

Heckenkamp: "All those not entitled to the floor, will you please to the gallery?"

Speaker Redmond: "Turn the doorkeeper's microphone on."

Heckenkamp: "All those not entitled to the floor, will you please go to the gallery?"

Speaker Redmond: "The House will come to order and the members will please be in their seats. The House will be lead in prayer by the Reverend Krueger, the House chaplain."

Krueger: "In the name of the Father, the Son, and the Holy Ghost. Amen. Bless this House to Thy service this day. Amen. Someone said "where man goes hereafter depends upon what he has been after here". Let us pray. This is a prayer adopted from a prayer published in 1891 by Zach Martinol. Almighty Lord whose righteous will all things are and were created, Thou has gathered our people into a great State and sent them to sow beside all waters and multiplied Your dwellings on the earth. Deep in the route of our life and everlasting righteousness make us equal to our high trust, reverent in the use of freedom, just in the exercise of power, generous in the protection of weakness. To our legislators and counselors, give insight and faithfulness that our laws may speak clearly to the right and our judges dearly interpret them. May wisdom and knowledge be in the stability of our times and our deepest trust in Thee, the Lord of all and the King of kings. Amen."

Speaker Redmond: "Roll call for attendance. Order of business, Consent Calendar, Second Reading, Second Day."

Jack O'Brien: "Senate Bill 27. A Bill for an Act to provide medical insurance for newborn children. Second Reading of the Bill. House Bill 828. A Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill."

Speaker Redmond: "House Bills' Second Reading appears House Bill 260. Is the sponsor....? We will proceed on 260. There is no amendment and the sponsor is here."

Jack O'Brien: "House Bill 260. Kosinski. A Bill for an Act to amend the Code of Criminal Procedures. Second Reading of the Bill."

Speaker Redmond: "Take that out of the record, there's a floor amendment,



I understand. Representative Leon on 937. Are there amendments on that? 937."

Jack O'Brien: "House Bill 937. Leon. A Bill for an Act to amend the Public Utility Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any amendments from the floor? Third Reading. House Bill 938."

Jack O'Brien: "House Bill 938. Leon. A Bill for an Act to amend the Electric Supplier Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any amendments from the floor? Third Reading. House Bill 930, 993, Representative Darrow."

Jack O'Brien: "House Bill 993. Darrow. A Bill for an Act making appropriations to the Department of General Services for certain expenses of State government. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any amendments from the floor? Third Reading. Messages from the Senate."

Jack O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of bill with the following title to wit: House Bill 307 passed by the Senate as amended April 17, 1975. Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed bills with the following titles, the passage of which I am instructed to ask concurrence of the House of Representatives to wit: Senate Bills 332, 351, 368, 385, 420, 426, 431, 455, 513, and 631, passed by the Senate April 17, 1975. Kenneth Wright, Secretary. Committee Reports. Mr. Yourell from the Committee on Counties and Townships to which House Bills 450, 451, 724, and 725 were referred, reported the same back with the recommendation that the bills do pass, and be re-referred to the Committee on Assignment of Bills. Mr. Yourell from the Committee on Counties and Townships to which House Bill 229, 640, 641, and 973 were referred, reported the same back with the recommendation that the bills do pass. Mr.

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



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Yourell from the Committee on Counties and Townships to which House Bill 664 and Senate Bill 19 were referred, reported the same back with the recommendation that the bills do pass. Consent Calendar. Mr. Yourell from the Committee on Counties and Townships to which House Bill 881 was referred, reported the same back with amendments thereto with the recommendation that the amendments be adopted and the bill, as amended, do pass. Consent Calendar. Mr. Yourell from the Committee on Counties and Townships to which House Bill 563 and 601 were referred, reported the same back with amendments thereto with the recommendation that the amendments be adopted and the bills, as amended, do pass. Mr. Yourell from the Committee on Counties and Townships to which House Bills 652, 653, 877, 878, 879, and 880, were referred, reported the same back with the recommendation that the bills do not pass. Mr. Matijevich from the Committee on Executive to which House Bills 746 and 781 were referred, reported the same back with the recommendation that the bills do not pass. Mr. Matijevich from the Committee on Executive to which House Bills 1263 and 1264 were referred, reported the same back with the recommendation that the bills do pass and be re-referred to the Committee on Assignment of Bills. Mr. Matijevich from the Committee on Executive to which House Bills 501, 529, and 604 were referred, reported the same back with amendments thereto, with the recommendation that the amendments be adopted and the bills, as amended, do pass. Mr. Londrigan from the Committee on Motor Vehicles to which House Bills 146, 153, and 829 were referred, reported the same back with the recommendation that the bills do pass. Mr. Londrigan from the Committee on Motor Vehicles to which House Bill 1162 was referred, reported the same back with amendments thereto with the recommendation that the amendments be adopted and the bills, as amended, do pass."

Speaker Redmond: "Representative Getty. Representative Berman.

Rep...a...1147. Are there any amendments on that? Representative O'Daniel's on the floor? Representative Berman."

Berman: "A...would you...a...pass that because there is an amendment being prepared on that one."

Speaker Redmond: "Pass, take that one out of the record. Is Pierce here? Rigney here? I guess you have an amendment on that bill of



your's too, don't you? Representative Williams, 486. Take that one out. Representative Duff in the chambers? Representative Hart? Representative Friedrich? 182, are there any amendments on that Representative Fleck? House Bill 182. 182. You were a little late this morning."

Fleck: "There's no amendments on it, Mr. Speaker."

Speaker Redmond: "Any amendments from the floor?"

Jack O'Brien: "House Bill 182. Friedrich. A Bill for an Act to amend the Inheritance Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: Any amendments from the floor? Third Reading. Representative Rayson on the floor? Representative Hirschfeld here? Representative Coffey here? Representative Hanahan here on 622? Representative Keller here on 803? Representative Keller? Representative O'Daniel? I guess we have 747, which shows to have an amendment. Mr. Clerk, 747?"

Jack O'Brien: "House Bill 747 has been read a second time previously."

Speaker Redmond: "Has a note been furnished, Mr. Clerk?"

Jack O'Brien: "And...a...Amendment No. 1 was adopted and it was held on Second Reading."

Speaker Redmond: "Has the fiscal note been furnished?"

Jack O'Brien: "No fiscal note attached."

Speaker Redmond: "Representative Rigney, it appears that 747, the amendment was adopted, but there's nothing to indicate that a fiscal note was requested. Was there one requested? A fiscal note has been filed to House Bill 747. Any amendments from the floor? Third Reading. I understand through inadvertence that some switches were thrown indicating members present that are in various stages of disability and one thing or another, so I would suggest that we vote our switches again and be very careful that we don't vote somebody who isn't here. Roll call for attendance. Representative Lechowicz, for what purpose do you rise?"

Lechowicz: "Mr. Speaker, would you kindly have the record indicate that Representative Choate is absent because of a death in his family?"

Speaker Redmond: "Any objections? The record will so show. House Bills'



Third Reading. House Bills' Third Reading appears House Bill No. 1."

Jack O'Brien: "House Bill 1. A Bill for an Act in relation to the settlement of differences between public employees. First...Third Reading of the Bill."

Speaker Redmond: "Representative Hanahan. Is Representative Hanahan in the chambers? Take it out of the record. House Bill 144."

Jack O'Brien: "House Bill 144. Porter. A Bill for an Act to authorize and regulate the storage of guns for safekeeping. Third Reading of the Bill."

Speaker Redmond: "Representative Porter. Take it out of the call. House Bill 357."

Jack O'Brien: "House Bill 357. Maragos. A Bill for an Act to amend an Act concerning public utilities. Third Reading of the Bill."

Speaker Redmond: "Representative Maragos. Representative Hudson, I see you are a co-sponsor of 357. Take that one out of the record. House Bill 439. 439."

Jack O'Brien: "House Bill 439. Simms. A Bill for an Act to amend Sections of an Act to provide into law in relation to coroners. Third Reading of the Bill."

Speaker Redmond: "Representative Simms."

Simms: "A...Mr. Speaker...a...I think Represen...a...I would like to have leave to take this bill back to the order of Second Reading for the purposes of an amendment, which Representative Matijevich will offer."

Speaker Redmond: "I would call the sponsor's attention to the fact that this bill dies on 4-23, which is day after tomorrow. Representative Matijevich?"

Matijevich: "Yes, Mr. Speaker, I think we can put the amendment on and still meet the deadline. A...I'm going to offer Amendment No. 1 to House Bill 439...a...its been discussed when we had the bill...a... before...a...what it does...a...a...it would mean that all the coroners would be provided with information of death...a...provided with notice of death of those who are in...a...mental institutions or in private facilities, but wards of the State. And then if the coroners have reason to believe that there's been negligent care...a... of such...a...a...ward of the State which caused their death, then



they can so investigate. I move for the adoption of Amendment No. 1 to House Bill 439."

Speaker Redmond: "Representative Matijevich...."

Matijevich: "Or Amendment No. 3, I believe it is."

Speaker Redmond: "We have not yet returned House Bill 439 to the order of Second Reading."

Matijevich: "Oh, well we better do that first."

Speaker Redmond: "Somebody so move. Representative Simms moves that it be returned to the order of Second Reading for the purpose of an amendment. Any objections?"

Jack O'Brien: "Amendment No. 3. Matijevich. Amends House Bill 439 on page 1, line 23, by deleting or and inserting in lieu thereof and so forth."

Speaker Redmond: "Representative Matijevich. Same explanation?"

Matijevich: "Same explanation, I move for the adoption of Amendment No. 3 to House Bill 439."

Speaker Redmond: "Representative Simms."

Simms: "A...Mr. Speaker, Ladies and Gentlemen of the House, I would concur in Amendment No. 3. I feel this...a...is a better language to the bill, and I think it solves many of the problems that some of the legislators could have with the wording and...a...I would urge the adoption of the amendment along with Representative Matijevich."

Speaker Redmond: "The question is on the adoption of the amendment. All in favor of the adoption indicate by saying aye, opposed, no, the ayes have it, the amendment is adopted. Third Reading. House Bill 422. Representative Duff? Not in the chambers. House Bill 77. Representative Duester."

Jack O'Brien: "House Bill 77. Duester. A Bill for an Act to amend Sections of an Act in relation and ratification of the proposal of amendments to the Constitution of the United States of America. Third Reading of the Bill."

Speaker Redmond: "Representative Duester."

Duester: "Mr. Speaker, you may recall, this bill was moved to Third Reading because...a...another Representative wanted to offer an



amendment to the bill and even though I violently oppose the amendment, I agreed that...a...I would take it back to Second Reading when we ever got to that, and when the amendment was filed...I see Representative Lundy on the floor, and...a....its a very important subject, I don't want to proceed with...a....not an awful lot of members here, but I suppose we ought to, and I'm willing to go ahead if Representative Lundy is. He indicates he is, so I would ask Leave to return this to the order of Second Reading for the purpose of considering one amendment, which Representative Lundy has filed."

Speaker Redmond: "Any objections? Hearing none, it will be returned to the order of Second Reading for the purpose of an amendment. Read the amendment."

Jack O'Brien: "Amendment No. 1. Lundy. Amends House Bill 77 in line 1 by deleting the word "amend" and inserting in lieu thereof the word "repeal" and so forth."

Speaker Redmond: "Representative Lundy."

Lundy: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Amendment No. 1 to House Bill 77 would change the bill from an amendment of an existing statutory provision governing the number of votes required in either house of the legislature to ratify an amendment to the federal Constitution. We changed that bill into a simple repealer bill. Now the reason for repealing this statutory provision is that both the State Attorney General in two separate opinions, and the federal court...a...for the Northern District of Illinois, indicated that the houses, the two houses of the General Assembly may not be bound by a statutory provision or, indeed, by a State Constitutional provision in determining the proper number of votes required in the ratification process, and therefore, it seems to me to make sense to simply take the existing provision off of the books rather than trying to amend it. I might say that earlier, or late last year, it was recommended by the Reference Bureau that this...a...provision be repealed and...a...the House decided not to do that because the provision was then involved in some litigation. That litigation is now terminated and it seems to me that it is appropriate at this time to do what the Reference



Bureau recommended we do last year, and that is simply repeal the provision, and that's what this amendment would do, it would change the bill from an amendment bill into a repealer bill. I'd be glad to respond to any questions about it."

Speaker Redmond: "Any questions of the sponsor of the amendment? Any discussion? Representative Duester."

Duester: "Well, Mr. Speaker, as sponsor of the bill, I'd like to strongly vote...urge a vote against this amendment. This amendment would not only emasculate the bill, but it would deflower it and debauch it, and just reverse the direction of the bill. A...this came out with a committee recommendation, do pass. This amendment would just repeal the Act instead of require that there be a 3/5's vote. A...I would like, on Third Reading,...a....for those who have views one way or another, they can vote yes or no, but with respect to the amendment, I hope that you will help defeat this amendment so the bill will stay as it emerged from committee, simply conforming the statute to the Illinois Constitution, and that is with respect with all Constitutional amendments, a 3/5's vote would be required. And I hope you will allow the bill to stay in the form which it was introduced and supported by the committee, I urge a red light and a no vote on this bad amendment which would destroy the bill."

Speaker Redmond: "The question is on the adoption of the amendment.

All those in favor of the adoption vote aye, those opposed, vote no. Roll call vote. Have all voted who wished? Representative Lundy."

Lundy: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, since I did not have an opportunity to close on this amendment, I thought I would take the time of the House to explain my vote. The reason for voting yes on this amendment is simply to conform Illinois statutory law to what the courts have said is required under the Constitution and that is that each House of the General Assembly shall be free to set its own rule as to what it thinks ought to be required to ratify a proposed amendment to the U. S. Constitution. Now if you defeat this amendment, what you'll be doing is keeping in the law a requirement that sets a certain majority, and that derogates from the right of each House of the General Assembly to set its own



rule. But the State Attorney General, Bill Scott, has said in two separate opinions that the...a...that the legislature can't be restricted by statute as to what majority is required, nor can it be restricted by even the State Constitution. And if you don't adopt this amendment, you will be attempting to do something which the State Attorney General has said is clearly contrary to the federal Constitution, which leaves it to each house of each legislature to decide what the proper majority requirement is. A... in addition, a....as I indicated, the Reference Bureau last year indicated that this...a...statutory provision which was enacted before the 1970 Constitution ought to be repealed because it was in conflict with that State constitutional provision and because, in any case, it wouldn't have been, it wouldn't be valid...a...even if it, even if it were conformed as Representative Duester is attempting to do here...."

Speaker Redmond: "Would the Gentleman bring his remarks to a close."

Lundy: "I think the Reference Bureau was right and I think that we ought to adopt this amendment and simply get this statutory provision off the books. It isn't operative anyway, it has no binding effect on the General Assembly, and I think we ought to take it out of the statutes and that's what this amendment would do and I solicit an aye vote for that reason."

Speaker Redmond: "Any further...Representative Dyer."

Dyer: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, I would like to explain my yes vote. This amendment should certainly be adopted. We have had two Attorney General opinions, we've had an opinion from the federal district court saying that the 3/5's majority requirement in our Constitution is invalid. It is ridiculous then to have a statute on the books that implements an invalid section of the Constitution. Sooner or later that's going to be taken out of the Constitution, and I think it looks very, really, unenlightened of this General Assembly, deliberately, to miss an opportunity to delete an unconstitutional statute. A...it makes us look very unintelligent to the voters, so I strongly recommend a yes vote on this amendment."

Speaker Redmond: "Any further...Representative Hudson."



Hudson: "Mr. Speaker and ladies and gentlemen of the House, it would seem to me that the situation here is being grossly misrepresented by those who would defeat and eviscerate ah... Representative Deuster's Bill. At no time, as far as my understanding goes, has the Supreme Court or any court, said that the 3/5's vote that we have in our Constitution is invalid. They have at no time said this. They have come up with opinions of various kinds that would allow flexibility true enough within your House Chambers, but they have in no way invalidated the 3/5's rule. It makes eminent good sense. I think what Representative Deuster here is trying to do is to ah... is to ah... peg down this situation once and for all. It's a good idea. I think that the amendment would ah... just absolutely destroy the concept that he has in mind. It would...."

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

Hudson: "So I would urge a 'no' vote."

Speaker Redmond: "Any further explanation? Representative Friedrich."

Friedrich: "I am voting 'no' on this for the very reason that the proponets have ah... expressed, ah... and that is the House has a right to decide what the majority shall be. I would point out to the Sponsors also that hopefully this week the Rules Committee will come in with a recommendation on this very point and they have a right to vote 'yes' or 'no' at that time also. I vote 'no'."

Speaker Redmond: "Any further explanations? Representative Catania."

Catania: "Thank you, Mr. Speaker and Members of the House. The Federal District Court has ruled that it is the privilege of the Illinois General Assembly to set its own rules on how many votes are necessary to ratify a Federal Constitutional Amendment. We are not voting here on rules, we are voting here on the statutes and this amendment proposes to eliminate a requirement in the statute. This merely complies with the courts decision, which says that it shall be the privilege of each subsequent General Assembly



to set its own House Rules or Senate Rules. So what Representative Lundy is asking for here is a green light so that each Body shall have that privilege. We certainly don't feel bound to operate for any great length of time under the rules that have been established by any previous General Assembly. We adopt temporary rules and then we feel free to make our own rules. Now we need green lights on here so that we can continue to have that same freedom of operation in future Sessions of this General Assembly."

Speaker Redmond: "Any further explanation? Representative Brinkmeier."

Brinkmeier: "Mr. Speaker and Members of the House, I don't want any misunderstanding here for those of you who know, I supported E.R.A. in the past. I plan to do it again, but I'd like to point out to the Members of this Body that if we go this route, what we are really saying is, if I understand it correctly, that the House can agree to go with a simple majority for a Constitutional Amendment. Now I think our forefathers, a couple of hundred of years ago, were very wise in determining that we shouldn't make it too easy to amend our Constitution. For that reason I believe that we should not go to a simple majority, that it should be just a little bit more difficult than that and for that reason I am voting 'no'."

Speaker Redmond: "Any further explanation? Representative Chapman."

Chapman: "Mr. Speaker, apparently there still is some ah... misunderstanding about what the amendment does. The amendment does not require 89 votes. The effect of the amendment, which Representative Lundy has proposed and which I support, is to repeal the present law which requires 89 votes in the House and 30 in the Senate for approval of an amendment to the U.S. Constitution. Voting for this amendment lets the House and the Senate make its own decision, which is the way the court says it should be and the way that I believe most of us think it should be. The House should make its decision and what one House does, does not bind the next House. If you vote against this amendment, hopefully you will vote against the Bill also then because the Bill is directly counter to what the Federal Court decision provides. The statutes should be silent on the number required to approve an amendment to the U.S. Constitution. In



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voting 'yes' today, you are not voting for 89 in the House and for 30 in the Senate, what you are voting for is that the statutes will be silent on this matter. Please vote 'yes'."

Speaker Redmond: "Any further explanation? Representative Dyer."

Dyer: "Mr. Speaker, I'm rising to a point of order in that I see a number of lights on this board of Members who are not in their seats and I would hate to take the time of the House at this point in time of demanding a varification on an amendment to a Bill on Second Reading, but if some of those lights don't go off right now, I'm going to be forced to do that. So at the proper time, I would like to ask for a varification."

Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker, I hope that we can end the delay on this and take the record. Those who feel strongly on this can vote on the Bill on Third Reading. All we're trying to do here is to keep it in the shape that it came out of Committee. This is just Second Reading. You will have another opportunity to vote on this and at that point it is very important ah... but at this time, it is just an amendment. I hope that all of the lights, red and green are accurate lights representing people who are here, but I hope that ah... that ah... delaying tactics will be avoided and we'll vote this amendment down."

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

Dyer: "Mr. Speaker, I would respectfully request a verification of this Roll Call."

Speaker Redmond: "It will be granted. Take the record. On this question there are 60 'yes' and 67 'no' and I've been advised by the Parliamentarian that the proper procedure is a verification of the Affirmative Roll Call first and then the Negatives so if you want a verification, you'll have to have one of your minions move..... Representative Chapman."

Chapman: "I request a poll of the absentees."

Speaker Redmond: "A poll of the absentee has been requested. Will the Clerk poll the absentees?"

Jack O'Brien: "Arnell, Beaupre, Boyle, Choate, D'Arco, Duff, Ralph Dunn,



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Ewing, Farley, Garmisa, Giglio, Greiman, Griesheimer, Hanahan, Hart, Hirschfeld, Gene Hoffman, Ron Hoffman, Dan Houlihan, Katz, Keller, Kent, Klosak, Laurino, Leinenweber, Lemke, Macdonald, Mann, Maragos, McAvoy, McGrew, McPartlin, Meyer, Molloy, Palmer, Peters, Pierce, Rayson, Sangmeister, Schlickman, Sevcik, Sterney, E.G.Steele, Stone, VanDuyne, Wall, Yourell."

Speaker Redmond: "Negative Roll Call, just for verification. Representative Deuster. Representative Deuster."

Deuster: "I thought the Chair just announced that our normal procedure was verifying the affirmative and ah... I would not want the Chair to ah... deviate from normal procedure and ah...."

Speaker Redmond: "There was no request for the Affirmative Verification of the affirmative."

Deuster: "I personal request... does that..... does that change normal procedures when a individual Member makes a personal request? I think we ought....."

Speaker Redmond: "Are you requesting a verification of the Affirmative Roll Call?"

Deuster: "The whole subject deals with equality of treatment of ah.. people and I think we oughta have equal treatment no matter what the subject is in here. If our normal rules are to varify the affirmative, let's verify the affirmative."

Speaker Redmond: "Is that a request?"

Deuster: "That's a request."

Speaker Redmond: "O'kay."

Deuster: "Equal treatment, that's all."

Speaker Redmond: "The gentleman has demanded a verification of the Roll Call and that is his right.... the Affirmative Roll Call. The Clerk will proceed with the verification of the affirmative."

Jack O'Brien: "E.M. Barnes, J.M. Barnes, Berman, Birchler, Byers, Caldwell, Catania, Chapman, Darrow, Davis, Downs, John Dunn, Dyer, Epton, Gaines, Geo-Karis, Getty, Giorgi, Hill, Holewinski, J.M. Houlihan, Huff, Jaffe, Emil Jones, Kane, Kempiners, Kucharski, Leverenz, Lucco, Lundy, Madigan, Madison, Marovitz, Matijeovich, Mautino,



McClain, McLendon, Merlo, Mugalian, Mulcahey, Patrick, Polk, Porter, Pouncey, Randolph, Reed, Richmond, Satterthwaite, Schneider, Sharp, Shea, Skinner, C.M. Stiehl, Stubblefield, Taylor, Telcser, Washington, White, Willer, Younge."

Speaker Redmond: "Request to the affirmative? Request to the Affirmative Roll Call? Representative Deuster."

Deuster: "Representative Berman?"

Speaker Redmond: "Is Representative Berman in the Chamber? How is the gentleman recorded?"

Jack O'Brien: "The gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off of the record."

Deuster: "Representative Macdonald?"

Speaker Redmond: "Representative Macdonald? Here is Berman. Put him back on. Representative Macdonald? How is the lady recorded?"

Jack O'Brien: "The lady is recored as voting 'aye'."

Speaker Redmond: "Take her off of the record."

Deuster: "Representative Jaffe?"

Jack O'Brien: "Oh.... crack that. Mrs. Macdonald was absent."

Speaker Redmond: "Record here as voting 'absent'."

Deuster: "Ah... was there one taken off so far? Is that..... Mr. Speaker?"

Speaker Redmond: "What was the inquiry?"

Deuster: "I thought Representative Berman was taken off, was that....."

Speaker Redmond: "Yes, but he was here."

Deuster: "Oh, I see. Representative Emil Jones?"

Speaker Redmond: "Representative Emil Jones is in his chair."

Deuster: "Representative Jaffe?"

Speaker Redmond: "Representative Jaffe. Representative Yourell, for what purpose do you rise?"

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

Speaker Redmond: "How is the gentleman recorded?"

Jack O'Brien: "The gentleman is recorded as voting 'no'."

Yourell: "I want it changed to 'aye'."

Speaker Redmond: "Change that from 'no' to 'aye'. Representative Jaffe? How is the gentleman recorded?"

Jack O'Brien: "The gentleman is recorded as voting 'aye'."



Speaker Redmond: "Representative James Taylor? How is the gentleman recorded?"

Jack O'Brien: "The gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off the record."

Deuster: "Representative Randolph?"

Speaker Redmond: "Representative Randolph? He is here."

Deuster: "Representative Katz?"

Speaker Redmond: "Representative Katz? How is the gentleman recorded?"

Jack O'Brien: "The gentleman is recorded as 'not voting'."

Speaker Redmond: "Leave him that way."

Deuster: "Representative Madison?"

Speaker Redmond: "Representative Madison? How is the gentleman recorded?"

Jack O'Brien: "The gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off the record."

Deuster: "Representative Giorgi?"

Speaker Redmond: "Representative Giorgi? He is here."

Deuster: "Representative Hill?"

Speaker Redmond: "Representative Hill is here."

Deuster: "Ah.... we thought Representative Barnes ah...."

Speaker Redmond: "Representative Barnes, I believe we did and he is here."

Deuster: "Representative Dunn ah...."

Speaker Redmond: "He was here. Representative Dunn? He is here."

Deuster: "Representative Downs?"

Speaker Redmond: "Representative Downs, he was here. He is here."

Deuster: "Representative ah...."

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

Beaupre: "Mr. Speaker, I would like to be recorded as 'aye'."

Speaker Redmond: "How is he recorded?"

Jack O'Brien: "The gentleman is recorded as 'not voting'."

Speaker Redmond: "Record the gentleman as voting 'aye'. Are there any further questions of the affirmative?"

Deuster: "Representative Richmond?"

Speaker Redmond: "He is here."



Speaker Redmond: "Take him off the record. Representative McPartlin?

How is the gentleman recorded?"

Jack O'Brien: "The gentleman is recorded as 'not voting'."

Speaker Redmond: "Record him 'aye'. Any further, Representative Deuster?"

Deuster: "Representative Getty?"

Speaker Redmond: "Is Representative Getty in the Chamber? How is he recorded?"

Jack O'Brien: "The gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off the record."

Deuster: "Representative Kane."

Speaker Redmond: "Representative Kane? He was here. In the back of the Chamber."

Deuster: "Representative Kempiners?"

Speaker Redmond: "Representative Kempiners was in the Chamber. Representative Kempiners? He is in the Chamber."

Deuster: "Representative Byers."

Speaker Redmond: "Representative Byers? He is here."

Deuster: "Representative Birchler?"

Speaker Redmond: "Representative Birchler? He is here."

Deuster: "Representative Darrow?"

Speaker Redmond: "Representative Darrow? He is back here."

Deuster: "Representative Huff?"

Speaker Redmond: "Representative Huff? He is here."

Deuster: "Representative Mautino?"

Speaker Redmond: "Representative Mautino? He is here."

Deuster: "Representative Mulcahey?"

Speaker Redmond: "Representative Mulcahey is here."

Deuster: "Representative Pouncey?"

Speaker Redmond: "Representative Pouncey? How is the gentleman recorded?"

Jack O'Brien: "The gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off the record."

Deuster: "Representative Madigan?"

Speaker Redmond: "Representative Madigan? He is here."

Deuster: "Representative James Taylor?"



Deuster: "I'm not sure whether I asked about Representative Marovitz?"

Speaker Redmond: "You didn't, I don't think. He isn't recorded, Representative Deuster."

Deuster: "Representative Marogos?"

Speaker Redmond: "I thought you said Marovitz. Representative Marogos. How is he recorded? Not voting."

Deuster: "Marovitz ah.... I think, ah.... it shows on the board as green."

Speaker Redmond: "Representative Marovitz? How is he recorded?"

Jack O'Brien: "The gentleman is recorded as voting 'aye'."

Speaker Redmond: "Take him off the record. Any further questions of the affirmative? Proceed with the verification of the Negative Roll Call. Representative Molloy, for what purpose....."

Molloy: "I would like to be recorded as voting 'aye'."

Speaker Redmond: "Record the gentleman as voting 'aye'. Representative Lundy."

Lundy: "Mr. Speaker, may we have a indication of where we stand at this point?"

Speaker Redmond: "As soon as we get it you will. 58 'ayes' and 68 'nays' is the tentative Roll Call. Proceed with the negative."

Jack O'Brien: "Beatty, Bluthardt, Borchers, Bradley, Brandt, Brinkmeier, Brummet, Calvo, Campbell, Capparelli, Capuzi, Carroll, Coffey, Collins, Craig, Cunningham, Daniels, Deavers, Deuster, DiPrima, Ebbesen, Ewing, Fary, Fennessey, Fleck, Flinn, Friedland, Friedrich, Grotberg, Hudson, Jacobs, J.D. Jones, Kelly, Kosinski, Kozubowski, Lechowicz, Leon, Londrigan, Luft, Mahar, McAuliffe, McCourt, McMaster, Miller, Mudd, Nardulli, Neff, O'Daniel, Rigney, Ryan, Schisler, Schoeberlein, Schraeder, Schuneman, Sevcik, Simms, Terzich, Tipword, Totten, Tuerk, VanBoeckman, Waddell, Walsh, Wahsburn, Williams, Winchester, Mr. Speaker...."

Speaker Redmond: "Any questions of the negative? Representative Dyer."

Dyer: "Representative Calvo?"

Speaker Redmond: "Is Representative Calvo in the Chamber? How is he recorded?"

Jack O'Brien: "The gentleman is recorded as voting 'no'."

Speaker Redmond: "Take him off of the record."



Dyer: "Representative Ewing?"

Speaker Redmond: "Representative Ewing? Is Representative Ewing in the Chamber? How is he recorded?"

Jack O'Brien: "The gentleman is recorded as voting 'no'."

Speaker Redmond: "Take him off."

Dyer: "Representative Capuzi?"

Speaker Redmond: "Representative Capuzi? He is standing in the back. There he is."

Dyer: "O'kay. Representative Fleck?"

Speaker Redmond: "Representative Fleck? Is Representative.... that doesn't look like Representative Fleck. Representative LaFleur. For what purpose does Representative LaFleur arise?"

LaFleur: "How am I recorded, Mr. Speaker"

Jack O'Brien: "The gentleman is recorded as voting 'present'."

LaFleur: "Would you vote me 'no'."

Speaker Redmond: "Let's return to Representative Fleck. Is he in the Chamber? How is he recorded?"

Jack O'Brien: "The gentleman is recorded as voting 'no'."

Speaker Redmond: "Take him off."

Dyer: "Representative Fennessey?"

Speaker Redmond: "Representative Fennessey? He is here."

Dyer: "Representative Jacobs?"

Speaker Redmond: "Representative Jacobs? He is here."

Dyer: "Representative McAuliffe?"

Speaker Redmond; "Representative McAuliffe? How is he recorded?"

Jack O'Brien: "The gentleman is recorded as voting 'no'."

Speaker Redmond: "Take him off."

Dyer: "Representative Miller?"

Speaker Redmond: "Representative Miller? Is he in the Chamber? How is he recorded?"

Jack O'Brien: "The gentleman is recorded as voting 'no'."

Speaker Redmond: "Take him off."

Dyer: "Representative O'Daniel?"

Speaker Redmond: "Representative O'Daniel? He is here."

Dyer: "O'kay. Ah... Representative Schisler?"



Speaker Redmond: "Representative Schisler? He is here."

Dyer: "Ah.... Representative Simms?"

Speaker Redmond: "Representative Simms? He is here."

Dyer: "Thank you. Representative VonBoeckman?"

Speaker Redmond: "Representative VonBoeckman? He is here."

Dyer: "Thank you, Mr. Speaker."

Speaker Redmond: "On this question there are 58 'ayes', 64 'nays' and the amendment fails. Are there any further amendments? Third Reading. House Bill 300."

Jack O'Brien: "House Bill 300. A Bill for an Act to authorize the Secretary of State to issue identification cards. Third Reading of the Bill."

Speaker Redmond: "Representative Merlo."

Merlo: "Mr. Speaker and Members of the House, let me first announce that Representative Schraeder had a Bill that was identical to House Bill 300, however, not to take the time of the House, he has agreed to join with me as the Principal Sponsor of House Bill 300. Now Mr. Speaker and ladies and gentlemen of the House, existing today more than ever before in our lifetime is a serious problem of identification and because of the complexity of our society we must make identification the right of everyone, rather than the privilege of those who drive automobiles. Currently, the drivers license is the accepted identification."

Speaker Redmond: "Give the gentleman some order, please."

Merlo: "The measure calls for the Secretary of State to issue a identification card to any Illinois resident regardless of his age who applies and submits the required information. The card would be valid for five years at a cost of \$4.00. Among those who would benefit most are the young, the elderly, the physically handicapped, the minority groups and persons with difficulty in speaking English. A young student needs identification to enjoy student rates offered at movies. He needs it to be able to cash checks and to have check accepted. Older students, who happen to look young, find it impossible to cash a check or gain entry to adult movies, bars, etc. Very often the handicapped do not



possess a drivers license and of course this makes it difficult for them to identify themselves. I commend the Secretary of State, Mike Howlett, who is supporting this measure, for his wisdom in recognizing the importance of providing the vehicle of proper identification for all citizens of Illinois. The Bill passed the House Executive Committee by a 22 to 0. It's endorsed by the Chicago Association of Commerce, The Illinois State Chamber of Commerce, A W.G.N. Editorial, Illinois Association of Senior Citizens, The National Federation of the Blind, and the Senior Citizens Commission, and Mr. Speaker, I wish that I could have the support of the entire House on this Bill."

Speaker Redmond: "Is there any discussion? Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and ladies and gentlemen of the House, ah... this Bill, House Bill 300, is a very necessary Bill. I have had many many requests for identification cards with ah.... to be issued to all people, from senior citizens, for example, who live in areas where their mail boxes have been rifled and they do not get their social security checks; someone else appropriates them and before they can get any relief from their checks, it's months and months before they can prove that there was a fraud done upon them. I urge your respectful consideration of this very very valuable Bill. We need identification cards for all under the circumstances and conditions that we're moving in today."

Speaker Redmond: "Representative Lundy."

Lundy: "Thank you, Mr. Speaker and ladies and gentlemen of the House, would the Sponsor yield for a question?"

Speaker Redmond: "He indicates that he will."

Lundy: "Thank you. Ah.... Representative, I think I understand the intent of this Bill, but I just want to be sure and clarify it here on the floor of the House while we are debating it so that no ah... irresponsible bureaucrats are attemp....attempt to make something out of this Bill that is not intended. Am I correct, that it is no part of your intention that any state agency make possession of this identification card a requirement for the ah... qualification or any sort of state program or benefit. It that



right?"

Merlo: "Well, there never was that intent and I certainly would ah... not ah... except it under any conditions."

Lundy: "So that ah.... the whole intent is that the program be entirely voluntary and and that there be no way that any state agency or official could require any citizen to obtain such a identification card as a prerequisite obtaining the benefits of any state program?"

Merlo: "That is correct."

Lundy: "Fine, thank you. That answers my question and I would certainly support the Bill ah... given the explanation that the Sponsor has given."

Speaker Redmond: "Representative Williams."

Williams: "Mr. Speaker and Members of the House, I just would like to point out that the municipality of Franklin Park ah.. does this ah... you know, issues the photo identification card and if we can do it in Franklin Park and I certainly think that it is an excellent program for the State of Illinois to adopt."

Speaker Redmond: "Are you ready for the question? Representative Merlo to close."

Merlo: "I merely ask your approval of this Bill. Thank you."

Speaker Redmond: "The question is shall House Bill 300 pass. All those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wished? Take the record. On this question there are 125 'ayes' and 2 'nos' and none voting 'present' and the Bill having received the constitutional majority is hereby declared passed. House Bill 422."

Jack O'Brien: "House Bill 422, Duff. A Bill for an Act to amend Sections of the....."

Speaker Redmond: "Is Representative Duff in the Chamber? Take that one out of the record. House priority call, ah... House Bills, Third Reading ah... House Bill 1. Is Representative Hanahan in the Chamber? He does not appear to be in the Chamber. House Bill 144."

Jack O'Brien: "House Bill 144, Porter. A Bill for an Act....."

Speaker Redmond: "He indicates he wants it out of the record. House



Bill 357."

Jack O'Brien: "House Bill 357, ah....."

Speaker Redmond: "Is Representative Maragos in the Chamber? Take that one out of the record. House Bill 439. Representative Simms. Is Representative Simms in the Chamber. Oh, I understand that that one came back to Second Reading, is that right? Ya, we can't call that one. I'm sorry. 449, Representative Lundy."

Jack O'Brien: "House Bill 449, Lundy. A Bill for an Act to amend The Illinois Library Systems Act. Third Reading of the Bill."

Speaker Redmond: "Representative Lundy."

Lundy: "Thank you Mr. Speaker and ladies and gentlemen of the House, House Bill 449 is the product of the Revenue Sub-Committee on Library Financing, which operated during the 78th General Assembly. It expands one existing program of state aid to local libraries and it creates an additional program of state aid to ah... to improve the quality of library services throughout the state. Ah...the study that was taken up by the Library Financing Sub-Committee was a result of a resolution, which was introduced in the last General Assembly, which pointed out that a number of local libraries were having trouble financing their operations ah... out of the ah... the limited property tax authorization, which they then had and directed the House Revenue Committee to look into the situation and attempt to come up with alternatives to ah... heavy reliance on local property taxes. This Bill is at least a partial ah.. answer to the problem identified in that resolution. It has the unanimous and bipartisan support of the Members of that Library Financing Sub-Committee, who included Representative Ralph Dunn, Representative Skinner, Representative Beatty and ah.. myself and Representative George Ryan. Ah.... I would be happy to respond to any questions ah.... on the Bill."

Speaker Redmond: "Are there any questions? Any discussion? Representative Shea."

Shea: "As I understand this, ah... the money coming from what, ah... General Revenue? Is there some make-up money in here?"

Lundy: "The money for the ah... both the equalization grants and the



per capita grants would come from General Revenue. Ah.... the Bill has been amended so that it is now phased in, Representative Shea, over a four fiscal year period and that was done at the request of the Secretary of State and as I understand it, it is acceptable the Bill is acceptable to him in its present form and he feels he can manage it with his budget ah.... based on the phased amendment that was added on Second Reading."

Shea: "Thank you."

Speaker Redmond: "Representative McClain."

McClain: "Thank you, Mr. Speaker. Will the Sponsor yield to a question?"

Speaker Redmond: "He indicates that he will."

McClain: "Joe, is there ah... any increase in the local property taxes out of referendum?"

Lundy: "No, the Bill does not mandate any increase in property taxes with or without referendum. The two per capita grants programs, would be ah.. bases on ah.... on a formula which will encourage local libraries to tax at the maximum permissible rate without referendum, but it does not mandate any increase in taxes not does it require ah.... libraries to seek referendum approval for increases."

Speaker Redmond: "Representative Jones."

Jones: "That answers my question, Mr. Speaker. Thank you."

Speaker Redmond: "Any further questions? The question is shall House Bill 449 pass. All in favor vote 'aye' and those opposed vote 'no'. Have all voted who wished? Daniels, 'aye'. McLendon, 'aye'. Have all voted who wished? Take the record. On this question there are 98 'ayes' and 4 'nays' and 12 'present' and the Bill having received the constitutional majority is hereby declared passed. Gaines, 'aye'. Jones, 'aye'. Emil Jones, that is. House Bill 488."

Jack O'Brien: "House Bill 488, Giorgi. A Bill for an Act to amend the Illinois Unemployment Compensation Act. Third Reading of the Bill."

Speaker Redmond: "Out of the record. House Bill 422, that ah... House Bill 488, do you desire that out of the record? Representative



Giorgi."

Giorgi: "Mr. Speaker, it that ah...the deadline for that Bill tomorrow?"

Speaker Redmond: "423."

Giorgi: "423?"

Speaker Redmond: "Today it's 21."

Giorgi: "Hold it until tomorrow, Sir."

Speaker Redmond: "Take that out of the record. 422, Representative Duff."

Jack O'Brien: "House Bill 422."

Speaker Redmond: "Representative Duff is not on the floor, so take that out of the record. We oughta go back..... return to the order of House Bills, Second Reading. There are two Bills in there that die on 4-24 and on House Bills, Second Reading appears House Bill 114. Is the Sponsor on the floor?"

Jack O'Brien: "House Bill 114, Hart."

Speaker Redmond: "Take it out of the record. 121."

Jack O'Brien: "House Bill 121, Porter. A Bill for an Act to amend the Illinois Governmental Ethics Act. Second Reading of the Bill. Ah... just a moment. This Bill was read a second time previously."

Speaker Redmond: "Representative Porter."

Porter: "Mr. Speaker and ladies and gentlemen of the House, this Bill is the one that provides ah... for notice ah... to each person required to file an ethics statement. You'll recall that there was a question raised last time it was on Second Reading. That has now been resolved and ah... we have the agreement of both the Secretary of State and the ah... County Clerks on this ah... and I move adoption of Amendment #4. I think.... Mr. Speaker, I think that there are three amendments that have to be tabled. So I would ask leave to table Amendments #1, #2 and #3 and move the adoption of Amendment #4."

Speaker Redmond: "Mr. Clerk, will you explain the status of this Bill? I understand that Amendment #1 was tabled, is that correct?"

Porter: "Ya, I would like leave to table Amendments #2 and #3 also."

Jack O'Brien: "Amendment #1 was tabled previously."



Speaker Redmond: "The gentleman has asked leave to table Amendments #2 and #3. Any objections? The amendments are amended. Amendment #4."

Jack O'Brien: "Amendment #4, Porter. Amends House Bill 121 on page 1 by deleting lines 17 through 28 and so forth."

Porter: "Now I would move the adoption of Amendment #4."

Speaker Redmond: "Any questions on the adoption of Amendment #4 to House Bill 121? Representative Lechowicz."

Lechowicz: "Thank you Mr. Speaker and ladies and gentlemen of the House. Mr. Speaker, has the amendment been distributed?"

Speaker Redmond: "Has Amendment #4 been distributed? I understand that it has."

Lechowicz: "I'm sorry. I just couldn't find it on my desk. Could we have a brief explanation of what Amendment #4 does?"

Speaker Redmond: "Please explain the amendment."

Porter: "Ah... yes. This now is the Bill and it has been cleared with your side of the aisle, Ted. What it does is that it provides that the County Clerk, 90 days prior to the due date, shall indicate to the Secretary of State whether they want to file or want to mail the notices. Ah... if they indicate that they want to mail the notices, they'll have the right to do so. Otherwise, the Secretary of State would do so. Sixty days prior to the due date, all units of local government and the State Comptroller will certify to the Secretary of State ah... with a copy to the County Clerk, of the persons required to file ethics statements. Thirty days prior to the due date, either the County Clerk, or if he doesn't want to do so, the Secretary of State would send out a notice ah... together with a ah... ethics form and those would then be filed in the appropriate place, either with the Secretary of State in reference to state employees, or with the County Clerk of the county in which the individual resides for ah.. units of local government and ah..... a record would simply be kept of those who had filed."

