, Mr. Londrigan, to explain his vote."

Londrigan: "Mr. Speaker, I think a few points need to be clarified. I'm voting 'no' and I'm voting for the patient, not just the nursing homes. Now, I was the legal advisor to the Department of Public Health in the hearing officer... hearing these type of cases on the whole and I can tell you what Representative Craig, is telling you. You have situations downstate where you only have one nursing home in the whole community, the Department of Public Health can go in there as they desire and close that home up... and where are these people going. They have no place to go and if they dress to the standards, one uniform standard across the State, these people cannot afford it. What you're doing is, driving them out of the nursing home... some place else because they can't afford it, when they meet the standards provided in all cases by the Department of Public Health. Also, you're raising the taxes here when we have to support many of these people better than they ever were in their life... so you said, look at the patients part of this, now you who are concerned about filth, the Department has all rules and regulations they need to attack this, what you're doing is taking away choice of the patient, if he doesn't like where he's living now, all he has to do is move. But, you're going to force him to move... some bureaucrat is going to force them to move and take his home



away from him and then you're going to hear from that patient and then you're going to hear from his... and his children, so I'm voting 'no' for the patients to let him make his choice where he wants to live."

Speaker Bradley: "The Lady from Cook, Mrs. Willer."

Willer: "Yes, Mr. Speaker, to explain my vote. I've been sitting here listening to the most incredible statements I've... since I've been down here those last couple of weeks and we have been voting on nursing home Bills. It all boils down to equate money... make it more important than the safety and the well being of older people, now I heard the terrible thing that we did in the Legislature I was not here... in passing a life safety code for schools on the basis of one fire. That simply isn't true we had a fire in my own village in a brand new school, the whole fire department and all the parents, and I was one of them, shuttered with relief that no one was killed... it was so bad. Now, how many children have been killed in a fire since we passed those terribly expensive life safety codes. Name me one, sure it costs money.... as far as bureaucracy, I don't think that the Department of Public Health is going to go around willy... nilly, closing homes for the sure joy of it. They know the situation and the one final statement that I heard on this floor really bottled my mind, to say that people are better off, a lot of them living in these nursing homes than they probably ever were at home. That simply is not true, there are a lot of people in nursing homes who are there to recover from surgery, they are not old or poor or indigent, they're not Public Aid recipients... they are paying for it. But, they don't know they are getting into lots of times and I certainly resent this constant equation of... we can't do this or that because it cost too darn much money and we're talking about people."



Speaker Bradley: "Mr. Lundy, did you want to explain your vote, Sir? The Gentleman from Cook, Mr. Lundy."

Lundy: "Well, Mr. Speaker, we're a very long way from 89 votes and there are a lot of Members not here who have indicated to me that they would support the Bill, if they were here. I think that the wisest thing to do is to put it on postponed consideration."

Speaker Bradley: "Does the Gentleman have leave to put it on postponed consideration. Hearing no objections, leave is granted... put it on postponed consideration. On the Calendar on the order of Second Reading appears... Oh, I'm sorry, on the order of Third Reading appears House Bill 3518."

Clerk O'Brien: "House Bill 3518, a Bill for an Act to amend the School Code. Second Reading of the Bill..."

Speaker Bradley: "It's on Third Reading... The Gentleman from Cook, Mr. Jaffe."

Jaffe: "Mr. Speaker, I would like leave to bring House Bill 3518, back to Second Reading for the purpose of an Amendment."

Speaker Bradley: "The Gentleman asks leave to return House Bill 3518, to Second Reading. Does he have leave? Hearing objection... Mr. Walsh, objects."

Jaffe: "Mr. Speaker, then I would move to suspend the necessary rule to take House Bill 3518, back to Second Reading."

Speaker Bradley: "The Gentleman moves then, to return House Bill 3518, to Second Reading... and on that question, the Gentleman from Cook, Mr. Walsh."

Walsh: "Is the Gentleman's motion in writing? It seems to me that was brought up yesterday... somebody made a motion, it was not in writing."

Speaker Bradley: "The Gentleman's motion... is in writing..."

Walsh: "Mr. Speaker..."

Speaker Bradley: "Yes."

Walsh: "Mr. Speaker, the Gentleman's motion, in order to be



called must be on the Calendar. Unless the motion... he makes the motion today, then we will... it must be on the Calendar for one day."

Speaker Bradley: "What rule are you referring to, Sir. Under 35 (d), if unanimous consent is denied under this rule, leave of the House need be granted by a vote of 89 Members."

Walsh: "That's correct, my motion is it not? I refer you Mr. Speaker, to the Section of the rule dealing with motion."

Speaker Bradley: "What rule are you referring us to?"

Walsh: "Well, if you wait just a moment... the appropriate rule..."

Speaker Bradley: "The appropriate rule is out of order."

Walsh: "While we're waiting here, Mr. Speaker, may I ask what rule the Gentleman is suspending with his motion?"

Speaker Bradley: "I don't believe he is suspending a rule, he is simply moving under rule 53...35 (d)."

Walsh: "Does he make that clear in his motion?"

Speaker Bradley: "Yes, it's in the motion. The written motion. While you're looking could we proceed. The Gentleman from Cook, the Majority Leader, Mr. Shea."

Shea: "Mr. Speaker, as I read rule 35 (d), it says if unanimous consent is denied pursuant to that rule, the House may grant it by a vote of 89 Members. And, it seems that he's moving pursuant to the rules and is exactly... a special motion."

Speaker Bradley: "Your point is well taken and the Chair will so rule. Proceed with the motion, Mr. Jaffe."

Jaffe: "Mr. Speaker and Members of the House. I would at this time move to bring House Bill 3518, back to Second Reading for the purpose of an Amendment. The Amendment is Representative McClain's Amendment, Representative Kane's Amendment... actually deals with lowering the school aid formula so that we would qualify unit districts



down from three dollars to two, ninety and Mr. Speaker, I would so move at this time."

Speaker Bradley: "On the motion, Mr. Walsh? The Gentleman from Cook, Mr. Walsh."

Walsh: "On the motion, Mr. Speaker. I object to the Gentleman's motion, we heard this Bill and this Bill was amended. I think it was last week and put in the kind of condition that the Sponsor wanted it, presumably. Now, I see no reason why we should over and over be taking Bills from Third Reading to Second Reading in an attempt to accommodate certain people for certain purposes. Now, the Gentleman has, I think, has a very bad Bill to begin with, a Bill that is absolutely inexcusable... I'm getting to the point, Mr. Speaker... if they will be just a little bit tolerant."