Speaker Redmond: "Representative Shea."

Shea: "Well, what I'm concerned about... pardon me. Mr. Speaker and ladies and gentlemen of the House, will the Sponsor yield for a



question? Will the sponsor yield for a question?"

Speaker Redmond: "He indicates he will."

Shea: "A...what I'm concerned about is the task of putting the burden on the Secretary of State and the County Clerk. Now, you're... you're saying that the Comptroller of...of the State will mail to the Secretary, a list of those people that are required to file an Ethics Act. Is that correct?"

Porter: "No, he would have the responsibility to provide a list of those State employees earning over \$20,000. That's one...one of the Sections."

Shea: "Alright, now what does that require the Comptroller to do?"

Porter: "Simply get a computer print-out. He does it right now. He's already doing that."

Shea: "And then it would..."

Porter: "And the Secretary of State is already mailing to those people."

Shea: "Well, what I'm concerned about is what happens if that computer makes a slip and it leaves off somebody at a Board or Commission?"

Porter: "Well, if...if...there's any kind of an error, then the person doesn't get a notice, obviously. A...there's no way to control human error obviously, Jerry, we are trying to do the maximum, get the maximum number of people to get notices, that's all."

Shea: "Well, but, as I understand the Act, let's take at the local level. Who's going to notify the County Clerk?"

Porter: "The...alright, I don't think you understand how it works, I'll try and explain it again. The responsibility for notification would lie with the Secretary of State except those counties where the County Clerk has told the Secretary of State that he would prefer to make the mailing, so its optional. Any county, if they wish, can if they want to, do their own mailing. If they don't do their own mailing, then the Secretary of State is responsible. Now, there are...there are both...a...a...officials of units of local government and State...a...officers and employees that have to be notified. The way that that is determined is to who's to be notified is that the Comptroller will provide the information for the State employees. The Secretary of State already has the information for the remaining



State officials. The units of local government each would certify to the Secretary of State with a copy to the County Clerk of the persons required to file from those units of local government. And then, thirty days prior to the due date, either the County Clerk of the county in which those people reside, or the Secretary of State, would make the mailing, so that each person would have a notice."

Shea: "Alright, now let's assume for a minute in Riverside, we have two school boards. Those school boards would each be required to file a certified copy with the County Clerk. Is that correct?"

Porter: "They would determine who, under the Act, is required to file and they would file with the Secretary of State, and a copy to the County Clerk of the appropriate county....a....or counties, a list of those persons. That's right."

Shea: "Alright, and the local municipality would do the same with regards to its employees?"

Porter: "Right."

Shea: "Alright. Now let's assume for a minute, that this happens. They notify the County Clerk, the County Clerk notifies the Secretary of State, and the Secretary of State then turns them back to the County Clerk...."

Porter: "No...no...no, they notify both the Secretary of State and the County Clerk."

Shea: "Alright."

Porter: "You send a copy to the County Clerk."

Shea: "Alright. Now let's assume for a minute, the County Clerk has got these Ethics Statements, or who's suppose to file them. He sends them to the individuals involved. How does he send them?"

Porter: "He sends them by first class mail."

Shea: "Alright."

Porter: "That's provided in the amendment."

Shea: "Okay, but now what happens if they don't file one and they say I never knew I had to file. Is it presumed that when he deposits them in the mail, first class mail, is there an affidavit he puts on with it, John?"

Porter: "A...presently, presently, you know, there's no notice given



except that in Cook County...a...Stanley Kusper's undertaken to notify county officials, and in the State level, the Secretary of State has undertaken, as a favor, to notify us and other State officials. There is, under this Act, there would be a certification of the mailing by the Secretary of State and that would be prima facia proof that the notice had been given."

Shea: "Alright, do we then give them the penalty provision et al?"

Porter: "No...."

Shea: "Well, at the present time, and I think the law is different, probably, in each county. The county...the State's Attorney in Will County, as I remember, said that forty-some people were out of office and that a number of people couldn't draw checks. What are the present penalties for failure to file, do you know?"

Porter: "The present penalties under the Constitution for failure to file is forfeiture of office."

Shea: "Do you know of any case where anybody's ever forfeited his office?"

Porter: "I don't know of any, no."

Speaker Redmond: "Representative Jones. Do you desire recognition?
Representative Mautino? Representative Lechowicz?"

Lechowicz: "Thank you Mr. Speaker. Will the sponsor yield to a question?"

Porter: "Sure."

Lechowicz: "John, a...what provision do you have in a county that does not have a computerized system?"

Porter: "Those...a...a...Ted, the primary responsibility would lie with the Secretary of State, so that the County Clerk would not have to mail at all, unless he wanted to mail. And then he would simply say to the Secretary of State "I want to do it, you don't have to do it" and then it would be his responsibility. So that those counties that don't have a computerized system would simply be mailed by the Secretary of State. Its just an administrative act to put a letter in the mail."

Lechowicz: "Yeh, but in turn, they may be a rather substantial county."

Porter: "Pardon me?"

Lechowicz: "In turn, it may be a substantial county, but they do not



have it on a computerized system so they have to come up with a list and submit the list to the Secretary of State, and they, in turn, will put it into their files. Is that correct?"

Porter: "No, the County Clerk does not have the responsibility to submit a list to the people that are required with him. He only has a list, the only list he has to certify is those who, because they are county officials, are required to file."

Lechowicz: "What about the employees that are required to file, if they work for the county and make over \$20,000?"

Porter: "Then...then that would be part of his responsibility to certify that list to himself and to the Secretary of State."

Lechowicz: "Yeh, but those people don't file with the State, they file with the county."

Porter: "That's right, but...alright, that is correct. They file with the county and if the County Clerk is going to mail, himself, then he'll already have those lists available. He'll just mail from what he has. Right?"

Lechowicz: "But with the Sec....if he submits that list to the Secretary of State...."

Porter: "Yeh."

Lechowicz: "Would the Secretary of State designate to those individuals that they'd have to file with the County Clerk in lieu of the Secretary of State?"

Porter: "That's right."

Lechowicz: "Where is that covered in Amendment No. 4?"

Porter: "Its covered right in the beginning."

Lechowicz: "I don't think..."

Porter: "It says "not less than 90 days before the due date for filing annually, each County Clerk shall send a written notice to the Secretary of State as to whether he is going to mail or not, and not less than sixty days, the Clerk or Secretary of each school district unit of local government, special district or other governmental entity, and that would be a county, shall certify to the Secretary of State a list of names and the resident addresses of such persons described in those items as are required to file,



and should send a copy of that list to the appropriate County Clerk. So if it is the county official that you're talking about the County Clerk, would sent a list to the Secretary of State and would retain one for himself and would be receiving from other units of local governemnt, their lists, so that he and the Secretary of State would both have a list. Then, of course, either he or the Secretary of State is gonna mail ah... it's one or the other. In Cook County, ah... Mr. Kusoe, the County Clerk has been mailing and I would imagine would want to continue to mail. So he would simply mail from his own list and from the list pro-

Lechowicz: "There is no mandatory provision in this ah... amendment?"

Porter: "I ah... by the way..... no, there is no mandatory provision and by the way, I have talked to Mr. Kusper about his and this is the way that he would like to ah... he would like to have the right to mail is he wants to."

Lechowicz: "Alright, thank you."

Speaker Redmond: "Representative Williams."

Williams: "I would like to ask a question of the Sponsor. Ah... how many school districts and ah.. library districts and so forth, do you think there are in the state?"

Porter: "I don't know."

Williams: "Well, I can tell you how many there are. There are 1,041 school districts and 331 park districts and 69 library districts. Now we know that those who are required to file are ah... many of the maintanance people are all those who make \$20,000 or ah... over. Now I just think that it is absolutely impossible to determine who is to file and to put this responsibility on either the Secretary or the County Clerks."

Porter: "We don't, we don't, ah.. Jack. We put the responsibility on the unit of local government to determine who has to file and they simply notify the County Clerk and the Secretary of State. The mailing is done from that list. The only thing that the County Clerk and the Secretary of State has to do is purely administrate it. They have to mail from a list that is handed to



them. I realize that there is a large number, but there is a large number people that are required under that Act presently to file and we think that they ought to get a notice."

Williams: "Yes, but this is a tremendous burden and actually expense, not only to the state but to the county and let's say that Cook County is probably the most sophisticated as far as the type of equipment and I don't think that they can handle it. I talked to Mr. Kusper on this too and I don't think that they are able to do it down there."

Porter: "Well, we've talked to the Secretary of States Office and they think that it is no problem at all. I've talked to Stanley Kusper and he is already doing this right now or attempting to do the best he can he wants to continue to do it so he certainly doesn't think that it is a burden."

Speaker Redmond: "Representative Dunn."

Dunn: "Mr. Speaker, will the Sponsor respond for a question?"

Speaker Redmond: "He indicates that he will."

Dunn: "Would you please explain the effect and result of a failure by a Clerk of a local governmental unit in leaving a name off of a list supplied to the County Clerk or to the Secretary of State."

Porter: "John, there is none. There is no penalty provision. He is supposed to do the best job he can and we are simply trying to get a notice to everyone who the law requires to file. Presently, the Constitution simply says that is a person, if they fail to file, will be removed from office. I would hate to see a taxpayer who knows about a person who hasn't filed, filing a suit to remove someone. Ah... I want to give them a notice so that they know that they have to file and this is the best possible way to do it."

Dunn: "Would you explain the mechanics of the amendment regarding candidates for office?"

Porter: "It doesn't cover candidates. They're to file with their petitions. In effect, the petitions will not be accepted unless they have filed their statement with it or the statement is already on file."



Dunn: "O'kay, and with regard to an earlier question ah... what consideration has been given to ah...requiring the person who eventually does send out the notices, either the Secretary of State or the County Clerk, to send by ah... registered or certified mail with a return receipt requested?"

Porter: "No, we have simply provided for sending by first class mail recognizing the cost of doing this and it would only be prima facia proof. In other words, if the question ever arose as to whether a person actually received a notice the ah...list indicating that it had been sent, would be submitted into evidence and that would indicate that it had been mailed and then the burden would shift to the office holder to show that he never received it. It's only prima facia proof, in other words. It's not absolute proof at all."

Dunn: "I understand the logic. The point that I don't know how to answer is when my County Clerk tells me that if he gets involved with these things and someone does fail to file, the first thing that they are probably going to scream is, 'I didn't get a notice', and he will have an affidavit and he will be right in the middle of an unpleasant situation."

Porter: "Well, the only.... I suppose there is some responsibility here ah...., but his only.... his responsibility is limited to handing over that certification showing that it was mailed, if he undertakes the mail. I would doubt that any ah... or at least many ah... counties would want to mail. I would think that they would simply leave that up to the Secretary of State, which this ah... Bill would provide. If he got into that.... ah.. if he did the mailing himself, ah... then only... the only extent of his involvement would be to hand over the list that he certified that he mailed."

Dunn: "Alright, thank you."

Speaker Redmond: "Any further questions? Representative Porter to close."

Porter: "Well, I would ah.... I have cleared this carefully with ah.. the Secretary of States Office who says that there is no problem at all. I have talked to County Clerks from downstate counties



and I've talked to the County Clerk of Cook County and I think the amendment is in the condition that everybody wants it and I would move adoption of the amendment and urge an 'aye' vote."

Speaker Redmond: "The question is on the adoption of Amendment #4 to House Bill 121. All in favor of the adoption vote 'aye' and those opposed vote 'no'. Roll Call vote. Have all voted who wished? Take the record. On this question there are 80 'yes' 2 'no' and none voting 'present' and the amendment is adopted. Any further amendments? Third Reading. Representative Washington."

Washington: "Mr. Speaker, I rise on a point of personal privilege."

Speaker Redmond: "State you point."

Washington: "Mr. Speaker and Members of the House, when I arrived here last Wednesday, I received calls from several of the local press asking me why I had filed a Bill to provide \$75,000,000 to move the Capital to DuPage County. I was extremely surprised because I hadn't filed such a Bill and I thought that the reporters were joking with me, but they insisted that they were serious. I talked to several of those after it and then I responded to Mr. Estill, of the Register, that one; I didn't know anything about moving the Capital, two; if somebody wanted to move it, it seems to me that they should have put their own name on it, and three; if I wanted to move it, I wouldn't move it to DuPage County, I would move it to the 26th District where I am. At any rate, the Journal Register printed the disclaimer last Friday and they quoted me accurately. Over the weekend, the Chicago Tribune, Elmer and Miss Sealeague I think are the reporters, took some of the legislators here to task for filing what they called frivolous Bills. Well, whether the Bills are frivolous or not it depends upon your point of view. I'm not opposed to frivolity sometimes and I appreciate a little bit of levity, but I had nothing to do whatsoever with the filing of those Bills. Now I do not resent on the last minute, someone filing vehicles because they haven't had time to put together the kind of legislation they want, nor do I ah....am I particularly concerned that perhaps my Leadership



might use my name, but it appears to me that they would at least extend me the common courtesy of picking up the phone, since it is free and calling me and asking me if I would consent to such a thing. They not only put my name on that Bill, but they also put my name on a Bill abolishing the curfew laws. Well, if anything, I want youngsters in the house at sundown, not at 11:00 and I'm certainly not in favor of abolishing the curfew laws. All I'm saying is ah.... as mildly and peacefully as I can, I wish to admonish that you ever did so. I think it is a bad practice and I think you should get the consent of people to do that. Therefore, Mr. Speaker, I would ask leave to table House Bill 2551, but before you do it, take my name off of it and I would also ask leave to table House Bill 631 and also take my name off of it."

Speaker Redmond: "Does the gentleman have leave? Is there any truth to the rumor that Representatives Londrigan, Kane and Jones want to be the Sponsors for that Bill? The Bills are tabled. House Bills, Second Reading. House Bill 315."

Jack O'Brien: "House Bill 315, Palmer. A Bill for an Act to amend the Mechanics Lien Act. Second....."

Speaker Redmond: "Take it out of the record. House Bill 149, Third Reading."

Jack O'Brien: "House Bill 149, Porter. A Bill for an Act to amend the University of Illinois Hospital Act. Third Reading of the Bill."

Speaker Redmond: "Representative Porter."

Porter: "Mr. Speaker and ladies and gentlemen of the House. House Bill 149 is Bob Juckett's Bill. For the new Members, Bob was a Member of this House whose unkindly death earlier this year at the age of 42 lost to us, not only an outstanding Representative and a fighter for individual freedom, but also a friend and an advocate of the rights of the mentally and the physically handicapped in this state and particularly the rights of children. House Bill 149, as amended, requires hospitals operated by state agencies to comply by January 1, 1976 with the standards of the Joint Commission on the Creditation of Hospitals. Bob's intent was to insure to patients



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in state facilities the same minimum standards of care as apply to patients in private facilities. Bob felt very strongly that a person in state care because of indigence should not be discriminated against simply because he did not have the money to go into private care. The original Bill provided that hospitals operated by state agencies would have to be licensed by The Department of Public Health. This was felt to be too stringent and that one Code Department should not ah... have to meet standards provided by another. At the suggestion of the Department of Mental Health and Developmental Disabilities, we discussed this and came up with the standards of the Joint Committee on the Creditation of Hospitals. The Bill would give an impetus to the department to up... to the state to upgrade their antiquated facilities and would set a goal for the future. Presently, if State Hospitals do not meet these standards, they face the loss of medicade patients, which of course is a large portion of their present ah... inmates. I would urge a favorable vote on Bob Juckett's good Bill for the mentally and physically handicapped of Illinois."

Speaker Redmond: "Any discussion? Are you ready for the question? The question is shall House Bill 149 pass. All those in favor vote 'aye', those opposed vote 'no'. Have all voted who wished? Take the record. On this question there are 116 'ayes' and 0 'nays' and 2 'present' and this Bill having received the constitutional majority is hereby declared passed. House Bill 435."

Jack O'Brien: "House Bill 435, Lundy....."

Speaker Redmond: "Representative Lundy? Do you desire to have it called? Take it out of the record. House Bill 536."

Jack O'Brien: "House Bill 536, Maragos."

Speaker Redmond: "Take that one out of the record. House Bill 585."

Jack O'Brien: "House Bill 585, Terzich. A Bill for an Act to exempt senior citizens from hunting and fishing license fees. Third Reading of the Bill."

Speaker Redmond: "Representative Terzich on the Bill."

Terzich: "Mr. Speaker and ladies and gentlemen of the House, ah.. House Bill 585 ah... will ah... eliminate the ah... fees for



senior citizens and ah... disabled individuals for hunting and fishing licenses and I would appreciate your support for this piece of legislation."

Speaker Redmond: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker. A question of the Sponsor?"

Speaker Redmond: "He indicates that he'll yield."

Meyer: "Representative Terzich, this Bill was amended wasn't it?"

Terzich: "Well Ted, you gave me the amendment."

Meyer: "No, I didn't give you the amendment. It was your amendment."

Terzich: "Yes, it was amended. It says so in the thing."

Meyer: "If I may briefly address myself to the Bill."

Speaker Redmond: "Proceed."

Meyer: "The amendment provides that the blind people can get hunting licenses in the State of Illinois. I mean its ah... its..... the Bill is bad fiscally unsound, but the amendment makes the bad Bill ludicrous and I might add again that this Bill, as amended, provides that blind people can get hunting licenses in the State of Illinois. I urge you to vote 'no'."

Speaker Redmond: "Any further discussion? Representative Terzich to close."

Terzich: "Well, Mr. Speaker, I mentioned to Representative Meyer that he could get one himself under this one, but ah... I am going to have this ah... taken out in the Senate and this was merely an oversight, but other than that ah... this Bill came out very favorably ah... in Committee and it is an excellent Bill and I urge your support."

Speaker Redmond: "The question is on..... shall this Bill pass. All those in favor vote 'aye' and those opposed vote 'no'. Have all voted who wished? Take the record. On this question there are 92 'ayes' and 6 'no' and 15 'present' and this Bill having received the constitutional majority is hereby declared passed. House Bill 611, Representative Maragos. Take that one out of the record. House Bill 134."

Jack O'Brien: "House Bill 134. A Bill for an Act to amend Sections of the Business Corporation Act. Third Reading of the Bill."



Speaker Redmond: "Representative Porter."

Porter: "Mr. Speaker and ladies and gentlemen of the House House Bill 134 would permit corporate indemnification of officers, employees and directors under certain limited conditions. The Bill was originally developed by the Illinois State Bar Association and it has been carefully refined by amendments worked out by both sides so that the Bill in its present form ah....represents a compromise and has no known opponents. The major compromise was to delete from the original Bill a provision that would allow corporations to provide indemnification by bylaw or resolution beyond those specified in the terms of the Bill. The only indemnification that would be allowable now would be that provided in the Bill, which could under its terms, be covered by appropriate insurance. Forty-seven of the fifty states have legislation to this effect right now in operation today and I would urge a favorable vote on this measure. I might point out that the digest is completely in error as to what the Bill does."

Speaker Redmond: "Any discussion? Representative Waddell."

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

Speaker Redmond: "He indicates that he will."

Waddell: "When does the notification to the share holders take place?"

Porter: "The ah... notification to the share holders would have to be made ah... in any case, where indemnification was made by an action other than the action of the share holders themselves. In other words, if the court ah... were to ah... allow indemnification or if the board of the corporation were to allow indemnification, then the share holders would have to be notified."

Speaker Redmond: "Representative Pal....."

Waddell: "I'm not though."

Speaker Redmond: "Well, pardon me, Representative Waddell."

Waddell: "Are you saying that the share holders are notified then only upon the action of the court or the time that such action is taken to court?"

Porter: "They would be notified when the action was ah... taken by the corporation."



Waddell: "That would be after the fact then."

Porter: "Yes, that's correct, Bruce. This ah... this ah.. presently would provide for notice to the share holders after the ah... board or the corporation had acted ah... to provide indemnification. Now presumably, the... the ah... the resolution of the board would be a corporate record and presumably the share holders would be informed of that and also the corporation would indoubtedly provide insurance ah... for indemnification. You have to realize that ah... that in any substantial matter, and this is where the the ah... compromise came in in any substantial matter, the indemnification provisions require a court approval."

Speaker Redmond: "Representative Marovitz."

Marovitz: "Representative Porter, just to clarify for a second, ah... you said that the digest is totally in error on this. Would you clarify what the error is? I may have misunderstood you and not heard you before."

Porter: "Well, the terms under which a person ah... that is a corporate officers, employee, or director could be indemnified are very much more prescribed by the terms of the Act then is stated in the digest. There are ah... very detailed provisions covering third party actions and derivative actions ah... and the limitation is ah... very tight. The digest is simply totally in error. It simply says that it provides that expenses and judgements can be paid by the corporation, but those terms ah... are very limited by the ah... by the Bill itself."

Marovitz: "Is the Bill actually Amendment #1?"

Porter: "The Bill is actually Amendment #1, that's correct."

Marovitz: "Thank you, Representative."

Speaker Redmond: "Representative Palmer."

Palmer: "If the Sponsor will yield for a question?"

Porter: "Yes."

Palmer: "To what extent ah... will ah.. or may a corporation indemnify an officer who has been found guilty of a criminal offense effecting the corporation?"

Porter: "The corporation could indemnify only in these circumstances,



Romie. If it is a criminal offense, he would have to ah... be ah...he could be indemnified against expenses, judgements, and fines, if he acted in good faith and if he acted in a manner he reasonably believed not to be opposed to the best interests of the corporation and if he had no reasonable cause to believe his conduct was unlawful and only if those terms are met, and only if the court then approved that indemnification, would it be granted. So you see that ah... that there is those limitations and then you would have to have court approval on top of that."

Palmer: "Well, suppose he is found guilty say ah... say of a Amtrak Trust Action or guilty of ah... of a political violation of the Federal Political Campaign Contributions Act, ah... could he ah.... he is found guilty by the courts, now can the corporation at that point indemnify that person?"

Porter: "No, because they would have to apply to the court and the court would have to find that he had no reasonable cause to believe his conduct was unlawful and in those examples that you have made there is certainly would be reason to believe it."

Speaker Redmond: "Representative Hill."

Hill: "I wonder if the Sponsor would yield?"

Speaker Redmond: "He indicates that he will."

Hill: "You say that the digest is entirely wrong. In the last sentence it has exceptions where a person is liable for negligence or misconduct in the performance of their duty to the corporation, then consequently ah... as far as this Act is concerned, you have taken this out. Is that correct?"

Porter: "No, ah... no. You are looking at the original Bill, but no, that hasn't been taken out. That's why I'm trying to tell you that the digest is really in error."

Hill: "Well, what if a person is adjudged guilty of some infraction and he says to the corporate officers, 'Well now I didn't intend it this way. As far as I'm concerned, I didn't want to do it that way, it just turned out that way.' According to your explanation,, a person then could have his bills paid by the corporate authorities."

Porter: "No, no... no."



Hill: "Well, would you clarify that a little?"

Porter: "Jack, if you're talking about...a...a...a...criminal matter...a...
is that what you are referring to now, a criminal violation?"

Hill: "Well any violation that he was...a...went to court for and was
a...judged guilty."

Porter: "Alright...alright, if its a criminal violation, he's judged
guilty. He would have...the...the...court itself could only
provide for indemnification and they would have to determine, that
is, the court itself, would have to determine that he acted in
good faith, that he acted in a manner that he reasonably believed
not to be opposed to the best interests of the corporation and...a...
that he had no reasonable cause to believe that his conduct was
unlawful. So that it is very very limited."

Hill: "Alright, without this...a...bill becoming law, what would happen
in this case?"

Porter: "There is in Illinois, today, unlike almost every other State
in the union, there is absolutely no provision for corporate
indemnification. A...Illinois simply doesn't have it. Forty-seven
of the other fifty States have provisions and many of them have
very very broad provisions. In other words, for example, if you
take Delaware. Delaware says that you can indemnify practically
in any case, and they allow in addition to that, the corporate
by-laws to provide that you can...a...indemnify in any case that the
corporation board determines is...a...a good one. There's no
standards whatsoever in other words in most States. This bill is
the result of a compromise worked out...a...by...a...lawyers who
represent the corporations and lawyers who represent minority
shareholders and they've very very tightly drawn it...very limited."

Hill: "Well, again I want to ask you this. What would happen to that
corporate authority today? Would he be indemnified by the
corporation without any questions asked whatsoever? Or have the
courts ruled that he cannot be indemnified for certain actions?"

Porter: "There is no provision presently in the law allowing corporate
indemnification in Illinois. He could not be indemnified."

Hill: "Under any circumstances."



Porter: "Under any circumstances whatsoever....a...and that's a very great problem today in Illinois. Frankly, I...I wouldn't consider, today, being a director of any corporation in Illinois because of the tremendous exposure to personal liability that exists. Even a person acting in good faith, today, could violate a law, or could do something and...and expose himself to a tremendous amount of liability for which the corporation can give absolutely no indemnification. Its a great problem for Illinois."

Hill: "Okay, under your piece of legislation, if I worked at the place I'm employed, and I went out on strike and some corporate authority hit me over the head, what recourse would I have under this piece of legislation?"

Porter: "What recourse would you have?"

Hill: "Yeh, an assumed."

Porter: "You'd sue him."

Hill: "Okay, and if I sue him and the corporation, then the corporate authorities could take over the obligation of that individual, is that the way it goes?"

Porter: "No, because obviously, in hitting you over the head, would have committed a criminal act..."

Hill: "Okay."

Porter: "That...a...simply would not allow indemnification. Its very tightly drawn."

Hill: "Okay."

Porter: "Its not...a...its been worked out very carefully, I think."

Speaker Redmond: "Any further questions? The question is shall House Bill 134 pass. Those in favor vote aye, those opposed vote no. 134. Have all voted who wished? Take the record. On this question there's 115 ayes, 2 noes, the bill having received the Constitutional majority is hereby declared passed. House Bill 410."

Jack O'Brien: "House Bill 410. Duester. A Bill for an Act in relation to the State Rustic Roads System. Third Reading of the Bill."

Speaker Redmond: "Representative Duester."

Duester: "Mr. Speaker, Ladies and Gentlemen of the House, as many of you know, the State of Wisconsin is very wise and very shrewd and...a... very clever when it comes to maintaining their roads. And doing a



good job and making the maximum use of State, local, and federal money. A...this bill, which would simply authorize our localities to request the designation of certain roads as rustic roads, is borrowed from the State of Wisconsin. And...a...what Wisconsin has figured out, as a result of long study and action by their General Assembly, is that if they allow local units of government, counties, municipalities, to request the designation of some roads as rustic roads and those are roads that have outstanding natural features of beauty, rugged natural terrain and native wild life and other things that are interesting to tourists. Especially to those who enjoy beauty and outdoor life, that they can request that these roads be designated as rustic, and when approved by the State Highway Department, they would be authorized to put up signs saying "Rustic Roads". This would allow them to maintain the roads very much as they are with respect to width and to avoid some of the strict federal requirements, and yet, at the same time, promote tourism and allow local initiative to preserve some of the local charm and beauty that we all enjoy. This bill would designate the State Department of Transportation as the agency that could approve or disapprove these locally initiated suggestions for designation of rustic roads. I might emphasize that the bill is entirely permissive. If the State Department of Transportation didn't want to approve any, they didn't have to. The bill does require that there be cooperation between the local highway departments and the State of Illinois. It doesn't have to cost a dime, in fact there is no appropriation involved with it. It simply gives authority. I might say that this, besides being something that Wisconsin our neighboring State to the north is...is...a.working on...and...a...has developed and has...a...gone forward with by act of their General Assembly, my Lake County Highway Superintendent has preliminarily designated me a couple of beautiful roads in our county that could be so designated, one of them is Grass Lake Road. I think, as indicated in the committee, that whether you're from Galena or Quincy or Lawrenceville, or any of these places that have beauty and charm, this will allow your local highway authorities to develop some



beautiful roads to be designated as rustic. I'd be happy to answer any questions about this bill."

Speaker Redmond: "Representative Fennessey."

Fennessey: "Would he yield for a question?"

Speaker Redmond: "He indicates he will."

Fennessey: "Representative Duester, would this prohibit...a...farmer, in any way restrict him from traveling on one of these designated rustic roads? Moving his farm machinery and so forth, back and forth?"

Duester: "Not at all and of course, as you know, Wisconsin is a great agricultural State, too, and I do have in front of me the rules and regulations concerning this that they have adopted in Wisconsin. There's nothing in here that would restrict movement of farm machinery or anything. One of the things it would authorize is the development of lower speed on rustic roads. They have suggested in Wisconsin that it should be a road that sort of starts and maybe takes a circle and ends...a...at least two miles long, but another thing I forgot to emphasize that it would never be a collector road or an arterial road, or a road on which there was a lot of heavy high-speed traffic. I know in McHenry County and Lake, every once in a while, you get a farmer goin down with a tractor and these high-speed cars running up behind him is terribly dangerous. I think a rustic road would, besides not prohibiting farm traffic at all, would really allow a beautiful road to be so designated and lower the speed so there'd be less danger to farmers moving their tractors or other equipment around."

Fennessey: "What about mowing the weeds and grass along the highway, would the farmer be restricted from either mowing or spraying the weeds along the highway?"

Duester: "Not at all. A...there'd be, there's no requirement in here at all. A...the other thing, it would be possible, sometimes you know the federal guide lines and highway requirements require that you cut down a lot of trees and weeds and timber and other things. This would go in the opposite direction. In a way, it would allow the designation of these roads so that you could allow



wild flowers and trees and bushes and other things to continue to grow along the road. And that's one of the purposes of it.

Fennessey: "You're sure that a farmer would not be prohibited from spraying or mowing the weeds along the highway?"

Duester: "Nothing in the legislation, I'm sure of that."

Speaker Redmond: "Representative Grotberg."

Grotberg: "Would the...would the sponsor yield? Thank you Mr. Speaker.

A...Representative Duester, it comes to my attention that if this bill were to pass, would it give the Department of Transportation forever the power to enshrine the Chadwick Slab and leave it the way it is as a rustic road?"

Duester: "Well, under this bill, if some local people wanted to enshrine anything, I suppose they could initiate it. And if the Department wanted to go along with enshrining...to some extent a rustic road does enshrine a beautiful road, I'm not familiar with that piece of geography to which you refer."

Grotberg: "Well, if..if it has a way of maintaining the Chadwick Slab forever in its present condition, I'm awfully tempted to vote for your bill. Thank you."

Speaker Redmond: "Representative Borchers."

Borchers: "Will the sponsor yield for a question or two? Why...a...I was kind of curious...a...it was touched upon, but suppose...a... if we wanted a gravel road, now do we have to have the Department of Transportation's permission to gravel that road? Whose permission do we have to have? Or to put in a new bridge, whose permission do we have to have?"

Duester: "I might indicate, I think the answer to that question is simply this, that under the bill, the locality whether it be a municipality which entirely had a little road in its boundaries, or a county, could ask the State Department of Transportation to approve."

Borchers: "You have to get permission from the State Department of Transportation to gravel or maybe, if we change our mind, put in a hard road there, would you have to get their permission?"

Duester: "No."

Borchers: "What about that bridge?"



Duester: "What about the bridge?"

Borchers: "Yeh, we want to put..."

Duester: "It doesn't have anything to do with bridges and I must say, Representative Borchers, that the State of Wisconsin has got a heck of a lot better highway system than ours...."

Borchers: "I live in the State of Illinois, I don't live in the State of Wisconsin, we have some old iron bridges, suppose we decide to get rid of those iron bridges for fear some of our ox carts run into it, now what...what...whose permission do we have to get?"

Duester: "Under the Wisconsin system, and I would imagine ours would just follow in line, that's what I have in mind. Under the Wisconsin system, these roads are entirely maintained by the counties and the local people do with these things whatever they want to do."

Borchers: "In other words, we can...."

Duester: "If you trust the local people whether they want to preserve a beautiful old iron bridge or tear it down, that's a local decision, this bill makes no difference...a....in that respect."

Borchers: "You indicated a moment ago that it was possible you had to ask permission of the Transportation Department. I want to make certain about this point because I want our Board of Supervisors our County Commissioners, our Township Road Commissioners to have full control of our roads, rustic or otherwise, if they're township or county roads. Now do we...if its designated, do we or don't we have to have permission to make any changes whatsoever?"

Duester: "The answer is no."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker, will the sponsor yield to a question?"

Speaker Redmond: "He indicates he will."

Geo-Karis: "A...Don, in the book on House Bill 410, it says that, it simply says that the Department of Transportation be responsible for developing and coordinating the State cooperation with local highway agencies. Is that what you really mean by your bill?"

Duester: "No...a....of course the synopsis, if you look at the bill on page 1, it says the county board of any county or the corporate



authorities of any municipality may make application to the Department for the designation of any highway as a rustic road. That's the way they begin and...a...with respect to any State-wide coordination, the Department of Conservation...rather, Transportation, would...would have to approve them, so I think there's a safe guard here, it has to be locally initiated and so to make sure they really fit into some State-wide criteria, they'd have to be approved by the Department."

Geo-Karis: "Would you put me on please? A...Don,...a...thank you,...a... let's see, House Amendment No. 1 is what...a...it makes me a little confused about."

Duester: "Oh, let me explain that if you'd like?"

Geo-Karis: "If you would please, thank you."

Duester: "House Amendment No. 1 simply says that...a...in...a...coordinating the State-wide...a...rustic road...a...program, they would do that in cooperation with local highways people, and that amendment was suggested to me by the highway...the Illinois County Highway Superintendents."

Speaker Redmond: "Representative Hudson."

Geo-Karis: "Thank you."

Hudson: "Thank you Mr. Speaker. Would the sponsor yield?"

Speaker Redmond: "He indicates he will."

Hudson: "Don...I...a...hi...I would...a...I am a little bit concerned on page 2, as I understand it, if a road is declared to be a rustic road, they go through this procedure, then if...if...if a county or a municipality wanted to not be a rustic road, it would have to go to the Department of Transportation, as I understand, and the Department shall approve or deny in writing...a...each request for removal of such highway from its rustic road program. Now doesn't this give a little more than ordinary power to the Department of Transportation? I think that is my concern."

Duester: "Well, yes, yes, to respond to your concern, here's the way it works in Wisconsin, they say...a...Kenosha County has picked out a little road called Fish Creek Road or something, they want to make it a rustic road. A...before the program even begins, they work out rules and regulations, which they have done cooperatively in



Wisconsin between the counties and the state. So you know what all of the criteria are and what they are looking for and you decide that you want Fishcreek Road to be rustic and to put the signs up and so forth and to have the special advantage of having avoided the federal criteria for design and whatnot. Then you apply, with your eyes open of course, and knowing what its all about and you get that designation. Then five years later circumstances change and you have a little public hearing and ah... you simply request, let's move the designation. I ah... the role of the State Department of Transportation is simply to coordinate here. It's trying to be a cooperative program. If you're fearful that it might cause some problems, ah... its still entirely under the maintenance of the local people. So they want to maintain the road or they don't want to maintain the road or whatever they want to do, they can do. However, to take the sign down, if times change, why ah... it is true that they would request that the road be removed the same way that they put it in."

Speaker Redmond: "Representative Byers."

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

Speaker Redmond: "The question is shall the main question be put. All in favor indicate by saying 'aye', opposed 'no' and the 'ayes' have it and the question is now ah.... shall House Bill 410 be passed. All those in favor vote 'aye', those opposed vote 'no'. For what purpose does the gentleman from Lawrence arise?"

Cunningham: "Mr. Speaker and ladies and gentlemen of the House, I wanted to explain my 'aye' vote to this momentous Bill. At first blush it may seem that it is not as significant as all that. It might be analogous to the time that this House passed a Bill to put bells on cats. I confess that I conceive that the Bill has malicious possibilities and that's why I'm voting for it. The possibilities are these: It can become an instrumentality whereby the underprivileged people of the 54th District can shame the Department of Transportation into public recognition that we have more rustic highways in the 54th District than all of the rest of the state combined. We don't have any other kind of highways



down there, than rustic highways and I want to guarantee the Sponsor of this Bill that as soon as he gets it passed, I'm going to file petitions on behalf of all the roads in the 54th District that they be listed in total as rustic highways by the Department of Transportation that the rest of you might know and recognize and be shamed by the fact that we don't have adequate highways in our district. That's why I'm voting 'aye', Donald, and I hope that you get is passed and then we'll go together and have all of the counties all of the roads of Lawrence County in the 54th District listed, particularly the one that I come up here on every morning for 160 miles. We have an average of one state trooper every ten miles, but we have nothing but bumps. It's rustic highway number one, in my opinion."

Speaker Redmond: "Have all voted who wish? Representative Borchers, for what purpose do you rise?"

Borchers: "Mr. Speaker, in behalf of the accident rate that's going to occur down in the 54th District, I'm voting 'no', because of all of the rustic roads down in that area, it stands to reason that all of the people of Chicago and in the northern areas that go down to look at the 54th rustic roads, we'll have more horse and buggies and wagons knocked off than anywhere else in the state, So I'm voting 'no'."

Speaker Redmond: "Have all voted who wished? On this question there are 50 'ayes' and 21 'no' and 10 'present' and this Bill having failed to receive the constitutional majority is hereby declared lost. House Bill 447."

Fredric B. Selcke: "House Bill 447. A Bill for an Act to provide for public county library services. Third Reading of the Bill."

Speaker Redmond: "Representative Beatty."

Beatty: "Mr. Speaker and ladies and gentlemen of the House, this Bill is another Bill that has come forth from the Revenue Committee of the House Sub-Committee on Library Financing, ah..... as Representative Lundy's previous Bill was. This Bill is a permissive Bill and it only applies to a couple of counties and it



allows these counties, if they wish, without referendum to increase their assessment for library purposes over a period of three or four years without ah...without referendum. The reason for this would be, ah... if they were to raise their ah... assessment and do ah... certain other things, they would then be able to obtain State of Illinois assistance on some other programs that are in some other Bills here to up ah.... to ah... to assist them with their library program. It is a permissive Bill and I ask for the ah...a green vote ah... of the Members."

Speaker Redmond: "Representative Palmer."

Palmer: "If the Sponsor would yield to a question? Does this apply to Cook County?"

Beatty: "It does not. It applies to a couple of the smaller counties."

Palmer: "Thank you."

Speaker Redmond: "Representative Borchers."

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

Speaker Redmond: "He indicates that he will."

Borchers: "I understand by the synopsis that this is done without referendum. Is that true?"

Beatty: "That's correct. It's done without referendum."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Speaker, the magic words ah... were said. It was increase a tax without a referendum. I would like to explain to the Members why I am a Co-Sponsor of this Bill. There is a very valid reason. We have three or four or five or six different types of library organization structures in the State of Illinois. One of those is a county library district. There are not many of them. There are only about one or two of them and they are limited to their maximum tax rate at a far lower level than any ah... every other library in the state. So all we are trying to do is equalize the tax limit.... the maximum tax limits for all of these libraries. We do not insist that they raise their taxes. It will be up to the County Board. What we are saying is that they ought to have the authority to raise their taxes. Now in the long run, these libraries will be benefited if they wish



to ah... because without this law, they will not be able to qualify for the per capita tax ah.... no, ah.... they will be able to apply for the per capita thing, but they will not be able to benefit for the special equalization ah... part of the formula, which Joe Lundy was the Chief Sponsor of and which passed out of this House earlier today. This is not something that will effect more than two or three ah... I think it's one or two very small counties in the state somewhere."

Speaker Redmond: "Any further discussion? Representative Brinkmeier."

Brinkmeier: "Will the Sponsor yield to one question?"

Speaker Redmond: "He indicates that he will."

Brinkmeier: "Cal, do I read the synopsis correctly? Does this provide for a tax increase without referendum?"

Beatty: "Mr. Brinkmeier, I'm the Sponsor for the Main Sponsor and it does provide for tax increase without referendum."

Brinkmeier: "O'kay. Thank you."

Beatty: "On a permissive basis."

Brinkmeier: "Thank you."

Speaker Redmond: "Representative Beatty to close."

Beatty: "As I said previously, this is a permissive Bill. It will aid persons in certain counties, if they wish, to participate in a program that we hope that the state has to build up their libraries to better serve their people. They do not have to put this into effect if they do not want. It may at some later date help them to provide a better library service and I ask for your green light."

Speaker Redmond: "The question is shall House Bill 447 pass. All those in favor vote 'aye' and the opposed vote 'no'. Have all voted who wished? Have all voted who wished? Representative Beatty. Representative Beatty, ah... I assume to explain your vote?"

Beatty: "Yes, I would like to say that this Bill has the support of the Illinois Library Association and the ah... also Mr. Howlett's Office. We've been working with them and it is ah.. only a permissive Bill and ah... it will help the people in these counties if at sometime they wish to avail themselves of the assistance of



the State of Illinois in getting grants or per capita assistance which is provided in other Bills, which will be forth coming here in the House."

Speaker Redmond: "Representative Beaupre."

Beaupre: "Mr. Speaker and ladies and gentlemen of the House, this is the Bill that was referred to Committee and studied in depth, ah... the Revenue Committee came out with the recommendation, do pass, by an overwhelming amount. We are indeed talking about increasing or ah.. allowing ah.. a local taxing district to increase its taxes without referendum, but I'd like for you to take a look at the amount. We're talking about a very insignificant amount. You take a look at the percentage of the tax dollars that goes to the library districts, you'll find that even if they go to the maximum under this Bill that we're talking about pennies. I suggest that we take a good hard look at it and provide.... let the libraries provide these kind of services that are necessary in a very limited part of the state."

Speaker Redmond: "Representative McPartlin."

McPartlin: "Mr. Speaker and Members of the House, ah... this Bill is necessary by the fact that the libraries share in no form of revenue sharing, neither state nor federal. Their tax base has been grossly depleted in the last five years with the loss of Personal Property, the Homestead Exemption and Senior Citizens Relief. They desperately need this revenue and I would like to see a few more green votes up on that board."

Speaker Redmond: "Representative Lundy."

Lundy: "Thank you Mr. Speaker and ladies and gentlemen of the House, in explaining my 'yes' vote, I would simply emphasize what Representative Beatty has said that this Bill is a product of The Library Financing Sub-Committee, which ah... studies this problem of financing local library services in great depth. The Bills ah.. really have the support of the ah... Library Association in Illinois. Thanks to the Leadership of the State Librarian and continued under the Secretary of State, Illinois has one of the finest systems of local library services in the



country. Now I think it would be a shame not to continue that good tradition. The General Assembly, in its wisdom, in past years, has provided adequate financing for local libraries and this is just another step in that direction. We not talking about a tremendous increase burden on local taxpayers. It would only apply to county libraries and ah... there aren't very many of those in the state, but where they do exist, they need to have adequate revenues, but as libraries in other parts of the state do and I would urge an 'aye' vote."

Speaker Redmond: "Representative Borchers."

Borchers: "Mr. Speaker and fellow Members of the House, I would just like to remind you that this is a tax increase without referendum of the people. I am perfectly on the ah... in every way on the side of the library, but I am not on tax increases without the right of the people to vote on it and make a decision and that's why I'm voting 'no'."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Speaker, may I remind the Members of the House that what we're trying to do is get the tax rate for every library district in the state to be the same. Now there are five or six different Acts under which library districts are formed. This one particular Act is below all of the rest of them and if we have to take this out of the record and bring you ah... you know, ah... we'll go find the names of the two counties in the State of Illinois, one of which is not Cook County, and we'll circulate it. It effects maybe a maximum of two legislative districts in the entire state. It just seems to me that you oughta have the same tax rate for every library district in the state."

Speaker Redmond: "Representative Anderson."

Anderson: "Mr. Speaker and Members of the House, one of the libraries affected is in my distrcit, ah... Putnam County. These people are for it. If it is a permissive Bill, ah.. it's nothing that is mandatory. Ah... I have been a Library Board Member for the last fourteen years and I think that it is something that is needed. So I urge you to vote 'yes'."



Speaker Redmond: "Have all voted who wished? Take the record.

On this question there are 92 'ayes' and 22 'no' and 15 voting 'present' and this Bill having received the constitutional majority is hereby declared passed. House Bill 480, Skinner."

Fredric B. Selcke: "House Bill 480, Skinner. An Act in relation to the deferral of payment of Real Estate Taxes by a person 65 years of age and older. Third Reading of the Bill."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Speaker, this is a recycling of House Bill 2791, of last Session, which was recommended by the House Revenue Subcommittee on Senior Citizens Property Tax Relief. It is not a momentous Bill. Not very many people will qualify for it. What it does is allow for the deferment of property taxes over 65 until they die. Now there are some people, perhaps all of them located in my district, who do not want to hold their hand out for any reason whatsoever. They want to pay their own way even if it's after they die. They don't want to apply for the Circuit Breaker Relief ah... and they don't really want to apply for the Homestead Exemption, but they want to stay in their own homes. Now if a senior citizen has a mortgage free home, now he would qualify under this Act. He would be able to, by applying to the county ah... Supervisor of Assessment's Office annually, defer his taxes until he died. If there are any questions, I will be happy to attempt to answer them!"

Speaker Redmond: "Representative Friedrich."

Friedrich: "I just want to ask the Sponsor if a person took the Homestead Exemption of \$1500, would this Bill still apply?"

Skinner: "Yes."

Friedrich: "And what about getting his Circuit Breaker? If he took all those, would he still apply."

Skinner: "He would not be able to apply for the Circuit Breaker and this Bill."

Speaker Redmond: "Representative Waddell."

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

Speaker Redmond: "He indicates that he will."



Waddell: "A...Cal, in the instance where let's say, a person is over 65, and then marries, again a young gal, or under the law today, a male...a...that is 26 years old...a...can he get deferment on that taxes so that neither one of them are paying on that property?"

Skinner: "A...we...we...we have limit...we have provided for the situation where a spouse is somewhat younger, but certainly they would not be...a 65 year old person would not be able to marry a 26 year old person and have the taxes deferred for both people. I think that we put the age at 50, was it 50. Incidentally Representative David Jones is the joint sponsor with myself on this bill, as is Representative Lundy, I believe. So they may be able to fill in some answers on questions that people might have."

Waddell: "Is the other one 50, then? In other words, you're allowing 15 years."

Skinner: "That is correct."

Speaker Redmond: "Any further questions? The question is shall House Bill 480 pass? Those in favor vote aye, those opposed, vote no. Have all voted who wished? Take the record. On this question, 105 ayes, 9 noes, 4 present, the bill having received the Constitutional majority is hereby declared passed. For what purpose does Representative Polk arise?"

Polk: "Mr. Speaker, in Sunday's Tribune, the article written by John Elmer and Barbara Sayland, has, I'm sure you now realize...a...been pointed out that there are many many inconsistencies in that article. Now I don't wish to condemn the entire fourth estate, for not all of them are guilty. Nor in my remarks, use the word "they" as guilty. As articles that I have read over the weekend saying that "they" meaning the entire General Assembly, has done it all to the taxpayers again. This was an inconsistency, and I can accept that. This was inconclusive and I can accept that. However, this Tribune article giving me the credit of being the sponsor of the Ground Hog Bill was completely an incompetency. This, I can't accept. I was in this building until after 6:30 on Friday evening. And I was in my district office on Saturday. Not once was I contacted by John Elmer or Barbara Sayland as to why I would introduce a Ground Hog Bill. Now



I'm wondering where they found this bill. If you will look in the digest under the name of Representative Polk, there is nothing there that says anything about ground hogs. If you will look in the synopsis under ground hogs, there is nothing there. If you look under synopsis under bounties, there is nothing there. I contacted the Speaker's office, who in turn, had his staff contact the Legislative Reference Bureau, to find out where the Ground Hog Bill was. There is no Ground Hog Bill that the Speaker's office could find. Mr. Speaker, I don't have the opportunity that Mr. Washington had in indicating his request to have this bill tabled and his name removed. I certainly can say that once again I hope the fourth estate would give the courtesy to the members to ask them once in a while why, if they in fact, would do such a thing."

Speaker Redmond: "Representative Duester."

Duester: "Mr. Speaker and Ladies and Gentlemen. Mr. Speaker and Ladies and Gentlemen of the House, as one who did, in fact, introduce a Cat Bill...a...and who suffered much abuse as a result of that Cat Bill...a....I sympathize with the former speaker, but I...I didn't get it clear...a...is it the truth that you did not introduce any bills governing ground hogs? At all?"

Polk: "I'm sorry, some other people contacted me. No, I know nothing about a Ground Hog Bill. I never introduced any Ground Hog Bill."

Duester: "So, unlike my case where it was true, in your case it is false. Is that correct?"

Polk: "(tape trouble) says that I introduced a Ground Hog Bill, obviously there is nothing in the synopsis that said any Ground Hog Bills have been introduced and I certainly didn't introduce it and I just wanted to have that clear."

Speaker Redmond: "Representative Cunningham."

Cunningham: "If a Ground Hog Bill is discovered and there is no sponsor, while I'll be glad to accept sponsorship of the Ground Hog Bill, and I would remind these offended prima donnas that the way fourth estate of the newspapers, the only way they can assassinate them is to ignore them, so when the Ground Hog Bill shows up, I want to be the sponsor of the bill. Thank you."

Speaker Redmond: "House Bill 516."



Fred Seicke: "House Bill 516. An Act to amend the Workmen's Compensation Act. Third Reading of the Bill."

Speaker Redmond: "Representative Beatty."

Beatty: "Mr. Speaker, I'd like to have 517 heard with this. It deals with loss of hearing under occupational disease, and so I'd like the two of them voted at the same time."

Speaker Redmond: "Does the Gentleman have leave to have 516 and 517 heard together? Proceed."

Fred Seicke: "House Bill 517. An Act to amend the Workmen's Occupational Disease Act. Third Reading of the Bill."

Beatty: "These two bills were proposed by Representative Lemke, now Senator Lemke, he had the same bills in last year and they passed the House by a very substantial margin. What these bills do is provide for a partial loss of hearing under the Workmen's Compensation Act and under the Occupational Disease Act. The present, the law is that in order to be compensated, it is necessary that you lose the hearing, the complete hearing..in...in...a...one or both ears. This bill would provide that if you had a partial loss and you could substantiate it, that you would be allowed a portion of the compensation as...what-ever the loss was. I...a...be glad to ask any questions of the members."

Speaker Redmond: "Any discussion? Representative Tuerk."

Tuerk: "I'd like to ask the sponsor a question or two."

Beatty: "Yes."

Tuerk: "How is it that its determined whether the loss of hearing is a ...attributable to a person's place of work."

Beatty: "It would be proven by competent medical evidence as in other injuries or disabilities."

Tuerk: "Well, how do you do that? By electronic equipment or...a...what types of test?"

Beatty: "Well, you have an examination of a physician, I would presume one who is an expert dealing with hearing and examination and testimony on his part that in his opinion, that this disability was present and this disability arose out of an accident or under, on the one hand, or an occupational disease on the other."



Tuerk: "Well, I...I've been asking this question for a number of years, now, as to how that doctor could determine whether it was established under working conditions or...a...a result of listening to some other high noises with high decibal levels, etc., such as music, for example, or airports...a...things of that sort."

Beatty: "Well, these medical questions, in the case of hearing, would be similar to other medical questions in other disabilities. This question is a question that is present in many of the workmen's compensation claims and its a medical question and its something that a...the respondent is able to bring testimony under and put in evidence and say that it is not, if that's what their opinion is." So I think the question...."

Tuerk: "Excuse me."

Beatty: "Well, its a question of medical, medical evidence."

Tuerk: "Well, yeh, but the difference being, would not you agree, that the difference being if..a...I'm working in a factory environment and I get my finger or two cut off, that its pretty easy to establish that a machine tooi actually cut off my finger, or I got a piece of steel in my eye and therefore, lost the eye. That's pretty easily determined. My...my point being that the hearing element is such a hard one to get your arms around that...its...a.. difficult to determine whether the loss of hearing is caused by a... the work environment or some recreational activity."

Beatty: "Well, these...these...a...these proofs are brought in and...a.. there are doctors that testify, the hearings are presented before an arbitrator or, eventually, before the whole commission, men who are well qualified in this type...in this area. Most of are arbitrators have been on the job for a long time. They deal with these questions, they do become pretty expertise in analyzing them and they're not afraid to rule whichever way is the proper way."

Tuerk: "Thank you."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Mr. Speaker, I wonder if the sponsor would yield to a question."

Beatty: "Yes, Mr. Schraeder."



Schraeder: "Has there been a scientific way of determining partial loss of hearing in the last five years?"

Beatty: "Yes there has."

Schraeder: "Could you tell me what kind of machine that is? Decibal?"

Beatty: "Measured by decibals, Mr. Schraeder."

Schraeder: "And does this machine also tell you where you get the noise content for determining loss of hearing?"

Beatty: "I don't believe that it does."

Schraeder: "I'd like to speak to the question if I may."

Speaker Redmond: "Proceed."

Schraeder: "Mr. Speaker and members of the House, as a former arbitrator for the Industrial Commission, I sympathize with somebody that has a loss of hearing. But during my four years as an arbitrator for the commission, we had numbers of cases of claim for industrial loss of hearing. And through all medical testimony that was presented at that time when I was an arbitrator, no medical testimony indicated that there was any way of determining partial loss of hearing. And until we have an authentic proof of some way of testing it, and this machine, by the way, does not indicate a partial loss of hearing to any substantial amount, so until such a time as we have positive proof, I don't think that we should allow the Workmen's Compensation Act to be cluttered with this kind of legislation, and I would ask a no vote."

Speaker Redmond: "Representative Dunn."

Dunn: "Will the sponsor yield for a question please?"

Beatty: "Yes, yes I will."

Dunn: "Is this your ear bill?"

Beatty: "Well, this was Representative Lemke's bill dealing with partial loss of hearing."

Dunn: "Do you recommend an eye for an ear?"

Beatty: "I don't believe I do."

Speaker Redmond: "Representative Geo-Karis."

Beatty: "Yes, I do, I'm sorry, I'm a little slow."

Speaker Redmond: "Representative Geo-Karis. Representative Geo-Karis."

Geo-Karis: "A...Mr. Speaker, Ladies and Gentlemen of the House, in all



due deference to my colleague on the other side, I can see the merit of his argument except that if he were to go through a plant, for example, such as (unintelligible) or one like plant, and hear the noise vibration and feel it, there's no question in my mind that there is an attribute against hearing from a lot of noise. And no amount of money can replace your good hearing. I think it is a meritorious bill and I'm sure that now they have perfected more ways, more medical tests that can equate what the amount of loss can reasonably be considered. Nothing is perfect, but great noise in employment can cause, they tell me, not only loss of hearing, but also high blood pressure and also heart trouble, so I respectfully ask consideration of this bill."

Speaker Redmond: "Any further discussion? The question shall these bills 516 and 517 pass? All in favor vote aye and opposed vote no. Take two roll calls. Have all voted who wished? Take the record. These questions there is 117 ayes, 12 noes, 4 voting present and House Bills 516 and 517 having received the Constitutional majorityRepresentative Schoeberlein, aye....are hereby declared passed. House Bill 534."

Fred Selcke: "House Bill 534. A Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Redmond: "Representative G. L. Hoffman. 534. I don't see him, do you? Is the Gentleman on the floor? Representative G. L. Hoffman? House Bill 6....take that one out of the record. House Bill 655."

Fred Selcke: "House Bill 655."

Speaker Redmond: "Do you want that one out of the record? Take that one out of the record at the request of the sponsor. House Bill 458."

Fred Selcke: "House Bill 458. A Bill for an Act to amend the Public Community College Act. Third Reading of the Bill."

Speaker Redmond: "Representative Hirschfeld, is he on the floor? Take that one out of the record. House Bill 224. Representative Brinkmeier, 224, do you want that called?"

Fred Selcke: "House Bill 224. A Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Redmond: "Representative Brinkmeier."



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turn-out problem is something that is more than just a state problem. Many of the roads used by these people are maintained by county and township governments so the state does not have much to say about these turn-outs. However; the law does apply to all roads whether they are maintained by state, county or township governments. So I've asked a member of my staff to research the amendment and draft up this legislation covering the turn-out problem. I have then introduced this Bill. This would amend three areas of the Illinois ah.... law. First, two laws covering state highways would be amended. Second, the law would amend the laws covering the maintenance of county highways and finally the Bill would amend the laws that effect township roads. Under the present law, the law requires that a service of mailbox turn-out be constructed of all-weather service. Now that definition is not specific and it covers gravel as well as any other type of ah..... turn-out. This Bill would require that where a road is of service ah... of less quality than by bituminous material ah.... service ah...that anything better than the service of the roadway would be used. It does not require that bituminous turn-outs for gravel roads. I believe this Bill would help an important problem of cars stopping at the ah... turn-outs and becoming stuck half way on the road and half off, especially when the turn-out is right over the top of a hill. These are for mail carriers and these folks do have to drive on all of these roads and have to turn in and out on traffic and so forth and it is not only a help to the mailman but it is help to the people traveling on the roads."

Speaker Redmond: "Representative Deavers? Are there any further questions? Any further discussion? The question is shall House Bill 402 pass. All those in favor shall vote 'aye', those opposed vote 'no'. Have all voted who wished? Take the record. On this question there are..... Representative Geo-Karis is on the wrong side of the aisle again, she is voting 'aye'. On this question there are 95 'ayes' and 3 'no' and 8 voting 'present' and the Bill having received the constitutional majority is hereby



declared passed. Leon, 'aye'. House Bill ah.... Mudd, 'aye'.

House Bill 849, Representative Deavers."

Fredric B. Selcke: "House Bill 849, Deavers. Ah...."

Speaker Redmond: "Representative Deavers."

Deavers: "Mr. Speaker, I would like leave of the House to take House Bill 849 back to Second Reading for the purpose of amendment."

Speaker Redmond: "Any objections? Leave."

Fredric B. Selcke: "Amendment #1, Deavers. Amend House Bill 849 on page 1 immediately following line 25 by adding the following Section II. It is understood and agreed that the land described in Section I shall not be used as a junk yard or for advertising of any kind except as may be permitted under paragraphs 504.02 and 504.03 in Chapter 121 of the Illinois Revised Statute, Section III of the Secretary of the Department of Transportation and....."

Speaker Redmond: "Representative Deavers on the amendment."

Deavers: "This is an agreed amendment. When we heard the Bill in Committee, the D.O.T. felt that we had left a couple of Sections out and this is language prepared by the D.O.T. and I would move at this time for its approval."

Speaker Redmond: "Any discussion? The question is on the adoption of the amendment. All those in favor vote 'aye' and the opposed, 'no' and the 'ayes' have it and the amendment is adopted. Third Reading. House Bill 45. Take it out of the record. House Bill 578. I understand that that is a misprint. It should be 576. Representative Griesheimer."

Fredric B. Selcke: "House Bill 576. A Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Redmond: "Is Representative Griesheimer in the Chamber? Take it out of the record. 587."

Fredric B. Selcke: "House Bill 587. A Bill for an Act making an appropriation to the Department of Transportation. Third Reading of the Bill."

Speaker Redmond: "Representative Polk. Representative McMasters, for what purpose do you rise?"



McMaster: "Mr. Speaker, I feel that the Calendar is in error. House Bill 587 was held on Second Reading last week and should not have been place on the Calendar on Third Reading. It really belongs on Second Reading where we agreed to hold it till we had completed the debate on an amendment."

Speaker Redmond: "Will you advise me, Mr. Clerk? Representative Polk."

Polk: "Yes, Mr. Speaker, that was correct ah.... the amendment was not distributed ah... last week. We agreed to hold it so I would like to move to ah... to move the Bill back to Second ah... so that my distinguished colleague from McHenry County has an opportunity to ah... place an amendment on the Bill."

Speaker Redmond: "Any objections to taking House Bill 587 back to Second Reading for the purposes of an amendment? Representative Shea."

Fredric B. Selcke: "Amendment #1, McMaster....."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, and I think that the gentleman will agree with me, ah... when this was debated on the 16th, Amendment #1 has not been adopted yet, is that correct? So that the digest shows Amendment #1 as adopted and it is my understanding that it was not. I think Mr. Schlickman..... Amendment #1 is for a ah....a expenditure of \$1,000,000 in Mr. McMaster's area. Mr. Schlickman raised the point of germaneness when a temporary Speaker was in the Chair. The temporary Speaker ruled against Mr. Schlickman and said that the amendment was germane. Somebody then raised the question whether the amendment was printed or not and that was Mr. Lechowicz, and at that point there was an agreement between the parties that it would be held on Second Reading, Sir."

Speaker Redmond: "Representative McMasters."

McMaster: "Mr. Shea, you are entirely correct. This is the procedure that took place and this is why I said that, Mr. Speaker. It was incorrectly placed on the Calendar at Third Reading. In reality, it is still on Second."

Speaker Redmond: "Take it out of the record for House Bills, Third Reading and it will appear on House Bills, Second Reading. The



amendment ah... in order now? Representative McMaster."

McMaster: "Ah... Mr. Speaker, the amendment has been distributed and I am prepared to offer it for adoption."

Speaker Redmond: "Read the amendment."

Fredric B. Selcke: "Amendment #1, McMaster. Amend House Bill 587 on page 1 by striking everything after the Enacting Clause and so forth."

McMaster: "Mr. Speaker and ladies and gentlemen of the House, the form of the amendment is that which was recommended to us. We still separate Mr. Polk's part of the Bill in item 'A' in the amendment, the sum of \$2,225,000 etc. for the Chadwick Slab in ah.... Whiteside County, I believe, and also item 'B' which was my amendment, the sum of \$1,000,000 or so much thereof as may be necessary for the purpose of resurfacing nine miles of Illinois Route #82 in Henry County, from Cambridge Illinois, south, to its junction with with Illinois Route #17. Mr. Speaker and ladies and gentlemen of the House, those of you who have not had the opportunity of driving some of our roads in west-central Illinois, let me say that Route #82, which we have described here is one of the worst highways that there could possibly be in the state. It is really a shame that we have the designation of a state highway on a route such as this. I think it should either be taken care of and fixed, the condition of it is such that it causes a great deal of problems to the people that drive on it and it causes damage to automobiles and trucks and at times of the year it becomes almost impassible. I would certainly urge the support of this amendment. I have no desire whatsoever to interfere with Mr. Polk's part of the Bill, but I think that this highway, most certainly, needs resurfacing and taken.... being taken care of. I urge your support of it."

Speaker Redmond: "Any questions? Representative Lechowicz."

Lechowicz: "Thank you Mr. Speaker and ladies and gentlemen of the House, I reluctantly stand in opposition to Amendment #1 to House Bill 587. The amendment is adding an addition of \$1,000,000 for resurfacing of nine miles of Illinois Route #82 in Henry County



from Cambridge south, to Illinois Route #17, west of Kewanee. Unfortunately, this \$1,000,000 was not in the Fiscal 1975 Program and it is not in the accelerated program and presently, since we have not reviewed the D.O.T. Appropriation Request for Fiscal 1976, unfortunately ah... this position is unknown right now. Let me point out the fact that presently the road is 18' wide and according to the D.O.T. recommendations ah... the widening of the roads throughout the state will be ah... on roads that are from 22' to 24' wide. Let me also point out the fact that as far as the average daily traffic on ah... near Cambridge, there is 700 vehicles a day, average daily traffic. In turn, ah... near Route #17, it's 500 average daily traffic and I know that it has always been the policy of the House to pass pork barrel Bills, and in turn go back into the district and campaign on it, but I thought that the will of the General Assembly was quite adequately pointed out in last years Department of Transportations Budget, where we held that Budget Request and tried to encompass every legislators request within the D.O.T.'s Fiscal Appropriation. I'm sorry to see that House Bill 587 did come out of the Appropriations Committee II. The synopsis does not reflect the vote by which it came out of, but I would hope that the General Assembly would correct its position in defeating Amendment #1, which is strickly a pork barrel amendment. Thank you."

McMaster: "Mr. Speaker, I resent the terminology of a pork barrel amendment on this. Let me remind the previous speaker, from the Chicago area, that we downstate need things too and I think \$1,000,000 for a state highway, that is badly in need of resurfacing ah... and we're not widening it, Mr. Lechowicz. All we're trying to do is get a surface on it that people can drive on. You mentioned the fact that there are very few cars driving on this highway; let me tell you that if you had to drive on a road like that, you would try and stay off of it too and drive on county and township roads. It's a shame that the state has a highway like this and I think that we need it very very badly and I resent having a Bill or an amendment of mine being called pork barrel, Ted."



Speaker Redmond: "Any further discussion? The question is on the adoption of Amendment #1 to House Bill 587. All in favor of the adoption indicate by saying 'aye', opposed 'no'. It appears that the 'noes' have it and the amendment is lost. Do 76 Members ask for a Roll Call? O'kay, we'll have a Roll Call. Those in favor vote 'aye' and those opposed vote 'no'. Have all voted who wished? Have all voted who wished? Take the record. On this question there are 79 gentle voices voting 'aye' and 47 loud voices voting 'no'. The amendment is adopted. Any further amendments? No further amendments. Third Reading. House Bill #590, Representative Griesheimer. Take that one of the record. 642, Representative DiPrima. Is he on the floor? 642."

Fredric B. Selcke: "House Bill 642. A Bill for an Act to amend the Probate Act. Third Reading of the Bill."

Speaker Redmond: "Representative DiPrima."

DiPrima: "Mr. Speaker and ladies and gentlemen of the House, this is a housekeeping Bill. It was requested by the Vetrans Administration in order to expedite ah... probates ah... pertaining to the veterans. I would appreciate an affirmative vote."

Speaker Redmond: "Any discussion? The question is shall House Bill 642 pass. All those in favor vote 'aye' and those opposed vote 'no'. Have all voted who wished? Take the record. Wait a minute..... now you can take it. Representative Marovitz, 'aye'. Deavers, 'aye'. Where is Representative Geo-Karis? I hear her, but I don't ah... Representative Capuzi, 'aye'. On this question there are 121 'aye' and no 'nays' and this Bill having received the constitutional majority is hereby declared passed. 826."

Fredric B. Selcke: "House Bill 826. A Bill for an Act to amend the Retail Installment and Sales Act. Third Reading of the Bill."

Speaker Redmond: "Representative Ron Hoffman. Representative Hoffman, is he on the floor? Ron Hoffman? Take it out of the record. 827, ah.... same Sponsor. 885."

Fredric B. Selcke: "House Bill 885. An Act making supplemental appropriations to the Department of Corrections. Third Reading of the Bill."



Speaker Redmond: "Representative VanDuyne, House Bill 885."

VanDuyne: "Mr. Chairman and Members of the General Assembly, ah....

ladies and gentlemen, ah.... this is a \$200,000 supplementary appropriation to the Department of Corrections. It's very very much needed in Will County because the judge in our area has allocated these funds to ah... to take care of the court costs of the indited eleven from ah... The Stateville Penitentiary. This is an obligatory thing from the Department of Corrections, and their budget is depleted ah..... to ah..... to take care of the legal costs of these prisoners, so ah....you're really voting to bail Will County out of something that they've got into by accident and it's going to depleat all our budget..... our General Revenue Fund if we have to pay this thing. So it is just a supplementary appropriation to take care of something that the Department of Corrections is supposed to have money for already. Now ah... Representative Leinenweber and Representative Sangmeister and I ah... all are Co-Sponsors of this Bill so I would plead for an affirmative vote and I defer now to my cohort, Mr. Leinenweber."

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

Leinenweber: "Nothing, I ah....."

Speaker Redmond: "He rises for nothing. Representative Palmer."

Palmer: "If the Sponsor would yield for a question ah.... or any of the three? Ah.... what ah..... is this for services already preformed?"

VanDuyne: "Representative Palmer, this is an obligation of the Department of Corrections to ah... pick up the tab for these prisoners legal fees. Now ah... this is ah....now when you go to collect your money, you find out that the Department of Corrections has already depleted their appropriation for this specific item. So ah... consequently they cannot reimburse Will County for the money that they have expended. Now the reason that we have to expend the money in Will County is because the



judge has decreed that we do so and not only do we pay it ah.... you know ah..... annually, semiannually, but no, no, ah... not that..... he says that you pay it every Friday night. Now the Bill for this has already exceeded \$122,000 and it is in its ninth week and it has no signs of ah.... ending so that it why we are pleading for this \$200,000 to pay these legal fees for these prisoners."

Palmer: "Well, does it refer to a case on file or cases on trial?"

VanDuyne: "Yes, there was a case ah.... I don't know ah... last fall or last summer in Sangamon County here that ah.... you know, ah... its the same ah... practically the same thing."

Palmer: "Well, ah... who defends the prisoners?"

VanDuyne: "Well, as I understand it ah.... the prisoners are ah.... authorized to have a public defender. Now ah... they also by ah... permission of the judge are allowed to refuse the public defender and then of course the judge allows them to pick their own attorney. Now please don't think that we are joining in this venture. We ah.... we oppose this as much as you or anybody else, but ah....."

Palmer: "Well, I was just trying to find out how it works or how the Bill came about. Maybe Mr. Leinenweber....."

VanDuyne: "Well, the Bill came about ah.... at the behest of our County Board. This money is coming out of our General Revenue Fund."

Palmer: "Well, who did the County Board pay? The Public Defenders Office or private counsel?"

VanDuyne: "Well of course the Treasurer issues to the checks to the lawyers themselves."

Palmer: "The private lawyers?"

VanDuyne: "Yes."

Palmer: "Is that in every case? What ah.... who do they pick for the lawyers down there? Do they pick the Joliet Bar Association?"

VanDuyne: "Well, the funny thing about this is the lawyers from Sangamon County ah... who I presume were not from Sangamon



County, were allowed by your judge ah.... and brace yourself for this ah.....\$750 a day because he ah... felt that they had to close up their law office and ah... especially the lawyers that were working by themselves; they had to close up their law office, come down here, bring witnesses and so on and so forth ah..... and food and lodging; he allowed..... the judge in this district allowed up to \$750 a day."

Palmer: "\$750 a day?"

VanDuyne: "Per day."

Palmer: "That's better than serving in the General Assembly."

VanDuyne: "If I was a lawyer, I'd be getting in on some of that action myself."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. I'd like briefly to run over the chronology of how Will County got into ah... somewhat of a mess ah... not of its own choosing. Basically it results from actions of this General Assembly that have been taken over the years in passing various laws, perhaps without considering all of the consequences. There was a riot in Stateville Penitentiary about a year or two ah.... within the last two years of which eleven inmates were indicted for various charges arising out of the riot. You may recall that this was the riot where Governor Walker ah... took a relatively hard line and refused to negotiate with the prisoners until they had ceased rioting. In any event, eleven inmates were indicted for various charges arising out of this incident. There is a law in the books, which I had no part in enacting, which places the responsibility on the Department of Corrections for assuming the costs of prosecution which has been interpreted by the Supreme Court of the State of Illinois as including the cost of the defense. Also, not of our choosing, there is a law..... it is a law in the State of Illinois that a defendant who is indigent is entitled to the Public Defender and if he does not desire the Public Defender, he is entitled to have appointed on his behalf confidential council. Now the



court in Will County has appointed council to represent the defendents because of the fact that they declined the service of the Public Defender. Again, this was not of the choosing of Will County that Stateville Penitentiary lies within its borders and it was not the choice of the County of Will that this trial be held within the County of Will. In any event, the court has appointed council to represent these inmates. Under statute, which this General Assembly adopted prior to either Representative Sangmeister, VanDuyne or my tenure here, the court has the power to set attorneys fees, subject to review only judicially and not by review of this legislature. Consequently, the County of Will has been ordered to make periodic payments of attorneys fees to the attorneys representing the eleven inmates that were charged for various charges arising out of this ah... this riot. In any event, they are out the money. The Department of Corrections, as Representative VanDuyne has pointed out, has no money to reimburse Will County. Consequently, at this particular juncture, Will County is out the sum of money, ah... I'm not sure exactly what amount, but the conclusion of the trial as estimated would be in the approximate amount of \$200,000. All we're asking for is that this amount of money be appropriated to the Department of Corrections, so that they can reimburse Will County. Now this does not mean that.... the law does not ^{need certain} mean sudden changes. I happen to believe that it does need some changes. There are certain Bills..... there have been Bills filed to change this law which brought this about. In any event, it is not the fault of Will County and we ask that this legislature appropriate this sum, which the Department of Corrections has determined to be adequate to fulfil its needs and ah.... so that Will County can be bailed out of a precarious financial situation."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. Will Representative Leinenweber respond to a few questions based on his explanation? Why was



a Public Defender not appointed in this case?"

Leinenweber: Under the law, the Public Defender is available, however the defendant has an absolute right, under the law in Illinois, to refuse the services of the Public Defender and have alternative council appointed. The Public Defender was appointed, however they were rejected by the defendants."

Lechowicz: "What extraordinary circumstances prevail which entitle defense council to receive payment in excess of statutory limitations?"

Leinenweber: "The statutory limitation is \$250.00 for the entire trial. The trial is now either in its ninth or tenth week and it certainly, in my opinion, is an extraordinary circumstance when an attorney is appointed to handle a trial of ten weeks duration."

Lechowicz: "Well, under what statute does an investigator paid \$7,000?"

Leinenweber: "Under the statute in the Uniform Code of Corrections, which places the responsibility in the Department of Corrections to assume all costs of prosecution."

Lechowicz: "That's a rather liberal interpretation. What about the sheriff, ah... he was paid \$6300. Is that under the same statute that controls the acts in the court room?"

Leinenweber: "That is correct. Now that is not to say that these are not reviewable, my point is that they are reviewable in the Judicial System; again based upon the wording of the statute."

Lechowicz: "May I address myself to the Bill, Mr. Speaker?"

Speaker Redmond: "Proceed."

Lechowicz: "Well, to date the following amounts have been billed representing seven weeks of trial proceedings to the following attorneys: Mr. Bell received \$9,250, Mr. Bolddon, \$18,500 and Mr. Holt, \$18,500 and Mr. Katish, \$9,150 and Mr. McSherry, \$8,375 and Mr. Ridgin, \$9,250 and Mr. E. William, \$8,375 and Mr. W. Williams, \$27,750 and an Investigator for \$6,855 and a Sheriff for \$6,300 which gives a total of \$122,305. Again, based upon an analysis of the week ending March 21, 1975 the



payments have ranged as high as \$750 per attorney, per day. I think an appropriation of this magneto may establish a precedent for future claims, demanding reimbursements of expenses for statutory limitations and for this reasoning, I am going to be voting 'no' against this Bill."

Speaker Redmond: "Representative Friedrich."

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

Speaker Redmond: "He indicates that he will."

Friedrich: "Are the inmates of a prison counted for the purpose of population for revenue sharing for motor fuel tax and so on?"

VanDuyne: "Mental hospitals ah... inmates are."

Speaker Redmond: "Representative VanDuyne has yielded to Representative Leinenweber."

Leinenweber: "I don't ah.... I'm not sure."

Friedrich: "I think that they are. If they are than Will County has been pretty well reimbursed for many years."

Speaker Redmond: "Representative Shea."

Shea: "Can I address this to Representative Leinenweber? I think that he is more familiar with services? It's my understanding that a judge in the Circuit Court of Will County interpreted the statute to mean \$250 per day, per defendant. Is that correct?"

Leinenweber: "That.... I don't think that that is a interpretation. That was what he decided upon was reasonable compensation considering the extraordinary circumstances."

Shea: "Well, some years ago..... I don't know whether you were here or not, but we had a very bad situation arising.... I think down in the mental hospital down in ah..... what is it ah..... it's in the 58th District down there ah..... where some guards were involved in a ah.... in Chester, ah... some inmates were involved with killing some guards and they were tried in Springfield here. Some lawyers were appointed. We then amended the law to provide that the \$250 per defendant could be increased upon the order of the court, the judge trying the case and authorized by the Chief Judge. Do you know if your circuit



the Chief Judge of that circuit authorized these payments?"

Leinenweber: "Yes, he did. The Chief Judge is Victor Cardosi in Kankakee and he did ah.... authorize the payments."

Shea: "All right, so that he's in effect told the county to pay them, is that right?"

Leinenweber: "The county was ordered to advance these sums and the reason it was done on a weekly bases is because each and every council, ah... I think there is six or seven of them, are single practitioners."

Shea: "Well, Mr. Speaker, I would like to speak to the Bill. I've been a friend of the Judiciary for a number of years, but I think that it's ludicrous that any Chief Judge would sign a statement paying attorneys, court appointed councils, \$750 a day for trial time. I think it's an absolute ludicrous act and I could not vote for this Bill under any circumstances."

Speaker Redmond: "Representative Ryan."

Ryan: "Well, thank you, Mr. Speaker and ladies and gentlemen of the House, I certainly agree ah.... to some extent with the previous speaker, although that's not the issue that we have before us here today. The issue is that the judge did order the payment by Will County of these fees. Certainly the fees, ah... as the Appropriation Committee went over with a fine tooth comb, and agreed that the fees were probably in excess, but that does not eliminate the obligation of Will County who has been ordered by the judge to pay this. Now the State of Illinois went into Will County and built a jail and put prisoners in it. The prisoners have rioted. They don't even live in Will County. They are not from Will County and now the people of Will County are forced to pay this out of their local taxes. This could happen in your county if you have a state penitentiary there and so based on ah... not necessarily the fees that were paid and we were not in agreement with the fees that we paid, but certainly the principal is here. The judge ordered the Treasurer of Will County to pay this and he will be in contempt if he doesn't pay it and I would urge that you vote 'yes' on this



Bill."

Speaker Redmond: "Representative Terzich."

Terzich: "Mr. Speaker, I would like to move ah.... the previous question."

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

VanDuyne: "Well, Mr. Speaker and ladies and gentlemen and Mr. Shea, I couldn't agree with you anymore than if I was making your statement myself or ah... to Ted Lechowicz, but I don't see how you can refuse to pay ah.... to pay a payment ah... where this General Assembly passed the law that forces the county ah.... that authorizes the payment of this money, through the authorization of the Department of Corrections. Now if there is any recrimination, it should not come back to Will County. It should come back to the judge that made this ridiculous ah... judgement against us. We went through this in Committee and I said at the time, that ah... I really believe that there should be some type of a law enacted here in this General Assembly, whereby a County Board has some type of ah.... second thoughts or ah... some kind of avenue of escape from a judge or a series of judges who will hand down these court orders and pay.... force County Boards to make these ah... certain payments without any ah.... any type of ah.... action. Now I was on the County Board at the time that this thing started. In fact, I was on the Finance Committee and this very judge, Judge Orenic, who is the head Judge in our Judicial District, sent down a court order gagging the very Finance Committee who is supposed to sign the vouchers for paying these lawyers, but we're stuck and when you vote this down, I'm just submitting to you, Representative Shea, that you're not being responsible. You, the ladies and gentlemen in this General Assembly, enacted this law and you were supposed to have given the Department of Corrections the authority and



the obligation of paying these bills. You didn't appropriate them enough money to pay these bills and now we are like ah.... fifth in line because the judge gave the order that we must pay them and you have no money in the Department of Corrections Appropriation to pay them with. All we're asking is that you give them a supplementary appropriation and back up what you passed some years ago."

Speaker Redmond: "Address your remarks to the Chair, please. Representative Shea."

Shea: "Mr. Speaker, will Mr. VanDuyne yield for a question, please? I've got ah.... I've just put in a call for the Court Administrator and he is on his way over here. I would like to have an opportunity to talk with him. Would it be possible for you to pull this Bill out of the record until I do? Thank you, very much."

Speaker Redmond: "Take the Bill out of the record. House Bill 912."

Jack O'Brien: "House Bill 912, a Bill for an Act making ah... amending an Act making an appropriation to the St. Louis Metropolitan Area Airport Authority. Third Reading of the Bill."

Speaker Redmond: "Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and ladies and gentlemen of the House, House Bill 912 simply permits using \$200,000 that was appropriated last year for updating the Environmental Impact Statements for the St. Louis Metropolitan Airport Authority and I would like to move for the ah..... rather ah.... ask for a 'aye' vote on this Bill."

Speaker Redmond: "Are you ready for the question? The question is shall House Bill 912 pass. Those in favor will vote 'aye' and those opposed will vote 'no'. Have all voted who wished? Take the record. On this question there are 104 'ayes' and 2 'no' and 1 'present' and this Bill having received the constitutional majority is hereby declared passed. Byers, 'aye'. Skinner, 'aye'. House Bill 944."

Jack O'Brien: "House Bill 944, McPartlin. A Bill for an Act making an appropriation to the Legislative Audit Commission. Third



Reading of the Bill."

Speaker Redmond: "Representative McPartlin."

McPartlin: "Mr. Speaker and Members of the House, House Bill 944 appropriates \$83,600 to the ordinary contingent expenses of the Legislative Audit Commission for the fiscal year beginning July 1, 1975. Add to it the net increase in budget requests over the last year of 2.2% and I would appreciate the support of the House."

Speaker Redmond: "Are you ready for the question? The question is shall House Bill 944 pass. All those in favor vote 'aye' and those opposed vote 'no'. Have all voted who wished? On this question.....take the record. On this question there are 130 'aye' and 1 'no' and 1 'present' and this Bill having received the constitutional majority is hereby declared passed. On the order of House Bills, Third Reading appears House Bill 1, for which purpose we recognized Representative Hanahan."

Jack O'Brien: House Bill 1. A Bill for an Act in relation to the settlement of differences between public employers and public employees in providing for collective bargaining. Third Reading of the Bill."

Speaker Redmond: "Is Representative Hanahan on the floor? Take it out of the record. House Bill 144."

Jack O'Brien: "House Bill 144. A Bill for an Act to authorize and regulate the storage of guns for safe keeping. Third Reading of the Bill."

Speaker Redmond: "Representative Porter."

Porter: "Mr. Speaker and ladies and gentlemen of the House, we have a lot of work to do and I have discussed this Bill with a number of Members of the House and ah... have really determined that we can ah... try and experiment in the home rule unit and see if it works out and I really don't see a need for the Bill and I ask that it be tabled."

Speaker Redmond: "Does the gentleman have leave? Reluctantly, leave is granted. House Bill 357."

Jack O'Brien: "House Bill 357, Maragos."



Speaker Redmond: "Take that out of the record. 422, Representative Duff? House Bill 422."

Jack O'Brien: "House Bill 422, Duff. A Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Duff: "Mr. Speaker and ladies and gentlemen of the House, House Bill 422 ah... does essentially two things. It codifies the recent Supreme Court decision in Hemmingway vs. Elrod, which states that a judge may revoke the bail ah... for a person who is on bail for a prior ah... offense, but the second phase is that it codifies..... ah.... provides a process by that which that might be done. Presently the courts are already starting to implement the decision, but there is no legislative structure under which they are confined to work. The Bill has been amended in the Judiciary Committee substantially, ah... narrowing it somewhat from what I would have preferred, but still it is effective. It's the only Bill ah.... presently on the floor which ah... in either House, to my knowledge, which can accomplish what it is presently designed to do and I would appreciate a favorable Roll Call."

Speaker Redmond: "Representative McLendon, do you desire recognition?"

McLendon: "Could you hold that until tomorrow, Mr. Speaker?"

Speaker Redmond: "Representative Duff. Any discussion on House Bill 422? The question is shall House Bill 422 pass. Those in favor vote 'aye' and those opposed vote 'no'. Representative Daniels, 'aye'. Have all voted who wished? Take the record. On this question there are 120 'yes' and 10 'no' and 6 'present' and this Bill having received the constitutional majority is hereby declared passed. Is Representative Hirschfeld on the floor for House Bill 458? I guess not. Representative Washington, do you want House Bill 45 called? The order of business is Senate Bills, Third Reading. On Senate Bills, Third Reading appears Senate Bill 47."

Jack O'Brien: "Senate Bill 47. A Bill for an Act making additional appropriations to the Board of Trustees of Southern Illinois



University. Third Reading of the Bill."

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

Walsh: "I'm inquiring as to what order of business we are on."

Speaker Redmond: "Senate Bills, Third."

Walsh: "Well, now Mr. Speaker, we had a lot of discussion ah... last week about the horrendous amount of work that we have to this week and next week in order to comply with the deadline that's in the Joint Rules. I suggest to you that the House can act on Senate Bills for several weeks after it can act on House Bills, under our rules, and so I suggest respectfully, that we should not be dealing with Senate Bills at this time and that we should address ourselves to House Bills."

Speaker Redmond: "These Senate Bills expire prior to the next House Bills on Third Reading."

Walsh: "Well, now Mr. Speaker, we can suspend the rules certainly ah... for those Senate Bills ah... at the appropriate time. There is nothing we can do about ah... that's a House Bill that ah... or a House Rule that we would be suspending the rule for. We have to deal with the Joint Rules and I submit to you that it's going to be dog-gone difficult to suspend the Joint Rules for House Bills."

Speaker Redmond: "I believe that ah... at the present posture, that I do have the power to go to Senate Bills, Third Reading."

Walsh: "I'm not suggesting that you don't have the authority to go to that order of business, but I question your wisdom in going to that order of business and as you know the House can by motion prevent you from going to that order of business and I seriously suggest that that might be a good idea because I think you are unwise to deal with anything but House Bills."

Speaker Redmond: "If I'm unwise now, it won't be the first time, nor will it be the last time. It's my judgement that we will be able to attend to these Senate Bills, Third Reading in less time than....."

Walsh: "I further advise, Mr. Speaker, that the Bill that we are



on now, doesn't expire until May 11th on our Calendar."

Speaker Redmond: "That is correct."

Walsh: "Why on earth are we considering this when we have two weeks to get rid of House Bills?"

Speaker Redmond: "The next order in priority of the call of the House Bills that expire on 5/16. We've addressed ourselves to everything prior that. Now I'm....."

Walsh: "Those Bills expire on May 2nd. Every House Bill expires on May 2nd."

Speaker Redmond: "Out of Committee."

Walsh: "Out of the House. I submit....."

Speaker Redmond: "May 23rd is out of the House."

Walsh: "Well, alright then, out of Committee, but we still must deal with them before we deal with Senate Bills and I suggest to you that that is what we ought to be doing. We had a lot of discussion about this last week and I thought that we at least got that point across."