Speaker Bradley: "We'll be a little tolerant."

Walsh: "All right, the Gentleman is doing this pursuant to a conference that was held yesterday, wherein various dissidences were supposed to have been satisfied but..."

Speaker Bradley: "Mr. Walsh, confine your remarks to the motion, if you would... please."

Walsh: "Well, it's pretty hard, Mr. Speaker, to confine it simply to the fact that the Gentleman has made a motion. We have rules in this House, Mr. Speaker... we ought to abide by them. The reading are 1, 2, 3, in that order. There is more and more attendancy and the attendancy is always for the purpose of some kind of accommodation wherein all of us are not brought into it, but are victims of it and they go from 1, 2, to 3, to 2, to 3, to postpone and that's the truth. Now..."

Speaker Bradley: "Mr. Walsh..."

Walsh: "... I suggest to you that this is inexcusable and that we ought to oppose this Amendment."

Speaker Bradley: "The Gentleman moves to suspend rule 35 (d),



all those in favor of the Gentleman's motion will signify by voting 'aye', opposed by voting 'nay'. The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Parliamentary inquiry, I want to know how we got to Bill 3518? That's my question."

Speaker Bradley: "We were on the order of Third Reading, Sir."

Matijevich: "Did we go down the Calendar or did we skip..."

Speaker Bradley: "We asked everybody who wanted a Bill called and we started over again and this was next in line."

Matijevich: "In other words we operated against the rules. That's all right with me."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 98 'ayes', 29 'nays', the Gentleman from Cook, Mr. Walsh."

Walsh: "Mr. Speaker, I request a verification."

Speaker Bradley: "There has been a request for poll of the absentees. The Clerk will poll the absentees. The Lady from Cook, Mrs. Chapman, wishes to be recorded as voting 'aye'. Mrs. Chapman. Mr. Palmer, wishes to be recorded as voting 'no'. Mr. Ewell, 'aye'. Record Mr. Ewell, as voting 'aye'. Schneider, 'aye'. Mr. Van Duyne, 'aye'. We have, Mr. Schneider, who wishes to be recorded as voting 'aye'. Mr. Van Duyne, wishes to be recorded as voting 'aye'. Mr. Ewell, wants to be recorded as voting 'aye'. Mrs. Chapman, wishes to be recorded as voting 'aye'. Mr. Palmer, wishes to be recorded as voting 'no'. Now, we will call the absentees. Mr. Walsh, did you withdraw your request?"

Clerk O'Brien: "Arnell, Bluthardt, Campbell, Capuzi, Carroll, Deuster, Dyer, Ebbesen, Epton, Fleck, Gaines, Geo-Karis, Getty, Greiman, Griesheimer, Grotberg, Hirschfeld, Gene Hoffman, Hudson, Jacobs, J.D. Jones, Katz, Klosak, LaFleur, Luff, Mahar, Mann, McCourt, Meyer, Miller, Molloy, Mugalian, Peters, Pierce, Randolph, Rayson,



Rose, Stearney, Telcser, Tipsword..."

Speaker Bradley: "Mr. Telcser, where are you... you wish to be recorded as voting 'no'. Mr. Friedland, wishes to be recorded as voting 'no'... are you changing your vote from 'aye' to 'no'? Okay, Sir."

Clerk O'Brien: "Tipsword, Totten, Wall, Winchester, Mr. Speaker."

Speaker Bradley: "Verify the affirmative Roll Call."

Clerk O'Brien: "Anderson, E.M. Barnes, J.M. Barnes, Beatty, Beaupre, Berman, Birchler, Boyle, Bennett Bradley, Gerald Bradley..."

Speaker Bradley: "Just a minute, Sir. Would we clear the aisles and all Members be in their seats for verification, please. Proceed, Sir."

Clerk O'Brien: "Brandt, Brinkmeier, Brummet, Byers, Caldwell, Capparelli, Chapman, Choate, Craig, Cunningham, Darrow, Davis, DiPrima, Domico, Downs, John Dunn, Ewell, Ewing, Farley, Flinn, Garmisa, Giglio, Giorgi, Hanahan, Hart, Hill, Holewinski, Dan Houlihan, Jim Houlihan, Huff, Jaffe, Emil Jones, Kane, Keller, Kelly, Kornowicz, Kosinski, Kozubowski, Kucharski, Laurino, Lechowicz, Leon, Leverenz, Londrigan, Lucco, Lundy, Madigan, Madison, Maragos, Marovitz, Mautino, McAuliffe, McAvoy, McClain, McGrew, McLendon, Merlo, Mudd, Mulcahey, Nardulli, O'Daniel, Patrick, Polk, Pouncey, Riccolo, Richmond, Ryan, Sangmeister, Satterthwaite, Schisler, Schneider, Schraeder, Sharp, Shea, Simms, Stone, Stubblefield, Taylor, Terzich, Tuerk, Van Duyn, Vitek, Von Boeckman, Washburn, Washington, White, Willer, Williams, Wolf, Younge, Yourell."

Speaker Bradley: "The question of the affirmative... Mr. Winchester."

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

Speaker Bradley: "How is the Gentleman recorded?"

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

Winchester: "Vote me 'aye', please."



Speaker Bradley: "Record the Gentleman as voting 'aye'. The Lady from Cook, Mrs. Chapman."

Chapman: "I misunderstood the motion, I desire to change my vote from 'aye' to 'nay'."

Speaker Bradley: "Change the Lady's vote from 'aye' to 'nay'. Mr. Steele... Mr. Steele, wishes to be recorded as voting 'aye'. The Gentleman from Whiteside, Mr. Schuneman."

Schuneman: "Yes, Mr. Speaker, would you change my vote 'nay' to 'aye', please."

Speaker Bradley: "Record the Gentleman... change the Gentleman's vote from 'no' to 'aye'. The Gentleman from McLean, Mr. Deavers."

Deavers: "Mr. Speaker, change my vote to green, please."

Speaker Bradley: "The Gentleman wishes to be recorded as voting 'aye'. We have 105... we're starting with 105, Mr. Walsh, we thought you might be interested that. The question of the affirmative. Mr. Randolph... just a minute now... Mr. Randolph, wishes to be recorded as voting 'aye', Sir? Record Mr. Randolph, as 'aye'. That's 106, we're starting with."

Walsh: "E.M. Barnes..."