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

Matijevich: "Mr. Speaker and ladies and gentlemen of the House, the real crunch we have is in Committee and there is no Committee Meeting today and I believe that the Speaker has said that he is going by the priority call according to dates and this Senate Bill actually has a priority before some House Bills. We really don't have a crunch on Third Reading in House Bills until after the 2nd of May, Representative Walsh. I think that if we just sit down in our seats and let the Calendar run, we would do a lot better job of expediting the business of the House."

Speaker Redmond: "Representative Collins."

Collins: "Well, Mr. Speaker and ladies and gentlemen of the House, I must add my protest to that of Representative Walsh. We do have a crunch and everyone that has been here for more than one Session knows what a crunch it will be when these House Bills start going over to the Senate in big numbers and you



know the attitude of the House of Lords, they'll take a look at these Bills and start arbitrarily killing them without any regard for the merits of the particular Bills. So I think that our first obligation is certainly to the House Bills. Let's get as many of them out of here and over to the Senate as fast as we can and as early as we can because I don't want to go through another Session and I'm sure none of us do, but as we watch our Bills being indiscriminately ah... scuttled in the Senate ah... because there are so many of them going over. Now I and others tried to point out last week ah... the unrealistic approach that we are adopting in this House by taking of this crazy schedule of ours and not suspending the rules, however the powers that be it decreed that we'll work ridiculous hours for the next two weeks for the dubious honor of satisfying an arbitrary deadline. Be that as it may, I do think that we should dispose of as many House Bills as we can and do it quickly. We are going to face a situation come next month and the month of June when House Bills are going to be scuttled indiscriminately and the Senate will take their usual attitude and say who cares about the merits, just get rid of these Bills. So Mr. Speaker, I ask you to reconsider and ah... and adopt Mr. Walsh's line of reasoning. Let's work on House Bills. There is no need to work on Senate Bills at this time and certainly this Bill that we have now is not under a immediate expiration date. We have time to address ourselves to it later. Let's get these House Bills first."

Speaker Redmond: "May I say that we have been here for three hours and forty-five minutes and have moved exactly 13 Bills and it seems to me that we are going to have to move expeditiously in order to these things going. Now in my judgement, Senate Bills, Third Reading is the correct order of business and that is what I'm calling and on Senate Bills, Third Reading appears Senate Bill 47, for which purpose I recognize Representative Lucco."



Speaker Redmond: "Representative Walsh."

Walsh: "Mr. Speaker, I do not have Senate Bill 47 in my Bill book and I...there are other people around me who don't have it either."

Speaker Redmond: "Has it been distributed? Republican Pages, have you distributed Senate Bill 47? Representative Washburn."

Washburn: "Well, that was going to be my question...a....Mr. Speaker. Besides, it hasn't been distributed."

Speaker Redmond: "It has not?"

Washburn: "No."

Speaker Redmond: "Okay. Senate Bill 166. Take 47 out of the record."

Jack O'Brien: "Senate Bill 166."

Speaker Redmond: "Representative Greiman here?"

Jack O'Brien: "A Bill for an Act making additional appropriations to the Board of Governors for State Colleges and Universities. Third Reading of the Bill."

Speaker Redmond: "Representative Greiman is not here. Take that out of the record. 176. Representative Berman?"

Jack O'Brien: "Senate Bill 176."

Speaker Redmond: "Take that out of the record. Senate Bill 224. Representative Madigan."

Jack O'Brien: "Senate Bill 224. Madigan. A Bill for an Act to amend the Capitol Development Bond Act. Third Reading of the Bill."

Speaker Redmond: "Representative Madigan."

Madigan: "Mr. Speaker and members of the House, Senate Bill 224 would increase by \$4,000,000 the amount of bonds that need to be issued in connection with the construction of State buildings. This is an amendment to the Capital Development Bond Act and this is the money that will be used for the..."

Speaker Redmond: "Representative...Representative Telcser for what purpose do you rise?"

Telcser: "Mr. Speaker, I don't believe Senate Bill 224 has been distributed to the members. Do you want...to check some more of the members on the floor. We don't have it in our Bill book."

Speaker Redmond: "Representative Lauer....Take it out of the record."

Shea: "Senate Bills' Second Reading. Or House Bills' Second Reading, I'm sorry. The Gentleman from Cook, Mr. Telcser."



Telcser: "I was simply going to ask the combined leadership of the Democratic side to please go to House Bills..."

Shea: "That's exactly where we're at. We went through Senate Bills' Third."

Telcser: "Thank you."

Shea: "On the order of House Bills' Second Reading appears House Bill 114. Mr. Hart. Is he here? House Bill 315. Mr. Palmer. Do you want to take that out of the record, Mr. Palmer? House Bill 174. Ms. Geo-Karis, 174?"

Jack O'Brien: "House Bill 174. A Bill for an Act in relation to the payment of cost of fire protection, rescue, and ambulance services. Second Reading of the Bill. This Bill has been read a second time previously. Amendment 1 was adopted. Amendment 2...."

Geo-Karis: "Mr. Speaker..."

Shea: "Would you wait until we find out where the bill is."

Jack O'Brien: "Amendment 1, 2, and 3 were adopted and was ordered held on Second Reading."

Shea: "Is that your understanding of where its at."

Geo-Karis: "Yes."

Shea: "The Gentleman from Madison, Mr. Calvo with a question."

Calvo: "Yes, Mr. Speaker, I don't believe that bill is on today's calendar. Can we consider it without it being on the calendar?"

Shea: "It is my understanding it was written in the calendars that were distributed. If not, I'll ask the Clerk to put it on a supplemental because it is one that has to be disposed of."

Geo-Karis: "Is that of today, Mr. Speaker?"

Shea: "Has it been written in on the calendars distributed to the members? Take it out of the record. House Bill 245."

Jack O'Brien: "House Bill 245. Rayson."

Shea: "Is Mr. Rayson on the floor? Take that bill out of the record. The Gentleman from Peoria, Mr. Schraeder, are you seeking recognition? House Bill 397."

Jack O'Brien: "House Bill 397. Getty. A Bill for an Act to amend the Probate Act. Second Reading of the Bill. Two Committee Amendments. Evidently Committee Amendment No. 1...here....Committee Amendment No. 1 amends House Bill 397 on page 3, line 22, by adding the



following and so forth."

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

Getty: "Mr. Speaker and Ladies and Gentlemen of the House, that's a technical amendment. There was a word inadvertently left out."

Shea: "Is there any discussion? The Gentleman moves for the adoption of Committee Amendment No. 1. All those in favor say aye, those opposed say nay. The ayes have it and the amendment is adopted. Are there any further amendments?"

Jack O'Brien: "Committee Amendment No. 2. Amends House Bill 397 on page 3 by deleting line 27 and inserting in lieu thereof 'hearing on the petition the notice having been published once'."

Shea: "Mr. Getty on Amendment No. 2."

Getty: "Mr. Speaker, Ladies and Gentlemen of the House. This is a simple amendment which, in effect, provides that there must have been notification of....a....and publication prior toa....an estate being closed when the short estate probate process is used."

Shea: "Is there any discussion? The Gentleman moves for the adoption of Committee Amendment No. 2. All those in favor say aye, those opposed say nay, the ayes have it, the amendment is adopted. Is there any further amendments from the floor? Third Reading. House Bill 398."

Jack O'Brien: "House Bill 398. Getty. A Bill for an Act to amend the Probate Act. Second Reading of the Bill. One Committee Amendment. Amends House Bill 398 on page 1 by inserting after line 18 and before line 19, the following and so forth."

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

Getty: "Mr. Speaker, on this Bill, I have had conferences with several people who are concerned about it and although I am ready to move it to Third Reading and adopted these amendments, I would want to be sure that I could bring it back from Third Reading to Second in the event we were able to have any further amendments offered."

Shea: "Do you want to move with the Committee Amendment No. 1?"

Getty: "Yes, I will at this time."

Shea: "Alright, the Gentleman on Committee Amendment No. 1...."

Getty: "Mr. Speaker, Ladies and Gentlemen of the House, this is an Amendment which in effect, deletes any reference to non-residents



in permitting a non-resident to take advantage of the small estate's affidavit and it also includes a provision that reimbursement may be had by a depository who's called upon to make drafts and has expenses of that nature. I move for the adoption of the amendment."

Shea: "Is there any further discussion? The Gentleman moves for the adoption of Committee Amendment No. 1 to House Bill 398. All those in favor will say aye, those opposed say nay, the ayes have it, the amendment is adopted. Is there any further amendments? Third Reading. House Bill 465. Mr. Coffey?"

Jack O'Brien: "House Bill 465. Coffey. A Bill for an Act to amend the Election Code. Second Reading of the Bill. This Bill has been read a second time previously. Amendments No. 1 and 2 were order to lie on the table and the Bill was held on Second Reading."

Shea: "Are there further amendments?"

Jack O'Brien: "Amendment No. 3. Shea. Amends House Bill 465 deleting 100,000 and inserting in lieu thereof, 30,000 in each of the following places and so forth."

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

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, the present law is that all counties of 40,000 or under require automatic voting devices. This amendment would lower the limit from 40,000 to 30,000 and would affect twelve counties in the State. I move for the adoption of the amendment."

Madigan: "Further discussion? The Chair recognizes the Gentleman from Perry, Representative Ralph Dunn."

Dunn: "Thank...thank you. On this amendment, I wonder if the mover would yield for a question."

Madigan: "Will the sponsor yield? He indicates he will yield."

Shea: "Yes I will."

Dunn: "Those twelve counties, I think they include Randolph, is that true, or..."

Shea: "I don't have it in front of me. I think Doug Kane had it, but as I remember, what's the population of Randolph, do you know, Mr. Dunn?"

Dunn: "Its in the 30's range, I believe."



Shea: "If its over 30 and less than 40, that would include Randolph County."

Dunn: Now is there any provision for paying for the voting machines?

Shea: "Only that in that provision of the statute would this seek to amend, it allows the county boards to issue bonds to pay for the machines and pay them off over a twenty year period of time."

Dunn: "Out of the general obligation bond, Mr. Shea."

Shea: "Yes, the general obligation bonds."

Dunn: "Thank you. I'd like to speak against this amendment if it effects counties without a referendum. If they were to have a referendum, I think it would be fine, but to issue general obligation bonds in a county without, and to raise property taxes certainly is something that we should oppose in this General Assembly as often as we can. I think this is one occasion where we could do it. I'd like voting machines, I think they're fine, but I think it ought to be a local county option and I'd like to urge the defeat of that amendment."

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

Coffey: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition of this amendment. I think that the lowering it from 40,000 to 30,000 again deprives many of the counties that fall in this category of the making their own decisions in their own local counties and I think that we ought to oppose this amendment. Thank you."

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

VanDuyne: "Mr. Speaker, I'd like to speak against this amendment too, I may. With all due respect to our illustrious leader, we...I happen to come from a county of 265,000 people and we do have the electronic voting devices right now. These electronic voting devices cost Will County \$265,000 and that's not bad. I would have rather we went to the machines whereby you just buy the machines and you pay for them once and you're through. Now I think the most distasteful part about these devices in the smaller counties, especially, are the fact that you have to take, in most cases, the votes out of the county to count them because most of the small



counties don't have a computer of the type that will count these. And the most important part, I think, to this is the fact that your elections supplies will quadruple because of the fact that you can only buy your supplies from IBM. Now this might be fine if you have a lot of stock in IBM, but in terms of service to your people, it raises the cost of election supplies beyond the real and only good that the electronic device does. I hope that this amendment is defeated."

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

Kempiners: "Thank you Mr. Speaker. I, too, want to speak against this amendment. I have one of those counties, I believe, that falls between 30,000 and 40,000 population in my district. Its a rural community, very rural, with only one area that's got quite a bit of population in it. And what you are asking for in this amendment with paying for these machines, is a property tax increase. And I think we ought to put it on the table, its a property tax increase for the people in these eleven or twelve counties you are talking about. One of the previous speakers mentioned that there's going to be no referendum and that's exactly the case. You are asking these people to pay a greater tax on their property without asking their opinion. I disagree with this approach. I, too, would favor voting machines, but in counties with this population, you are fighting a very significant cash problem. There having problems providing county services as it is and all we're doing is putting one more service on top of it without funding the counties. Now the sponsor of this amendment would like to put it....a....take this amendment out and put another one in requiring the same thing with a State appropriation, I think most of us would be happy to support it. But otherwise, you are not going to see me voting to raise the property taxes of the people of the State of Illinois. Thank you Mr. Speaker."

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

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

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

Dunn: "I would like to ask the sponsor if this amendment is adopted,

would all counties in the State of Illinois be required to have

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voting machines?"

Shea: "No. At the present time, the law is all counties under...er... 40,000 and over. The Gentleman's bill seeks to raise from 40,000 to 100,000 those counties that are required to have voting machines, er...voting devices. It would substantially reduce the number of counties with automatic voting devices. I was the original House sponsor of this legislation that I thought brought some true election reform to the State of Illinois, and we compromised on 40,000. I now seek to bring it down to 30,000 and it would effect twelve counties and I'd be happy...I can't amend this with an appropriation bill, but the members of this House have my word that I'll seek a State appropriation to pay for this."

Dunn: "May we be certain, then, that any county with a population less than 30,000 can still use the paper ballots. Is that true?"

Shea: "Yes sir."

Dunn: "Thank you."

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

McMasters: "Will the sponsor of the amendment yield to a question?"

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

McMasters: "Representative Shea, you say that this effects twelve counties. It so happens that one of those counties is in my district. I think my question, Mr. Shea, is this. In the event that we went to the electronic voting method of counting the ballots in that county, does that county have a computer whereby they could be counted?"

Shea: "There's no requirement, you go to electronic equipment under this amendment. All it says that you have some automatic voting device."

McMaster: "And we all know, Representative Shea, that the IBM punch-type card ballot is the cheapest method of going to the electronic voting. But my point is this, this is what most counties adopt. This is what my specific county, Knox County, did adopt under the legislation you passed last session over my opposition. And let me say that in the event you go to the smaller counties of 30,000 population and they do to to the punch-card type of ballot, many of them, and I would say probably most of them, would have to have their ballot sent



outside of their county boundaries in order to have them counted. Some of them might have to go fifty miles to get to a computer to county these, Jerry. Do you realize this?"

Shea: "It is my understanding that most of the banks in downstate Illinois have now gone to some kind of computer system where they have simple card readers and have been cooperating without...with the counties."

McMaster: "I think, Jerry, you'll find out that many of those banks cooperate with a larger bank in a larger metropolitan area, and I would question the fact that every bank in downstate Illinois has a computer. In fact, I very seriously doubt that there is a computer available in every county and probably in less than half of the twelve counties you are talking about, would there be a computer available to count the ballots?"

Shea: "Well, all I can answer it is this way, Mr. McMasters, I'm interested in election reform. I'm interested, like Representative Collins, and so many members I've heard stand on the floor of this House and say 'I want fair, honest elections'. We've talked about it; we've talked about it; we've talked about it. Let's take it one step at a time. I gave every member on this House floor my word that I would seek a State appropriation to pay for the devices in these twelve counties, but under the Gentleman's bill, those counties between 40,000 and 100,000 that have already been required to purchase the machines, could scrap them. I don't think that's reform, I think that's a step backwards. "

McMaster: "Well Mr. Shea, I think it is rather foolish to contend that those counties that have already purchased machines would scrap them. I think this is silly because they have already contracted for them. If they have not paid for them, they are bound to pay for them by contract. I think the idea that they are going to scrap those are foolish, Jerry."

Shea: "Well they could sell them could they not and go back to paper under the Gentleman's bill?"

McMaster: "Ah, come on. We could perhaps sell them to the counties of less than 30,000 or 30,000, 40,000...."



Shea: "If my amendment fails, you won't have to worry about it."

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

Fennessey: "Mr. Speaker, members of the House. I rise in support of this amendment. I opposed House Bill 465 when it was in committee because, as everybody knows, there was a member of this House two years ago, we passed legislation requiring counties down to 40,000 to purchase voting machines. Now these counties have kept faith, they went out and purchased these machines, and I think we, as a legislative body, are going to look very silly if we pass a law now raising it back up to 100,000. I think voting machines are necessary. I think they are a step forward in election reform, and I hope this amendment will be adopted."

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

Friedland: "Mr. Speaker, Ladies and Gentlemen of the House, I move the previous question."

Madigan: "The question is shall the main question be put? All those in favor signify by saying aye, contrary, the ayes have it. The question is shall Amendment No. 7 to House Bill 465 be adopted. All those in favor signify by saying aye...voting aye, contrary by voting nay. The Chair recognizes the Gentleman from Cook, Representative Shea to explain his vote."

Shea: "Isn't...isn't this Amendment No. 3?"

Madigan: "Let the record show that we are voting on Amendment No. 3 to House Bill 465. Representative Shea, you are recognized to...the Chair recognizes the Gentleman from Macon, Mr. Borchers, to explain his vote."

Borchers: "You Gentlemen don't understand what the cost of this is. I... we've had them, we've had them for many years. We have the card kind. It sits over...and you punch. We bought them at \$85 a piece. Under this amendment of Representative Shea's that an average, according to our County Clerk, it takes five of these machines for a precinct. Therefore, that's \$425 a precinct. I'm sure that will break everybody up. On the basis of 30 precincts, its only \$21,750. For 15 precincts, that's one-half of it, or the average amount in a 40,000 population, it'll only cost a little over \$11,000. We're through



counting our votes by 10 o'clock. We also include votes something like the blue ballot. This is no financial problem. This is a logical way to go for election reform. Its cheap; its efficient; and there's nothing to it but ease of getting the vote out and taking care of it. And there's no difficulty in teaching the old people how to vote, or anybody else. We heard that as an argument against it. There's no truth in it."

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

Grotberg: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, I am delighted to say that for years around here, was known as the Livingston County amendment, has turned in to take in a few more counties from 30,000 and up under Mr. Shea's amendment. I would recommend to each and every one of you that those counties under the 40,000 limit now are getting along just fine and I'm for good elections and the principle behind this amendment as well. But the facts are that those small counties are all in a bind and I had...would certainly wish that Mr. Shea, or our distinguished Majority Leader, have the appropriation bill as a companion bill to this bill along side of it so we could vote on both issues at the same time. I would request a no vote drawing a bigger circle and taking in more counties into this bad situation."

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

Washburn: "Thank you Mr. Speaker and Ladies and Gentlemen of the House, certainly I can't see where 30,000 happens to be such a magic number. Those counties under 40,000 as has been pointed out by previous speakers have had good elections, honest elections, and will continue to do so. This is nothing by an added placing of a burden on those smaller counties and as Representative McMasters pointed out, there's no facilities to count the electronic votes after they're cast. My county is one of those for an example and I'm sure most of those under 40,000 will find themselves in the same boat, hauling ballots for 60 miles and hard tellin' what's gonna happen to them in the truck being transported there and returned. So I would certainly ask for a no vote on this amendment. Thank you."



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

Friedrich: "In explaining my vote, Mr. Speaker, I just want to assure some of you from the great metropolitan areas that there are not computers available, and the banks, even in Centralia, take their materials into St. Louis to get the computer work done. So this would work a real hardship in terms of mileage. The judges can't bring them into a computer center. They've got to be taken by... in a group, I think you run a greater risk than you do now without them."

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

Coffey: "Mr. Chairman, Ladies and Gentlemen of the House, I would like to speak to those people that have counties in the district under 30,000. They think they might be safe at this time as far as having to have voting machines in their area. This is just another step closer to getting down to twenty or ten thousand, and if we don't stop now, this amendment, then the next thing you know, then we're all going to have voting machines at the cost of the taxpayers, which, now, they cannot afford."

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

Kempiners: "Thank you Mr. Speaker. I want to mention just one thing. I come from a county that has voting machines. We had a big decision to make, to go with the machines or electronic voting. We went with electronic voting because those machines, or voting machines cost less than the other type. And we had industries that had computers. Industry no longer welcomes us so the county court house installed a computer large enough to count the votes, so if you think going to the machines is going to solve the problem or going to computers, its not. Either way you go, its going to be expensive and the taxpayer picks up the expense."

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

Neff: "A..thank you Mr. Speaker. I speak in opposition to this amendment. Many of you folks may know, I know of a county that would have to drive seventy miles to get electronic machines. There's



none in the county and they would have to do seventy miles and that's why many of these small counties are opposed to this type of legislation. Its not as simple as some of us might think that we've got one right in the county and maybe...a....within the county seat. There's many counties under this situation. This would....a...the present legislation would make a real hardship on many counties and costly, and therefore, this amendment should be defeated."

Madigan: "The Chair recognizes the Gentleman from Perry, Mr. Ralph Dunn."

Dunn: "Thank you Mr. Speaker. I'd like to speak in opposition to this bill in explaining my vote, my no vote, and I'd like to say that the people from Cook who are putting this on we downstate people and the peoples in the great counties that have two or three hundred thousand don't have anything to worry about, but I have a county in my district, and I'm sure most of the other people have counties, even on the other side of the aisle you have counties in your district that are going to be wanting to know why you voted for a tax increase without any authorization of State money. If this was paid for by the State I think it would be alright. We ought to go clear down to every county and...a...we put it in the Governor's bond issue or something like that, but to take it out of the tax-payers, out of the property tax of the counties is a bad deal. I'd certainly urge that you help us defeat this amendment. Often times you come here and want a little help from us so I vote no and ask my friends across the aisle and some of the others to vote no too."

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

Coffey: "Mr. Chairman, I'd like to call for the absentee ballot please... at the appropriate time?"

Madigan: "Fine, Representative. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 76 ayes, 73 noes, 5 voting present. Representative Tim Simms, no. For what purpose does the Gentleman from Coles, Mr. Coffey, arise?"

Coffey: "Mr. Chairman, I'd like to ask for a verification of the roll call."



Madigan: "Representative, you filed a previous request to poll the absentees."

Coffey: "Okay, that's fine. Thank you."

Madigan: "The Clerk will poll the absentees."

Jack O'Brien: "Arnell. Boyle. Choate. D'Arco. Dyer. Ewell. Fleck. Garmisa. Grieman. Greisheimer. Hirschfeld. Jaffe. Kent. Mann. McGrew. Miller. Pierce. Rayson. Sangmeister. Schlickman. Mr. Speaker."

Madigan: "The Gentleman from Coles, Mr. Fary, has requested a verification of the aye votes. Mr. Coffey? The Clerk will proceed to a verification of the aye votes."

Jack O'Brien: "E. M. Barnes. Beatty. Beaupre. Berman. Borchers. Bradley. Brandt."

Madigan: "For what purpose does the Gentleman from Knox, Mr. McMaster, arise?"

McMaster: "Mr. Speaker, will you ask the Clerk to slow down a little bit and will you ask the members who are being verified to wave their hands so we can identify them please?"

Madigan: "Will you proceed at a reasonable speed and will the members being verified, wave to Mr. McMaster?"

Jack O'Brien: "Brummet. Byers. Caldwell. Calvo. Campbell. Capparelli. Chapman. Craig. Darrow. Davis. DiPrima. Downs. Farley. Fary. Fennessey."

Madigan: "For what purpose does the Gentleman from Christian, Mr. Tipsword, arise?"

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

Madigan: "How is the Gentleman recorded?"

Jack O'Brien: "The Gentleman is recorded as voting present."

Tipsword: "Change that to yes please."

Madigan: "Record the Gentleman as voting aye."

Jack O'Brien: "Getty. Giglio. Georgi. Hanahan. Hart. Hill. Holewinski. D. L. Houlihan. J. M. Houlihan. Huff. Jacobs. Emil Jones. Katz. Keller. Kelly. Kosinski. Kozubowski. Laurino. Lechowicz. Leon. Leverenz. Lucco. Lundy. Madigan. Madison. Maragos. Marovitz. Matijevich. McClain. McLendon."



McPartlin. Merlo. Meyer. Molloy. Mugalian. Nardulli. Patrick.
Pouncey. Schisler. Schneider. Schraeder. Sharp. Shea. Stone.
Stubblefield. Taylor. Terzich. Tipword. VonBoeckman. Washington.
White. Willer. Williams. Younge. Yourell."

Madigan: "Are there questions of the affirmative roll call?"

Coffey: "Mr. Speaker, there being no questions of the affirmative roll call...."

Madigan: "The Gentleman from Coles, Mr. Coffey."

Coffey: "Is Representative Craig in his seat please?"

Madigan: "Representative Craig is in his chair."

Coffey: "Representative Bradley?"

Madigan: "Is Representative Bradley present? Representative Bradley?
Remove Representative Bradley from the record. Representative
Bradley is on this side of the chamber. Return Representative
Bradley to the record."

Coffey: "Representative Brummet?"

Madigan: "Representative Brummet? Is Representative Brummet present?
Remove the Gentleman from the record."

Coffey: "Representative Barnes?"

Madigan: "Representative Barnes is in his chair."

Coffey: "Representative Caldwell?"

Madigan: "Representative Caldwell is in his chair."

Coffey: "Representative Brandt? John Brandt?"

Madigan: "Representative Brandt?"

Coffey: "Right."

Madigan: "Remove the Gentleman from the record."

Coffey: "Representative Capparelli?"

Madigan: "The Gentleman is in his chair."

Coffey: "Representative DiPrima?"

Madigan: "The Gentleman is in his chair."

Coffey: "Representative Davis?"

Madigan: "The Gentleman is standing next to his chair."

Coffey: "Representative Darrow?"

Madigan: "The Gentleman is standing next to his chair."

Coffey: "Representative McLendon?"



Madigan: "Who?"

Coffey: "McLendon?"

Madigan: "The Gentleman is standing next to his chair."

Coffey: "Representative Sharp?"

Madigan: "Representative Sharp? Remove the Gentleman from the record."

Coffey: "Representative Taylor?"

Madigan: "The Gentleman is seated in his chair."

Coffey: "Representative Hart?"

Madigan: "Representative Hart is seated in his chair."

Coffey: "Representative Jacobs?"

Madigan: "Representative Jacobs? Remove the Gentleman from the record."

Coffey: "Representative J. Houlihan?"

Madigan: "The Gentleman is standing next to his chair."

Coffey: "Representative Katz?"

Madigan: "Representative Katz? Remove the Gentleman from the record."

Coffey: "Representative Hill?"

Madigan: "Excuse me. Representative Katz is standing to the side of the chamber and shall be returned to the record. Representative Coffey?

Are there further questions?"

Coffey: "Representative Georgi?"

Madigan: "Representative Georgi? Seated in his chair. Are there further questions?"

Coffey: "Representative Leon please?"

Madigan: "Representative Leon is seated in his chair."

Coffey: "Representative Yourell?"

Madigan: "Representative Yourell? Remove the Gentleman from the records."

Coffey: "Ted Meyer? Representative Ted Meyer?"

Madigan: "Representative Meyer is standing in the center of the Democratic side of the aisle."

Coffey: "Representative VonBoeckman?"

Madigan: "Representative VonBoeckman? Remove the Gentleman from the records."

Coffey: "Representative Matijevich?"

Madigan: "Seated in his chair. For what purpose does the Gentleman from Stevenson, Mr. Brinkmeier, arise?"



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

Madigan: "How is the Gentleman recorded?"

Jack O'Brien: "The Gentleman is recorded as voting no."

Brinkmeier: "Vote me aye please."

Madigan: "Record the Gentleman as voting aye."

Coffey: "Rep.. Representative McClain?"

Madigan: "Representative McClain? Remove the Gentleman from the records. For what purpose does the Lady from Champaign, Mrs. Satterthwaite arise?"

Satterthwaite: "May I be changed to aye please?"

Madigan: "How is the Lady recorded?"

Jack O'Brien: "The Lady is recorded as voting no."

Madigan: "Record the Lady as voting aye."

Coffey: "Representative Leon?"

Madigan: "Representative Leon is seated in his chair. Representative Coffey, that's the second time you've verified Representative Leon."

Coffey: "Could you tell us what the count now is?"

Madigan: "Have you finished with the questions of the roll call?"

For what purpose does the...does Representative VonBoeckman arise?"

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

Madigan: "How is the Gentleman recorded?"

Jack O'Brien: "The Gentleman was voting aye and was taken off the roll call."

Madigan: "How is he recorded now? Not voting?"

VonBoeckman: "Vote me aye, Mr. Chairman."

Madigan: "Vote him aye."

Coffey: "Mr. Chairman, I'm finished. Thank you."

Madigan: "...at this time is 73 ayes and 72 nays. For what purpose... the a...roll call being 73 ayes and 72 nays, Amendment No. 3...for what purpose does the Lady from DuPage, Representative Dyer, arise?"

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

Madigan: "How is the Lady recorded?"

Jack O'Brien: "The Lady is recorded as not voting?"

Dyer: "I'd like to vote no please."

Madigan: "Record the Lady as voting no. For what purpose does the



Gentleman from Cook, Representative Shea...Representative...for what purpose does the Gentleman from Cook, Representative Yourell, seek recognition? How is the Gentleman recorded?"

Jack O'Brien: "The Gentleman was recorded as voting aye and then he was removed from the roll call."

Madigan: "Return Representative Yourell to the roll call as voting aye For what purpose does the Gentleman from...Mr. Luft...for what purpose do you arise?...Tazwell."

Luft: "Tazwell....a....Mr. Speaker, how am I recorded?"

Madigan: "How is the Gentleman recorded?"

Jack O'Brien: "The Gentleman is recorded as voting no."

Luft: "A...would you change that to present, please?"

Madigan: "Record the Gentleman as voting present. The roll call on this question, 74 ayes, 72 nays, and five present. Amendment No. 3 to House Bill 465 is hereby declared adopted. Are there further amendments?"

Jack O'Brien: "No:"

Madigan: "Third Reading. Call the next bill. House Bill 580."

Jack O'Brien: "House Bill 580. Ron Hoffman. A Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill."

Madigan: "Are there any Committee Amendments?"

Jack O'Brien: "Yes."

Madigan: "The sponsor of the amendment, Representative Ron Hoffman, is not here. Pull the bill out of the record. House Bill 600."

Jack O'Brien: "House Bill 600. Grotberg. A Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. One...."

Madigan: "Pull it out of the record. For what purpose does the Gentleman from DuPage, Gene Hoffman, arise?"

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, I have a bill, 598, which was left off the priority of call, but has the same date, 5-16-75, I'd like to have called."

Madigan: "The Clerk will call the bill."

Jack O'Brien: "House Bill 598. Gene Hoffman. -A Bill for an Act to amend the Mental Health Code. Second Reading of the Bill."

Madigan: "Are there Committee Amendments?"



Jack O'Brien: "Amendment No. 1. Amends House Bill 598 on page 1, line 19, by deleting "except that" and inserting in lieu thereof "including"."

Madigan: "The Chair recognizes the Gentleman from DuPage, Representative Hoffman."

Hoffman: "Mr. Speaker and Ladies and Gentlemen of the House....a... Amend....a...Committee Amendment No. 1 brings the language on the first page in conformity with the language on the second page. I neglected to do that and it was done by Committee Amendment. I move the adoption of Committee Amendment No. 1.

Madigan: "Any discussion? There being no discussion, the questions is shall Amendment No. 1 to House Bill 598 be adopted. All those in favor signify by saying aye. Opposed. The ayes have it and Amendment No. 1 is adopted. Are there further amendments?"

Jack O'Brien: "Amendment No. 2. Amends House Bill 598 on page 2, line 27, after the word "department" inserting the following, "or as approved by the Department to be included in its individual Care Grant Program."

Madigan: "The Chair recognizes the Gentleman from DuPage, Representative Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House. Amendment No. 2...a...clarifies the area of concern. We merely indicated that it had to do with facilities outside the Department and we wanted to narrow it down, so that we are only dealing with the individual Care Grant Program and I move the adoption of Amendment No. 2."

Madigan: "Is there any discussion? There being discussion, all those in favor of adopting Amendment No. 2 will signify by saying aye, opposed, the ayes have it and Amendment No. 2 is adopted. Are there further amendments? There being no further amendments, the bill shall be moved to Third Reading. For what purpose does the Gentleman from Cook, Representative Peters, arise?"

Peters: "Mr. Speaker, for a point of information. In the same order, on Second Reading, I have House Bill 102, which has been inadvertently left off the calendar of today. I seek the Chair's advice as to the manner in which to proceed."



Madigan: "Proceed, Representative. Call the Bill. House Bill 102."

Jack O'Brien: "House Bill 102. A Bill for an Act to amend the Controlled Substances Act. Second Reading of the Bill. One Committee Amendment."

Madigan: "Ah.... Mr. Speaker and ladies and gentlemen of the House, because of a series of errors in the preparation of this Bill, I was advised by the Reference Bureau that it probably would be a lot easier putting the entire Bill in as one new amendment, rather than ah... in ah... taking care of the various technical problems in the Bill and the misspellings and the leave-outs and so on. The Bill ah.... substantially is the same as in the original Bill. This amendment now ah... is a Bill. I ask ah.... Mr. Speaker, for the adoption of this amendment and ah... with your permission, Mr. Speaker, I would like to leave this on Second Reading because Mr. Ryan now informs me that he has one other amendment that he would like to offer."

Madigan: "Is there any discussion? There being no discussion; the question is shall Amendment #1 to House Bill 102 be adopted. All those in favor will signify by saying 'aye', opposed. The 'ayes' have it and Amendment #1 is hereby declared adopted. Pursuant to the request of the Sponsor, it will be left on the order of Second Reading. Representative Peters, the Clerk informs me that Amendment #2 is available. Has it been distributed, Mr. Clerk?"

Jack O'Brien: "Well, I don't think so."

Madigan: "We'll move on to the next Bill. House Bill 622."

Jack O'Brien: "House Bill 622."

Madigan: "Are there any amendments?"

Jack O'Brien: "Hanahan, a Bill for an Act in relation to the rate of pay to the state employees who are not subject to the Personnel Code. Second Reading of the Bill. No Committee Amendments."

Madigan: "Are there any amendments? Third Reading. House Bill 665."

Jack O'Brien: "House Bill 665, Hart. A Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. One



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Committee Amendment. Amends House Bill 665 on page 2."

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

Hart: "Thank you very much, Mr. Speaker. This is a Committee Amendment to put on the Home Rule Amendment. I move the adoption of the amendment."

Madigan: "The question is ah..... is there any further discussion? There being no further discussion, the question is shall Amendment #1 to House Bill 665 be adopted. All those in favor will signify by saying 'aye', opposed. The 'ayes' have it and ah... Amendment #1 is adopted. Are there further amendment?"

Jack O'Brien: "Floor Amendment #2, Hart. Amends House Bill 665 on page 5."

Madigan: "The Chair recognizes Representative Hart."

Hart: "This is just a clean-up amendment and I move the adoption of it."

Madigan: "Is there any discussion? There being no discussion, the question is shall Amendment #2 to House Bill 665 be adopted. All those in favor signify by saying 'aye', opposed. The 'ayes' have it and Amendment #2 is adopted. Are there further amendments? Third Reading. House Bill 668."

Jack O'Brien: "House Bill 668, Deavers. A Bill for an Act to amend an Act relating to local mutual district, county, and township insurance companies. Second Reading of the Bill. One Committee Amendment."

Madigan: "Are there any....."

Jack O'Brien: "Amends House Bill 668 by striking lines 9....."

Madigan: "The Chair recognizes Representative Deavers."

Deavers: "Mr. Speaker, would you take this from the record for a minute? The copy of the amendment is over in ah... Mr. Lauer's office."

Madigan: "Remove the Bill from the record. Call House Bill 696."

Jack O'Brien: "House Bill 696, Dyer. A Bill for an Act to amend Articles to revise the law in relation to township organizations. Second Reading of the Bill. One Committee Amendment. Amends



House Bill 696 on page 1....."

Madigan: "The Chair recognizes the lady from DuPage, Representative Dyer."

Dyer: "Thank you, Mr. Speaker. Amendment #1 just makes ah... it clarifies the language and makes it clear that we are including private nursing homes as well as county convalescent homes."

Madigan: "Is there any discussion? There being no discussion, the question is shall Amendment #1 to House Bill 696 be adopted. All those in favor signify by saying 'aye', opposed. The 'ayes' have it. Amendment #1 is hereby declared adopted. Are there further amendments?"

Jack O'Brien: "Committee Amendment #2, amends House Bill 696 on page 1, line....."

Madigan: "The Chair recognizes the lady from DuPage, Representative Dyer."

Dyer: "Amendment #2 makes it clear that the funds can come from the General Township Fund."

Madigan: "Is there any discussion? There being no discussion, the question is shall Amendment #2 to House Bill 696 be adopted. All those in favor signify by saying 'aye', opposed. The 'ayes' have it and Amendment #2 is hereby declared adopted. Are there further amendments?"

Jack O'Brien: "Committee Amendment #3, amends House Bill 696 on page 1, line 11 by deleting....."

Madigan: "The Chair recognizes the lady from DuPage, Representative Dyer."

Dyer: "Amendment #3 is the Home Rule Amendment making it clear that it does not apply to counties of one million or more."

Madigan: "Is there any discussion? There being no discussion, the question is shall Amendment #3 to House Bill 696 be adopted. All those in favor will signify by saying 'aye', opposed. The 'ayes' have it and Amendment #3 is hereby declared adopted. Are there further amendments? Third Reading. House Bill 705."

Jack O'Brien: "House Bill 705, Reed. A Bill for an Act to amend Sections of the Illinois Public Library District Act. Second



Reading of the Bill. One Committee Amendment. Amends House Bill 705 on

Madigan: "The Chair recognizes the lady from Cook, Representative Reed."

Reed: "The lady from Lake, Mr. Speaker."

Madigan: "We'll have to change our records up here."

Reed: "I have a Floor Amendment ah... it would be #2. I don't believe that it has been distributed to the Membership."

Madigan: "Representative Reed, we are ah.... the order of business is Amendment #1 to House Bill 705. Are you the Sponsor of that amendment."

Reed: "No, it was a Committee Amendment and it was heard on Second Reading last week. One of my colleagues brought to my attention that the language was not underlined ah... pertaining to the Committee Amendment. We tabled the Bill or ah... put the Bill ah.... held the Bill until the Floor Amendment could come out with properly underlined amendment and ah... I have turned in my copies to the Clerk, but it is not distributed to my knowledge."

Madigan: "Representative Reed, the Clerk informs me that Committee Amendment #2 has not been printed so I would suggest that we remove this Bill from the record at the current time."

Reed: "Thank you."

Madigan: "Thank you. House Bill 787."

Jack O'Brien: "House Bill 787, Dyer. A Bill for an Act to amend Sections of an Act authorizing townships to acquire and maintain land for park purposes. Second Reading of the Bill. One Committee Amendment. Amends House Bill 787 on page 1....."

Madigan: "The Chair recognizes the lady from DuPage, Representative Dyer."

Dyer: "Ah... Mr. Speaker, Amendment #1 just makes clear that if some of the open space acquired happens to be a golf course, reasonable fees may be charged."

Madigan: "Is there any discussion? There being no discussion, the question is shall Amendment #1 to House Bill 787 be adopted. All those in favor will signify by saying 'aye', opposed. The 'ayes'



have it and Amendment #1 is adopted. Are there further amendments?"

Jack O'Brien: "Committee Amendment #2, amends House Bill 787 on page 1, line 1 and 7 by deleting Section I and III and inserting in lieu thereof....."

Madigan: "The Chair recognizes the lady from DuPage, Representative Dyer."

Dyer: "Amendment #2 is simply the Home Rule Amendment making it clear that this applies only to counties under one million population."

Madigan: "Is there any discussion? There being no discussion, the question is shall Amendment #2 to House Bill 787 be adopted. All those in favor will signify by saying 'aye', opposed. The 'ayes' have it and Amendment #2 is adopted. Are there further amendments? Third Reading. House Bill 141."

Jack O'Brien: "House Bill 141, Porter. A Bill for an Act to amend The Illinois Income Tax Act. Second Reading of the Bill."

Madigan: "The Chair recognizes the gentleman from Cook, Representative Porter."

Porter: "Mr. Clerk, has a fiscal note been filed on that Bill? Representative Schlickman asked for that last week."

Madigan: "The Clerk indicates that a fiscal note has not yet been filed, Representative Porter."

Porter: "Could you take it out of the record then until tomorrow?"

Madigan: "Remove the Bill from the record. House Bill 62."

Jack O'Brien: "House Bill 62. A Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. One Committee Amendment. Ah... evidently ah... Amendment #1 was tabled in Committee. Amendment #2, amends House Bill 62....."

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

Duff: "Mr. Speaker, I believe I'm required, ah... am I not, to make a move to table Amendment #1? I move to table Amendment #1, which was tabled in Committee."

Madigan: "Representative Duff, I'm informed by the Clerk that there is no need for that motion, so would you proceed with Amendment #2?"



Duff: "Well, alright Mr. Chairman. Will the Clerk read Amendment #2, please?"

Jack O'Brien: "Amends House Bill 62 on page 1, line 11 by deleting the words, 'are waved'."

Duff: "Are what?"

Jack O'Brien: "Waved. W-A-V-E-D."

Duff: "Well, Mr. Chairman, this is a Committee Amendment which ah... eliminates an unnecessary phrase in the ah... in House Bill 62. Ah... it's two words. It says, 'where a preliminary hearing has been held'."

Madigan: "Is there any discussion? There being no discussion, the question is shall Amendment #2 to House Bill 62 be adopted. All those in favor will signify by saying 'aye', opposed. The 'ayes' have it and Amendment #2 is hereby declared adopted. Are there further amendments? Third Reading. House Bill 63."

Jack O'Brien: "House Bill 63, Duff. A Bill for an Act to amend the Code of Criminal Procedures. Second Reading of the Bill. Two Committee Amendments. Amendment #1, amends House Bill 63...."

Madigan: "The Chair recognizes the gentleman from Cook, Representative Duff."

Duff: "Mr. Chairman, the Committee Amendment #1 simply provides for the right to council during the preliminary hearing and ah... I move the adoption of Committee Amendment #1."

Madigan: "Is there any discussion? There being no discussion, the question is shall Amendment #1 to House Bill 63 be adopted. All those in favor signify by saying 'aye', opposed. The 'ayes' have it and Amendment #1 is adopted. Are there further amendments?"

Jack O'Brien: "Committee Amendment #2, amends House Bill 63 on page 2, line 12 by deleting,....."

Madigan: "The Chair recognizes the gentleman from Cook, Representative Duff."

Duff: "Mr. Chairman, this ah... Committee Amendment #2 ah... expands the word 'cross-examine' and it also provides that prior testimony at the time of the ah... cannot be used in the trial unless the defense was furnished with ah... full and complete discovery and



had time to evaluate it. I move for the adoption of Committee Amendment #2."

Madigan: "Is there any discussion? There being no discussion, the question is shall Amendment #2 to House Bill 63 be adopted. All those in favor signify by saying 'aye', opposed. The 'ayes' have it and Amendment #2 is adopted. Are there further amendments? Third Reading. House Bill 64."

Jack O'Brien: "House Bill 64, Duff. A Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Madigan: "Are there any other amendments? Third Reading. House Bill 65."

Jack O'Brien: "House Bill 65, Duff. A Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. One Committee Amendment. Amends House Bill 65 on page 2."

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

Duff: "Mr. Chairman, this is a technical amendment. The Reference Bureau found an error that they had made and they asked that it be changed. It simply puts the word 'law' in instead of the word 'statute'. I move the adoption of Committee Amendment #1."

Madigan: "Is there any discussion? There being no discussion, the question is shall Amendment #1 to House Bill 65 be adopted. All those in favor will signify by saying 'aye', opposed. The 'ayes' have it and Amendment #1 is adopted. Are there further amendments? There being no further amendments, the Bill is ordered to Third Reading. House Bill 66."

Jack O'Brien: "House Bill 66, Duff. A Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. One Committee Amendment. Amend House Bill 66 on page 1....."

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

Duff: "Mr. Chairman, this is the same as on 65. The Reference Bureau used the word 'statute' when they should have used the word 'law' and it simply substitutes those words. I move for the adoption of Committee Amendment #1 to House Bill 66."

Madigan: "Is there any discussion? There being no discussion, the question is shall Amendment #1 to House Bill 66 be adopted. All



in favor will signify by saying 'aye', opposed. The 'ayes' have it and Amendment #1 is adopted. Are there any further amendments?
Third Reading. House Bill 110."

Jack O'Brien: "House Bill 110, Ebbesen. A Bill for an Act making appropriations to the Department of Transportation. Second Reading of the Bill. One Committee Amendment. Amends House Bill 110....."

Madigan: "The Chair recognizes the gentleman from DeKalb, Mr. Ebbesen."

Ebbesen: "Mr. Speaker and ladies and gentlemen of the House, ah... the Committee Amendment changes the appropriation for Amtrak service from the amount of \$424,000 to Chicago to Sterling ah... to \$1.3 million. This was ah....for Amtrak service from Chicago to Rock Island and ah... this was placed on this amendment ah... in the Committee on Transportation and subsequently has passed out of the Appropriation Committee on a 'do pass' motion and I move for the adoption of the amendment."

Madigan: "Is there any discussion? There being no further discussion, the question is shall Amendment #1 to House Bill 110 be adopted. All those in favor will signify by saying 'aye', opposed. The 'ayes' have it and Amendment #1 is adopted. Are there any further amendments? Third Reading. House Bill 260."

Jack O'Brien: "House Bill 260, Kosinski. A Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Madigan: "Are there any amendments from the floor?"

Jack O'Brien: "Floor Amendment #1, Lundy. Amends House Bill 260 on page 1....."

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

Lundy: "Mr. Speaker and ladies and gentlemen of the House, Amendment #1 to House Bill 260 is a Bill ah... is an amendment which ah... will tighten the Bill up considerably ah... will put it in what the Committee felt was constitutional form and will ah... that is ah... a form which will meet the minimum requirements of the Constitution, but will still ah... make clear the General Assembly's



policy that when a defendent has been convicted of a serious crime and the trial court finds that he ah... his freedom pending appeal would jeopardize the safety of the community, ah... that he is not to be granted bail pending appeal. That's the ah... and the purpose of the amendment is to require that when the Judge does make such a finding ah.... bail will be denied pending appeal."

Madigan: "Mr. Lundy, do you move for the adoption of the amendment?"

Lundy: "I move for the adoption of the amendment."

Madigan: "Is there any discussion? The Chair recognizes the gentleman from Cook, Mr. Kosinski."

Kosinski: "Mr. Speaker and ladies and gentlemen of the House, Mr. Lundy's Amendment strengthens this Bill and brings it in conformance with judicial findings and I recommend its adoption."

Madigan: "Is there further discussion? There being no further discussion, the question is shall Amendment #1 to House Bill 260 be adopted. All those in favor signify by saying 'aye', opposed. The 'ayes' have it and Amendment #1 is adopted. Are there further amendments? Third Reading. House Bill 272."

Jack O'Brien: "House Bill 272, Jaffe. A Bill for an Act making an appropriations to the Department of Public Health. Second Reading of the Bill. One Committee Amendment. Amends House Bill 272 as amended on page 1 by deleting lines 5 through 10 and inserting in lieu thereof the following and so forth."

Madigan: "The Chair recognizes the gentleman from Cook, Representative Lundy."

Lundy: "Yes, ah... is the only amendment, Mr. Speaker?.....and it's a Committee Amendment? Then I would move for the adoption of the amendment."

Madigan: "There being no further discussion, the question is shall Amendment #1 to House Bill 272 be adopted. All those in favor signify by saying 'aye', opposed. The 'ayes' have it and Amendment #1 is adopted. Are there further amendments? Third Reading. House Bill 366."

Jack O'Brien: "House Bill 366, Hirschfeld. A Bill for an Act in



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relation and regulation of athletic trainers. Second Reading of the Bill. No Committee Amendments."

Madigan: "Are there any amendments from the floor?"

Jack O'Brien: "Floor Amendment #1, Hirschfeld."

Madigan: "The Sponsor is not on the floor. Remove the Bill from the record. House Bill 486."

Jack O'Brien: "House Bill 486, Williams. A Bill for an Act to amend the Unemployment Compensation Act. Second Reading of the Bill. No Committee Amendments."

Madigan: "Are there any amendments from the floor? Third Reading. House Bill 623."

Jack O'Brien: "House Bill 623, Hanahan. A Bill for an Act to amend an Act in relation to state police. Second Reading of the Bill. One Committee Amendment. Amends House Bill 623 on page 1, line 10 by inserting....."

Madigan: "The Chair recognizes Representative Hanahan."

Hanahan: "Mr. Speaker and Members of the House, this amendment is to ah... correct a question that was put down by Representative Tuerk concerning the hours of overtime pay by state police and I move for its adoption."

Madigan: "Is there any discussion? There being no further discussion, the question is shall Amendment #1 to House Bill 623 be adopted. All those in favor will signify by saying 'aye', opposed. The 'ayes' have it and Amendment #1 is adopted. Are there further amendments?"

Jack O'Brien: "Floor Amendment #2, Tuerk. Amends House Bill 623 in line 13 by deleting a ';' and inserting in lieu thereof '.' and by deleting lines 14 and 15."

Madigan: "The Chair recognizes Representative Tuerk."

Tuerk: "Well, Mr. Speaker and Members of the House, I don't have a copy of that amendment handy, but ah... what the intent of the amendment that I offered was to ah....huh? Ya, we didn't adopt that idea.... o'okay. This eliminates the split shift provision of the Bill ah... as an overtime procedure and I move for the adoption."



Madigan: "Is there any discussion? There being no discussion, the question is shall Amendment #2 to House Bill 623 be adopted.

All those in favor will signify by saying 'aye', opposed. The 'ayes' have it and Amendment #2 is adopted. Are there further amendments? Third Reading. House Bill 803."

Jack O'Brien: "House Bill 803, Keller. A Bill for an Act making an appropriations to the ordinary and contingent expense to the State Employees Retirement System. Second Reading of the Bill. No Committee Amendments."

Madigan: "Are there any Floor Amendments? Third Reading. House Bill 1080."

Jack O'Brien: "House Bill 1080, Pierce. A Bill for an Act to amend The Illinois Insurance Code. Second Reading of the Bill. No Committee Amendments."

Madigan: "Are there any amendments from the floor? Third Reading. House Bill 1090."

Jack O'Brien: "House Bill 1090, Getty. A Bill for an Act to amend Sections of an Act making appropriations to the Illinois Law Enforcement....."

Madigan: "Remove this Bill from the record. House Bill 1147."

Jack O'Brien: "House Bill 1147, Berman. A Bill for an Act to amend The Illinois Insurance Code. Second Reading of the Bill. No Committee Amendments."

Madigan: "Are there any amendments from the floor? Third Reading. House Bill 1320."

Jack O'Brien: "House Bill 1320, Keller. A Bill for an Act making appropriations to the Department of Conservation. Second Reading of the Bill. No Committee Amendments."

Madigan: "Are there any amendments from the floor? Third Reading. House Bill 1321."

Jack O'Brien: "House Bill 1321, O'Daniel. A Bill for an Act making appropriations to the Department of Conservation. Second Reading of the Bill. No Committee Amendments."

Madigan: "Are there any amendments from the floor? Third Reading. House Bill 705."



Jack O'Brien: "House Bill 705, Reed. A Bill for an Act to amend The Public Library District Act. Second Reading of the Bill. One Committee Amendment. Amends House Bill 705 on page 1 by inserting after line 19 but before 20 the following an so forth."

Madigan: "The Chair recognizes the lady from DuPage, Mrs. Reed. Lake."

Reed: Thank you."

Madigan: "We're working on it."

Reed: "I don't believe my Floor Amendment has been....."

Madigan: "Your Floor Amendment has been distributed."

Reed: "Has been distributed?"

Madigan: "Yes."

Reed: "Just a minute then."

Madigan: "Sure."

Reed: "The Committee Amendment to House Bill 705 was heard on Second Reading last week. One of my colleagues pointed out a technical error in the printing of the amendment. The Reference Bureau corrected the error so I move to table Committee Amendment #1."

Madigan: "Is there any discussion? There being no discussion, the question is shall Amendment #1 be tabled. All those in favor signify by saying 'aye', opposed. The 'ayes' have it and Amendment #1 is tabled. Are there further amendments?"

Jack O'Brien: "Floor Amendment #2, Reed. Amends House Bill 705 on page 1, line 1, by changing Section 3-8 and Section 3-....."

Madigan: "The Chair recognizes the lady from Lake, Mrs. Reed."

Reed: "Floor Amendment #2 provides for a referendum to be held by the voters of the District Library to enable them to finance the replacement or rebuilding of a library destroyed by fire, flood or some other catastrophe. I move for the adoption of Floor Amendment #2."

Madigan: "Is there any discussion? There being no discussion, the question is shall Amendment #2 to House Bill 705 be adopted. All those in favor will signify by saying 'aye', opposed. The 'ayes' have it and Amendment #2 is adopted. Are there further amendments? Third Reading. The Chair will move to the order of business ah.... House Bills on Third Reading. House Bill 1. The Chair recognizes



the gentleman from McHenry, Mr. Hanahan."

Jack O'Brien: "House Bill 1. A Bill for an Act in relation to the settlement of differences between public employees and public employers and provides for a collective bargaining. Third Reading of the Bill."

Hanahan: "Mr. Speaker and Members of the House, House Bill 1 has been a long awaited Bill to be called before the General Assembly. It's a Bill that many public employees throughout the state are anxiously awaiting the outcome on. It's a Bill to emancipate those employees that work for government, from the shackles of slavery that they find themselves when it comes to being bargained in behalf of in seeking out the equity that all people, all Americans, seem very proud to have when they want to have their discussions held on their wages and their conditions of employment brought to their employer. House Bill 1 will allow now, if passed into law, will allow the employees of the various municipalities in the state government and the educational institutions and all public bodies in the state to be bargained in behalf of. Now this Bill has been heard before by the Members of the General Assembly that served here previous to this Session. The concept is not new. There are thirteen states with full and complete collective bargaining. There were ah..... really Illinois is one of the ah... last states to face the realities that public employees like those sisters and brothers that work for a living in the private sector deserve and need to be treated equitably in the area of labor relations. This Bill would set up a three member board so that the various public employee organizations, units of government, and bargaining representative could appear before to determine their units of determination and the various other aspects of good labor relations. The Bill is supported by virtually every organization and I say this without modification, virtually every organization that proports to be not only a union, but an association seeking out better men for its membership that happen to work in the public body.



Not only the people in the public sector are behind this Bill, unions such as The United Auto Workers, or The United Steel Workers, that have no public employees, are in favor of this Bill. Organizations like The Illinois Nurses Association and various other associations ah... of professional people that work in the public sector, are behind this Bill. This Bill in not way mandates anything; it just allows that those who want to be in the bargained in behalf of ah... with the rights of collective bargaining will have this opportunity. Mr. Speaker and Members of the House, the Bill was debated very heavily on Second Reading and I try and answer all questions that come before me and ah... hopefully and I can encourage every Member of the General Assembly to support a Bill that everyone in the public sector, everyone has long awaited for and that's House Bill 1."

Madigan: "There being no further discussion..... the Chair recognizes the lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker and ladies and gentlemen of the House, will the Sponsor yield to a few questions?"

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

Geo-Karis: "Ah.... Tom, isn't your House Bill 1 the same Bill you tried to pass almost two years ago in this last General Assembly?"

Hanahan: "With new amendments that prohibit the right of policemen and firemen and prison guards from striking and a few other amendments, ah... yes."

Geo-Karis: "All right, now...."

Hanahan: "The concept is basically the same."

Geo-Karis: "In other words, you are saying then that the Supreme Court of the United States and the Supreme Court of Illinois, are both wrong in saying that public employees do not have the constitutional right to strike because they effect the health safety and welfare of the people. Is that what you're saying to us today, Tom."

Hanahan: "Geo, I don't believe that that is what I'm saying today, no."

Geo-Karis: "Well, all right what are you saying? Are you saying that



they do have that constit..... ah... are you opposing the decision and you feel that the highest law of the land, which we have sworn to uphold, part of which is the Judicial Branch and that is the Supreme Court of the United States; you are saying in effect that ah... forget it, we can do what we like attitude. Is that right, Tom?"

Hanahan: "Mrs. Geo-Karis, I assure you that you'll find no place in this Bill with that kind of statement."

Geo-Karis: "Of course you won't find anyplace in the Bill with that kind of a statement because....."

Hanahan: "Well, then why make the statement that it's in there?"

Geo-Karis: "Because you will not admit what it really means and I submit that this Bill means that public employees will have that right to strike. I'm not against collective bargaining."

Hanahan: "That's what you're saying now. Don't say what I'm saying."

Geo-Karis: "Well, your Bill says they have the right to strike."

Hanahan: "But you're saying my Bill says it, not me."

Geo-Karis: "Oh, your Bill says that they do not have the right to strike?"

Hanahan: "My Bill does not say it. Now wait a minute, Representative Geo-Karis. I don't mind you making statements that what you want to say, but my Bill no where in here contradicts the Supreme Court."

Geo-Karis: "Are you saying, in effect, to me that....."

Hanahan: "I'm not saying anything. I made my statement. Now if you want to say something, I'll answer your questions, but don't say what I'm saying."

Geo-Karis: "My question ah.... my respected colleague, is..... is there a provision for a strike in your Bill or not?"

Hanahan: "There is a prohibition of strikes by policemen, firemen, and all other security personnel and prison guards in this Bill."

Geo-Karis: "Only, is that right?"

Hanahan: "That's right."

Geo-Karis: "In other words, other public employees have the absolute right to strike under your Bill. Isn't that right?"



Hanahan: "This Bill is a Labor Relations Act dealing mainly and only set up for the purpose of a labor....."

Geo-Karis: "Tommy, stop beating around the bush and answer my question."

Hanahan: "You could ask three questions at one time, I'm saying that House Bill 1 is a State Labor Relations Board.... creation of such. It has nothing to do with being an anti or pro strike Bill."

Geo-Karis: "Now, does it provide for compulsory arbitration for the public employees?"

Hanahan: "It provides for those four specific groups of employees that will have a form of last offer modifi..... modifi.... no modification arbitration for those specific employees enunciated."

Geo-Karis: "And those specific employees that will have the compulsory possibility of compulsory arbitration are the policemen, the firemen, the security guards. Is that right?"

Hanahan: "And the Prison guards."

Geo-Karis: "And the prison guards. So in other words, there is no compulsory arbitration provided for ah... in your Bill, for all of the other public employees."

Hanahan: "That's right. Now you're saying that true facts."

Geo-Karis: "Well, I said the fact before, but you chose to ignore them."

Hanahan: "No, that's something that you're eluding to."

Geo-Karis: "However, I feel like now I would like to speak on the Bill."

Hanahan: "O'kay."

Geo-Karis: "Mr. Speaker and ladies and gentlemen of the House, the Supreme Court decisions have not been altered since two or three years ago. The U.S. Supreme Court definately laid down the rules that public employees do not have the inherent constitutional right to strike because they do effect the health, safety and public welfare. I submit that passage of this Bill will create a very bad haddock on all of the people of Illinois. If



there were compulsory arbitration in this Bill and collective bargaining, I could support it wholeheartedly. I am not against the public employees, but I think we have to have some reason and common sense. We cannot deplete the people of the State of Illinois of necessary services by window dressing, which can result in absolute chaos. I submit that this Bill is a bad Bill. I submit that it should have compulsory arbitration in there for the health, safety and welfare of the people of Illinois and therefore I speak against the Bill because it certainly does not protect the people of the State of Illinois."

Madigan: "The Chair recognizes the gentleman from Cook, Representative Yourell."

Yourell: "Would the gentleman yield for a question or two?"

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

Yourell: "Tom, are school teachers considered public employees in the State of Illinois?"

Hanahan: "Yes, they are."

Yourell: "Ah... has there been in the statutes ah...a ah... prohibition against school teachers striking?"

Hanahan: "No, there has not."

Yourell: "Do and have school teachers been on strike in the State of Illinois in the last twenty-four months?"

Hanahan: "Yes, they will and they will continue as long as we don't have a reasonable Labor Relations Bill."

Yourell: "Can you tell me how many teacher strikes have been evident in the State of Illinois in the last twelve months?"

Hanahan: "I ah... I have no idea, no."

Yourell: "There have been a considerable number of them."

Hanahan: "Right."

Hanahan: "So with or without the legislation, school teachers are still striking in the State of Illinois."

Hanahan: "Right. Most of the time because of an absence of House Bill 1."

Yourell: "Thank you, Mr. Hanahan. I think that it a good reason enough why a strike definition should be defined in House Bill 1



and is so I am in support of the amendment and of the Bill."

Madigan: "The Chair recognizes the gentleman from DuPage, Mr. Hudson."

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

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

Hudson: "Tom, ah... a former Governor of the State of New York had this to say about striking and the rights to strike on behalf of public employees and he said, every liberty enjoyed in this nation exists because it is protected by government which functions uninterruptedly. A strike against government would be successful only if it could produce paralysis of government. This no people can permit and survive. Would you say that this ah... what ah... how would you react to this statement?"

Hanahan: "First of all, I would say ah... very honestly, I know who made the statement and it was former President Roosevelt. Secondly, I would say that House Bill 1 is a Labor Relation Act and if you're talking about strikes, I suggest that you or some other Members of the House introduce a Bill prohibiting strikes in the public sector. What I'm trying to do is pass a Bill that would offer to the public employee a ah... a statutorily provided for a labor relation board, which would determine units of government and units of work within government to be represented for and in behalf of those employees by a representative concerning wages, hours, and working conditions. There is nothing in House Bill 1 that does anything more than that. For those who want to debate the issue of should people strike or not; should introduce legislation to that kind of ah... purpose. This Bill, in essence, like Representative Yourell tried to bring out, really prohibits strikes. It really does stop strikes in the area of recognition, which in most instances in our state, in the State of Illinois, has shut down public bodies and public services because they weren't recognized. All this Bill does is allow recognition of organizations that proprot to represent the public employee. It



does nothing in the area of condoning or not condoning strikes, as such. It's not a anti-strike or pro-strike Bill."

Hudson: "Well Tom, thank you and I want it clearly understood that in my questioning, I'm not suggesting anything on your part except sincerity in ah.... what you're trying to do and ah... respect for your ah... your motivations, but the quote that I gave you was not Franklin D. Roosevelt, it happened to be Thomas E. Dewey, which I felt might be less than impressive with you, but Franklin Roosevelt did address himself to this and he said that a strike of public employees can manifest nothing less than an intent on their part to obstruct the operations of government until their demands are satisfied, such actions looking toward the paralysis of government by those who have sworn to support it is unthinkable and intolerable. You have reacted to the statement so I won't ah.... belabor these. I do feel, however, that the right to strike is inherent in the Bill. It is ah... perhaps a last resort, but it is none the less there. I ah... don't you feel that really the right to strike is there? Even though you say that it's not intended to use it unless it is absolutely necessary? There might come a time when you might feel that it was ah... the ah... collective bargaining agent might feel that that was the only result and then is it not a fact that the strike would perhaps be exercised under those conditions?"

Hanahan: "I suggest that is done right today. Such as in Berwyn with the Garbage Strike or teachers strikes or any other public employee strike. Whether we pass House Bill 1 or not, is not going to stop strikes or prohibit them. House Bill 1 is not in that area of law. It is in the area of labor relations. Setting up units and certifying bargaining representatives."

Hudson: "I have a question to you Tom, and that is if you don't honestly feel that any.... any effort toward voluntarism here is is left unprotected, that is the right.... the right of the employee to refrain from joining; I submit to you that there is a close shop provision in the Bill. I'm looking at page four and I think you would agree with me that it is possible under



certain conditions where a school teacher, for example, would find him or herself ah... forced to join a union as a condition of membership. Would you agree with me that this really ah... omits any ah... effort in the direction of voluntarism?"

Hanahan: "Well, I amended Section III ah... you might not be aware of, but in Section III on page three, I amended that ah... that a persons right to organize and bargain collectively that employees have and you get down to line ah.... thirty-three, 'plead from interference or strain and ah.... and shall also have the right to refrain from any or all activities, except to the extent that such right may be effective by an agreement requiring membership.' This means that a person has every right and I fully realize that because we pass House Bill 1 into law and it was signed by the Governor, that every public employee would not belong to a union. In fact, if the percentages that were followed in the private sector ah.... as in the private sector into the public sector, you'd only have about 20% of all the public employees belonging to unions, that work for the state and the cities and the counties and the townships. Only approximately 20% would avail themselves the opportunity. Similar to the private sector. Every private employee doing carpenter work, do not belong to the Carpenter's Union. Every employee driving a truck, does not belong to the Teamster's Union. Only about 20% of our total work force, in the private sector, belong. They have a right to belong and that is the issue and under House Bill 1 we're saying to the public employee that you will have a right guaranteed you under law to belong. That's all this Bill does; giving them the rights to belong is they determine that it would be in their best interest, but they also have a right not to belong or vote against it. There is plenty of opportunity under this Bill given to the public employee that thinks that a union or a representative would not ah.... you know, do anything for them, that they would vote against it. Once they have voted for it, once the majority of the unit has determined that it would be in the best interest, yes, then in House Bill 1, they will pay dues and belong to that unit or



that bargaining representative group that is bargained in behalf of them for their wages, hours and conditions and protects them on their grievances."

Hudson: "Thank you. Well, that's what the Bill clearly states.

Well, Mr. Chairman, I will address myself to the Bill, if I may at this time. It would seem to me ah... Mr. Chairman and ladies and gentlemen of the House, that if we have determined here in the Illinois General Assembly, that we do in fact want to support a labor government in the State of Illinois; or if this idea is extended throughout the fifty states then a labor government in the United States of America. This is one step that we can take, which will assure..... which will assure a labor government in this country and in this state. I don't think that there is any question about it because we're moving; the force of the union and this is a tremendous power, none of us have any doubt about it. It is moving the force of the union into the public sector and I think when we do this we're making a departure, ladies and gentlemen, to what has been traditional in this country because the public sector means those represented by elected representatives and I will submit to you then as we move the power of the union into the public sector we are taking away from..... we are taking away from the people who are merely left to foot the Bill. This are the taxpayers. They are left as disinterested or ah.... rather ineffective bystanders standing on the sidelines where the ah..... while the powerful unions, the so called bargaining agent, exercises its clout on our school boards and I ask you, ah.... where does the taxpayer foot in the Bill..... fit in the Bill? Who does he go to? Who does he talk to? Does he talk to his elected representatives? We're losing control, ladies and gentlemen, through this Bill and measures of this kind. We're losing control over our state budget, over those responsibilities that I think we have as elected representatives. This is a departure and I think that it's a dangerous one. I think it's dangerous. I'm going to read to you in closing ah... my remarks, a statement from a U.S. District Court opinion and see how you feel about this,



whether or not it supports the point of view that I'm trying to make and that is that we are abrogating our responsibility as we head in this direction. That statement reads this way: 'To the extent that the public employees gain power through recognition and collective bargaining, other interests groups with a right to a voice in the running of the government may be left out of vital political decisions' and that can be just plain John Que taxpayer, those are my words, 'just the granting of collective bargaining rights to public employees involves important matters fundamental to our democratic form of government. The setting of goals and making policy decisions are rights inuring to each citizen. All citizens have the right to associate in groups to advocate their special interests of government. It is something entirely different to grant any one interest group special status and access to the decision making process' and I believe that is what we're doing. Thank you, Mr. Chairman and ladies and gentlemen of the House for the time you have given me to speak."

Madigan: "The Chair recognizes the gentleman from Peoria, Mr. Schraeder."

Schraeder: "Mr. Speaker, would the Sponsor yield to a couple of questions?"

Madigan: "The Sponsor indicates that he'll yield."

Schraeder: "What happens if the employer agrees to recognize the membership as a collective bargaining unit? Do they have to have 50% of the cards signed or do they have to have any cards signed or what procedure is followed?"

Hanahan: "It's a complicated procedure and it comes under Section VI of Elections. Ah..... there are provisions for a mutual consent, but in that mutual consent, if that's what you're eluding to where a public employer who happens to have three glazers in a school district ah...wants to recognize them without an election, ah... he must make sure that the three belong to that bargaining unit and want to de-bargain in behalf of by the unit. It's an open discussion. All other determination is made by a secret



ballot election that allows all organization that want to represent the employees in that unit, would.... that could have 30% of those employees sign cards, and it could be the same 30% that sign other card, that they could have on the ballot their name of their organization for a secret ballot election determining who would represent those groups of employees in that unit."

Schraeder: "Are you saying then that before an employer could recognize a union, that they have to have 30% of the cards and then an election is held?"

Hanahan: "Right, except for the mutual consent where ah...."

Schraeder: "That's what I'm talking about, mutual consent."

Hanahan: "O'kay, then....."

Schraeder: "Where it can be done without any cards."

Hanahan: "Yes, that's in very small units where they could happen and it would say nothing in this or any other Act prohibits recognition of a labor organization as the exclusive representative by a public employer by mutual consent; provided that the labor organization represents the majority of the public employees in an appropriate unit. Any employed organization, which is designated or selected by the majority of public employees as their representative for the purposes of collective bargaining, may require recognition by the public employer in writing and the public employer shall post such a request for a period of at least thirty days following its receipt. All of this goes into the fact that mutual consent will be granted, but it's restricted mainly to those areas where there is no question. If there is a question, then it immediately goes to a secret ballot election."

Schraeder: "But who inaugurates the secret ballot election?"

Hanahan: "Any of the three groups. The state board can. The employees can or the bargaining representatives that are seeking the recognition of that unit can."

Schraeder: "All right, going on to binding arbitration. What happens where a governmental authority is limited by their bonding power and are forced into binding arbitration? Does that mean that they have to go over their bonding limit?"



Hanahan: "Well, the units that have binding arbitration are limited to policemen, firemen and ah... I don't believe that they are limited by bonding ah...as such. They have tax levies for the city and municipal corporations that pay this policeman and fireman. So in their case, they wouldn't be limited like school teachers. The ah... prison guards are state employees and it would be up to the legislature to meet the award as laid down by an arbitrator. Security personnel, there are very few and far between ah... the employees like the State Treasurer and those ah... I'm sure that the taxing authority would have to meet the obligation as laid down by the ah... arbitrator."

Schraeder: "Well, all right. Am I correct in interpreting your statement that if a school board is presently at their maximum bonding power and the school teachers take into binding arbitration that they would then....."

Hanahan: "There is no binding arbitration for teachers. Only for the four units that I listed as being policemen, firemen, prison guards and security. All others have no binding arbitration. That's one of the great arguments against the binding arbitration issue."

Schraeder: "O'kay."

Madigan: "The Chair recognizes the gentleman from Peoria, Mr. Tuerk."

Tuerk: "Mr. Speaker, would the Sponsor yield for a couple of questions?"

Madigan: "The Sponsor indicates that he'll yield."

Tuerk: "Representative Hanahan, ah... House Bill 1 ah... I haven't had a real chance to dissect this Bill as closely as I did House Bill 3 a couple of years ago. Would you tell me very distinctly how this Bill defers from House Bill 3 of 1973?"

Hanahan: "Yes, ah... primarily in a mandate of cooling off period, a thirty day cooling off period that no public employee may withdraw services except with a thirty day mediation and fact finding ah... conception having been undertaken. Number two, the policemen, firemen, prison guards, and security personnel have



to submit to binding.... no modification arbitration as a last ah... you know, ah... step in it's ah.. collective bargaining. Number three, home rule units have a right to be exempted from this. Number four, the ah... concept of this Act is only educational employees will be covered upon this adoption. A year later then state employees and a year and a half later would be the rest of the public employees of the state would come under the provisions of this Act. Those are the four major points that are different of House Bill 3 of two years ago."

Tuerk: "You mentioned in your explanation something about home rule units, now ah... as I understand House Bill 1 in Section XVI ah... you still have a preemption clause in there, right?"

Hanahan: "No, you have to go to ah...'Act takes Precedence', Section XVIII, Section (b); 'any collective bargaining contract between a public employer and a labor organization executed pursuant to this Act shall supercede any Charter. Ordinances, rules or regulation adopted by public employer of its agents.....', but you go back then to the home rule exemption that ah...'however this Act does not preempt the ordinances, executive orders, or legislation of any home rule unit, that adopts a policy expressed in Section I of this Act, which is the general policy adoption."

Tuerk: "What Section is that?"

Hanahan: "Section XVIII ah.... XVIII, excuse me."

Tuerk: "Well, I ah....."

Hanahan: "I amended that. That was one of the big amendment that was adopted on this Bill."

Tuerk: "What ah...."

Hanahan: "If you read on page 17, now I have an amended Act, I hope that you have in front of you."

Tuerk: "I don't."

Hanahan: "Well, I'll send one over to you right away if you want to read it where it says in Section XVIII on line 19, 20, 21 and 22; 'however this Act does not preempt the ordinances, executive orders or legislation of any home rule unit that adopts the policy expressed in Section I of this Act. I'll send that over



to you."

Tuerk: "Alright, I'd appreciate it. Now answer me this question...a... say, for instance, a...a...group petitions to be recognized. Is it mandatory for a government unit, then, to recognize..."

Hanahan: "What group sir?"

Tuerk: "Any group."

Hanahan: "State employees? City employees? School teachers? Sanitary District? Any group of employees petition you for what?"

Tuerk: "Yeh, any group."

Hanahan: "What is...what is the question?"

Tuerk: Well the question was, is it mandatory then, for the governmental unit...is it mandatory for it to recognize that unit?"

Hanahan: "No. No. Definitely not. That's what the State Labor Relations Board is set up to be created for so that the petition is given to them to determine, first of all, a few facts. These are the facts that Representative Schraeder was eluding to. The fact is whether or not they really, truly represent the employees. Number two, are they qualified to come within the provisions of the Act to act as a bargaining representative. And then, third of all, that they are recognized by the State Labor Board and offered as truly a bargaining representative to that unit. Now this is everyone except home rule units that could adopt their own machinery."

Tuerk: "A...could you tell me one other thing? A...I keep hearing rumors...a....the last several years that...a...a certain mayor, namely from the City of Chicago, is not in favor of this concept. Could you answer whether or not he is? Do you know what Mayor Daley's position is on this concept?"

Hanahan: "I...I could say that on the concept that Mayor Daley, when serving as a Senator in the Illinois State Senate, supported many bills in collective bargaining and...and...and was on record as being one of those Senators to cast a very deciding vote on the only time Illinois ever passed a collective bargaining law. In 1945, Mayor Daley was a State Senator, a leader in the Senate, and supported and delivered fifteen of the sixteen Democratic Senators in favor of collective bargaining on that bill. It went to the Governor and was



vetoed."

Tuerk: "You're talking about thirty years ago. I'm talking about since he became Mayor of the City of Chicago."

Hanahan: "I think the City of Chicago can speak for itself in its labor relations. It has one of the finest labor relations climates of any city in the State of Illinois or in the United States. It is recognized as a very good labor city. Partially because, I would suggest, because the Mayor has a very closeness to the labor leaders of that city...that are enforcing the adoption of House Bill 1."

Tuerk: "Now, would you answer the question. The Mayor, Richard Daley, is the Mayor of Chicago. Now what is his position on this type of legislation?"

Hanahan: "I have not talked to the Mayor, nor do I pretend to have the expertise that I could speak in his behalf."

Tuerk: "Thank you."

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

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

Madigan: "The question is, shall the main question be put? All those in favor signify by saying aye. Opposed. The ayes have it. The question is shall House Bill 1 pass? All those in favor signify by voting aye. Opposed, nay. Take the record. The Chair recognizes the Gentleman from Kane, Mr. Grotberg."

Grotberg: "Thank you Mr. Speaker. Are we on a roll call or are we on explanation of vote?"

Madigan: "Explanation of vote."

Grotberg: "I will yield momentarily to my leader, Mr. Washburn."

Washburn: "...request for a roll call on the motion to close for closure."

Madigan: "Are you making that request?"

Washburn: "I'd be pleased to motion, yes sir."

Madigan: "Are you joined by five other members?"

Washburn: "I think, at least. Yes."

Madigan: "The Clerk will dump this roll call. The question is shall the main question be put? All those in favor will signify by voting aye. All those opposed will signify by voting no. Have all voted who wished? The Clerk will take the record. There are 82 ayes, 56 noes, no voting present. And the question being shall the main question



be put, this issue has failed. We will return to the order of debate, and the Chair recognizes the Gentleman from Kane, Mr. Grotberg. For the information of the membership, the requirement on this issue is 2/3's of those voting present. So the Chair recognizes....for what purpose does the Gentleman from Cook, Mr. Lechowicz arise?

Lechowicz: "I request a poll of the absentees."

Madigan: "The Clerk will poll the absentees."

Fred Selcke: "Barnes. Borchers. Boyle. Catania. Choate. D'Arco. Duff. Epton. Ewell. Ewing. Fleck. Garmisa. Greiman. Hirschfeld. Katz. Kent. Katz, aye. Kent. Klosak. Kucharski. Lemke. Madison. Madison, aye. Mann. McAuliffe. McAvoy. McClain. McGrew. Meyer. Molloy. Peters. Pierce. Rayson. Ryan. Ryan, aye. Ryan, no. Sangmeister. Schlickman. Sevcik. Sharp. Shea. VanDuyne. Williams. And Mr. Speaker."

Madigan: "On this question there are 84 ayes, 57 nays. Do we have a mathematician in the House? There not being enough votes to carry the issue....its the question of whether the main question shall now be put is hereby declared lost. And we will return to the order of debate and discussion, and the Chair recognizes the Gentleman from Kane, Mr. Grotberg."

Grotberg: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. As one of the 20 per cent to which the sponsor of this bill referred who belongs to a union in the private sector, I do not debate the whole concept of collective bargaining. But we, as elected Representatives of the people who are safeguarding government, do have an area in which we must be very careful. If you will recall that in 1950, one out of ten people in these United States worked for either, local, municipal, state, or federal government. And if you will recall in 1960, that number dropped to one in six working people in the United States, worked for government. And now, in 1970, we find that one in five people employed in these United States, works for either local, municipal, state, or federal government. We are now dealing with 20 per cent of the work force of these United States in the area of public policy. And you will find that each of us has had our experience being lobbied with professional lobbyists



I submit that we will have not seen anything in the effort of lobbying as 20 per cent, and in the State of Illinois, its well over 100,000 public employees in the State sector alone, will be exerting undue influence upon the decision making of this body in the area of public bargaining. And for that reason, and that reason alone, on the matter of deferring to another agency of this government, which could be the employed group, the matter of policy regarding how the employee policy of the State of Illinois should go, should certainly be left with the administration and those of us in this very delicate position of dictating what shall be and what shall not be, and I don't want to be caught in such a bind and I would recommend a no vote on the bill when it comes."

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

Leinenweber: "Thank you. Will the sponsor yield for a question or two?"

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

Leinenweber: "Representative Hanahan, there was a colloquy between yourself and Representative Yourell over the incident of strikes currently. I believe you stated that there are fourteen states that have similar bills to House Bill 1. Is that correct? Or similar statutes to House Bill 1?"

Hanahan: "No, I said there are fourteen states with full collective bargaining, not similar to."

Leinenweber: "Alright, are there fourteen states then, that permit public employees to strike?"

Hanahan: "No, I suggest that there are about five or six that limit it to some people, but five or six states that have just about everyone outside of policemen and firemen and...a...a...prison guards, have some inherent right to strike. Yes."

Leinenweber: "Are you aware of the incidents of strikes, the number of strikes in those states that permit public employees to strike?"

Hanahan: "There are no incidents of strike concerning the area that Illinois is faced with most frequently. That's recognition strikes. There's none at all in the State that has the State Labor Relations Act."

Leinenweber: "Are you aware of the number of strikes in those states



that permit public employees to strike?"

Hanahan: "Am I aware of...."

Leinenweber: "...the number of strikes compared to the number of strikes in Illinois?"

Hanahan: "No I am not."

Leinenweber: "If I suggested they were...it was at least five times that in Illinois, would you dispute that?"

Hanahan: "I would suggest that those states have poor labor relations. They don't have a House Bill 1 before them."

Leinenweber: "Those states are the ones that permit public employees to strike."

Hanahan: "Not all public employees to strike. I'm sure the incidents of strike are caused mainly in the frustration of public employees when told that they have no other alternative, but to strike or to take it and leave it, whatever they are offered."

Leinenweber: "Now, go to the exclusive bargaining agent...a...if a labor organization desires to be the exclusive bargaining agent, can he thereby become the bargaining agent for all employees in that particular labor unit under this bill?"

Hanahan: "I don't follow the rational."

Leinenweber: "In other words, is the labor organization that is picked as the exclusive bargaining agent...."

Hanahan: "He is certified by the State Labor Relations Act as the...as the bargaining representative...alright, we got that far."

Leinenweber: "Alright. When he has...when it has been so certified, does it automatically then, take over the job of bargaining on behalf of all employees in that particular unit?"

Hanahan: "Yes it does. Right. Definitely."

Leinenweber: "Is it possible under your bill, that if a person, for whatever reason, comes within the exemption, does not have to join the labor organization because of, perhaps, religious beliefs, does that labor organization have to bargain on behalf of this employee?"

Hanahan: "Yes, he...it is obligated under the law that it would have to represent that person in grievances and other reasons of a labor relations representative."

Leinenweber: "As I understand...."



Madigan: "For what purpose does the Gentleman from McClain, Mr. Bradley, arise?"

Bradley: "On a point of order, Mr. Speaker. Its been a policy of the House of Representatives as long as I've been here to permit a question or two from a Gentleman on who is opposed or for the bill. I don't know what this Gentleman's position is, but it seems to me that a dialogue to continue such as we are having on this particular issue by this Gentleman is dilatory tactics and I would suggest that we not have this type of dialogue continuing in the debate."

Leinenweber: "Mr. Speaker, I'm merely asking questions."

Madigan: "Ladies and Gentlemen, if we would please refrain from conversations in the discussion of a dialogue back and forth from one member to the other member and attempt to restrict our posture to that of asking a question of the sponsor. Continue, Representative Leinenweber."

Leinenweber: "Alright, I...a..."

Madigan: "Representative Leinenweber, I might advise you that the timer indicates that you have one minute left."

Leinenweber: "Thank you Mr. Speaker. A....another....why do you, why did you object so strenuously to eliminating the requirement that the union bargain for those employees who do not desire it to bargain for them?"

Hanahan: "Well, the only way that you could truly represent a unit in... before its employer, would be to bargain in behalf of all its employees of that unit. You can't segregate and separate people who are working within a unit and bargain in behalf of some and not others. It would be contrary to every concept laid down by any you know, thinking person in this field of labor...labor relations. You just can't do it. Just like you can't fly."

Leinenweber: "Alright, one final question regarding the so called 'free rider argument'. Do you know of any other private organization that, under the statutes of the State of Illinois, has the power to compel private citizens to join us?"

Hanahan: "I'm not compelling any one to join."

Leinenweber: "Well, Mr. Speaker, could I address myself to this bill



for a very brief period?"

Madigan: "Sure."

Leinenweber: "I would suggest that the statistics adequately show that those states that permit public employees to strike, that those employees take advantage of that right to strike on a much greater incidence than the employees in the State of Illinois who chose to violate our laws against the right to strike. Finally, I would suggest that this bill forces individuals to become members and to pay tribute, to pay dues, if you will, to an organization which is essentially private. It is not a governmental organization. There are no other private organizations in the State of Illinois that have statutory authority to compel individuals against their will to join it. And I suggest that these two reasons are the very good reasons to vote against this bill."

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

Lauer: "Thank you Mr. Speaker. Mr. Speaker, I'm not going to engage in the asking of questions. When this bill came to the Executive Committee, I asked quite a number of questions at that time. I think the bill has been debated to a certain extent to the extent that we know what we're going to be voting on. But Mr. Speaker and Ladies and Gentlemen of the House, I would like to suggest that even though the sponsor of this bill, Mr. Hanahan, did go along with some amendments that restricted the right to strike of some public employees, and for this I think him, because I think it was a substantial improvement of the bill. But Mr. Speaker, I think that the bill is still far too restrictive on the limitation of those that may not strike. The Mental Health employees still have the right to strike. Public Health employees still have the right to strike. Hospital employees still have the right to strike. It seems to me, Mr. Speaker, that the people of this State, whether they of high estate or low, have the right to be protected in their right to personal care when they are in circumstances over which they have no control. We can call it a withholding of service, but I submit, Mr. Speaker, that the withholding of service can, in some instances, sign the death warrants of people who are ~~not in a position to take care of themselves. I would sign the case~~



of a Mental Health facility where you have retarded kids who are going to be put into the position that with supervisory personnel, taking care of the day-to-day necessities of these people, we're going to have young kids, patients that die because they aspirate there own vomit. This would not happen had they had full staff. I know that the people in our mental health hospitals, the people in our...a....public hospitals are dedicated people. And that they would not go out on strike in a frivolous manner. But Ladies and Gentlemen whether the strike is frivolous, or whether it is because of a deep-seated problem, the people who take employment in these kinds of facilities know full well the responsibility they are taking and that they have a humanitarian obligation to the people for whom they are caring not to strike. And if they would, ignore that obligation, then the State of Illinois has the obligation to see to it that they may not strike. The taxpayers of this State, again whether they be of high estate or low, have the right to be protected. Also, we have the situation that this bill would permit, what amounts to a closed shop. And we have the situation, also, that people are going to have to contribute to a labor organization whether they be members or not, of money that is paid to them, and that unless they are willing to do this, that they may not have availability of State employment or governmental employment within this State, and these funds represent tax funds. And it seems to me that every-one of the eleven and one half million people of this State has the same right to accept a job that is paid out of tax funds as any other person in the State. This bill is far too restrictive as to the rights and privileges of the general population of the State, and is much, much too caring about the rights of a few. This is a special interest bill of the worse sort. I hope that the Ladies and Gentlemen of the House will see fit to give it the defeat it so richly deserves."