Speaker Bradley: "Just a minute... Mr. Rigney, wishes to be recorded as voting 'aye'. Now, we have 107. Now, Mr. Walsh."

Walsh: "E.M. Barnes."

Speaker Bradley: "Mr. Barnes, in the rear of the Chamber, Sir."

Walsh: "Beaupre."

Speaker Bradley: "Beaupre, is in his seat."

Walsh: "Boyle."

Speaker Bradley: "Boyle, is in the aisle."

Walsh: "What aisle? Brinkmeier."

Speaker Bradley: "Representative Brinkmeier... he is not in his seat, is he in the Chambers? How is the Gentleman recorded?"



Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Bradley: "Take him off the roll."

Walsh: "That's 106, Mr. Speaker. Brummet."

Speaker Bradley: "We're at 106, Sir. Brummet... Representative Brummet, he's not in his chair... is he in the Chambers? How is the Gentleman recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll."

Walsh: "105, Mr. Speaker. Caldwell."

Speaker Bradley: "Caldwell, is Mr. Caldwell in the Chambers? How is he recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll."

Walsh: "104, Mr. Speaker. Capparelli."

Speaker Bradley: "Capparelli, Representative Capparelli in the Chamber... how is he recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "103."

Walsh: "That's 103, Mr. Speaker. Craig."

Speaker Bradley: "Representative Craig, is in the aisle."

Walsh: "Domico."

Speaker Bradley: "Domico, is in his chair."

Walsh: "Representative John Dunn."

Speaker Bradley: "John Dunn... Representative Dunn, is the Gentleman in the Chambers? How is the Gentleman recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll."

Walsh: "That's 102, I'm reminded. Farley."

Speaker Bradley: "Representative Farley, he is in his seat."

Walsh: "Garmisa."

Speaker Bradley: "Representative Garmisa... is the Gentleman in the Chambers? How is he recorded?"

Clerk O'Brien: "Garmisa... 'aye'."

Speaker Bradley: "Take him off the roll."

Walsh: "101, Mr. Speaker. Giglio."



JUN 04 1976

124.

Speaker Bradley: "Representative Giglio, how is the Gentleman recorded, he is not in his seat. Is he in the Chambers? How is he recorded?"

Clerk O'Brien: "Aye."

Spekaer Bradley: "Take him off the roll."

Walsh: "That's 100, Mr. Speaker. Hanahan."

Speaker Bradley: "Representative Hanahan... not in his chair. Is the Gentleman in the Chamber? How is the Gentleman recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll. For what purpose does the Gentleman from Cook, Mr. Downs, arise?"

Downs: "Well, Mr. Speaker, I'm sure the Representative means no disrespect but, I think to teaching the Chair how to count is somewhat beyond showing proper respect for the Chair and I raise that as a point of order."

Speaker Bradley: "The point is well taken. Further questions?"

Walsh: "I was doing for the Gentleman's benefit, not the Chair's benefit."

Speaker Bradley: "Further questions?"

Walsh: "J.M. Houlihan."

Speaker Bradley: "Jim Houlihan, he is not in his seat, is he in the Chamber? How is the Gentleman recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "I can't count... take him off the record and the Gentleman from Tazewell, Mr. Luft."

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

Speaker Bradley: "How is the Gentleman recorded?"

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

Luft: "Vote me 'aye', please."

Speaker Bradley: "He wishes to be recorded as voting 'aye'. The Gentleman from Coles, Mr. Coffey."

Coffey: "Would you please change my vote from 'no' to 'aye', please."



Speaker Bradley: "Record the Gentleman as voting 'aye'. Proceed, Sir. Questions of the affirmative."

Walsh: "Huff, Mr. Speaker."

Speaker Bradley: "He is in his seat."

Walsh: "Keller."

Speaker Bradley: "Representative Keller, is the Gentleman in the Chambers? How is he recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll."

Walsh: "Kelly."

Speaker Bradley: "Representative Kelly... Representative Kelly in the Chambers? Take him off the roll."

Walsh: "What's the count, Mr. Speaker... for the benefit of Representative Downs? Kosinski, Mr. Speaker."

Speaker Bradley: "Representative Kosinski... Representative Kosinski, in the Chambers? How is he recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll."

Walsh: "Laurino."

Speaker Bradley: "Representative Laurino, he is not in his chair. Is he in the Chambers? How is he recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll."

Walsh: "McAuliffe."

Speaker Bradley: "Representative McAuliffe, is in his seat."

Walsh: "McClain."

Speaker Bradley: "He's in the rear of the Chamber."

Walsh: "McGrew."

Speaker Bradley: "Representative McGrew... he is not in his chair. Is the Gentleman in the Chambers? How is he recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll."

Walsh: "McPartlin."

Speaker Bradley: "Representative McPartlin... the Gentleman



is recorded as voting 'present', Sir."

Walsh: "Beg your pardon. Nardulli."

Speaker Bradley: "Nardulli... Representative Nardulli, is
in his chair."

Walsh: "Pouncey."

Speaker Bradley: "Representative Pouncey... he is not in
his chair. Is he in the Chambers? How is he recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll."

Walsh: "Choate, Mr. Speaker."

Speaker Bradley: "Choate, is in his chair. Mr. Walsh...

John Dunn, has return to the Chambers and we'll put
him back on the roll."

Walsh: "Sharp, Mr. Speaker."

Speaker Bradley: "Representative Sharp... is the Gentleman
in the Chamber? How is he recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll."

Walsh: "Stone."

Speaker Bradley: "Representative Stone, is not in his chair...
is the Gentleman in the Chamber? How is the Gentleman
recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll."

Walsh: "Taylor."

Speaker Bradley: "Representative Taylor... it appears that
he is not in his seat. Is he in the Chambers? How
is he recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll."

Walsh: "Terzich."

Speaker Bradley: "Representative Terzich... he is not in
his chair, is he in the Chambers? How is he recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll."



Walsh: "Von Boeckman."

Speaker Bradley: "Representative Von Boeckman, he is not in his chair, is he in the Chamber? How is he recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll."

Walsh: "White."

Speaker Bradley: "Representative White is not in his seat. Is he in the Chamber? How is the Gentleman recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll."

Walsh: "Wolf."

Speaker Bradley: "Representative Wolf, is in his chair."

Walsh: "Williams."

Speaker Bradley: "Representative Williams, is not in his chair. Is he in the Chambers? How is he recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll."

Walsh: "Mr. Speaker..."