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

Gaines: "My colleagues, here, I wish to call to attention of the members on my side of the aisle that the Norris-Laguardia Act, the foundation of all labor relations acts, was a Republican act. And I want to



call it to the attention of my side of the aisle that from Abraham Lincoln down, the Republican party traditionally, in the founding days, stood for the poor people. And in that tradition, I am in favor of this legislation. I'm a former public employee, and I struck as a public employee. And I feel that giving the public employees the right to organize and be recognized would do more to lift the morale of thousands of our brothers and sisters who work for the State of Illinois, than any other single act we can do, other than giving them a substantial raise in pay. And I feel that this body is out of touch with the rank and file sentiment of the people in this State if they feel that the people don't want the public employees to have a right to organize. Public employees are like all other citizens, or they should be. They should have the same rights to bargain collectively as all the citizens of the private sector, and until they are given that right, they are going to remain second-class citizens and the poor service that you complain about, and your constituents complain about, are going to continue. So I'm urging that everyone regardless of party, join in and make first-class citizens out of State employees. Thank you."

Madigan: "The Chair recognizes the Gentleman from DuPage, Representative Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, I have two questions of the sponsor."

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

Hoffman: "Number one, I'm looking at the digest and I'd like for you to explain what House Amendment No. 2 does. The digest says 'provides this Act does not pre-order or legislate for legislation of any home rule unit'."

Hanahan: "Yes, well that's right. I'm just reading what Representative Shea, here, the pre...the home rule exemption is for the...for those units of home rule government. Now you're not talking about school boards and you're not talking about park districts and sanitary districts, you're talking about home rule units that set up a policy that is enunciated in the policy section of House Bill 1, could adopt and set up their own machinery for a labor relations unit for that unit of government. That's all it does."



Hoffman: "Are you saying...."

Hanahan: "The Sun Times and the Daily News said it was the best amendment that I put on the bill."

Hoffman: "Then, what...are you saying then that it covered all public employees except those that you've listed that are exempt... except in home rule unit that adopt the policy...."

Hanahan: "...the policy, its like motherhood and apple pie and like the bumper tag for the possum says, its a general experience policy."

Hoffman: "Alright, let me ask you this then. Home rule units are not exempt from your coverage of your bill, then, are they?"

Hanahan: "Yes, I'm not taking away any powers from the home rule unit. That's right."

Hoffman: "A...you didn't answer my question. The question is are home rule units exempt from your bill?"

Hanahan: "They are exempt if they adopt their own policy, right."

Hoffman: "But if they do not, they are not."

Hanahan: "That's right, they haven't got it right now, we're not taking away any power from a home rule unit right now."

Hoffman: "Alright, I don't...I...I...think you are walking around the question."

Hanahan: "I'm answering directly. If you are asking me does House Bill 1 effect the home rule unit, I am saying yes, it effects them if they do not set up their own policy or labor relations act. And number two, we are not taking away any of their powers that they presently enjoy."

Hoffman: "Alright then a home rule unit such as the City of Chicago, the employees in the City of Chicago would be covered under your bill, is that correct?"

Hanahan: "If the City of Chicago did not want to adopt the policy, setting up its own bargaining unit, yes. I doubt if that would happen though."

Hoffman: "Alright, let me ask you one other question. Are members..."

Hanahan: "Because...one other point I might make, municipalities and counties do not come under the Act for a year and a half after passage."



Hoffman: "Okay. Can home rule unit refuse to adopt collective bargaining?"

Hanahan: "Right."

Hoffman: They can refuse to...."

Hanahan: "That's right."

Hoffman: "And they would then be covered by the State?"

Hanahan: "They would then be covered by a State labor relations, those employees that then petition under the Act to be covered by the State Labor Relations Board to have certification of a bargaining representative would then petition the State Labor Relations Act. And that's a year and a half down the road, according to House Bill 1."

Hoffman: "Alright, then you're saying that a home rule unit, under your bill, a...really doesn't have their home rule power and that it is going to take, what, a hundred and seven votes to pass this bill?"

Hanahan: "I don't...I don't know that that question has been asked, but if you're wanting to ask it, in my estimation and for the attorneys that I've talked to, is I am not taking, under the Constitution, away any powers from a home rule unit. And the Constitutional question by Con-Con and the Speaker of the House up there right now was a member of it, would I'm sure elucidate that the home rule unit provisions in the Constitution are...an extraordinary vote is needed when we are taking away some power that the home rule unit would enjoy."

Hoffman: "Alright, I think I would beg to differ with that..."

Madigan: "Representative Hoffman, the timer indicates that you have expired the time allotted to you. Would you conclude your remarks?"

Hoffman: "Yes, I have one other question and that is is the Illinois... are members of the Illinois National Guard public employees, and therefore, covered by your bill?"

Hanahan: "No, they would not be covered by the bill. They are not come within the provisions of employees of the State of Illinois."

Hoffman: "They are paid...."

Hanahan: "They are not employees, that's the deference of the definition."

Hoffman: "What are they?"

Hanahan: "They are purely military personnel."



Hoffman: "Are military personnel exempt from your bill, then, if they are paid by the State?"

Hanahan: "Military personnel are not covered by the bill. Public employee means and its spelled out in the Act of who a public employee on Section II. Public employee means any employee of a public employer, whether or not in the classified service of the public employer, except elected or appointed officials, and you'll find in the definition some statute when I asked this of the Reference Bureau, that a person in the National Guard is an appointed official in some military sense."

Hoffman: "Thank you Mr. Speaker."

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

Duester: "Assuming the sponsor will respond for a couple of questions that...."

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

Duester: "Yes, I understand that my colleague, Representative Gaines from Chicago, suggested that Abraham Lincoln was interested in all the little people, and especially dealing evenly with everyone, and I was wondering, I gather the bill does not apply whatsoever to the Regional Transportation Authority, is that correct?"

Hanahan: "That is correct. They're exempt because of the provisions under the R.T.A. Act provides for those employees to have the same provisions that this Act would come under."

Duester: "And the C. T. A. is also...."

Hanahan: "The C. T. A. has their own and this is something a lot of people are not aware of, we have had collective bargaining in Illinois for one unit of government, specifically, the C. T. A., since 1941 or 1946 or something like that."

Duester: "How about the Waukegan-North Chicago Transportation Company. You didn't exempt that. Why?"

Hanahan: "Because they are a private employer."

Duester: "They're private? Well, I thought the bill covered quasar public corporations. Isn't a public utility or trans...or public transportation, isn't that ...isn't that in the nature of a public utility?"

Hanahan: "No more than the employees of Commonwealth-Edison would be, or



Bell Telephone, or Northern Illinois Gas. I...I...I beg to...a... answer the question that quasi public does not elude to the fact people who enjoy the prospects of workin for Northern Illinois Gas or Commonwealth-Edison would come under the "Furgued" Act."

Duester: "Would you name a quasi public corporation that you had in mind, as sponsor of this bill?"

Hanahan: "Illinois Toll Highway Authority."

Duester: "That's quasi public?"

Hanahan: "Yes...its paid by the toll payer, not the tax payer."

Duester: "Alright, I'd like to ask you this question. If the public water employees, who are responsible for providing public water to all the people, if they went on strike...a...I...I gather they would be able to do that, is that correct?"

Hanahan: "If the water...water...."

Duester: "...in my community...."

Hanahan: "In my community, I have a private water company, they go on strike any time they want."

Duester: "If you have a public water company...."

Hanahan: "Right now, I have pub...my water is private water, and I think over in your area, you still have the private water over in the Mundelein area?"

Duester: "A...yes."

Hanahan: "You had private water and I'm sure that you didn't have any shut off because they went on strike and they've had that right for years."

Duester: "I would like to ask this question. I assume that if essential service employees...a...I would think school teachers might be, or civil servants of any kind, if they go on strike, is there any right to replace them, or to higher others to perform their functions while they are out on strike?"

Hanahan: "Most people...most right thinking citizens would not consider themselves a scab and a black leg and those types of names I could call a strike breaker, and I doubt if we have that kind of citizen living within Illinois that would want to do that."

Duester: "Is there any limit on how long a school teacher could be on



strike in this Bill?"

Hanahan: "Is there any limit?"

Duester: "Is there any limit. What is the limit? What's the longest the school teachers could go on strike under this Bill, ah... six months?"

Hanahan: "I don't suggest that under this Bill that the school teachers would go on strike. This Bill is to ameliorate strikes and to prohibit....."

Duester: "No, you're not responding to the question....."

Hanahan: "You know, I have to answer your question the best I can. I don't understand what you're eluding to. This Bill is to help prohibit strikes not to increase them."

Duester: "If the Bill doesn't work and the teachers go out on strike...."

Hanahan: "The Bill will work. Let me get that point across. The Bill will work."

Duester: "All right, that is your opinion. If it doesn't work and they go on strike....."

Hanahan: "It has nothing to do with whether the Bill will work, ah.... if some people decide not to work, is what you mean."

Duester: "One last question. The Legislative Reference Bureau and all of the secretaries that serve us are under this Bill. Is that correct?"

Hanahan: "That's correct."

Duester: "Now if they went out on strike ah... would we have ah.... they are all civil service employees or ah... are they? I think the Legislative Reference Bureau might be."

Hanahan: "I doubt that very much. Probably not."

Duester: "How about state employees who are under civil service, are they covered?"

Hanahan: "Yes, they would be covered under the Bill. You gotta remember, all of these questions are predicated on the fact that first of all, they determine to belong to a bargaining unit and then petitioning ah.... and certified as such as coming under a unit that has petitioned under the Labor Relations Act, to be recognized. I'm just a little suppositioned."



Duester: "Is it possible under the Illinois Civil Service Act ah... to replace or fire an employee who goes out on strike?"

Hanahan: "I have no idea. I can't answer that."

Duester: "You have no idea?"

Hanahan: "I have no idea whether or not you could replace a strike employee."

Duester: "And you're not concerned about whether the General Assembly or any of the units of government can function?"

Hanahan: "I am very concerned. That's why I introduced House Bill 1. The fact remains that we are trying to relieve the pressure of having a recognition strike, but now these people have the right to..... what have you done, Representative, to prohibit these people from striking? That's the question. Everyone wants to talk about strikes, but what have you done to prohibit them. Why attack a Bill that trying to relieve at least one area where there is a possibility of strike and that's the area of recognition. That's all that House Bill 1 is."

Duester: "I think the answer that Representative....."

Madigan: "The clock indicates that your time has expired. Could you bring your remarks to a close? I would like to announce at this time that it is the intention of the Speaker to work until approximately 8:30 this evening. The Chair recognizes the lady from Cook, Mrs. Macdonald."

Macdonald: "Mr. Speaker, in the interest of the Home Rule Article of the New 1970 Constitution, I submit that this House Bill 1 is indeed a preemption of home rule powers and I would like to have a ruling from the Chair as to how many votes House Bill 1 will take to pass."

Madigan: "The Chair recognizes..... ah..... I didn't hear what you said, Mrs. Macdonald."

Macdonald: "Mr. Speaker, I have said that under the New Constitution, Home Rule Section; I submit that House Bill 1 is indeed a pre-emption of home rule powers and I would like a ruling from the Chair as to how many votes this Bill takes to pass."

Madigan: "Representative Macdonald, if I understand you correctly,



you have asked for a ruling of the Chair as to how many votes will be needed for the passage of this Bill?"

Macdonald: "Whether or not it is a preemption of home rule powers and whether it takes, under the rules, a 107 votes to preempt."

Macdonald: "The response of the Chair to that inquiry is that House Bill 1 is deemed to be preemptive of the home rule powers granted under the Constitution of the State of Illinois and therefore, will require 107 votes to apply to home rule units. In the event that House Bill 1 passes with 89 votes, but does not receive 107 votes, then it shall be declared passed, but will not limit home rule units."

Macdonald: "Well, I'm indeed confused by that ruling, Mr. Speaker. I would like a further clarification. I do not see how this Bill can pass under those circumstances without 107 votes."

Madigan: "Representative Macdonald, the Chair has ruled on that question."

Macdonald: "Well, I dissent with the Chair and I ah... I really am unclear about how you can rule that it takes 107 votes and yet if it only gets 89, because you have admitted that it does indeed preempt and I do not see how this can then not apply to Cook County, which is a home rule county, the City of Chicago and seventy-two other municipalities. I think that if this Bill applies for all of the State of Illinois, that it should indeed require a preemption of 107 votes to pass."

Madigan: "The Chair recognizes the gentleman from Moultry, Mr. Stone."

Stone: "Mr. Speaker and ladies and gentlemen of the House, I would like to try one more time. I move the previous question."

Madigan: "The question is shall the main question now be put. For what purpose does the lady from Lake, Mrs. Geo-Karis arise?"

Geo-Karis: "Mr. Speaker and ladies and gentlemen of the House, your Speakership has already ruled because of the votes against the motion for the ah... to close debate and which prevailed ah... it has already taken place in this days Session; therefore, you cannot act on it again. Parliamentary procedure accordingly."

Madigan: "The Chair rules that there has been intervening business"



and that the motion is in order and is not dilatory."

Geo-Karis: "How can it be in order. Mr. Speaker, it's the same Bill that we have been debating. How can you say that it intervening business."

Madigan: "The question is shall the main question now be put. All those in favor will signify by voting 'aye'. All those opposed will signify by voting 'no'. For what reason does the lady from Cook, Mrs. Macdonald arise?"

Macdonald: "Parliamentary procedure, Mr. Speaker. I had not finished with my conversation with you in terms of the ruling of the Chair on the preemption and how many votes this Bill will take and as much as I regret having to do this because of my respect and admiration for the Speaker in the Chair; I would like to ask for an overruling of that ruling of the Chair. I would like to have a rule to overrule the Chair."

Madigan: "Representative Macdonald, your motion is out of order at this time. However, we will return to an order of business where you will be able to make that motion."

Macdonald: "Thank you, Mr. Speaker."

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

On this question there are 94 'ayes' and 53 'nos' and none voting 'present' and for the information of the Members, we are waiting for the machine to tally the Roll Call. On this question there are 94 'ayes' and 53 'nos' and none voting 'present' and this motion having failed to receive 2/3's of those voting on the issue, is hereby declared lost. We are now on the order of debate and the Chair recognizes the lady from Cook, Mrs. Macdonald."

Macdonald: "Well, Mr. Speaker, again I regretably say that because of my respect for the Speaker in the Chair, that I will still because I believe that it is a preemption, totally preemption of home rule powers which you have admitted and to not see how we can divide this particular vote; I challenge the rule of the Chair and ask for a vote to override the ruling of the Chair."

Madigan: "For what purpose does the gentleman from Cook, Representative



Shea arise?"

Shea: "As I understand your ruling, Mr. Speaker, you said that this Bill under consideration is preemptive of home rule units, but is not ah... or could not be preemptive of other units of government; that if this Bill is called today and receives 89 votes, but less than 107, that it would be passed, but would not be applicable to home rule units; that if it received over 107, that it would apply to all units of government, both home rule and non home rule. Was that your ruling?"

Madigan: "That is a correct interpretation of my ruling."

Shea: "All right. Is the ladies question now ah... and ah... does she seek to overrule the Chair stating that this Bill is not preemptive of home rule units?"

Madigan: "The Chair recognizes Mrs. Macdonald."

Macdonald: "Mr. Speaker, Representative Shea, I would submit that if this ruling of the Chair is to stand; that House Bill 1 would have to have an amendment on it to accomodate your interpretation. I say that if this Bill passes, that it cannot be under those conditions, that we either pass it out with a vote which means that a part of this Bill will preempt home rule units and that you cannot divide this ruling in this way. That is my opinion."

Shea: "My question is, do you seek.... what part of this do you seek to overrule, Mrs. Macdonald?"

Macdonald: "That this Bill under any circumstances....."

Shea: "May I finish, please?"

Macdonald: "Sure."

Shea: "You were a Member of the Constitutional Convention. You were one of those people that drafted the Convention ah.... or the Constitution. You know full well that our debates are now being transcribed. You know that our debates are part of any record on this measure. You know full well that the intent of the Speaker was to say that the Bill would be applicable to all units of government except home rule units if it passed with over 89, which is a constitutional majority and would not be applicable to home rule units unless it was over 107. As I get your appeal



of the ruling of the Chair, as such, that you wish to say that this is not a preemption of home rule units?"

Macdonald: "Well, Representative Shea, I maintain that we have not had this kind of a ruling before saying that any Bill could pass and whether or not it got the 107, then it would not in turn apply to non home rule units."

Shea: "That's ah...."

Macdonald: "..... and be a preemption. I have not heard this ruling out of the House of Representatives up to this date. I think that it is unique and a first and I don't quite understand it, frankly."

Shea: "The same ruling was made in the last Session of the General Assembly, Mrs. Macdonald, with regards to a Bill that was handled by Representative Raymond Ewell, with regards to communities and the lake shore and it's exactly the same ruling."

Macdonald: "Well, I think that a Bill of this magnitude and of this importance that effects the tax dollars of all of the people of Illinois should apply equally to all municipalities of Illinois and I maintain that this Bill should indeed have 107 votes to pass."

Madigan: "Representative Macdonald, your motion is shall the Chair be overturned?"

Macdonald: "Yes, Mr. Speaker."

Madigan: "Are you joined..... pursuant to the rule."

Macdonald: "That it require 107 votes."

Madigan: "Pursuant to the rules, are you joined by six other Members?"

Macdonald: "Am I joined by six other Members?"

Madigan: "It appears as if you are. For what purpose does the gentleman from Cook, Representative Lechowicz arise?"

Lechowicz: "Mr. Speaker, I arise on a point of order. I thought that the Sponsor in explaining the question raised by Representative Tuerk, pointed out quite vividly that home rule units are not effected by this Bill."

Macdonald: "Under certain conditions I ah..... it was unclear to



me. The Chair ruled that they were."

Madigan: "The order of business is the motion of Representative Macdonald ah..... and for what purpose does the gentleman from Cook, Representative Walsh arise?"

Walsh: "Well, to speak on the motion, Mr. Speaker. To suggest to you that your ruling is in error. There is no question that the Bill does apply to home rule units because in Section 18, it points out that home rule units are exempt if they do something else referring back to Section 1. Now I suggest to you that Mrs. Macdonald is right; that you cannot make a ruling like the one you made because you are ruling one one question. You're ruling on whether this Bill, as it is before us, requires an extraordinary majority or a simple majority. Now because of Section 18 and its reference to home rule units and what home rule units must do and because this is part in parcel of the matter that we're voting on and cannot be taken out at this stage, then you must rule, you must rule that the Bill requires an extraordinary majority for passage. It can't require an extraordinary majority or a simple majority. It must be one or the other and I submit to you that Mrs. Macdonald is right; it must be a extraordinary majority."

Madigan: "For what purpose does the gentleman from Cook, Mr. Shea arise?"

Shea: "Well, Mr. Speaker, I'm trying to find out from Mrs. Macdonald what she's..... what portion of the ruling she seeks to overturn of the Chair."

Madigan: "The Chair recognizes ah....."

Shea: "May I finish please, Sir?"

Madigan: "Sure."

Shea: "Last year or it may have been two Sessions ago, when Mr. Speaker Blair was in the Chair and he talked about House Bill 911, which is a preemptive Bill of taxes, he then ruled and ah..... Mr. Walsh was the Majority Leader, he then ruled that if 911 passed with a simple majority it would be applicable to units



of government in this state, but not home rule units; that if passed with 107, it would be applicable to all units of government. Now I'm trying to still determine if Mrs. Macdonald's motion to overrule the Chair is to say that if ah... the Chair is overturned than does this Bill require only 89 votes?"

Madigan: "The Chair recognizes the lady from Cook, Mrs. Macdonald."

Macdonald: "I only want to strike the second portion. I want the first portion left, but to strike the second portion ah... with reference to the 89 votes that would not apply to the home rule units..... that would limit the home rule units."

Madigan: "The question is shall the ruling of the Chair be overturned.

The ruling of the Chair was simply this: House Bill 1 is deemed to be preemptive of the home rule powers granted under the Constitution of the State of Illinois and therefore will require 107 votes to apply to home rule units. In the event that House Bill 1 passes with 89 votes, but does not receive 107 votes, then it shall be declared passed, but will not limit home rule units. As I understand the motion of Representative Macdonald; she is attempting to overrule that portion of that ruling which states in the event that House Bill 1 passes with 89 votes, but not 107 votes, than it shall be declared passed, but will not limit home rule units. On that question; all those in favor will signify by voting 'aye' and all opposed by voting 'no'. The Clerk will take the record. For what purpose does the gentleman from Cook, Mr. Walsh arise?"

Walsh: "Well, to get this matter clarified. Do I understand that Mrs. Macdonald is appealing the ruling of the Chair or was there some question about dividing the ruling of the Chair? Now I don't see how the question of dividing can be a part of this. She either appeals the ruling of the Chair or she does not. She does not appeal part of it. That's going along with the error, I think, of the Chair in ah.... in appealing part of it. Now do I understand that the entire ruling of the Chair ah..... this business of 2/3rds and ah... or rather 3/5ths and ah... a simple



majority or is there some question about appealing part of it?
Would you clarify what we're voting on?"

Madigan: "As I understood the motion of Representative Macdonald's it was to overrule that portion of the ruling of the Chair, which stated that in the event that House Bill 1 passes with 89 votes, but does not receive 107 votes, then it shall be declared passed, but will not limit home rule units. Therefore, her motion does not attempt to overrule that portion of the ruling which stated that House Bill 1 is deemed to be preemptive of the home rule powers granted under the Constitution of the State of Illinois and therefore will require 107 votes to apply to home rule units. Representative Walsh."

Walsh: "Well, Mr. Speaker, in my opinion you are dividing the indivisible. You cannot do that. You made one ruling and the question is on that one ruling. You cannot divide your ruling and have us vote on it. That too, is unprecedented."

Madigan: "Representative Walsh, my posture is that of presiding officer and ah... I'm only stating to you what I understand the ruling to be. I know what the ruling is because I have it right here in front of me."

Walsh: "Well, well..... could we have perhaps some clarification from Mrs. Macdonald?"

Madigan: "The Chair recognizes the lady from Cook, Mrs. Macdonald."

Macdonald: "Mr. Speaker, I move to strike the second portion. I moved that the Bill would take 107 votes to pass and appeal those....."

Madigan: "The Chair recognizes the lady from Cook, Mrs. Macdonald."

Macdonald: "Mr. Speaker, I wonder if we can temporarily take this out of the record, ah... withdraw this motion temporarily? responding to the second half of your ruling to a question by Mr. Shea and I think it is necessary for us to clarify this. Would you be willing to take this out?"

Madigan: "The Chair recognizes the gentleman from Cook, Representative Shea."

Shea: "Well, Mr. Speaker, I asked the lady and tried to do it with



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some specificity. If for ah.... if when she put her motion that she wished to override the ruling of the Chair and state that this Bill was not preemptive; she said 'No, I do not.' She then stated that she wished to appeal only the second portion of the ruling that stated that if the Bill passed with less than 107 and more than 89 it would become law. I thought that's the question we are voting on now."

Madigan: "Representative Hanahan, there's been a request that the Bill be taken from the record. Do you wish to comment on that request?"

Hanahan: "Mr. Speaker, I would think that those who are seeking some sort of answer are those that are still going to vote 'no' no matter what the answer is on House Bill 1 and I'd persist on having House Bill 1 called and passed tonight no matter what. I think that if the lady wants to appeal the ruling of the Chair, that's her prerogative, but I'd like to know how she is going to vote on House Bill 1. I know she's going to vote 'no' no matter who it's for. She ain't going to kid me or anyone else."

Madigan: "The Chair recognizes the lady from Cook, Mrs. Macdonald."

Macdonald: "I would like to withdraw my motion temporarily."

Madigan: "The lady from Cook, Mrs. Macdonald..... the Chair recognizes the gentleman from Cook, Mr. Shea."

Shea: "Mr. Speaker and ladies and gentlemen of the House, in order to try and get by this bypass, I ah.... I've discussed this with Mr. Walsh, the Minority Leader; Mr. Walsh, the Assistant Minority Leader; Mr. Hanahan, the Sponsor of the legislation and Mrs. Macdonald the maker of the motion and at this point she would like to withdraw the motion, dump the Roll Call and take the Bill out of the record for ten minutes to sit and discuss it with Mr. Hanahan and at the end of that time come back to Third Reading, House Bill 1. So that would be my motion, Mr. Speaker."

Madigan: "Is there leave? Leave being granted, on the order of Third Reading appears House Bill 357."

Fred Selcke: "House Bill 357. A Bill for an Act ah.... a Bill for an Act to add Article 8 to and amend Section 55 of an Act concerning



Public Utilities. Third Reading of the Bill."

Madigan: "The Chair recognizes the gentleman from Cook, Representative Maragos."

Maragos: "Mr. Speaker and Members of the House, House Bill 357 is a Bill which is long overdue for the people of the State of Illinois pertaining to the area of controlling and setting up guidelines for future electrical generating facility programs. Too long, Mr. Speaker and Members of the House, have the power industry and other concerned electrical generating facilities been without proper supervision and without a comprehensive system of procedure to obtain a certificate from one stopped source. Mr. Speaker and ladies and gentlemen of the House, this Bill is not Representative Hudson's Bill, it is not my Bill, it is the combination of a year and a half of hearings of the Illinois Commission of Atomic Energy, which has tried to produce a proper a practical and a cohesive approach to problems of licensing power plants in Illinois. Many people have stated that we did not go far enough in approaching this problem, but within the jurisdiction that is given to our commission by the neighboring statutes and by the authority of this House and Senate, we have tried to confine ourselves primarily as an experimental and as a guideline approach to the areas of electrical power generating facilities. For the first time we are having a complete board proceed in this area; proceed to try to make a final measure, a legitimate.... a practical and a sensible approach to the problem of allowing power plants to be genera..... to be erected in this state. The federal government, the various federal agencies have time and again stated that they want the states to undertake a portion of this problem by preparing sites for which would be for the benefit of the people in the states where those sites would be located. I could go on, Mr. Speaker and Members of the House and I will answer questions which I'm sure will be raised, but this will be a eleven man board as amended. There are thirteen amendments to this ah... which were allowed by the Committee



on ah.... at the ah... at the hearing and subsequently one was brought to Second Reading. We have all of the environmental questions answered to which many environmental groups were objecting earlier. We have put in a safeguard, that these environmental groups have to stake and we are trying to show that this Legislature does not favor the power industry approach. It does not favor the small municipalities approach. It does not favor anybody except the citizens of the State of Illinois who need the power, but have to be safeguarded, that all the environmental and all the other problems to not arise. For that reason, Mr. Speaker and Members of the House, I ask you support in adoption of House Bill 357."

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

Palmer: "If my distinguished colleague would answer a question or two?"

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

Palmer: "Sam, we talk about electric ah... generating facilities, we're talking not only about atomic powered facilities, but the old traditional fossil fuel type, is that correct?"

Maragos: "That is correct."

Palmer: "Now Amendment #5, I believe was adopted ah..... well, let me ask you this question. Will this supercede all of the zoning codes of every municipality or a local ah.... unit of local government in Illinois?"

Maragos: "The answer is yes."

Palmer: "Well, then what protection do the people have of in reference to the location of this type of a facility?"

Maragos: "The protection that they have under the statutes and ah.... the present Bill ah.... Representative Palmer, is that they first of all, the municipalities themselves, are going to be given notice. They have a right to attend a hearing and object a hearing to give their input. Secondly, as amended, by Mr. Mugalian's Amendment, which is Amendment #8 and ah.... Representative Lundy's which was the amendment of the ah..... shall we say the Environmental and the Public Consumer Group; they havewe have also



put an additional safeguard in that the people that are directly effected, the people whose property is going to be directly effected in the area will have a right to attend a hearing and give their view points why they object to this particular situation for this particular site being located in their area. More importantly, the Environmental Group and the environmental impact statements have to be studied, not only by the government, but by the full ah....full impacts statements have to be given by the power companies before they ask for these certificates ah.... allowing them to proceed."

Palmer: "Well, beyond being asked to attend a hearing and perhaps ask questions and obtain some answers, suppose that there is a ruling which would be adverse to the residents of a particular municipality; my question then is, what protection do they really have?"

Maragos: "In addition to that protection, if they are not satisfied with the ruling of the board, if it is established, they have a right to appeal, directly now, without going through the steps of the Circuit Court. They have a right to appeal directly to the Appellate Court to get a more distinct and a more ah.... quicker answer than they would normally."

Palmer: "All right. Thank you."

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

Leinenweber: "Representative Maragos, what is the make-up of this board?"

Maragos: "The make-up of this board, as amended, is the ah.... two members of the Illinois Commerce Commission, two members of the Pollution Control Board, one member of the Illinois Protection Agency, one member from the Department of Conservation, one member from the Department of Agriculture, one member of the Board of Econom..... Business ah..... Department of..... Business Economic Development, two public members who have no interest whatsoever in power companies or the power industry, which would be considered as the so called consumer advocates and ah..... The Department of Public Health and The Department of



Public Transportation."

Palmer: "Who appoints the two public members?"

Maragos: "All are appointed ah....they will be appointed by the Governor and in due case, will have to pass, just like every other cabinet officer, the scrutiny of the Senate."

Palmer: "In other words, advice and consent of the Senate?"

Maragos: "That's correct. Even though it is not in the Bill ah... distinctly as this, ah... it was just put in as an amendment the other day, we intend to have those two public members be put in and I will..... because they will be an official board."

Palmer: "Does the Illinois Municipal League have a position on this Bill?"

Maragos: "Yes, they are against it because of the fact that it would preempt their rights on the zoning and the land use."

Palmer: "In other words, this Bill does preempt home rule then?"

Maragos: "It preempts home ah.... zoning ah... not home rule."

Palmer: "Well, isn't zoning a part of home rule?"

Maragos: "In certain aspects it is, but there's other areas where preemption has been taken on the state level."

Palmer: "You haven't conceded that it will take 107 votes then?"

Maragos: "No, I have not."

Palmer: "Thank you."

Madigan: "The Chair recognizes the lady from Lake, Mrs. Reed. You waved, Mrs. Reed? The Chair recognizes the lady from Lake, Mr. Geo-Karis."

Geo-Karis: "Mr. Speaker and ladies and gentlemen of the House, will the Sponsor yield for a couple of questions?"

Maragos: "Adeline, I've yielded to you many times in the Committee and other places, let's go."

Geo-Karis: "I feel completely complimented. Ah..... never mind, Collins. Sam, under this Bill under one of your amendments, is it not true that this board will have the right to ah..... what is known as quick take in condemnation? In other words, when they decide to come into a residential area, for example, and decide to take property under condemnation, they can take it



under the quick take provision; take it first and then let the court decide later how much to pay. Isn't that right?"

Maragos: "Not completely because it's not going to go to any residential areas because of the environmental impact statements. If you know the standards that have been adopted by the federal and the state Environmental Protection Agency, you'll find that none of these plants or sites will ever be located in where ah... areas where there is a big population or ah... residential."

Geo-Karis: "All right, I just....."

Maragos: "Let me finish."

Geo-Karis: "I'm sorry."

Maragos: "That is why The Department of Conservation and The Department of Agriculture and the E.P.A. and other groups are going to be involved to see what the environmental impact statement is. If this Bill ah... if this was a law, five or ten years ago, Zion would not have been built in your backyard."

Geo-Karis: "Now ah... I'll answer you then with another statement and continue my questioning. At that time your ah.... federal bodies involved with any environmental impact did not object, that does not make two wrongs a right. However, I would like to point out to you that in the case of the Atomic Energy Plant; does this Bill ah.... will deal with nuclear plants as well, ah... you do not deny that, do you?"

Maragos: "No, I do not, but excepting that we are ah... as the State of Illinois, by the decision of the Northern Power States vs. Minnesota, the Supreme Court has ruled that they ah.... the federal government has preempted the licensing of these plants. All we have to do as a state agency is to try an assist in the selection of the site so that they can't put them in our backyard."

Geo-Karis: "If you will recall....."

Madigan: "Representative Geo-Karis, may I advise you that the timer indicates that the time allotted to you has expired?"

Geo-Karis: "I'm sorry. I'll make it as fast as I can."

Madigan: "Thank you."

Geo-Karis: "You will recall that two week ago, in Bailey Indiana, that



the ah.... the federal authorities on E.P.A. were overruled by a federal court, which enjoined the completion of the Atomic Energy Plant, is that correct?"

Maragos: "That's correct, and I agree with the decision. That's why we need this law. If Indiana had a similar law, they couldn't even consider the location of particular power plant site."

Geo-Karis: "Well, I submit and you will admit, that under this Bill will all of your amendments, ah.... this board under the Bill it creates, has the absolute authority to go anywhere in the State of Illinois if it so desires to put a plant, a nuclear plant or any such like plant."

Maragos: "I will not admit they can go anywhere in the State of Illinois because they cannot go into population centers, they cannot go any place where the environment in any way will be effect and endanger the lives of any people."

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

Lechowicz: "Thank you, Mr. Speaker and ladies and gentlemen of the House. Mr. Speaker, since this Bill deals direct with home rule units in reference to zoning and zoning powers, how many votes are required on this Bill?"

Maragos: "Mr. Speaker, I would like before you rule on the question, to state that this is....."

Madigan: "Mr. Maragos, would you approach the podium?"

Maragos: "Yes, Sir."

Madigan: "The inquiry of Representative Lechowicz was as to the number of votes required for passage of House Bill 357. It is the ruling of the Chair that House Bill 357 is preemptive of the home rule powers granted under the Constitution of the State of Illinois and therefore it will require 107 votes to pass. The Chair recognizes the gentleman from the Chair recognizes ah.... for what purpose does the gentleman from Cook, Representative Telcser arise?"

Telcser: "Ah..... further parliamentary inquiry, Mr. Speaker. If this Bill gets 89 votes, will it then be effective for other localities?"



Madigan: "The Chair has ruled, Representative. Like the old adage, you talk to much and you get in trouble. The Chair recognizes the gentleman from Kankakee, Representative Beaupre."

Beaupre: "Mr. Speaker, a question of the Sponsor."

Madigan: "The Sponsor indicates that he'll yield."

Beaupre: "Representative Maragos, as indicated in the ah... Digest, ah... of course, I'm a supportive of the concept of this and am a Co-Sponsor of the Bill, but I'm concerned about on area and you made mention of it before. That is to say, ah... the case of Northstate Park Company vs. Minnesota, which ah... I understand to preempt state activity in regard to the licensing of these facilities and ah... I'm concerned about establishing a board and going ah... the State of Illinois going to the expense of establishing such a board if indeed we are preemptive by that same court decision and I ah... I would like to inquire of you ah... as to your Commission's studies in regard to our preemption ah... operating in this area."

Maragos: "That is a very good question, Representative Beaupre, and I would be glad to answer it because the decision of the Supreme Court ah... the United States Supreme Court in that case can effect as to what the states rights and authority and responsibility are when you get outside of a power plant and prior to the construction of such a power plant. So we have stated and they have asked.... many conferences that we have had with the federal agencies in this regard, that what they've said is that we can use it in a simple approach ah... that the federal license.... use of ah..... use of the Federal Atomic Energy Commission, but now it is the Nuclear Regulatory Commission, which split off and they have the ah..... they have stated now that it is within their jurisdiction to license and control and monitor within the fence line of the particular nuclear power plant. However, there is a big area outside the fence line. We have to monitor the polution of the water, of the air, of the transportation and all of these other facts which are still responsibilities of the state. More importantly, in this particular Bill, we're not only dealing with



nuclear power plants, but we're also dealing with coal fire and fossil fuel plants and they also have many similar problems ah... just as a nuclear power plant outside of the fuel being used to bring about the energy. So we still have a big area outside of the decision which we have to control and therefore we should have some input and something to say about where those plants go within our state."

Beaupre: "Speaking only to the regulation of nuclear power plants, should this board..... are we not granting this board the power to decide, for instance, that a nuclear power plant cannot be located within fifty miles of the City of Chicago; and would that indeed not prohibit the licensing of that ah.... power facility?"

Maragos: "Correct, ah... Mr. Beaupre, because if we had this Act and ah.... if this becomes law, the power companies cannot do what they have been doing in the State of Illinois as easily and at random as they have and I think it is a big concern of us... us this legislature..... should be concerned in this legislature to further protect the placing of these plants and the citizens of the United States because ah... especially in the State of Illinois because of the fact that we would not have ah.... if we had these laws in the various states, we would not have Lake Michigan ringed with power plants as it is now and there would be many areas along te various rivers which would be prohibited in the future from having power plants."

Beaupre: "Well, wouldn't that sort of decision to prohibit such a plant ah... fly into the face of the Northstate Power Company decision?"

Maragos: "No, no, because if we ah... we still have the right of a state power to say that you cannot get the license because in addition to their getting the federal powers, the federal licensing, they have to get every power plant still has to get a certificate from the Utilities Commission or any other powered agency or local agency. This way we ah.... put higher standards, higher safeguards on these people in order to do the job. So it is not completely federal government. There are still other re-



quirements." So we're saying by this Act, in the area where the state is concerned, and it should be concerned, we have to set up proper safeguards of control."

Madigan: "The Chair recognizes the gentleman from Perry, Mr. Ralph Dunn."

Dunn: "Thank you, Mr. Speaker. I wonder if the Sponsor will yield for another question?"

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

Dunn: "Representative Maragos, who now does this deciding and how did we come about all these bad things that you say have happened to us in the last ah... before now?"

Maragos: "Mr. Speaker and Members of the House, the State of Illinois, among all other states has had more nuclear power plants than any other state in the union and let us face a very important fact. Until our technology, until our science and until our research, brings the other fuel.... whether it be fossil, solar or what have you, into the area where they can become economically feasible, we're going to be faced, in the next ten or fifteen years at least, with the necessity of providing additional nuclear power. I don't like it. I wish it could be true that we could have plan solar energy. I wish it could be true that we could have enough natural gas or that we could ah... since we have so much resources or coal, that it could be become environmentally safe in that it would not have a sulfur content; but the fact remains that we're going to be faced ah... if we don't do anything else ah... with the statistics and the reports and research that has been done and the projections that have been done, no matter how much we conserve, if we are going to keep our standard of living even to a lesser degree of what it is today, we still have to have the use of nuclear power to generate electricity and other sources of energy in this state and throughout the nation."

Madigan: "For what purpose does the gentleman from Cook, Mr. Telcser arise?"

Telcser: "Mr. Speaker, a few moments ago, I made a parliamentary inquiry of the Chair and the Chair chose to demure on the answer."



I wonder now if you could tell me if this Bill gets 89 votes, but less than 107; it would be effective for those units of government in Illinois that are not home rule units."

Madigan: "Mr. Telcser, the Chair has ruled relative to the inquiry of Representative Lechowicz and if you wish, I will repeat the ruling of the Chair."

Telcser: "Would you please, Sir?"

Madigan: "Yes. The ruling of the Chair in the response to the inquiry of Representative Lechowicz is that House Bill 357 is deemed to be preemptive of the home rule powers granted under the Constitution of the State of Illinois and therefore will require 107 votes to apply to home rule units."

Telcser: "Well, Mr. Speaker, that does not answer my inquiry, Sir. My question is if this Bill gets over 89 votes, but less than 107; will it effect those units of government in the State of Illinois that are not home rule units. Could you answer that yes or no, please?"

Madigan: "Representative, the Chair has ruled. Shall I repeat the ruling?"

Telcser: "Representative..... ah... Mr. Speaker, the ruling which you are siting is based upon a inquiry made by Representative Lechowicz. I would like to know from you, yes or no; if this Bill receives more than 89 or more votes, but less than 107, will it effect those units of local government that are not home rule units. Now can you answer that with a yes or no?"

Madigan: "The Chair rules that House Bill 357 is deemed to be preemptive of the home rule powers granted under the Constitution of the State of Illinois and therefore will require 107 to apply to home rule units."

Telcser: "Well, Mr. Speaker, it's apparent that you do not wish to make a ruling ah... based upon my inquiry and I think that I am just taking up more time of the House by pursuing my question, but I think the fact that you are stepping aside and not ruling on this parlimentary inquiry indicates the folly and the....."

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



Lechowicz arise?"

Lechowicz: "Mr. Speaker, I think that you are quite specific as far as your ruling of my inquiry. I think the man is out of order."

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

Telcser: "Mr. Speaker, I don't quarrel at all with the inquiry made by Representative Lechowicz. I as a Member of this House have a right to make an inquiry of my own. Now if the Chair does not wish to assume its responsibility by answering the inquiry, then the Chair's silence will speak for itself."

Madigan: "Representative Telcser, the Chair has ruled and if you wish I will read into the record the ruling of the Chair, if you so wish. The Chair.... for what purpose does the gentleman from Lake, Mr. Matijevich arise?"

Matijevich: "Well, Mr. Speaker and Members of the House, since nobody has made the inquiry, I'm going to make it. I think that Representative Telcser's point is legitimate because ah... we've had a nuclear plant in our area. It's not a home rule unit of government and I think there's a lot of non-home rule units of government that are weary of siting. So I'm going to make the inquiry. If this Bill gets 89 votes, but not 107 will it apply to non-home rule units of government and I think that question is legitimate especially based on your ruling on House Bill 1."

Madigan: "Representative Matijevich, will you restate your inquiry?"

Matijevich: "My inquiry, Mr. Speaker is if House Bill 357 gets 89 or more votes, but not 107, will it apply to none home rule units of government?"

Madigan: "In response to your inquiry, in the event that House Bill 357 pass with 89 votes, but does not receive 107 votes, than it shall be declared passed, but will not limit home rule units."

Matijevich: "Thank you, I appreciate that."

Madigan: "The Chair recognizes the gentleman from Perry, Mr. Ralph Dunn."

Dunn: "Thank you, Mr. Speaker. I was asking some questions of the Sponsor and I wonder if I might continue? In fact the question, Representative Maragos....."



Madigan: "The Sponsor, Representative Maragos, indicates that he will yield to a question from Representative Dunn."

Dunn: "Thank you, Mr. Speaker. Mr. Maragos, you didn't answer my question. Who now sites plants in Illinois? I think that is what I asked. You went the long way around to tell how dangerous it was, but who's now....."

Maragos: "Right now, Mr. Dunn, the State of Illinois only has very limited rights in giving out certificates. Right now....."

Madigan: "For what purpose does the gentleman from Cook, Representative Duff arise?"

Duff: "Point of order, Mr. Speaker. I was trying to get your attention before you ah... recognized the gentleman to inquire into the merits of the Bill and it's simply because I don't want to be untimely in a motion and dissent of the Chair's ruling and ah.... if it is ah... not untimely, I will wait till the gentleman is finished, but if I must do it now, I want to do it now."

Madigan: "I'm informed, Representative Duff, that your dissent should be filed in writing with the Clerk and ah... you are out of order and we will return to Representative Dunn and in the interim we can resolve the method of filing your dissent. Representative Dunn."

Dunn: "Thank you, Mr. Speaker. Representative Maragos, did you say who sites plants now?"

Maragos: "Ya, ah... primarily the siting is done by the federal government to their licensing powers at the present time. The only agency that has to be appealed to is The Illinois Commerce Commission, which only has to determine the question of convenience and necessity. It does not have to determine alternative uses of power. It does not have to determine environmental impact. It doesn't have to determine the cost and the licensing fees involved for the study."