Speaker Bradley: "Pardon me, Mr. White, has returned to the Chambers and put him back on the roll. Von Boeckman, has returned... put Mr. Von Boeckman back on the roll."

Walsh: "Mr. Speaker, Representative Younge."

Speaker Bradley: "Representative Younge... I can't see if she is in her chair or not... is he in the Chambers? How is the Lady recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take her off the roll."

Walsh: "McLendon."

Speaker Bradley: "McLendon... he is not in his seat. Is the Gentleman in the Chambers? How is he recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll."

Walsh: "Representative Stubblefield."

Speaker Bradley: "Representative Stubblefield... he's right here in front of the desk."



Speaker Bradley: "Representative McGrew, has returned to the Chambers, we would like to put him back on, Mr. Walsh. Return Mr. McGrew, to the roll."

Walsh: "Representative Anderson."

Speaker Bradley: "Representative Anderson, is right in the aisle."

Walsh: "Representative Flinn."

Speaker Bradley: "Representative Flinn, I don't see him in his chair, is the Gentleman in the Chambers? How is the Gentleman recorded?"

Clerk O'Brien: "Aye."

Speaker Bradley: "Take him off the roll. For what purpose does the Gentleman... further questions, Sir?"

Walsh: "What's the count, Mr. Chairman?"

Speaker Bradley: "The Gentleman from Will, Mr. Sangmeister, for what purpose do you rise, Sir?"

Sangmeister: "I rise for the purpose of changing my vote from 'aye' to 'no'."

Speaker Bradley: "Record the Gentleman as voting 'no'. The Gentleman... There are a lot of changes... now, just a minute we're going to announce it just as soon as the Clerk... I want to make sure that it's correct. The Gentleman from Rock Island, Mr. Darrow, for what purpose do you rise, Sir."

Darrow: "Thank you, Mr. Speaker. How am I recorded?"

Speaker Bradley: "How is the Gentleman recorded? Mr. Darrow."

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Darrow: "Thank you, Mr. Speaker."

Speaker Bradley: "The Gentleman from Livingston, Mr. Riccolo."

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

Speaker Bradley: "How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Riccolo: "Thank you."

Speaker Bradley: "On this question... 87 'ayes', 31 'nays' and the Gentleman's motion fails. The Gentleman from



Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, I have a motion that I have cleared with the Leadership, I'm asking unanimous consent that rule 18, the posting notice be suspended so that the following propositions may be heard in Executive Committee, Tuesday June 8, at 12 noon. House Bill 3366, 3789, 3790, 3791, House Resolution 777 and House Resolution 800, and a Bill on the Priority Payment Act.... and leave to use the attendance Roll Call to record the consent."

Speaker Bradley: "The Gentleman asks leave to use the attendance Roll Call, hearing no objections... any objections? Mr. Duff, is objecting to the Gentleman's motion... it's not on the Calendar on posting and there are objections and it can't be heard. Now, House.... the Gentleman from Cook, Mr. Shea."

Shea: "My understanding is, that this Bill was cleared or the motion was cleared with the Minority Leader and the Minority Party on posting these Bills in Executive... now, I know that sometimes we get upset but there are some things that have to be done for the orderly running of this House and I would hope that we'd get cooperation."

Speaker Bradley: "The Gentleman from Cook, Mr. Duff... do you persist, Sir?"

Duff: "Mr. Speaker, I just wanted to give a small little message about what real fairness is, I'll cooperate."

Speaker Bradley: "All right, back to the Gentleman's motion to use the attendance Roll Call so that those Bills might be heard in Executive Committee. Hearing no objections, leave has been granted. House Bills, Third Reading.... consideration postponed appears House Bill 3483. It has been read a third time... the Gentleman from Cook, Mr. Berman."

Berman: "Thank you, Mr. Speaker... Ladies and Gentlemen of the House. House Bill 3483, is a supplemental appropriation for the General Distributive Fund for the



school aid formula for FY-76, it is the supplemental appropriation. We have debated this Bill at great length... over the past several weeks, the Bill as it stands before you today, is that a sixty-seven and a half million dollars level which complies with previous commitment in this House to fully fund the school aid formula for FY-76. The distribution of this money is 30% to the City of Chicago... 70% to the balance of the State. I would appreciate your affirmative vote on this supplemental appropriation."

Speaker Bradley: "Discussion? We would like to call to the attention of the Members that a request has been made to take some pictures and we're granting that request. The Gentleman from Grundy, the Minority Leader, Mr. Washburn."

Washburn: "Well, thank you... Mr. Speaker and Ladies and Gentlemen of the House. The Sponsor of this measure is correct in stating that it had been thoroughly debated and I don't see any reason to debate it at length today. However, you will recall as he said, it contains sixty-seven million dollars that is not available and I think that proven in debate, prior to today and that's the reason it did not receive the required number of votes for passage and I would hope that it receives about the same number this time as it did the last time. So, I would urge you to vote 'no'. Thank you."

Speaker Bradley: "All right then, the question is shall House Bill 3483, pass... unless Mr. Berman would like to close."

Berman: "I would appreciate affirmative vote, Mr. Speaker."

Speaker Bradley: "All right, the question is shall House Bill 3483, pass. All those in favor will signify by voting 'aye', opposed by voting 'nay'. Have all voted who wished? Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this



question there are 70 'ayes', 54 'nays', 5 voting 'present', the Bill having failed to receive the Constitutional Majority is hereby declared lost. The Gentleman from Kane, Mr. Hill."

Hill: "I have a motion up on the Clerk's... pursuant to rule 18 (k), I move to suspend the posting requirement in rule 18, in relation to the Committee on Labor and Commerce in regards to House Bill 3604, 3607, 3640, 3641, 3642, 3664, 3665, 3666, 3667, 3668, 3669, 3670, 3671, 3672, 3673, 3674, 3675, 3676, 3905, 3906, 3907 and the reason for this is, that we held a meeting this morning and there is no way to recess that meeting and this meeting would be held on Tuesday, June 8, at 9 o'clock on the floor of the House in regards to workmens' comp. I have a clearance from the Leadership on both sides."

Speaker Bradley: "Does the Gentleman have unanimous consent to suspend the rules? Hearing no objections... Mr. Van Dwyne, are you objecting, Sir? Mr. Van Dwyne... would you please turn Mr. Van Dwyne, on."

Van Dwyne: "Do these Bills die, Mr. Speaker... without this consent?"

Speaker Bradley: "The Gentleman from Kane, Mr. Hill."

Hill: "No, they will not. These Bills have been heard now on three different occasions by the proponents of the Bills and we hope to wind it up on this coming Tuesday."

Van Dwyne: "Well, the reason I ask you is because, I notice that the Sponsor of these Bills are all Republicans and I'm opposed to the Amendments and the Bills themselves so I thought we might save ourselves about three days if we let them die."

Speaker Bradley: "Well, does the Gentleman have unanimous consent, hearing no objections... the Gentleman's motion prevails. Use the attendance Roll Call. Concurrence, on the supplemental Calendar appears House Bill 3844. Vice Chairman of Elections, Mr. Kozubowski, the Gentleman



from Cook."

Kozubowski: "Mr. Speaker, I would defer to Representative Schraeder."

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

Schraeder: "Mr. Speaker, this is the Primary Election Bill, it cleared the House on a 136 to 8... went to the Senate on 48 to nothing, we're asking for concurrence on two Amendments, everybody seems to be happy with them and I would move that we do concur with Senate Amendments 1 and 2, on House Bill 3844, so we can send it to the Governor."

Speaker Bradley: "The Gentleman... discussion? The Gentleman from Madison, Mr. Byers."

Byers: "Mr. Schraeder, would you explain what the Amendments do?"

Speaker Bradley: "I won't but maybe Mr. Schraeder will."

Schraeder: "Basically, the first one covers the weighted vote of the precinct committeeman and the second one covers the situation in Kankakee County which covers the County Board Districts going into parts of one or more precincts."

Speaker Bradley: "Now, the Gentleman moves to... that the House does concur with Senate Amendments #1 and 2, to House Bill 3844. All those in favor... the Gentleman from Kankakee, Mr. Ryan."

Ryan: "Would the Gentleman yield?"

Speaker Bradley: "He indicates that he will."

Ryan: "Well, Representative Schraeder, will you run by what these Amendments do again, what does this do to Kankakee County and can you justify..."

Schraeder: "Well, since it was your Senator that put the Amendment on, I suppose...."

Ryan: "Oh, no it's not my Senator... not my Senator."

Schraeder: "I understand that you're work in conjunction with him so... same difference."



Ryan: "Shows how mixed up you are most of the time."

Schraeder: "Well... that's very complimentary and I appreciate that very much, Mr. Ryan, I'm sure that there will be some day that you'll regret that but I won't take your apologies. No apologies necessary. Number one provides for weighted vote of the precinct committeeman. The second one coves that the County Board District shall not go into more than one precinct, in other words split a precinct in half. Apparently that happened in Kankakee County and they were trying to eliminate that."

Ryan: "The division of precincts, is that what you're saying."

Schraeder: "Yes, the County Board districts went into part of more than one precinct, in other words they split it in half."

Ryan: "Yeah, that's right in compliance with one man, one vote rule I believe."

Schraeder: "I don't know why it was done but, that was..."

Ryan: "Well, does this Amendment comply with that?"

Schraeder: "I believe it does, I... nobody said that it did not."

Ryan: "How can that be, if you can't split a precinct?"

Schraeder: "By districting within the requirement of five to eight hundred voters per precinct, I see no reason with that... no problem."

Ryan: "Well, I oppose the concurrence of the Amendment."

Speaker Bradley: "The Gentleman from..."

Schraeder: "I move concurrence in Amendment #1..."

Speaker Bradley: "The Gentleman from LaSalle, Mr. Anderson."

Anderson: "Will the Sponsor yield?"

Speaker Bradley: "He indicates he will."

Anderson: "Representative Schraeder, Senator Bloom's Amendment I remember seeing it and there was something about fifty-five days in there, can you explain that to me."

Schraeder: "That's so that the... after the nominees stick by the party... that the party will nominate... make the



nomination then notify the proper authorities so they will be on the ballot."

Anderson: "Now, this is for what... is this for..."

Schraeder: "This is for any vacancy in County Office, County Board Members or County Officers."

Anderson: "Well, it has nothing to do with the Central Committee itself, the governing..."

Schraeder: "No, none whatsoever."

Anderson: "Thank you."

Speaker Bradley: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "This kinda elementary but where is this on the Calendar, I can't find it."

Speaker Bradley: "It's supplemental, Sir."

Friedrich: "Okay."

Speaker Bradley: "Supplemental #1. The Gentleman from Cook, Mr. Telcser."

Telcser: "Will the Sponsor yield?"

Speaker Bradley: "He indicates he will, Sir."

Telcser: "Representative, is this for the entire State?"

Schraeder: "Yes, Sir. We didn't exclude anyone, doesn't everyone want to be treated fairly so that they would save probably anywhere from two million in Cook County to three million in Cook County... to my county which is forty thousand dollars... to other smaller counties at least thirty to thirty-five thousand. In other words this is just to save the taxpayer 'x' number of dollars for a special primary when there may only be one candidate per party."

Telcser: "Well, that's the Bill I'm talking about, your Amendment. Your Amendment has something to do with precincts and numbers of voters in precincts... the Amendment that you want us to concur with."

Schraeder: "That was the question that your colleague asked..."

Telcser: "Well, pardon me... there was too much noise around here. My question is, will that affect the whole State



the precinct division?"

Schraeder: "The Bill covers the whole State, the Amendments and the whole thing... yes."

Telcser: "The Amendment that you want us to concur with is a statewide Amendment? The precincts throughout the State."

Schraeder: "No, it has nothing to do with precincts directly. It has to do with the elimination of a primary and by the precincts we're saying the County Board make up shall not be by division of a precinct, that's where that comes in. So when the County Board District wouldn't split a precinct into two make the balance."

Telcser: "Well, I would like to support it but I'm not really quite sure what you mean by it, so I'm not going to vote for it unless you want to put it off till Tuesday or something... or Monday."

Schraeder: "Well, this is extremely important and I'm going to go with it because I think we're talking about... some of the counties have already filed... most of the counties and there are some fourteen involved now, have already directed that the election be set... I think time is at an essence, we've been trying to get this through since April, it's important to my county in the value of forty thousand dollars and if that value isn't worth it to the other people in House and there are fourteen counties, each one of them directly involved... Cook County... if you remember last year a primary requirement and we voted Legislation to avoid that, to save Cook County some two to three million dollars whatever the... I'm requested to say eight million. I think this is an extremely important, it doesn't hurt anybody... it saves every county a special primary election when a vacancy occurs after the... by death of a person in office and if you want a special primary, you want to pay for it then you vote against the two Amendments, if you don't



want to have a primary then you vote for it and I would move for concurrence Amendment #1, and 2."