Dunn: "Does not the Environmental Board ah.... E.P.A. ah... do they not now grant licenses for sites for power plants?"

Maragos: "They ah... most of the power plants that have been erected in Illinois were prior to the Environmental Protection Agency except



for one, which is now presently in Clinton."

Dunn: "I...I'd like to ask one more question if I may. What about... I'm a member of the Energy Resources Commission and we're talking about siting or trying to find sites for coal and liquid, coal and gas....."

Maragos: "...coal liquid, yeh, coal liquid and gas, and gastric aids, yeh."

Dunn: "Would this Board also do the siting of those plants?"

Maragos: "No it would not. Until the expertise is effected, we have felt that our Commission was not in that area and that energy commissions I could bring in that area, but this may be the pioneer in this regard."

Dunn: "Thank you. Thank you Mr. Speaker."

Maragos: "Alright."

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

Yourell: "A...question of the sponsor, Mr. Speaker. A...Sam, I only have one thing that bothers me relative to this bill and that is in the area of a sub-generating station in a unit of local government. Would this preempt the local unit of government in determining where that sub-generating station might be placed?"

Maragos: "It would only if it didn't...if it...a...complied with all the environmental and all of the other...a...requirements that are normally in effect, but sub-generating stations are not in this bill."

Yourell: "They are not in the purview of this bill?"

Maragos: "Not at the present time, no."

Yourell: "Isn't that a generating facility, an electric generating facility?"

Maragos: "Yes, but not a sub-generating facility."

Yourell: "Its not mentioned in the bill?"

Maragos: "No."

Yourell: "Thank you."

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

Rigney: "Mr. Speaker, my question comes back to you concerning your



ruling on this 3/5's. A...what section of the Illinois State Constitution were you citing for that particular ruling?"

Madigan: "Article VII, Section VI."

Rigney: "Article VII, Section VI. Okay now specifically, what sub-section?"

Madigan: "G."

Rigney: "Well sub-section G, the 3/5's requirement says those powers that are not exercised or performed by the State of Illinois. A... aren't we exercising powers here, in the State of Illinois on these various subjects? Whether we're talking about the last issue or this issue, the State of Illinois is exercising something, here, aren't they?"

Madigan: "Representative, would you state your question?"

Rigney: "Well, the 3/5's, and you'll recall this from our debate in Con-Con when we were both delegates to that body, the 3/5's was to deny a power to a unit of government that we felt was wrong, was not in the best interests of the people of that area or the people of the State of Illinois. We wanted to take something away from them without necessarily legislating upon that subject ourselves. And I maintain that if we are taking some constructive action in these areas, we're actually exercising a concurrent power, are we not? And wouldn't we, then, be dealing with Section I instead of Section G? We're not just merely denying something in this area."

Madigan: "Representative, the ruling of the Chair is that we rule pursuant to Section...sub-section G."

Rigney: "Well, you have already told me that and then in effect you are saying that the State of Illinois is, is not performing any function in these particular areas?"

Madigan: "Representative, my function is to rule not to engage in a debate. The Chair recognizes the...the Chair recognizes the Gentleman from Christian, Mr. Tipsword."

Tipsword: "Mr. Speaker, will the Gentleman yield for a question?"

Madigan: "The sponsor? The sponsor indicates he will yield to a question."

Tipsword: "Representative Maragos, I am more than a little bit confused after having listened for a while to answers to questions in the



explanation of this bill. Is it the intent of this bill to simply, in any way, the procedures that must be followed by a utility company in getting approval for site locations?"

Maragos: "Representative Tipsword, the answer is no. By making a one stop, it makes it more coherent, not simplified. It makes it more responsible to the agency because now there's a proliferation of agencies that have to give the authority and no one takes the full responsibility of their actions. So more importantly, what it does, it sets up additional standards which will make it more difficult, not simplified in the action of getting a permit."

Tipsword: "Are you telling me that...that now, though, if they go through this step, they just simply go to the Board and they don't have to obtain all of these other multiplicity of agency approvals?"

Maragos: "That's correct."

Tipsword: "You mean they don't have to go to the E.P.A.?"

Maragos: "They don't have to go to the Department of Agriculture, they don't have to go to the Department of Conservation, they don't have to go to the Department of Business and Economic Development."

Tipsword: "How about the E.P.A.?"

Maragos: "Only in certain areas of the E.P.A., but not...but they don't have to have...they don't have to have the E.P.A. right now. Certain guidelines, but as a...the guidelines that they are restricted there-under are only a certain portion, but now this additional safeguard and restriction that are put by the E.P.A."

Tipsword: "Well, in other words now, we've just got, we're adding on another layer of approval."

Maragos: "No, not another layer of approval. Another obstacle for them to overcome."

Tipsword: "Well, that's...that's the same thing. Now, I don't know whether you happened, this weekend, to hear, there was a national television program upon which...a...presidents of utility companies appeared and indicated one of the great problems they are having now, is that trying to provide power generating plants simply because of the multiplicity of areas that they must contact and if they have to have batteries of attorneys to be sure that they are keeping their directors and their managers out of jail for failing to



have received some of those. Now by virtue of going through this Board, if they have overlooked some other step and got their approval, but some steps have been overlooked because there are so many of them, does this keep them from suffering any penalties because of that?"

Maragos: "No, because, in fact what it does, there will be nothing overlooked before the certificate, because all the contributing agencies and agencies would have to give the environmental impact and the other standards that have to be met, for when they give, say, if I use a better term, the sub-certificate, or the lower certificate before the final certificate comes in, these steps all have to be taken before that final certificate is given, because now that the chances are that they can miss those areas, are much more easily available."

Tipsword: "Could you answer one other thing, and I'm sorry to belabor this, its a different point, however. You said that this does supercede the zoning of local governments. A... why, why does it supercede the zoning of local governments?"

Maragos: "Because of the fact, Mr. Tipsword, if we don't have the super, if we don't have the super, the super...a....or this...a... preemption, then there would be no purpose of having a State agency becoming concerned with the problem in the first place... let me finish...because every local government, every power plant that's been built in this United...in this State of Illinois, I don't know about the United States, but in the State of Illinois, has had the okay of the local government, so this scarecrow, this bugaboo of saying that the local government sanctions, to me, is a myth. Because they have been easier to control then with a State agency with all the stuff that these power companies have been saying."

Tipsword: "Then one more philosophical question. If we do this on zoning and we know what problems they have in locating power equipment, its one of the things that is keeping us from increasing our power supply in this country and in this State, why don't we preempt more of these State agencies in other areas and provide



that the determination be made in this Board with all of these sub-certificates."

Maragos: "Well the point is because this Board has to have the expertise, instead of duplicating and getting additional staff and become another super, colossal agency, we feel that by taking the know-how, the expertise of these various agencies that they can contribute. I'll give you an example. You serve an area which is primarily rural or farm country. Is that correct?"

Tipsword: "Right."

Maragos: "Therefore, the Department of Agriculture should have a say so as to whether this land shall be more valuable for farming or for... for some other use. And I think they should have an input so beautiful and good productive farm land does not be wasted, but the Department of Agriculture could use its expertise in giving it input."

Tipsword: "Well couldn't this agency make that determination by contacting the Department of Agriculture?"

Maragos: "Excepting that it is better when these Departments for which the department heads are not being paid, you know, they get one salary anyhow. They can make sure that they're on the Board, that their Departments will give the expertise that is needed."

Tipsword: "Thank you, Sam."

Maragos: "Your welcome."

Madigan: "The Chair recognizes the Gentleman from Effingham, Mr. Keller. Mr. Keller?"

Keller: "Mr. Speaker, I..I don't ^{want to} ruin your record up there because you've been there now for three hours and we haven't passed a bill, but I would like to move the previous question."

Madigan: "The Gentleman has moved the previous question. The question is....for what purpose does the Gentleman from Cook, Mr. Walsh, arise?"

Walsh: "Well, Mr. Speaker, a...to find out what your ruling is on this, now do I understand that you are ruling on this bill in exactly the way that you ruled on House Bill 1?"

Madigan: "For what purpose does the Lady from Lake, Mrs. Geo-Karis, arise?"

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I submit that the bill, as it now stands, doesn't distinguish and say that it does not apply to home rule units. Therefore, your ruling that...."



Madigan: "Representative Geo-Karis, the order of this business was a request by Representative Walsh relative to the ruling...."

Geo-Karis: "I'm getting to that if you'll let me finish, but your ruling is discriminatory because you are purely saying that...."

Madigan: "Representative Geo-Karis, we are not debating the ruling.

The order of business is a request for the fuling which I am ready to read into the record again. Mr. Walsh, I presume your inquiry is the number of votes needed for passage of House Bill 357? House Bill 357 is deemed to be preemptive of the home rule powers granted under the Constitution of the State of Illinois and, therefore, will require 107 votes to apply to home rule units. In the event that House Bill 357 passes with 89 votes, but does not receive 107 votes, then it shall be declared passed, but will not limit home rule units. The order of business is the motion of Representative Keller for the previous question. For what purpose does the Lady from Lake, Representative Geo-Karis, arise?"

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, in all due respect and deference to you, how in the world can you honestly say that....."

Madigan: The order of business is Representative Keller's motion. For what purpose does the gentleman from McHenry, Mr. Skinner arise?

Skinner: "I rise on a point of parliamentary inquiry, Mr. Speaker. I wonder when it would be appropriate to appeal that ruling of the Chair?"

Madigan: ".....is proper, Representative."

Skinner: "Well, I would do so. How should I word my motion? I see no reason that you should have the only....."

Madigan: "...you wish to seek help from your leader, Mr. Walsh?"

Skinner: "Well, I'm sure your parliamentarian would not lead me astray. I'm sure that he would word a motion that would be appropriate for me. He would want the record to be as good as you would."

Madigan: "The motion of Representative Skinner is to overrule the Chair's ruling relative to the number of votes needed for passage



of House Bill 357. For what purpose does the Gentleman from Effingham, Mr. Keller, arise?"

Keller: "Mr. Speaker, the business is on the previous question right now and I think you should do that first and then come back to his motion."

Madigan: "Representative, I had not yet put the question when..."

Keller: "The motion was made already, though. And that's a non-debateable motion."

Madigan: "The parliamentarian informs me that Representative Keller is correct that when his motion is made and moved, which is what he did, then there is no further debate and therefore, the question is shall the main question now be put. For what purpose does the Gentleman from Cook, Representative Collins, arise?"

Collins: "Mr. Speaker, on a point of order. A...you recognized Mr. Skinner, who made a subsequent motion. I think the ruling should be whether his motion or Mr. Keller's motion take precedence, and I would suggest that Representative Skinner's motion would take precedence."

Madigan: "For what purpose does the Gentleman from Cook, Representative Shea, arise?"

Shea: "Well, Mr. Speaker, I think you've already ruled. We'll take a vote on Mr. Keller's motion and then go to Mr. Skinner's."

Madigan: "The question is shall the main question now be put. All those in favor will signify by voting aye. All those opposed by voting no. The Clerk will take the record. Have all voted who wished? The Clerk will take the record. On this question there are 87 ayes, 64 noes, no voting present. This question, this motion, having failed to receive 2/3's of those voting on the question is hereby declared lost. For what purpose does the Gentleman from McHenry, Mr. Skinner, arise?"

Skinner: "Mr. Speaker, since before you asked for the ayes and nays on this motion, I have been raising my hand and my light has been blinking and I was going to ask when it would be appropriate to appeal the decision that...that decision we just voted on as a...the motion that we...excuse me, the decision that lead to the motion we



Just voted on. Now in future, while it is moved at this point, in future times when a similar situation arises, how may I gain the attention of the Chair?"

Madigan: "Representative Skinner, the time is now proper to make your motion. Do you wish to move to question the ruling of the Chair?"

Skinner: "I certainly want to do that, among other things. I wish to ask you when you make a decision which some one wishes to overrule, how may we gain the attention of the Chair to make that motion?"

Madigan: "Just as you would gain the recognition of the Chair in this instance...."

Skinner: "...I attempted to gain the recognition of the Chair prior to the vote on the last roll call. No we were not on a roll call when my button was on and my hand was up. You assumed I was going to ask for something other than what I was going to ask."

Madigan: "The question is the motion of Representative Skinner shall the Chair be overruled? For what purpose does the Gentleman from Cook, Representative Duff, arise?"

Duff: "Well, parliamentary inquiry, Mr. Speaker. A...before the Chair takes a roll call on this motion, I would like to ask as a matter of parliamentary procedure, under the ruling of the Chair, as it stands, when a roll call is taken on the bill, if I want to vote aye, assuming it will be preemptive of everybody in the State in uniform, and if I want to vote no, presuming that it would be over 89 and under 107, how may, under House Rule 36(a), how may I cast my vote and be sure that I'm casting an aye vote for a uniform preemption and a no vote that might get 89 votes, but when I don't want a partial preemption?"

Madigan: "For what purpose does the Gentleman from Lake, Mr. Matejevich, arise?"

Matejevich: "Mr. Speaker, Ladies and Gentlemen of the House, I make a point of order that his question is out of order. He makes no mention of a rule. He is strictly asking the Chair a question and I think he is out of order much as Representative Skinner was prior to him. So I make the point of order that he is out of order."

Madigan: "Representative Duff, you are asking for an opinion of the



Chair and I'm not in a position to render opinions relative to the ruling. The ruling of the Chair speaks for itself. Representative Duff."

Duff: "Well, Mr. Speaker, the Gentleman said I made no reference to a rule, I referred to House Rule 36(a)...."

Madigan: "Representative Duff, you are out of order. Now we're trying to take a roll call. Could we proceed to the roll call and its from your side of the aisle. So its the motion of Representative Skinner to overrule the Chair. The question is shall the ruling of the Chair be overruled? All those in favor will signify by voting aye. All those opposed by voting no. The Chair recognizes the Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Thank you Mr. Speaker for being so polite and kind. Mr. Speaker and Ladies and Gentlemen of the House, this ruling of the Chair, which has been made, is highly arbitrary and discriminatory. Because what it is saying, in effect, is that this bill can pass, and if it passes with only 89 votes, well fine. We will effect the municipalities that are under home rule. I submit this is highly arbitrary, highly discriminatory. If this bill passes, it should have 107 votes and I submit that if it fails to receive 107 votes, and receives 89 or 90, it has failed. I submit this is the only fair and non-discriminatory, non-arbitrary way to rule. Therefore, I submit that the present ruling is bad and discriminatory and ask everyone to vote yes."

Madigan: "The Chair recognizes the Gentleman from, excuse me, the Chair recognizes the Lady from Cook, Mrs. Willer."

Willer: "Mr. Speaker, I would like to explain my vote. At no time in the debate in the Constitutional Convention, do I remember any suggestion that the preemption powers could be used in this way. If I'm wrong, I would be glad to be corrected. But I really object to this. I'm sorry to have to vote this way. But in all conscience, I feel forced to cast my vote against the ruling of the Chair. I feel it is directly contradictory to the Constitution."

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

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



purpose of the record, I feel constrained to explain my yes vote because they will be recorded and I'm sure on a subject as significant as this bill, and House Bill 1, to which we have had an identical ruling of the Chair, there will be legal questions posed and it may be determined by a court. A...my vote is based on Article VII of the Illinois Constitution in Section VI, sub-section G, which provides that the General Assembly by a law approved by a vote of 3/5's of the members elected, may deny or limit the power to tax in other home rule functions. I think its clear in the Constitution, in many sections, when we're talking about a law, we're not talking about a half a law or a third of a law or a quarter of a law or one section or an apostrophe or a comma or a sentence. We're talking, generally, about a bill which has become law. In Section VIII of Article IV of the Constitution, it says 'refers to no bill shall become law without the concurrence of a certain number of votes'. Its obvious that we're talking about bills becoming law and that in the Constitution when they refer to a law, they refer to a bill which has become a law. And I think the ruling of the Chair is erroneous in connection with this bill and it is also erroneous with another bill that we'll get to later and the specific sections of the Constitution should be borne in mind. The Speaker is not entitled to split a law or split a bill or divide it up or say that for...a...one part of a bill, 3/5's is required; for another part of a bill, 89. A bill is a bill and a law is a law and that is why I'm voting yes on this motion to appeal the ruling of the Chair."

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

Madison: "Thank you very much, Mr. Speaker. Mr. Speaker, in explaining my vote, I'm voting aye on this matter because it is my understanding that the exclusion of home rule unit preemption from a bill requires specific exclusionary language in the bill itself. And that lacking such language and if the bill is deemed to be preemptive of home rule powers, then that bill requires 107 votes and if it does not get 107 votes, it is declared lost, not declared passed, but in-applicable to home rule units."

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



Rigney: "Well, Mr. Speaker, I would point out to you that you're, by your ruling, in effect, you are saying that home rule powers in the State of Illinois, home rule municipalities and counties and so forth, do not have to abide by the public policy of this State unless there is a vote of 107 people in this House of Representatives. I think you made a disastrous ruling in this regard. I think it was never the intention of the Constitutional Convention that it could be interpreted in this fashion. I think you have cited the wrong section under the home rule provision when you point out that your ruling was based upon Section G. I maintain that this is a concurrent operation of power which would only require a 50 per cent vote and therefore, I think that...that your ruling certainly, is going to lead us down the path to disaster, here, in the weeks to come if we continue to pursue this particular avenue."

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

Skinner: "Thank you Mr. Speaker. I would suggest that a no vote on this, on this motion will leave all home rule municipalities and counties virtually protectionless against nuclear power plant placement. In short, if an area wants a fighting chance, it will have to become a home rule unit. I would cite Article I, Section II, of the Illinois Constitution, which guarantees equal protection under the law. It also guarantees, as far as I can figure out, equal due process for everyone. Studies have shown that there are lower live birthrates on the east side of nuclear power plants where the wind is from the west. I consider this one of the grosser examples of declaration of equal examples under the law and I cannot see how anyone can vote against this ruling, or in favor of this ruling and against this motion."

Madigan: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 65 ayes, 80 noes, none voting present. This motion having failed to receive the 89 required votes is hereby declared lost. And the ruling of the Chair is sustained. Is there further discussion of the bill? For what...is there further discussion of the bill? For what purpose does the Gentleman from Marion, Mr. Friedrich, arise?"



Friedrich: "I'd like to say something about the bill. I think we've talked about everything else for a while. Number one, I have a great respect for the sponsor, but I think his aims can be accomplished, here, by zoning in the various areas. Certainly, he couldn't put a nuclear plant in an area that wasn't zoned for it, and most of the areas in the State have zoning. Now, number two, I'm not an expert on nuclear energy, but I certainly read the things that come to my attention. And as far as I know, no lives have been lost through the building of a nuclear plant. Now we've just gone through a period, here, through government intervention where we had a real shortage of energy. We...they stopped the use of...a.... Southern Illinois coal; they stopped the billing of the Alaskan pipeline and off-shore drilling, and we've finally found ourselves dependent upon a foreign country for energy. Well energy is the difference between the good life we enjoy and that some of the other countries enjoy. It runs their cars, air conditions this room, lights the room, runs your TV set, pulls the plow and so on. And personally, I'm for all the energy we can get and get us out of this situation of being dependent upon foreign countries. I don't think this bill is necessary. And I think that if we do it we are further slowing down the process of getting adequate energy which we enjoy."

Madigan: "Is there further discussion? There being no further discussion the...a...sponsor, Representative Maragos, to close."

Maragos: "Mr. Speaker, there's one additional point that I'd like to bring out in closing. And that is that if we do not adopt an Energy Facility Siting Bill in Illinois, we're not going to be preempted not only from Springfield, but we are going to be preempted from Washington. Many of you have received the bulletin that came on the energy reported to the State for the National Conference for State Legislatures, which is the March 14th addition. And in that remark they said the key criteria for State plan approval shall require that State plans provide procedures to insure that State decisions on site applications are final. This requirement would prohibit local dealer in the State decision, but would apparently, not prohibit State of siting control or State decision to local government. And secondly, it requires a final State decision on a



site application no later than eighteen months of the application date. I submit to you, Mr. Speaker, members of the House, that if we don't have a bill of this nature, we're going to get our site planning from Washington. And if you want that, you vote no against this bill. The time is long overdue that we have this bill in an industrial State that is involved with the power sources that we have in Illinois and I ask for your simple aye vote."

Madigan: "The question is shall House Bill 357 pass? All in favor will signify by voting aye, all opposed by voting no. The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, two hundred years ago this week, a gentleman or maybe even two gentlemen went riding into the night suggesting that the British were coming. Now you are suggesting, or the sponsor of this bill is suggesting, that the federal government is coming. And I'm not sure who I'm afraid of more, the federal government or state government. But I do know that this bill, if it gets 89 votes and not 107 votes, will not allow my non-home rule unit, both municipalities and counties, the same rights that your home rule units, as cities and county, will have. I do not think that is fair and for that reason I shall not vote in favor of this bill."

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

Bluthardt: "Well Mr. Speaker, I confess I don't know how to vote. I am inclined to support the bill if it applies to all municipalities. I'm not inclined to support the bill where it only applies to non-home rule municipalities. I don't have the right, anymore, to vote that way. That grant has been taken away from me by your ruling. And because of that, Mr. Speaker, I'm voting present."

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

Duff: "Well Mr. Speaker, in line with what a...a...Mayor Bluthardt just said, I'd like to ask now if its appropriate to make my parliamentary inquiry. I would...if I want to vote for this bill, if its uniformly applied...."



Madigan: "Mr. Duff, you were recognized to explain your vote."

Duff: "Well, Mr. Speaker, I'm...there's no way, if I want to vote aye for 107 and I want to vote no, if its 95, how do I vote under your ruling?"

Madigan: "Mr. Duff, you are recognized to explain your vote. The Chair recognizes the Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker and members of the House, I just thought it was kind of amusing after all the debate we've had. It looks like there's more Chicago votes than there is anybody else. And I might say that those who say they want to apply it to everybody, just get 107 votes and it'll apply to everybody. But look at that board, it looks to me like there's more Chicago votes up there than there are non-Chicago votes."

Madigan: "Is there further explanation of votes? The Clerk will take the record. Excuse me, Mr...a...Clerk, the Chair recognizes the Gentleman from Cook, Mr. Maragos, to explain his vote."

Maragos: "Mr. Speaker, we've had adequate debate on this issue. Evidently the sponsor of this bill has not thoroughly conveyed the importance of this message that we have to have power plant sitings at this time. So I therefore ask for postponed consideration."

Madigan: "Is there leave? House Bill 357 shall be placed on the order of postponed consideration. House Bill 1. House Bill 1 was read a third time and we were on the order of debate and discussion. The Chair recognizes the Gentleman from McHenry, Mr. Hanahan."

Hanahan: "Mr. Speaker, I'd like to close the debate if there are no other motions on the House Bill 1. But I know Representative Macdonald...."

Madigan: "For what purpose does the Lady from Cook, Mrs. Macdonald, arise?"

Macdonald: "Mr. Speaker, as I have stated earlier, and I want to again reiterate my great respect for you who are in the Chair and for the sponsor of this bill. I do disagree with your ruling inasmuch as I feel it is not in accordance with the 1970 Constitution, and therefore, I feel I must move to overrule that ruling."

Madigan: "Mrs. Macdonald, it is my understanding that your motion is



to overrule the entire ruling of the Chair."

Macdonald: "Yes, Mr. Speaker."

Madigan: "So that....you wish to withdraw the previous motion?"

Macdonald: "Yes, I will withdraw the previous motion and make the new motion to overrule the ruling."

Madigan: "Therefore, for purposes of the record, let it be stated that the ruling of the Chair is that House Bill 1 is deemed to be preemptive of the home rule powers granted under the Constitution of the State of Illinois and therefore, will require 107 votes to apply to home rule units. In the event that House Bill 1 passes with 89 votes, but not, but does not receive 107 votes, then it shall be declared passed, but will not limit home rule unit. The motion of Representative Macdonald is to overrule that ruling of the Chair. The question is shall the ruling of the Chair be overruled? All those in favor will signify by voting aye. All those opposed by voting no. The Chair recognizes the Gentleman from Lake, Mr. Duester."

Duester: "Mr. Speaker, in order to read in some references so that the court proceedings, if there are court proceedings, can have some idea of what the legislative intent and what the matter is considered by the General Assembly might be. I would like, first of all, to incorporate by reference all the remarks that I made in connection with House Bill 357, with respect to this similar ruling. Furthermore, I would like to specify that ...a...my vote in appealing the rule of the Chair is based upon Article VII of the Illinois Constitution, Section 6(g), which briefly says 'the General Assembly, by a law, approved by a vote of 3/5's, may deny or limit home rule powers'. Normally, in construing a law, a court must look at the whole law, and we are obviously talking about a bill which would become law. And normally, the whole thing is considered as an entity, as one scheme that a legislator or a sponsor has put together. And unless the sponsor who drafts a law, puts in a provision that if one part of it falls, the rest of it shall be considered without that part. Unless that happens, if one part of the bill is ineffective, then its all ineffective. And likewise, I think, the framers of the Constitution, in the clear language of the Constitution,



is that a bill which is contemplated to become law, must be considered as an entity and as a unit. It either needs 3/5's vote or it needs 89 or it needs something else. But its all together unless it can be separated or divided into pieces or parts. And in many sections of the Constitution, references are made to...."

Madigan: "Representative Duester, I'd like to advise you that the timer indicates that you have a few minutes to close."

Duester: "Winding down very quickly, the Constitution provides, in many places, with references to a bill becoming law, and I'm sure that in Article VII, Section 6(g), by referring to a law, it means a bill which has become law, and it needs 3/5's all together or not at all."

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

Palmer: "Mr. Speaker and Ladies and Gentlemen of the House, to explain my yes vote, I should like to incorporate the remarks by the Assistant Minority Leader relative to remarks in the bill concerning home, the procedure that has to be used for home rule units. But in addition to that, I might remind you that in Section 1, the second or third in numbered paragraphs, it starts 'it is declared to be the policy of the State of Illinois' and I would like to suggest to the Speaker and to the members of this House that that public policy cannot be hyphenated. You cannot say that the policy belongs to some and not to all. A public policy is a public policy and includes everyone and would include all units of local government in this State. Therefore, it is my opinion that Amendment 2, which was put on this bill, which was a preemptive power...a....application, elimination, then probably is in conflict with the other parts of the bill. Notwithstanding that, I would say that you can have a public policy that attaches to only non-home rule unit and have another policy that it does not attach to home rule units. Therefore, I say...I...I...stand here in support of the motion to appeal the ruling of the Chair."

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

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, in explaining my vote, I would like to remind this House that this



similar bill, in House Bill 3, was on the floor for action a year and a half ago, and it was ruled it took 107 votes to pass and if it didn't get it, it didn't pass. I would like to reiterate and concur with the prior two speakers that there is nothing in this bill that says that any part of it is found not applying, the rest of the bill will apply. Therefore, I concur with the prior speakers and I again reiterate that your ruling of saying that this bill, if it passes with 89 votes, applies to the non-home rule municipalities. Its highly discriminatory, arbitrary, and prejudicial to the rights of the other municipalities who are not under home rule and they are not getting the due protection they are entitled to under the Constitution of Illinois and under the Constitution of the United States."

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

Leinenweber: "Mr. Speaker, in speaking in behalf of the motion to overrule the Chair, I would like to point out for the record that Section 16 very clearly, in the event that this bill, on Third Reading, does not receive 107 votes, is illegal, null and void. We are passing a bill which immediately has a partial invalidity in it. I would suggest that this is inconsistent with the intent of the Constitution and I would ask enough votes to overrule your ruling."

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

Skinner: "Mr. Speaker, while I find myself absolutely intrigued in the possibilities that if your ruling is upheld and the court should finally uphold it, that downstate county government will be forced to go to, or will have large incentive to move actively and very quickly toward home rule status, I think that we should cite Section 2, of Article I of the Illinois Constitution again with regard to due process and equal protection. Again, what we are saying is, that some pigs are more equal than others. Or I guess we put it some animals are more equal than others, the way Animal Farm put it. And in this case, I don't think that should be the case and therefore, I think the Chair's ruling should be overridden."

Madigan: "The Chair recognizes the Gentleman from Perry, Mr. Ralph Dunn, to explain his vote."



Dunn: "Thank you Mr. Speaker. I want to explain my yes vote and the reason that I think we should overrule the Chair because I can see in the future and as a member of the Constitutional Convention, that some times we catch a little flack about it. I can see where nothing like this was ever meant to have 107 votes to apply to home rule and 89 to apply to the rest of us downstate. I can see the future, and I sure that the court will to, that unless we have a secret ballot so you'll not know what the outcome is, we'll see that the other side of the aisle will put on 92 votes or 95 votes on everything and do away with the home rule amendment. We won't have to bother with that anymore. I certainly urge an aye vote and defeat and overrule the Chair."

Madigan: "Is there further explanation of votes? The Clerk will take the record. On this question there are 65 ayes, 75 noes, 2 voting present, and this question having failed to receive the required 89 votes to overrule the Chair, is hereby declared lost and the ruling of the Chair is sustained. Is there further discussion of the bill? For what purpose does the Gentleman from McHenry, Mr. Skinner, arise?"

Skinner: "Finally, to debate the merits of the bill sir. I wonder if the sponsor...."

Madigan: "Representative Skinner, have you debated the bill."

Skinner: "I have had my light on since just about half way between the debate, and I have not yet debated the merits of the bill. Wish to turn the light on for my ten minutes, I would be happy to have you turn the light on at this time. Would the sponsor yield for a few questions?"

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

Skinner: "Thank you. On page 7, line 27, would you please explain, this is in the engrossed bill, page 7, line 27, would you please explain what you mean by, this is in the election section, what you mean by 'or it shall be done by conducting secret ballot elections or by utilizing by any other appropriate and suitable designed to ascertain the free choice of a majority of such public employees'. What, pray tell, what way is there to determine a free choice except



Hanahan: "Alright, which bill are you reading the..."

Skinner: "I'm reading from LRBO465-79-DKA/JF."

Hanahan: "Alright, what line and..."

Skinner: "Page 7, line 32, it is...this is the copy with the engrossed
...with the amendments engrossed within it...that you gave me."

Hanahan: "Are you talking about Section D of Section 6 by the public
employer alledging that one or more labor organizations presented
to a claim, and then you go on into nothing in a section prohibits
the waiving of hearings by separation...."

Skinner: "No. No. No. This is under the election section, Section 6."

Hanahan: "Yah, what..."

Skinner: "Paragraph B, second paragraph."

Hanahan: "Oh, the Board shall determine the majority representative in
an appropriate collective bargaining..."

Skinner: "...after the 'or'."

Hanahan: "By...by connecting or by utilizing any of the approp....a...yes
in certain instances where you have a very small unit, let's say of
three people that are now going to be bargaining on behalf of let's
say, the plumbers, the plumbing unit in the mental hospital that
wants to continue to be represented by a plumbers local union that
they would not have to conduct a secret ballot election to determine
that these three plumbers want to continue to be represented by a
plumbers local union."

Skinner: "Then you are...you are talking about only very small units."

Hanahan: "Yes. Yes. Very seldom would this happen in a large unit.
Only in small units."

Skinner: "I can't think of any instances in which it would happen in
a large unit. Can you?"

Hanahan: "Well, in a large unit, there would generally be more than one
representative group trying to represent that group, so you'd have to
go to a secret ballot election."

Skinner: "Right, that is also my interpretation."

Hanahan: "Even if you had thirty carpenters, let's say, working on a
highway project for the State some place and the thirty carpenters...
it...it...it would seem to be a waste of the taxpayers money to



conduct an election to ah... you know ah.... it would be easier to take a poll."

Skinner: "Thank you. On ah... let's see, on page 9, line 33, the paragraph that starts: 'No election shall be directed by the board in any bargaining units where there is in forced, in effect, a valid collective bargaining agreement.' When you go down to the next paragraph it says ah... or the next sentence; 'However no collective bargaining agreement bars an election upon a petition of persons not parties thereto where more than three years have elapsed since the execution of the agreement or the last timely removal of such an agreement, which ever was last.' Well, I'm afraid that I have a hard time cutting through that rhetoric. Could you tell me when a selective bargaining agreement is in force, when and under what conditions another election may be called to determine if the exclusive bargaining agent at that time still is representative?"

Hanahan: "Well, in this case you're talking about in the valid contract between the public employer and the public employee group, that ah... no agreement bars an election on the petition of persons not party thereto where more than three years have elapsed since the execution of the grant. This is in a case of where an expanding ah..... let's say in George Lindburg's Office of Management Information Division and ah... all of a sudden they expanded their office and it's three years ago since they've had an election of who is representing those employees in M.I.D. and ah... now they have 300 employees, where three years ago all they had were 30 employees and those 30 employees desired to be represented by XYZ Union. Well, XYZ Union may not be the choice of the new group that is now representing the majority and if there's less than three years ah... or more than three years, than they can petition for a new union even though there is a contract enforced."

Skinner: "If those 30 employees decided on a certain representative agent or representative body ah.. then they could hold power no matter how fast the agency grew for three years. It would not before three years, in other words, until the membership could



petition for another election?"

Hanahan: "You cannot set a valid contract within three years."

Skinner: "O'kay, that was my question. Now...."

Hanahan: "That's out of the Federal Relations Act of the federal by the way."

Skinner: "Fine. Can any arbitrator force a local tax increase without a referendum under this Act?"

Hanahan: "No."

Skinner: "That was no, in case you didn't pick it up. On page 12, line 28, ah...this is Section 8, paragraph (c); it says: 'Within 30 days of the expiration of any contract.....' does the word 'within' mean at least 30 days before or what?"

Hanahan: "Ah.... it says 30 days ah... I think that means just what it says in English. 'Within' means within that 30 day period they have to petition."

Skinner: "O'kay, now that means ah... let's take the end of the contract as day 1. Now day 1 minus 30 sometime between that period of time and day 1 ah.. that's when the final ah...."

Hanahan: "They shall notify the State Public Employees Mediation Panel, which this Bill creates that the status of their negotiation ah... you know where their standing and then within this 30 days ah... before the expiration of the contract on the prison guards and these ah.. policemen and firemen, they have to submit to those personnel.... they have to submit the final offer arbitration with no modification offer to each other."

Skinner: "Well, I must admit that this final offer proposal absolutely intrigues me. Let me ah...."

Hanahan: "Well, this helps prevent any stoppage of work that the contract does expire."

Skinner: "I understand what it does. I just want to make sure that it's within the period of 30 days before the end of the contract and the end of the contract that could go to final offer, right?"

Hanahan: "Right."

Skinner: "Now, on page 16, would you please explain Section 13, paragraph (d): 'The public employer and the labor organization which



is certified as exclusive representative, are the only proper parties to fact finding procedures.' Does that mean that no taxpayers group, for instance, could come in and offer anything to the process?"

Hanahan: "Right, ah... he's talking about ah.. in fact finding; now this is after you have a impass, that you're talking about ah.... this is not the time for outside people to come in to seek ah.... to seek ah.... to participate in the fact finding proceeding. It's past that time when you've reached this part of negotiation."

Skinner: "Does that mean that...."

Hanahan: "So we're saying that it's limited to the representatives of the employer and the representatives of the employees only."

Skinner: "O'kay, before that time, who might have come it? Who are you talking about here?"

Hanahan: "The mediation and conciliation. You have the public pressure, you got legislators, you got anyone or a group of people who are having a problem."

Skinner: "O'kay, in the next Section it says: 'The cost of fact finding procedures, except the cost of the parties and the fees of the attorneys for parties shall be born by the board.' What does that mean?"

Hanahan: "That means that if the State Labor Relations Board determines that they want to bring in an outside expert in the area of let's say transportation, and an impass in a local transportation issue ah.... that has an impass in bargaining and they want expertise in the area of fact finding or expertise in the area of mediation or conciliation and the state board determines to hire outside personnel to mediate or tax find, that the board then has to pay for it."

Madigan: "Representative Skinner, I would like to advise you that you have approximately one minute remaining on the time allotted to you."

Skinner: "Your ah... comment is appreciated, Sir, assuming it doesn't come out of my time. Now on page 16 in the last sentence it says:



'Nothing in this Act effects the right of any public employer to dismiss or remove any public employee for statutory cause.'
Could you explain that?"

Hanahan: "Yes. Statutory cause means ah... if he is guilty of a crime."

Skinner: "Would you repeat that? I'm sorry, Representative Hanahan."

Hanahan: "If he is guilty of a crime. In other words, we can't preclude the right of the employer that if ah.. one of his employees does something against the state statutes, that he could be dismissed."

Madigan: "Representative Skinner, I must advise you that the time allotted to you has expired."

Skinner: "I understand that Representative Ryan is willing to yield his time to me."

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

Ryan: "Well, Mr. Speaker, Mr. Skinner and I have spent many hours together on this Bill and I would like to yield my time of questioning to him ah..... he is pursuing the same lines that I was going to pursue and I would like to yield my time to him."

Madigan: Is there leave? O'kay Cal, ten more."

Skinner: "Thank you. Thank you, Mr. Speaker. Now with the power to fire ah....we're talking about generally incompetence and stuff like that?"

Hanahan: I didn't hear."

Skinner: "Concerning the power to fire for statutory reasons, I presume that an employee would be that it be possible for a public entity to fire an employee for incompetence. Is that correct?"

Hanahan: "If he was discharged for incompetence ah... that was upheld because the incompetence was based on a statutory provision that he was incompetent; yes, you could discharge him without redress by the board, but if he is discharged because somebody didn't like the color of his hair or something like that, no, you could not discharge a man."



Skinner: "Well, if he was not doing his job as laid out in the job classification....."

Hanahan: "Who determined he wasn't doing his job?"

Skinner: "The ah... the public body that was doing the hiring and firing."

Hanahan: "That's right and if that public body could be upheld by the grievance procedure, that they agree to with the Labor Relations Act ah... being a co-signitor of that agreement and all the provision of that ah... disciplinary action was upheld ah... yes, he could be discharged."

Skinner: "Well, of course you are assuming that the agreement will have a due process....."

Hanahan: "No, you are assuming that he did something wrong. I'm saying that if he does something wrong and if it is upheld through the due process of the grievance procedure, then they would have a right to discharge."

Skinner: "I think that we who know anything about government my assume that a certain percentage of the employees are not doing their job as....."

Hanahan: "I don't assume that of any public employee."

Skinner: "Well, Mr. Hanahan, I suggest that you have blinders on. I would also suggest that that would be the case in any private enterprise."

Madigan: "For what purpose does the gentleman from Cook, Mr. Shea arise?"

Shea: "Mr. Speaker, you extended the time to the gentleman to debate the Bill. He is now getting into a personal debate and I ask you to have him refine his remarks to the Bill."

Madigan: "Mr. Skinner, could you refine your remarks....."

Skinner: "Mr. Speaker, what I am attempting to try and point out is that there are some employees in any organization who are not as good as some other employees and who may deserve replacing and I'm attempting to find out how those people may be fired so that more competent employees may be hired. Now the Representative from McHenry, my colleague from McHenry, is suggesting... is assuming that every contract signed pursuant to this Bill will have



a due process of ah.... clause in it for the firing of employees. Now they may or may not be the case. I am guessing however that if this Bill would preclude the firing of a public employee because of incompetence, then this Bill is very inadequate and I'm sure that the gentleman from McHenry is not trying to imply that. Isn't that correct?"

Hanahan: "Read Section 15. It says: 'Civil rights and.....'"

Madigan: "For what purpose does the gentleman from Cook, Mr. Shea arise?"

Shea: "Mr. Speaker, the gentleman quit asking questions and then spoke to the Bill. Now he can't go back and forth. He can finish speaking to the Bill, but I think he is precluded from asking any more questions."

Madigan: "Representative Skinner, could you conclude your remarks?"

Skinner: "Well, you know, Mr. Speaker for someone who will probably end up voting in favor of this Bill; I don't understand why the Representative from Riverside is so 'ancy'. Mr. Speaker, I think I have concluded my questions, if Representative Hanahan will answer the last one that I asked."

Hanahan: "Section 15 of the Act, line 30 on page 16; clearly sites civil rights, civil service and rights to dismiss are not impaired. Nothing in this Act shall be construed to deny any persons his rights under the F.E.P.C., approved July 21, 1961."

Skinner: "In short, a public employee may be fired for incompetence."

Hanahan: "Any employee any place could be fired for incompetence."

Skinner: "Thank you, very much. I will now relinquish the floor to Representative Ryan, whose time I have taken."

Madigan: "Is there further debate? There being no further debate, the Chair recognizes Representative Hanahan to close the debate."

Hanahan: "Mr. Speaker and Members of the House. This Bill has been long awaited as I stated earlier, by the many thousands of public employees around the state. They want and they deserve a right to be treated as first-class citizens. They want and ah... I'm sure that they have asked you, in their votes last November and the times before in their support of you, in seeing that you get



elected to serve down here they have said loud and clear, 'Give us the right to be a true first-class citizen with the same rights and privileges as everyone else should have.' I say to you that House Bill 1 will bring about a greater..... a greater labor relations ah.. rapport in Illinois, a greater era of stability instead of strikes, than we've ever seen. It will preclude the recognition strikes that we've heard too often where people refuse to sit down and recognize each other. This is what House Bill 1 is all about. It will stop and ah... I hope ah.. in passage of this Bill, I hope that it will stop strikes. I hope that no public employee will ever be put in the position to ever withdraw his services. I put up every bearier to it that God knows that would be fair. I put in there the 30 day cooling off period. We have wheeled and dealed and conspired and conspired on this Bill and I think this is a Bill that truly you can go back home and say that you are proud to vote for. This is a labor Bill. Some of the new Members sometimes what constitutes a labor Bill and what does not. This is a labor Bill and I urge you support of House Bill 1."

Madigan: "The question is shall House Bill 1 pass. All in favor will signify by voting 'aye' and all opposed by voting 'no'. Have all voted..... The Chair recognizes the gentleman from Cook, Mr. Madison to explain his vote."

Madison: "Thank you very much, Mr. Speaker. In explaining my vote, I'm voting 'aye' for this Bill. I think that it is a good Bill. I think it is a Bill that is needed, but based on the ruling of the Chair, Mr. Speaker, I will not be a party to a Bill that is declared, in my opinion, passed illegally and for that reason, if this Bill receives less than 107 votes, but more than 89 votes, I would like to be recognized at that time to change my vote to 'present'. Thank you."

Madigan: "Further explanation of vote? Have all voted who wish? The Clerk will take the record. On this question there are 116 'ayes' and 29 'nos' and 6 voting 'present' and this issue....."



For what purpose does the gentleman from Cook, Mr. Shea arise?"

Shea: "After you're through, Mr. Speaker."

Madigan: "This Bill having received the constitutional majority is hereby declared passed. The Chair recognizes Representative Shea."

Shea: "Mr. Speaker, having voted on the prevailing side, I move that the vote by which this Bill passed be reconsidered."

Madigan: "The Chair recognizes Mr. Farley."

Farley: "Mr. Speaker, I move that that motion lie upon the table."