Speaker Bradley: "The Gentleman from Cook, Mr. Telcser."

Telcser: "Representative... Representative Schraeder, I'm getting all kinds of input, I'm not sure what's right.

Does the Amendment only affect one county? The Amendment."

Schraeder: "No, the Amendment is part of the Bill and it affects all counties. Let me say this, I understand it..."

Speaker Bradley: "Just a minute... the Gentleman from Will, Mr. Kempiners, on a point of order."

Kempiners: "Thank you, Mr. Speaker. Yes, it is... and it's a point of order, are we not suppose to have some report on our desk when this matter is brought up, so that each of the Members who is asking question might know what's in the Senate Amendments?"

Schraeder: "Mr. Chairman, the Amendments have been on the desks almost all afternoon, the supplement has been on the desk all afternoon."

Kempiners: "Okay, I want you to... the things that I received today and I did not find it..."

Schraeder: "It is very definitely on your desk. In answer to your question, Representative Telcser, I understand that this division of precinct only effected part of Kankakee County, I can't say that the rest of them are involved because I don't know but I know that Kankakee, was involved."

Telcser: "Okay, why is only Kankakee involved and not the rest of the State."

Schraeder: "Because I understand, Kankakee County is the only one that has a division of Board of Supervisors within a double precinct."

Telcser: "If it is only Kankakee County, it must be a local matter, let them decide locally and if we're going to do something here lets do it statewide, what's good in one county is good all over the State."



Schraeder: "Mr. Speaker, this Bill is extremely important to my county because it will save me forty-five thousand dollars..."

Speaker Bradley: "Just a minute Mr. Schraeder, are you closing, Sir? You can't close..."

Schraeder: "I'll close then."

Speaker Bradley: "There are other people who want to debate this."

Schraeder: "I want to take it out of the record, if you give me a chance to."

Speaker Bradley: "Do you want to take it out of the record?"

Schraeder: "Well, I think Mr. Speaker, we've got..."

Speaker Bradley: "The Gentleman want..."

Schraeder: "Take it out of the record."

Speaker Bradley: "Take it out of the record. All right now, Mr. Beaupre, on a motion. On the motion, Sir?"

Beaupre: "I have to find my motion, Mr. Speaker. Mr. Speaker, I move to discharge the Rules Committee and ask that House Bill 3632, be reassigned by the appropriate Committee or to the appropriate Committee by the Committee on assignment of Bills. This motion has been cleared by the Leadership on both sides of the aisle and I would ask unanimous consent."

Speaker Bradley: "Does the... the Gentleman moves to discharge the... The Gentleman from Cook, Mr. Lechowicz, on the Gentleman's motion."

Lechowicz: "What was that number, Mr. Speaker?"

Speaker Bradley: "Repeat that number, Sir."

Beaupre: "3632."

Lechowicz: "What does the Bill do?"

Beaupre: "This is a Bill that deals with a court decision that was rendered by the Supreme Court within the last two months, which negated the long standing rule of the Revenue Committee in regard to the tax exemption of



rolling stock, and the Bill is to correct the statutory language to bring it into compliance with the Supreme Court decision... it is basically a housekeeping matter, Ted, and I've cleared this with both sides of the aisle."

Lechowicz: "Thank you, very much."

Speaker Bradley: "Does the Gentleman have unanimous consent? The Gentleman from McHenry, Mr. Skinner."

Skinner: "I certainly have no objection to the motion that he's making... the specific motion, I just wonder if indeed it is legal to discharge the Rules Committee, I have never seen it done before..."

Speaker Bradley: "Do you object, Sir?"

Skinner: "No, I'm asking whether it is within our rules that we can discharge the Rules Committee."

Speaker Bradley: "The Gentleman from Cook, Mr. Shea, the Majority Leader."

Shea: "It would seem to me with unanimous consent... that is in effect, the Rules Committee sending it to the floor."

Speaker Bradley: "Hearing no objection then, on the Gentleman's motion to discharge the Committee. The Gentleman's motion prevails and we will use the Attendance Roll Call. All right now, the Gentleman from DuPage, Mr. Daniels, for the purpose of a motion."

Daniels: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I ask unanimous leave of the House to discharge the Counties and Township Committee on House Bill 3976, and place it on the order of Second Reading, First Legislative Day. This motion has been cleared with both sides of the aisle, the Chairman of Counties and Townships, Mr. Yourell, and the Minority Spokesman, Representative McMaster."

Speaker Bradley: "The Gentleman from Cook, Mr. Yourell."

Yourell: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I agree with the motion made by Represent-



ative Daniels, on House Bill 3976. This particular Bill received a rather extensive hearing in our Committee last... this week, as subject matter to be considered in the Committee Bill and passed out in that posture with a vote of 14 to 4, and I really can't see delaying the process by having it come back to Committee, because I'm certain it will come out... and so, I move to support Representative Daniels' motion."

Speaker Bradley: "Does the Gentleman have leave to discharge the Committee on House Bill 3776... hearing no objections... 3976, I'm sorry. Hearing no objection... Mr. Barnes, at Emil Jones..."

Barnes: "I don't have any particular objection but, I would like to know what it does."

Speaker Bradley: "Mr. Daniels, do you wish to..."

Daniel: "Yes, Mr. Speaker. This Bill gives the authority to the County Board by proper Resolution to levy a tax for the construction and reconstruction of court house facilities."

Speaker Bradley: "All right, again the Gentleman moves... are there any objections? Hearing no objection, we will use the attendance Roll Call and the Gentleman's motion prevails. Any other announcements? The Gentleman from Kane, Mr. Hill."

Hill: "Mr. Speaker, the Membership should be informed that there is a mistake on the Calendar today. It says that the Labor and Commerce Commission will meet at 10 o'clock Tuesday morning, that is wrong... it should be Wednesday morning, and I think that there are other mistakes in those Committee assignments, about four or five, so the Chairman had better look at them to correct them."

Speaker Bradley: "The Gentleman from Cook, the Majority Leader, Mr. Shea. For what purpose does the Gentleman from Kankakee, Mr. Ryan, rise?"



Ryan: "Well, I didn't know if he was going to move to adjourn or not."

Speaker Bradley: "No, Sir."

Ryan: "Well, he can go ahead then, I'll wait."

Speaker Bradley: "All right, Mr. Shea."

Shea: "On those concurrences?"

Speaker Bradley: "On the order of concurrences appears House Bill 3353 and House Bill 3363. The Gentleman from Cook, Mr. Shea, the Majority Leader."

Shea: "Mr. Speaker, on House Bill 3353, I move that the House do concur in Senate Amendment #1, to that Bill. It transfers a million, seventy-five thousand dollars from operations to grant and it adds two hundred and eighty-eight thousand dollars to Federal Funds, and I move that the House do concur in Senate Amendment #1, to House Bill 3353. This is a supplemental appropriation of the Department of Children and Family Services."

Speaker Bradley: "Any discussion? If not, the Gentleman moves that the House does concur in Senate Amendment #1, to House Bill 3353. All those in favor will signify by voting 'aye', opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 118 'ayes', no 'nays', and none voting 'present' and the House does concur in Senate Amendment #1, to House Bill 3353. House Bill 3363, on the order of concurrence, the Majority Leader, Mr. Shea."

Shea: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3363, as it left here was a supplemental appropriation to the Comptroller's Officer, Section 2, was added in the Senate... that Section would provide for the compensation of Regional Superintendents and Assistants as provided by law and that is in the amount



JUN 04 1976

141.

of four hundred and seventy-eight thousand dollars. I would move that the House do now concur in Senate Amendment #1, to House Bill 3363."

Speaker Bradley: "The Gentleman moves that the House concur in Senate Amendment #1, to House Bill 3363. All those in favor will signify by voting 'aye', opposed by voting 'nay'. The Gentleman from Knox, Mr. McGrew."

McGrew: "Would the Gentleman yield... I was trying to get your attention..."

Speaker Bradley: "I'm sorry, Sir. I think that he indicates that he will."

McGrew: "Is this money then to pay the Superintendents and their Assistants that we voted a pay raise, last Session?"

Shea: "This is their annual salary from what Mr. Lechowicz, tells me."

McGrew: "Yes, but they received a raise from this General Assembly and this would be the money that was included in that raise, would it not?"

Shea: "Yes."

McGrew: "Okay, thank you."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? On this question there are 107 'ayes', 1 voting 'nay', 1 voting 'present', and the House does concur in Senate Amendment #1, to House Bill 3363. Now..."

Shea: "Mr. Speaker, I would move that the House now recess so that we may get to the Second..."

Speaker Bradley: "The Gentleman from Kankakee, Mr. Ryan, what purpose do you rise, Sir?"

Ryan: "Mr. Speaker, I would withdraw my objections to Representative Schraeders 3844 and if he wants to call it, I withdraw my objections...."

Speaker Bradley: "Mr. Schraeder, on 3844."

Schraeder: "Well, thank you, Mr. Ryan, you're a Gentleman... I take back everything I thought about you."



GENERAL ASSEMBLY

STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

JUN 04 1976

142.

Speaker Bradley: "Wait a minute, the Gentleman from Grundy now, Mr. Washburn."

Washburn: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. And, I'm as anxious to get out of here as anybody is... but, I think a little should be said on this Bill, 3844. Representative Schraeder, introduced it, it was a strictly non-political Bill, it was to help fourteen counties, I believe that have vacancies in the county. It went through here, I believe with an unanimous vote or near unanimous, if it wasn't. It went over to the Senate and they by-passed Committee and tried to rush it through and this was about three weeks ago and when it got up to Second Reading in the Senate, the Democratic Senator from our district tacked a couple of political Amendments on it, and they are political, Representative Schraeder, as you well know... directed at Representative Ryan, and myself and that's the reason for the hang up on this Bill and I want the Bill because my county is affected, it has a vacancy and I appreciate Representative Ryan... taking a beating on it as he has taken and stepping aside graciously and let this Bill go through."

Speaker Bradley: "The Gentleman from Kankakee, Mr. Beaupre."

Beaupre: "As much as I respect the Minority Leader, I must interject here and point out that the Amendment that was offered in the Senate by the Senator from my district was not a political Amendment and I want everyone on the House floor to understand that, and to make it very clear. The fact is, that Kankakee County was the only county in the State effected because some time ago when the one man, one vote rule came into effect and County Boards were reapportioned incumbent Republican County Member on the County Board, incumbent Republican County Board Member were gerrymander into certain districts and



they did that by splitting up precincts. The fact is that, that Amendment had to go on in defense of the Senator that was referred to. It is a good government Amendment... Kankakee County should conform to every other county in the State in regards to how they proportion county board members and there is nothing political about it."

Speaker Bradley: "The Gentleman from Macoupin, Mr. Boyle, and I'm happy to see that we don't have any political conflicts between the two.. Gentleman from Kankakee, Mr. Boyle."

Boyle: "I would like to ask the Gentleman a question."

Speaker Bradley: "Representative Schraeder... he indicates that he will yield."

Boyle: "It's my understanding that over in the Senate, an Amendment was placed on this Bill which would authorize and provide for the County Board to make a decision as to whether or not there would be an election, is that correct?"

Schraeder: "Yes, that was made here... that was one of the original..."

Boyle: "That was a House..."

Schraeder: "That was a House Bill that would give the County Board the option, if they still wanted to have the election, they could do so."

Boyle: "All right now..."

Schraeder: "It's only this year... only this year."

Boyle: "Right, well that forecloses the next question. I was wondering what would be the situation... what would exist in those counties of the State of Illinois, where they have already advertised for the election, for County Board Member or for County Officer, had the petitions have already been passed and the time for filing has been foreclosed and the nominees are properly



filed. Now, are we in a position now that we are telling those counties that they won't be able to have the primary or are we in the position where we're saying to those counties, it's up to the County Board to decide whether or not you're going to have a primary."

Schraeder: "Well, there were two opinions by the Attorney General, and both of them were in agreement with each other, basically, that the Boards had already set their elections were not conforming to the law because of the date that they had picked. And, so those that have even filed petitions are not filed legally, so they are out of order under any condition. Cause the elections would have to be held in September and not any date before then."

Boyle: "Well, that was my next question you're anticipating then in the order of sequence that the... as I understand it, the Attorney General has ruled that September 14, is primary, is that correct?"

Schraeder: "That is correct."

Boyle: "And, so any county which has authorized the county officials to file petitions prior to the 14th of September, as far as the Attorney General is concerned, the election would be illegal anyhow, is that not correct?"

Schraeder: "That's right and I assume from that null and void."

Boyle: "All right so, now we can say if we pass this Bill and it goes to the Governor, that before anything further occurs.... assume that the Governor would assign the Bill, before anything further would occur the County Board of the respective counties would have to act, either to opt in or to opt out, is that correct?"

Schraeder: "It's a one way street, they would have to opt in."

Boyle: "Well, would you explain that further... what do you mean by opt in."



Schraeder: "In other words, they would have to initiate by Resolution ordinance to have the primary this year."

Boyle: "In other words, unless the County Board acts... there won't be a primary, is that right?"

Schraeder: "No, there will not be unless they act."

Boyle: "So, in order words, they would have to have a Resolution filed to..."

Schraeder: "Mr. Boyle, if you want to, we have a dialogue here I believe, if you want to address the Amendment..."

Boyle: "I think it's a very important dialogue, Mr. Speaker."

Schraeder: "Pardon me."

Boyle: "I think it's is very important, I'm trying to find out how the Bill is, where on concurrence, it's my understanding... around here a few years, concurrence is final action is that not correct and I trying to find out how the Bill is, its been amended over there... .. won't answer my questions to my satisfaction, so I won't persist, okay."

Schraeder: "Thank you."

Speaker Bradley: "The Gentleman from Cook, Mr. Huff."

Huff: "Thank you, Mr. Speaker. I know ~~this~~ is a little belated but, I would just simply like to ask leave to discharge the Committee on Rules."

Speaker Bradley: "Representative, at this time we're on concurrence now, I'll get back to you in a minute, Sir."

Huff: "Thank you."

Speaker Bradley: "All right now, the Gentleman from Peoria, Mr. Schraeder, moves that the House does concur in Senate Amendment #1 and #2, to House Bill 3844. All those in favor will signify by voting 'aye', opposed by voting 'no'. I'm sorry, I thought that he had spoken and we certainly won't want to offend the Minority Leader, the Gentleman from Grundy, Mr. Washburn."

Washburn: "Well, I just wanted to explain my vote, Mr. Speaker and Ladies and Gentlemen of the House. And, in explaining



my vote I want to point out the fact that Senator Joyce was contacted several times and asked and pleaded to... if he had to attach these Amendments or one of these Amendments to go through, to attach them to another election Bill of some kind and not defeat the purpose of this one, to save fourteen counties in the State of Illinois, a tremendous amount of money. Peoria County about fifty thousand, I think in my own county around thirteen thousand and he absolutely refused, he wanted those Amendments on this Bill and no other Bill. I wanted to make that clear."

Speaker Bradley: "Have all voted who wished? Have all voted who wished? On this question we have... the Clerk will take the record. On this question we have 103 'ayes', 4 'nays', 2 voting 'present' and the House does concur with Senate Amendments #1 and #2, to House Bill 3844. Now, the Gentleman from Cook, Mr. Huff."

Huff: "Thank you, Mr. Speaker. As I was going to say, I'm asking leave to discharge the Committee on Rules and to place on the Calendar under the order of House Bills, Second Reading, First Legislative Day, House Bill 3769, which is a labor Bill and I had talked with Representative Giorgi and Representative Washburn about this some time before. All the Bill simply does is clarify some technical language in the Unemployment Security Act between the base period employer and the claim adjudicator."

Speaker Bradley: "All right, the Gentleman moves the discharge of the Committee on House Bill 3769, are there any objections? Hearing none, we will use the attendance Roll... The Gentleman from Grundy, Mr. Washburn."

Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I don't recall you talking to me about this Bill."

Huff: "Yes, Mr. Washburn, I talked with you... oh, some weeks ago it was a Labor Bill..."



JUN 04 1976

147.

Washburn: "Weeks ago... I regret to say publicly although most of you know I have a shorter memory a few weeks ago, I had a few other things on my mind and..."

Huff: "I will try and refresh your memory."

Washburn: "I would hope that you would hold it until Monday."

Speaker Bradley: "Mr. Huff, would you hold the motion until Monday and work it out with the Minority Leader, Sir."

Huff: "Okay, thank you."

Speaker Bradley: "All right now, the Gentleman from Cook, the Majority Leader... just one minute, Senate Bills, First Reading."

Clerk O'Brien: "Senate Bill 1711, Dan Houlihan. A Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1610, Merlo. A Bill for an Act to provide for the ordinary contingent expenses of the Department of Insurance. First Reading of the Bill. Senate Bill 1726, Richmond. A Bill for an Act to amend an Act relating to State Finance. First Reading of the Bill."

Speaker Bradley: "Now, the Majority Leader, Mr. Shea, the Gentleman from Cook."

Shea: "Mr. Speaker, I move that the House do now stand adjourn until 1 o'clock, on Monday."

Speaker Bradley: "The Gentleman... All those..."

Shea: "One o'clock in the afternoon on Monday."

Speaker Bradley: "All those in favor of the Gentleman's motion say 'aye', opposed 'no'. The Chair is unable to determine... The House stands adjourned until Monday at one o'clock."

Speaker Bradley: "Second Special Session. The Gentleman from Cook, Mr. Shea."

Shea: "Mr. Speaker, I move that the attendance Roll Call of the Regular Session be used as the Roll Call in the Second Special Session."



Speaker Bradley: "The Gentleman moves that the attendance Roll Call of the Regular Session be used for the Second Special Session. All those in favor of the Gentleman's motion say 'aye', opposed 'no', the 'ayes' have it and the Roll Call... will use the Roll Call for the Regular... for the Special Session."

Shea: "Are there any motions on the desk?"

Speaker Bradley: "Motions..."

Clerk O'Brien: "Motions. Pursuant rule 63 (a), I move to take House Bills 127 of the Second Special Session from the Table, Representative Kempiners."

Shea: "Mr. Speaker, on a point of order. How many votes does that take?"

Speaker Bradley: "107... Mr. Kempiners, do you wish to call that at this time?"

Kempiners: "Well, if I could have the attendance Roll Call, I would be more than happy too."

Speaker Bradley: "I think objections have been heard."

Kempiners: "I think I'll just leave that motion on the Calendar."

Speaker Bradley: "Now, Mr. Shea."

Shea: "Is there an adjournment Resolution there?"

Speaker Bradley: "Till Monday."

Shea: "Then I move that the House... that the Second Special Session, of the 79th General Assembly do now stand in adjournment until after the adjournment of the Regular Session on Monday, June 7."

Speaker Bradley: "All those in favor of the Gentleman's motion say 'aye', opposed 'no', the 'ayes' have it and the Second Special Session stands adjourned."