Madigan: "The question is shall the motion lie on the table. All in favor signify by saying 'aye', contrary? The motion lies on the table. House Bill 439. For what purpose does the gentleman from Cook, Mr. Walsh arise?"

Walsh: "Well, Mr. Speaker, just for the record, I would like the record to show that that last Bill, House Bill 1, passed with a 3/5ths majority. The Chair didn't announce that."

Madigan: "For purposes of the record, House Bill 1 passed with more than 107 votes. Is that what you're interested in? Thank you. The Chair recognizes the gentleman from Cook, Mr. Shea."

Shea: "Mr. Speaker, I move that the House do now stand in adjournment until 11:15 am. tomorrow morning."

Madigan: "Mr. Shea, can we recess for ten minutes?"

Shea: "Can we recess then, Mr. Speaker? I'll change my motion. Can we recess for five minutes and go back into Session and let the Clerk read some messages and some introductions and then adjourn until 11:15 am.? That is my motion."

Madigan: "All those inf favor of that motion signify by saying 'aye', no? The 'ayes' have it. The House stands in recess."

Fredric B. Selcke: "Mr. Fennessey, from Elections, to which House Bills 286, 124, 193, 213, 306, 362, 430, 476, 327 and 661 were referred, recommended the Bills be assigned to the Interim Study Calendar. Mr. Fennessey, from Elections, to which House Bills 494, 819, 526, 620 were referred, reported the same back with amendments thereto with the recommendation that the amendments



be adopted and those amended do pass. Mr. Fennessey, from Elections, to which House Bills 558, 963 and Senate Bill 35 and 218 were referred, reported the same back with the recommendation that the Bills do pass. Mr. Fennessey, from Elections, to which House Bills 549 and 857 were referred, reported the same back with amendments thereto with the recommendation that the amendments be adopted and those amended do not pass. Mr. Fennessey, from the Committee on Elections, to which House Bills 539, 1036, 1096 were referred, reported the same back with the recommendation that the Bills do not pass. Mr. Washington, from Judiciary I, to which House Bill 403 was referred, recommended that the Bill be assigned to the Interim Study Calendar. Mr. Washington, from Judiciary I, to which House Bill 577 was referred, reported the same back with amendments thereto with the recommendation that the amendments be adopted and those amended do pass. Mr. Washington, from Judiciary I, to which House Bills 555, 1053, 627, 998 and 834 were referred, reported the same back with the recommendation that the Bills do pass. Mr. Washington, from Judiciary I, to which House Joint Resolution 18 was referred, on March 21, 1975, reported the same back with the recommendation that the Resolution do pass. Mr. Mann, from the Committee on Higher Education, to which House Bills 103, 104, 105, 106 were referred, reported the same back and ordered the Bills tabled. Mr. Leon, from Banks and Savings and Loans, to which House Bill 954 was referred, reported the same back with the recommendation that the Bills do pass. Mr. Leon, from Banks and Savings and Loans, to which Senate Bill 48 was referred, reported the same back with the recommendation that the Bill do pass and be placed on the Consent Calendar. Mr. Leon, from Banks and Savings and Loans, to which Senate Bill 171 was referred, reported the same back with the recommendation that the Bill do pass. Mr. Sharp, from Transportation, to which House Bill 463 was referred, reported the same back with the recommendation that the Bill do not pass. Mr. Sharp, from Transportation, to which House Bills 454, 505, and 1287 were referred, reported the same back with amendments thereto with the



recommendation that the amendments be adopted and those amended do pass. Mr. Sharp, from Transportation, to which House Bills 560, 768, 806, 1175 and 1313 were referred, reported the same back with the recommendation that the Bills do pass. Mr. Sharp, from Transportation, to which Senate Bill 187 was referred, reported the same back with the recommendation that the Bill do pass and be placed on the Consent Calendar. Mr. Sharp, from Transportation, to which House Bill 808 was referred, reported the same back with the recommendation that the Bill do pass. Mr. Leon, from Banks and Savings and Loans, to which House Bill 700 was referred, reported the same back with the recommendation the Bill do not pass. Mr. Leon, from Banks and Savings and Loans, to which House Bill 921 was referred, reported the same back with amendments thereto with the recommendation that the amendments be adopted and those amended do pass. Mr. Leon, from Banks and Savings and Loans, to which House Bill 1052 was referred, reported the same back with the recommendation that the Bill be placed in the Interim Study Calendar.

No further Committee Reports. Senate Bills, First Reading.

Senate Bill 98. A Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 223. A Bill for an Act codifying powers and duties of the Department of Mental Health. First Reading of the Bill. Senate Bill 260. An Act making an appropriation to certain retirement benefits for teachers. First Reading of the Bill. Senate Bill 313. An Act relating to the transfer of the functions of the State Housing Board, Department of Local Governmental Affairs. First Reading of the Bill. Senate Bill 323. An Act to amend the Civil Administrative Code. First Reading of the Bill. Senate Bill 324. An Act to amend Section II of an Act making appropriation to pay certain officers of state government and officers and members of the General Assembly. First Reading of the Bill. Senate Bill 326. An Act relating to the Interstate Mining Compact. First Reading of the Bill. Senate Bill 328. An Act to amend the Illinois Municipal Budget Act. First Reading of the Bill. Senate Bill 349. An Act to amend the Illinois Lottery Law. First Reading of the Bill. Senate Bill 352.



188.

An Act to amend Section III of an Act in relation to the definition and license and regulation of the Community Currency Exchange and so forth. First Reading of the Bill."

Madigan: "The House stands adjourn until 11:15 a.m. tomorrow morning."



HOUSE OF REPRESENTATIVES

SEVENTY-NINTH GENERAL ASSEMBLY

FORTY-SIXTH LEGISLATIVE DAY

APRIL 21, 1975



GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES

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HOUSE OF REPRESENTATIVES
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GENERAL ASSEMBLY
STATE OF ILLINOIS
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House of Representatives

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1	12:00	Speaker Redmond	House come to order
1	12:00	Rev. Krueger	Prayer
1	12:02	Speaker Redmond	Roll call
1	12:03	Speaker Redmond	Consent Calendar - 2nd reading - 2nd day
1	12:03	O'Brien	S.B. & H.B. 2nd reading
1	12:03	Speaker Redmond	3rd reading
1	12:05	Speaker Redmond	H.B. 260
2	12:07	Speaker Redmond	937
2	12:07	O'Brien	937 2nd reading no committee amendments
2	12:07	Speaker Redmond	3rd reading
2		O'Brien	938 second reading no committee amendments
2	12:08	Speaker Redmond	3rd reading
2	12:08	O'Brien	993 Darrow 3rd reading no committee amendments
2	12:08	Speaker Redmond	3rd reading
2	12:08	O'Brien	Message from Senate
2	12:09	O'Brien	Committee reports
3	12:14	Speaker Redmond	
3	12:14	Berman	Pass that
3	12:14	Speaker Redmond	
3		Friedrich	
3	12:16	O'Brien	182 2nd reading - no committee amendments
3	12:16	Speaker Redmond	3rd reading

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3	12:17	Speaker Redmond O'Brien	H.B. 747 - read 2nd time previously
4	12:19	Speaker Redmond	Fiscal note?
4	12:19	O'Brien	Amendment #1 adopted held on 2nd
4	12:19	Speaker Redmond	Fiscal note? 747 Amendment adopted.
4	12:19	Speaker Redmond	Fiscal note filed 3rd reading
4	12:20	Speaker Redmond	Vote switches again-roll call
4	12:25	Speaker Redmond	
4	12:25	Lechowicz	Choate absent - death in family
5	12:26	Speaker Redmond	take out of record
5	12:27	Speaker Redmond	Take out
5	12:27	Speaker Redmond	Take out
5	12:28	Speaker Redmond	H.B. 439
6	12:28	O'Brien	H.B. 439 (Sims) 3rd reading
		Speaker Redmond	
5	12:28	Sims	Leave to take back to 2nd reading for amendment
5	12:27	Matijeovich	H.B. 439 amend & move for adoption amendment #3
	12:30	Speaker Redmond	
	12:30	Sims	Moves - return to 2nd reading
		O'Brien	Amendment #3 H.B. 439
	12:30	Matijeovich	Move for adoption
	12:30	Simms	Urge adoption
	12:31	Speaker Redmond	Amendment #3 adopt-3rd reading
	12:31	Speaker Redmond	H.B. 77

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6	12:31	O'Brien	H.B. 77 3rd reading
6	12:31	Speaker Redmond	
6	12:31	Duester	Asks leave to return to 2nd for amendment
		Speaker Redmond	Leave granted
7	12:32	O'Brien	Amendment #1 (Lundy)
7	12:32	Speaker Redmond	
7	12:32	Lundy	Speaks on Amendment #1
8	12:33	Speaker Redmond	
8	12:33	Duester	Speaks against
8	12:33	Speaker Redmond	Amendment #
8		Speaker Redmond	
8	12:35	Lundy	Explain vote
9		Speaker Redmond	
9	12:37	Dyer	Explain vote
		Speaker Redmond	H.B. 77 Amendment #1
10.	12:38	Hudson	H.B. 77 Amendment #1
		Speaker Redmond	H.B. 77 Amendment #1
10.	12:39	Friedrich	H.B. 77 Amendment #1
10.		Speaker Redmond	H.B. 77 Amendment #1
10.	12:40	Catania	H.B. 77 Amendment #1
11.		Speaker Redmond	
11.	12:41	Brinkmeier	
11.		Speaker Redmond	
11.	12:42	Chapman	
12.		Speaker Redmond	
12.	12:43	Dyer	Point of order
12.		Speaker Redmond	

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12.	12:43	Duester	
		Speaker Redmond	
12.	12:44	Dyer	Request verification of roll call
12.	12:45	Speaker Redmond	
		Chapman	Request poll of absentees
12.	12:45	O'Brien	Poll of absentees
13.	12:47	Speaker Redmond)	Discussion
13.	12:47	Duester)	
13.	12:48	Speaker Redmond	Verification of affirmative roll call
13.	12:48	O'Brien	Verification of affirmative roll call
		Speaker Redmond	Any questions
13.	12:52	Duester	
13.	12:52	O'Brien	
14.		Speaker Redmond	
14.		Yourell	Change to aye
14.	12:53	O'Brien	
15.	12:54	Duester	
15.	12:57	Speaker Redmond	
16.	12:57	Beaupre	
17.	12:58	Speaker Redmond	
17.		Molloy	Aye
17.		Speaker Redmond	
17.		Lundy	
17.		O'Brien	
17.		Speaker Redmond	
17.		Dyer	

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17.	13:06	Speaker Redmond	
18.	13:07	LaFleur	
18.	13:07	O'Brien	Vote No
18.	13:07	Speaker Redmond	
18.	13:08	O'Brien	
18.	13:08	Dyer	
19.	13:08	Speaker Redmond	Amendment passed? 3rd reading
19.	13:09	O'Brien	H.B. 300
19.	13:09	Speaker Redmond	
19.	13:09	Merlo	
19.	13:12	Speaker Redmond	
20.	13:12	Geo-Karis	Speaks For
20.	13:13	Speaker Redmond	
20.	13:13	Lundy)	Will sponsor yield?
20.	13:13	Speaker Redmond)	Discussion
21.	13:13	Merlo)	
21.	13:13	Speaker Redmond	
21.	13:15	Williams	
21.	13:15	Speaker Redmond	
21.	13:15	Merlo	To close
21.	13:15	Speaker Redmond	H.B. 300 passed
22.	13:17	Speaker Redmond	H.B. 449
22.	13:17	O'Brien	H.B. 449 - 3rd reading
22.	13:19	Lundy	H.B. 449
22.	13:19	Speaker Redmond	H.B. 449
23.	13:19	Shea	
23.	13:20	Speaker Redmond	

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23.	13:20	McClain	Yield?
23.	13:20	Lundy	
23.	13:21	Speaker Redmond	H.B. 449 passed
24.	13:23	Giorgi	
24.	13:23	Speaker Redmond	
24.	13:24	O'Brien	H.B. 121 2nd reading
24.	13:24	Speaker Redmond	
24.	13:24	Porter	Ask leave to table 1,2,4, and adopt amendment #4
24.	13:25	Speaker Redmond	
24.	13:25	O'Brien	
25.	13:25	Speaker Redmond	Amendments 2,3 are tabled
25.	13:25	O'Brien	Amendment #4
25.	13:25	Porter	
25.	13:25	Speaker Redmond	
25.	13:25	Lechowicz	
25.	13:26	Porter	Explain amendment
25.	13:28	Shea	Amendment #4 121 yeild?
25,26,27	13:28	Speaker Redmond	
25,26,27	13:28	Porter	
25,26,27	13:33	Speaker Redmond	
28.	13:33	Lechowicz)	
28.	13:35	Porter)	Discussion
29.	13:35	Speaker Redmond	
29.	13:37	Williams	
29.	13:37	Porter	
29.	13:37	Speaker Redmond	
29.	13:39	Dunn, J.F.)	Question
29.	13:39	Porter)	Discussion

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32.	13:42	Speaker Redmond	
32.	13:42	Porter	To Close
33.	13:42	Speaker Redmond	Amendment #4 adopted 3rd reading
33.	13:43	Washington	Ask leave to table & take his name off 2541,2631 Point of personal privilege
34.	13:47	O'Brien	H.B. 149 3rd reading
34.	13:48	Speaker Redmond	
34.	13:48	Porter	
35.	13:50	Speaker Redmond	H.B. 149 passed
35.	13:50	O'Brien	H.B. 585
35.	13:50	Terzich	
36.	13:50	Speaker Redmond	
36.	13:51	Meyer	Question
36.	13:53	Speaker Redmond	H.B. 585 passed
36.	13:55	O'Brien	H.B. 134 3rd reading
37.	13:55	Porter	H.B. 134 sponsor
37.	13:55	Speaker Redmond	
37.	13:56	Waddell	Question?
37.	13:56	Porter	
37.	13:56	Speaker Redmond	
38.	13:59	Marovitz	What is error in digest?
38.	13:59	Porter	
38.	13:59	Speaker Redmond	
38.	14:00	Palmer	Yield?
38.	14:00	Porter	
39.	14:00	Speaker Redmond	
39.	14:01	Hill	Yield?

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39.	14:01	Porter	
41.	14:07	Speaker Redmond	H.B. 134 Passed
41.	14:08	O'Brien	H.B. 410 3rd reading
41	14:08	Duester	H.B. 410
43	14:08	Speaker Redmond	
43	14:12	Fennessee	Sponsor yield?
43.	14:12	Duester	
44.	14:13	Speaker Redmond	
44.	14:13	Grotberg	Yield?
44.	14:13	Duester	
44.	14:13	Speaker Redmond	
44.	14:14	Borchers	Yield?
44.	14:14	Duester	
45.	14:14	Speaker Redmond	
45.	14:16	Geo-Karis	Yield?
45.	14:16	Duester	
45.	14:16	Speaker Redmond	
46.	14:17	Hudson	Yield?
46.	14:17	Duester	
46.	14:20	Speaker Redmond	
47.	14:20	Byers	Move previous question
47.	14:20	Speaker Redmond	H.B.410
47.	14:20	Cunningham	Explain vote - aye
48.	14:20	Speaker Redmond	
48.	14:23	Borchers	No
48.	14:23	Speaker Redmond	H.B. 410 - bill failed
48.	14:24	Selcke	H.B. 447 - 3rd reading
48.	14:24	Speaker Redmond	

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48.	14:25	Beatty	Sponsor
49.	14:25	Speaker Redmond	
49.	14:25	Palmer	Sponsor Yield?
49.	14:25	Speaker Redmond	
49.	14:26	Borchers	Sponsor yield?
49.	14:26	Beatty	
49.	14:26	Speaker Redmond	
49.	14:26	Skinner	Co-sponsor
49.	14:26	Speaker Redmond	
50.	14:27	Brinkmeier	Sponsor yield
50.	14:27	Beatty	
50.	14:28	Speaker Redmond	
50.	14:28	Beatty	To close
50.	14:28	Speaker Redmond	H.B. 447
50.	14:28	Beatty	Explain vote
51.	14:28	Speaker Redmond	
51.	14:30	Beaupre	For
51.	14:30	Speaker Redmond	
51.	14:31	McPartlin	
51.	14:31	Speaker Redmond	H.B. 447
51.	14:31	Lundy	"Yes" explain vote
52.	14:33	Speaker Redmond	
52.	14:33	Borchers	H.B. 447
52.	14:33	Speaker Redmond	H.B. 447
52.	14:33	Skinner	H.B. 447
52.	14:33	Speaker Redmond	H.B. 447
52.	14:34	Anderson	H.B. 447
52.	14:35	Speaker Redmond	H.B. 447 passed

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53.	14:35	Speaker Redmond and Fred Selcke	H.B. 480 3rd reading
53.	14:35	Skinner	H.B. 480
53.	14:35	Friedrich	H.B. 480
53.	14:36	Waddell	
54.	14:36	Speaker Redmond	H.B. 480 passed.
54.	14:39	Polk	
54.	14:41	Speaker Redmond	
55.	14:41	Duester	
55.	14:41	Speaker Redmond	
55.	14:43	Cunningham	
56.	14:43	Selcke	H.B. 516 - 3rd reading
56.	14:43	Beatty	Have 517 heard with it?
56.	14:43	Speaker Redmond	Leave
56.	14:43	Selcke	H.B. 517 3rd reading
56.	14:44	Speaker Redmond	H.B. 516 & 517
56.	14:44	Tuerk	Question
56.	14:45	Beatty	
57.	14:46	Speaker Redmond	
57.	14:46	Schraeder	Yield?
57.	14:46	Beatty	Yes
58.	14:46	Speaker Redmond	
58.	14:46	Dunn, J.F.	Yield?
58.	14:49	Beatty	
58.	14:49	Speaker Redmond	
59.	14:49	Geo-Karis	
59.	14:50	Speaker Redmond	H.B. 516 & 517 passed.
59.	14:52	Selcke	H.B. 224
59.	14:52	Speaker Redmond	

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60.	14:53	Brinkmeier	H.B. 224
60.	14:54	Speaker Redmond	H.B. 224 passed
60.	14:55	Selcke	H.B. 402 3rd reading
60.	14:55	Speaker Redmond	H.B. 402
60.	14:55	Neff	
61.	14:57	Speaker Redmond	H.B. 402 passed
62.	14:59	Selcke	H.B. 849 (Deavers)
62.	14:59	Speaker Redmond	
62.	14:59	Deavers	Asks leave to take back to 2nd reading for amendment
62.	15:00	Speaker Redmond	Leave granted
62.	15:00	Selcke	Amendment #1
62.	15:00	Speaker Redmond	
62.	15:00	Deavers	Am.#1 adopt - 3rd reading
62.	15:00	Selcke	H.B. 587 - 3rd reading Polk
62.	15:00	Speaker Redmond	
63.	15:01	McMasters	Calendar in error
63.	15:01	Speaker Redmond	
63.	15:02	Polk	Move back to 2nd
63.	15:02	Speaker Redmond	
63.	15:03	Shea	
63.	15:05	McMasters	
63.	15:05	Speaker Redmond	Take out of record
64.	15:05	McMasters	
64.	15:05	Selcke	Amendment #1
64.	15:05	McMasters	
64.	15:05	Speaker Redmond	
64.	15:07	Lechowicz	
65.	15:08	McMasters	Oppose

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
66.	15:08	Speaker Redmond	H.B. 587 Am. #1 adopt 3rd reading
66.	15:10	Speaker Redmond	H.B. 642
66.	15:11	Selcke	H.B. 642 3rd reading
66.	15:11	Speaker Redmond	
66.	15:11	DiPrima	Sponsor
66.	15:12	Speaker Redmond	H.B. 642 passed
66.	15:14	Selcke	H.B. 885 3rd reading
67.	15:14	Speaker Redmond	
67.	15:14	VanDuyne	Sponsor
67.	15:14	Speaker Redmond	
67.	15:15	Palmer	Yield
67.	15:15	VanDuyne	
68.	15:15	Speaker Redmond	
69.	15:18	Leinenweber	
70.	15:21	Speaker Redmond	
70.	15:21	Lechowicz	Yield to a question
71.	15:21	Leinenweber	
71.	15:21	Speaker Redmond	
72.	15:25	Friedrich	Yield?
72.	15:25	Speaker Redmond	
72.	15:25	Leinenweber	
72.	15:25	Speaker Redmond	
73.	15:27	Shea	Speaks for bill
73.	15:27	Speaker Redmond	
73.	15:28	Ryan	
74.	15:28	Speaker Redmond	
74.	15:28	Terzich	Move previous question

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
74.	15:30	Speaker Redmond	Ayes have it.
74.	15:30	VanDuyne	To close
75.	15:30	Speaker Redmond	
75.	15:33	Shea	Will you pull out of record?
75.	15:33	Speaker Redmond	Take out
75.	15:33	O'Brien	H.B. 912 3rd reading
75.	15:33	Flinn	
75.	15:33	Speaker Redmond	H.B. 912 passed
75.	15:34	O'Brien	H.B. 944

TAPE PROBLEMS

9	15:45	Matijevich	
9	15:45	Collins	
10.	15:45	Speaker Redmond	S.B. 47
11.	15:49	Walsh	
11.	15:49	Speaker Redmond	Take 47 out
11.	15:49	O'Brien	S.B. 224
11.	15:49	Speaker Redmond	
11.	15:49	Madigan	
11.	15:49	Speaker Redmond	
11.	15:49	Telcser	
11.	15:49	Speaker Redmond	Take out of record
11.	15:49	Shea in chair	
12.	15:50	Telcser	
12.	15:50	Shea	174
12.	15:50	O'Brien	H.B. 174 2nd reading
12.	15:50	Shea	
12.	15:50	O'Brien	

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
82.	15:50	Shea	
82.	15:51	Calvo	
82.	15:51	Shea	Take out of record
82.	15:52	Shea O'Brien	397
83.	15:54	Getty	397 Am.#1
83.	15:54	Shea	Am. #1 adopted
83.	15:54	O'Brien	Am. #2
83.	15:54	Shea	
83.	15:54	Getty	
83.	15:54	Shea	Am. #2 adopted - 3rd reading
83.	15:55	O'Brien	H.B. 398 2nd reading 1 am.
83.	15:55	Shea	
83.	15:55	Getty	Am. #1 move
84.	15:55	Shea	Am. #1, H.B. 398 adopted 3rd
84.	15:56	O'Brien	H.B. 465
		Madigan in chair	
84.	15:57	O'Brien	
84.	15:57	Shea	Amendment #7
84.	15:57	Madigan Dunn	Yield?
84.	15:58	Shea	
85.	15:58	Madigan	
85.	15:59	Coffey	Against
85.	15:59	Madigan	
85.	16:00	VanDuyne	Against
86.	16:00	Madigan	
86.	16:00	Kempiners	Against
86.	16:03	Madigan	H.B. 465 Am. #7

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
87.	16:03	Dunn, John	Question
87.	16:03	Shea	
88.	16:03	McMasters	
88.	16:03	Shea	
89.	16:08	Madigan	
89.	16:08	Fennessey	
89.	16:10	Shea	
89.	16:10	Madigan	
89.	16:11	Borchers	
90.	16:12	Grotberg	
90.	16:12	Washburn	
90.	16:12	Madigan	
91.	16:12	Friedrich	
91.	16:14	Coffey	
91.	16:14	Madigan	
91.	16:15	Kempiners	
91.	16:15	Madigan	
92.	16:16	Neff	H.B. 465 AM. #3
92.	16:16	Madigan	
92.	16:17	Dunn, R.	No vote
92.	16:17	Madigan	
92.	16:18	Coffey	
92.	16:18	Madigan	H.B. 465 Am. #3
92.	16:18	Coffey	Verification
93.	16:19	Madigan	Poll absentees
		Madigan	
		O'Brien	Verification of aye vote

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93.	16:20	O'Brien	
93.	16:20	Madigan	
93.	16:21	McMasters	
		Madigan	
93.	16:22	Tipsword	Change to aye
93.	16:27	Madigan	
94.	16:27	Coffey	
94.	16:30	Madigan	
96.	16:30	Brinkmeier	Vote aye
		Madigan	
96.	16:31	Satterthwaite	Change to aye
96.	16:31	Coffey	What is the count?
96.	16:32	VonBoeckman	Vote aye
96.	16:32	Madigan	
96.	16:33	Dyer	Vote no
97.	16:35	Luft	Change to present
97.	16:35	Madigan	Am.#3 adopted 3rd reading
97.	16:35	O'Brien	H.B. 580
97.	16:35	Madigan	
97.	16:35	O'Brien	H.B. 600
97.	16:36	Hoffman, G.	H.B. 598 3rd reading
98.	16:37	Madigan	
98.	16:37	Hoffman	Explains Committee Amend.#1
98.	16:37	Madigan	Amendment #1 adopted
98.	16:37	O'Brien	Amendment #2
98.	16:38	Madigan	
98.	16:38	Hoffman	Committee amendment #2
98.	16:38	Madigan	Amendment #2 adopted

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
98.	16:39	Peters	H.B. 102
99.	16:39	Madigan	
99.	16:39	O'Brien	H.B. 102 2nd reading
99.	16:39	Madigan	
99.	16:39	Peters	Explains amendment #1
99.	16:40	Madigan	Left on 2nd reading Amendment #1 adopted
99.	16:41	Madigan	H.B. 622
99.	16:41	O'Brien	H.B. 622 2nd reading
99.	16:41	Madigan	Go to 3rd reading
99.	16:41	Madigan	H.B. 665
99.	16:41	O'Brien	H.B. 665 2nd reading One committee amendment
00.	16:42	Madigan	
00.	16:42	Hart	Move to adopt.
00.	16:42	Madigan	Amendment #1 adopted
00.	16:42	O'Brien	H.B. 665
00.	16:42	Madigan	
00.	16:42	Hart	Move to adopt amendment #2
00.	16:42	Madigan	Amendment #2 adopted
00.	16:43	Madigan	H.B. 668
00.	16:43	O'Brien	H.B. 668
00.	16:43	Madigan	
00.	16:43	Deavers	
00.	16:43	Madigan	
00.	16:44	Madigan	H.B. 696
00.	16:44	O'Brien	H.B. 696 2nd reading one amendment

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
101	16:44	Madigan	H.B. 696
101	16:44	Dyer	H.B. 696 Amendment #1 explain
101	16:44	Madigan	Amendment #1 adopted
101	16:45	O'Brien	H.B. 696 Amendment #2
101	16:45	Madigan	H.B. 696
101	16:45	Dyer	Explains #2
101	16:45	Madigan	Amendment #2 adopted
101	16:45	O'Brien	Amendment #3
101	16:45	Madigan	H.B. 696
101	16:45	Dyer	H.B. 696 Amendment #3
101.	16:45	Madigan	H.B. 696 amendment #3 adopted Go to third reading
102.	16:46	Madigan	H.B. 705
102.	16:46	O'Brien	H.B. 705 2nd reading
102.	16:46	Madigan	H.B. 705
102.	16:46	Reed	H.B. 705
102.	16:46	Madigan	
102.	16:46	Reed	
102.	16:46	Madigan	
102.	16:47	Reed	
102.	16:47	Madigan	
102.	16:47	Reed	
102.	16:47	Madigan	H.B. 787
102.	16:47	O'Brien	H.B. 787 2nd reading 1 committee amendment
102.	16:48	Madigan	H.B. 787
102.	16:48	Dyer	H.B. 787
102.	16:48	Madigan	H.B. 787 Amendment #1 adopted
103.	16:48	O'Brien	Amendment #2

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103.	16:48	Madigan	
103.	16:48	Dyer	Explains #2
103.	16:48	Madigan	Amendment #2 adopted
103.	16:49	Madigan	H.B. 141
103.	16:49	O'Brien	H.B. 141 2nd reading
103.	16:49	Madigan	H.B. 141
103.	16:49	Porter	
103.	16:49	Madigan	
103.	16:49	Porter	
103.	16:50	Madigan	H.B. 62
103.	16:50	Madigan	
103.	16:50	O'Brien	H.B. 62 2nd reading 1 committee amendment
103.	16:50	Madigan	
103.	16:50	Duff	Move to table amendment #1
103.	16:51	Madigan	No need
104.	16:51	Duff	Read amendment #2
104.	16:51	O'Brien	Reads amendment #2
104.	16:51	Duff	What?
104.	16:51	O'Brien	Waved.
104.	16:51	Duff	Explains amendment #2
104.	16:52	Madigan	Amendment #2 adopted.
104.	16:52	Madigan	H.B. 63
104.	16:52	O'Brien	2nd reading - 2 committee amendments
104.	16:53	Madigan	
104.	16:53	Duff	Amendment #1
104.	16:53	Madigan	H.B. 63 amendment #1 adopted
104.	16:53	O'Brien	Amendment #2
104.	16:53	Madigan	

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104.	16:53	Duff	Explains amendment #2
105.	16:54	Madigan	Amendment #2 adopted
105.	16:54	Madigan	H.B. 64
105.	16:54	O'Brien	H.B. 64 2nd reading no amendments
105.	16:54	Madigan	Go to third reading
105.	16:54	Madigan	H.B. 65
105.	16:54	O'Brien	H.B. 65 2nd reading 1 amendment
105.	16:54	Madigan	
105.	16:55	Duff	Amendment #1 move to adopt
105.	16:55	Madigan	Amendment #1 adopted
105.	16:55	Madigan	H.B. 66
105.	16:55	O'Brien	H.B. 66 2nd reading 1 committee amendment
105.	16:55	Madigan	
105.	16:56	Duff	Amendment #1
106.	16:56	Madigan	Amendment #1 adopted
106.	16:56	Madigan	H.B. 110
106.	16:56	O'Brien	H.B. 110 2nd reading 1 committee amendment
106.	16:56	Madigan	
106.	16:57	Ebbeson	H.B. 110 Explains amendment 1
106.	16:57	Madigan	H.B. 110 amendment #1 adopted
106.	16:57	Madigan	H.B. 260
106.	16:57	O'Brien	H.B. 260 2nd reading
106.	16:58	Madigan	
106.	16:58	O'Brien	Floor amendment #1
106.	16:58	Madigan	
106.	16:58	Lundy	Explains floor amendment #1

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06.	16:59	Madigan	
06.	16:59	Lundy	
06.	16:59	Madigan	
07.	16:59	Kosinski	
07.	16:59	Madigan	Amendment #1 adopted
07.	16:59	Madigan	H.B. 272
07.	17:00	O'Brien	H.B. 272 2nd reading 1 committee amendment
07.	17:00	Madigan	
07.	17:00	Lundy	Only amendment
07.	17:00	Madigan	Amendment #1 adopted.
07.	17:01	Madigan	H.B. 366
07.	17:01	O'Brien	H.B. 366 2nd reading no amendments
07.	17:01	Madigan	
08.	17:01	O'Brien	H.B. 366
08.	17:01	Madigan	H.B. 366 out of record
08.	17:01	Madigan	H.B. 486
08.	17:01	O'Brien	2nd reading no amendments
08.	17:02	Madigan	3rd reading
08.	17:02	Madigan	H.B. 623
08.	17:02	O'Brien	H.B. 623 2nd reading one committee amendment
08.	17:02	Madigan	
08.	17:02	Hanahan	Explains amendment #1
08.	17:02	Madigan	Amendment #1 adopted
08.	17:03	O'Brien	Floor amendment #2
08.	17:03	Madigan	
08.	17:03	Tuerk	Explains floor amendment #2
08.	17:04	Madigan	Amendment #2 adopted

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109.	17:04	Madigan	H.B. 803
109.	17:04	O'Brien	H.B. 803 2nd reading no amendments
109.	17:04	Madigan	H.B. 803 3rd reading
109.	17:04	Madigan	H.N. 1080
109.	17:05	O'Brien	1080 2nd reading
109.	17:05	Madigan	H.B. 1080 go to third reading
109.	17:05	Madigan	H.B. 1090
109.	17:05	Madigan	H.B.1147
109.	17:05	O'Brien	H.B. 1147
109.	17:05	Madigan	H.B. 1147 go to third reading
109.	17:05	Madigan	H.B. 1320
109.	17:05	O'Brien	H.B. 1320 2nd reading
109.	17:06	Madigan	Go to third reading
109.	17:06	Madigan	H.B. 1321
109.	17:06	O'Brien	H.B. 1321 2nd reading
109.	17:06	Madigan	H.B. 1321 go to third reading
109.	17:06	Madigan	H.B. 705
10.	17:06	O'Brien	H.B. 705 2nd reading 1 committee amendment
10.	17:07	Madigan	
10.	17:07	Reed	Move to table-explains amendment #1
10.	17:08	Madigan	Amendment #1 tabled
10.	17:08	O'Brien	Floor amendment #2
10.	17:08	Madigan	
10.	17:08	Reed	Explains #2 floor amendment
10.	17:08	Madigan	Amendment #2 adopted
0.	17:09	Madigan	House bills on third reading next order of busi- ness.

<u>Page</u>	<u>Time</u>	<u>Speaker</u>	<u>Information</u>
111.	17:09	Madigan	
111.	17:09	O'Brien	Third Reading
111.	17:09	Hanahan	Explains H.B. #1
112.	17:12	Madigan	
112.	17:13	Geo-Karis	Question
112.	17:13	Madigan	Yields
112.	17:13	Geo-Karis	Asks Question
112.	17:13	Hanahan	Answer
112.	17:13	Geo-Karis	Discussion
112.	17:14	Hanahan	
112.	17:14	Geo-Karis	
113.	17:14	Hanahan	
113.	17:14	Geo-Karis	
113.	17:14	Hanahan	
113.	17:14	Geo-Karis	
113.	17:14	Hanahan	
113.	17:14	Geo-Karis	
113.	17:14	Hanahan	
113.	17:14	Geo-Karis	
113.	17:15	Hanahan	
113.	17:15	Geo-Karis	
113.	17:15	Hanahan	
113.	17:15	Geo-Karis	
113.	17:15	Hanahan	Discussion
113.	17:15	Geo-Karis	
114.	17:15	Hanahan	
114.	17:15	Geo-Karis	
114.	17:15	Hanahan	
114.	17:16	Geo-Karis	
114.	17:16	Hanahan	
114.	17:16	Geo-Karis	

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114.	17:16	Hanahan	
114.	17:16	Geo-Karis	
114.	17:16	Hanahan	
115.	17:17	Geo-Karis	Opposes Bill
115.	17:18	Madigan	Recognition of Representative
115.	17:18	Yourell	Question
115.	17:18	Madigan	Yields
115.	17:18	Yourell	Question
115.	17:18	Hanahan	
115.	17:18	Yourell	
115.	17:18	Hanahan	H.B. 1
115.	17:18	Yourell	H.B. 1
115.	17:18	Hanahan	
115.	17:18	Yourell	
115.	17:18	Hanahan	
115.	17:18	Yourell	
115.	17:18	Hanahan	
115.	17:18	Yourell	
115.	17:19	Hanahan	
115.	17:19	Yourell	
115.	17:19	Madigan	
116.	17:19	Hudson	Question
116.	17:19	Madigan	Yields
116.	17:19	Hudson	Question
116.	17:20	Hanahan	
117.	17:21	Hudson	Discussion
117.	17:23	Hanahan	
117.	17:23	Hudson	
118.	17:24	Hanahan	

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119.	17:26	Hudson	
120.	17:30	Madigan	
120.	17:30	Schraeder	Question
120.	17:30	Madigan	H.B. #1 Discussion
120.	17:30	Schraeder	
120.	17:31	Hanahan	
121.	17:32	Schraeder	
121.	17:32	Hanahan	
121.	17:32	Schraeder	
121.	17:32	Hanahan	
121.	17:33	Hudson	
121.	17:33	Hanahan	
121.	17:33	Hudson	
122.	17:33	Hanahan	
122.	17:34	Hudson	
122.	17:34	Hanahan	
122.	17:35	Hudson	
122.	17:35	Madigan	
122.	17:35	Tuerk	Question
122.	17:35	Madigan	Yields
122.	17:35	Tuerk	Question
122.	17:35	Hanahan	Discussion
123.	17:36	Tuerk	
123.	17:36	Hanahan	
123.	17:37	Tuerk	H.B. #1
123.	17:37	Hanahan	
123.	17:37	Tuerk	
123.	17:37	Hanahan	
123.	17:38	Tuerk	

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123.	17:38	Hanahan	
123.	17:38	Tuerk	
123.	17:38	Hanahan	
123.	17:38	Tuerk	
124.	17:38	Hanahan	
124.	17:38	Tuerk	
124.	17:38	Hanahan	
124.	17:39	Tuerk	
124.	17:39	Hanahan	
125.	17:40	Tuerk	
125.	17:40	Hanahan	
125.	17:40	Tuerk	
125.	17:41	Hanahan	
125.	17:41	Tuerk	
125.	17:41	Madigan	
125.	17:41	Lechowicz	Previous question
125.	17:41	Madigan	H.B. #1
125.	17:41	Madigan	Vote
125.	17:41	Madigan	
125.	17:42	Grotberg	Yield
125.	17:42	Washburn	
125.	17:42	Madigan	Roll call on motion to move to previous question
126.	17:43	Madigan	Take the record - failed
126.	17:44	Lechowicz	
126.	17:44	Madigan	
126.	17:44	Selcke	
126.	17:46	Madigan	Polls the absentees
126.	17:46	Madigan	States results - debate

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126.	17:47	Grotberg	
127.	17:49	Madigan	
127.	17:49	Leinenweber	Question
127.	17:49	Madigan	Yields
127.	17:49	Leinenweber	Asks question
127.	17:49	Hanahan	Answer
127.	17:49	Leinenweber	
127.	17:49	Hanahan	
127.	17:49	Leinenweber	
128.	17:50	Hanahan	
128.	17:50	Leinenweber	H.B. #1
128.	17:50	Hanahan	
128.	17:50	Leinenweber	
128.	17:50	Hanahan	
128.	17:50	Leinenweber	
128.	17:50	Hanahan	
128.	17:50	Leinenweber	
128.	17:51	Hanahan	
128.	17:51	Leinenweber	
128.	17:51	Hanahan	
128.	17:51	Leinenweber	
128.	17:51	Hanahan	
128.	17:51	Leinenweber	
128.	17:52	Hanahan	
129.	17:52	Madigan	
129.	17:52	McClain	
129.	17:52	Leinenweber	
129.	17:52	Madigan	
129.	17:53	Leinenweber	

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129.	17:53	Hanahan		
129.	17:54	Leinenweber		
129.	17:54	Hanahan	H.B. #1	
130.	17:54	Leinenweber	Opposes bill	
130.	17:55	Madigan	Opposes bill	
130.	17:55	Lauer		
130.	17:59	Madigan		
130.	17:59	Gaines	Supports bill.	
132.	18:01	Madigan		
132.	18:01	Hoffman	2 questions	
132.	18:01	Madigan	Yields	
132.	18:01	Hoffman	Asks questions	
132.	18:01	Hanahan	Discussion	
133.	18:02	Hoffman		
133.	18:02	Hanahan		
133.	18:02	Hoffman		
133.	18:02	Hanahan		
133.	18:03	Hoffman		
133.	18:03	Hanahan		
133.	18:03	Hoffman		
133.	18:03	Hanahan		
133.	18:03	Hoffman		
133.	18:03	Hanahan		
133.	18:03	Hoffman	H.B. #1	
133.	18:03	Hanahan		
133.	18:03	Hoffman		
133.	18:03	Hanahan		
133.	18:04	Hoffman		
133.	18:04	Hanahan		

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134.	18:04	Hoffman		
134.	18:04	Hanahan		
134.	18:04	Hoffman		
134.	18:04	Hanahan		
134.	18:04	Hoffman		
134.	18:04	Hanahan		
134.	18:04	Hoffman		
134.	18:05	Hanahan		
134.	18:05	Hoffman		
134.	18:05	Madigan		
134.	18:05	Hoffman		
134.	18:05	Hanahan		
134.	18:06	Hoffman		
134.	18:06	Hanahan		
134.	18:06	Hoffman		
134.	18:06	Hanahan		
134.	18:06	Hoffman		
134.	18:06	Hanahan		
134.	18:06	Hoffman		
134.	18:06	Hanahan		
134.	18:06	Hoffman		
134.	18:06	Madigan		
134.	18:06	Duester		
134.	18:07	Madigan		
134.	18:07	Duester		
134.	18:07	Hanahan		
134.	18:07	Duester		
134.	18:07	Hanahan		
134.	18:07	Duester		
134.	18:07	Hanahan		
134.	18:07	Duester		

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135.	18:08	Duester	
135.	18:08	Hanahan	
135.	18:08	Duester	
135.	18:08	Hanahan	
135.	18:08	Duester	
135.	18:08	Hanahan	
135.	18:08	Duester	
135.	18:09	Hanahan	
136.	18:09	Duester	
136.	18:09	Hanahan	
136.	18:09	Duester	
136.	18:09	Hanahan	
136.	18:09	Duester	
136.	18:10	Hanahan	
136.	18:10	Duester	
136.	18:10	Hanahan	
136.	18:10	Duester	
137.	18:10	Hanahan	
137.	18:10	Duester	
137.	18:10	Hanahan	
137.	18:10	Duester	
137.	18:10	Hanahan	
137.	18:10	Duester	
137.	18:11	Hanahan	
137.	18:11	Duester	
137.	18:11	Hanahan	
137.	18:11	Duester	
137.	18:11	Hanahan	

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137.	18:11	Hanahan	
138.	18:11	Duester	
138.	18:11	Hanahan	
138.	18:11	Duester	
138.	18:11	Hanahan	
138.	18:12	Duester	
138.	18:12	Madigan	
138.	18:12	McDonald	
138.	18:13	Madigan	
138.	18:13	McDonald	
138.	18:13	Madigan	
139.	18:13	McDonald	
139.	18:14	Madigan	Requires 107 votes
139.	18:14	McDonald	Confused by ruling
139.	18:15	Madigan	The chair has ruled
139.	18:15	McDonald	Still confused by ruling
139.	18:15	Madigan	
139.	18:15	Stone	Moves previous question
139.	18:16	Madigan	
139.	18:16	Geo-Karis	
139.	18:16	Madigan	
140.	18:17	Geo-Karis	
140.	18:17	Madigan	Vote on previous question
140.	18:17	McDonald	Parliamentary procedure
140.	18:18	Madigan	
140.	18:18	McDonald	Take the record
140.	18:19	Madigan	Waiting on machine
140.	18:20	Madigan	Motion failed - lost

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140.	18:20	McDonald	Moves to overrule ruling of chair
140.	18:21	Madigan	Discussion
141.	18:21	Shea	
141.	18:22	Madigan	
141.	18:22	Shea	
141.	18:22	Madigan	
141.	18:22	McDonald	
141.	18:23	Shea	
141.	18:23	McDonald	
141.	18:23	Shea	
141.	18:24	McDonald	
141.	18:24	Shea	
142.	18:24	McDonald	
142.	18:25	Madigan	H.B. #1 motion to overrule
142.	18:25	McDonald	
142.	18:25	Madigan	
142.	18:25	McDonald	
142.	18:25	Madigan	
142.	18:25	Lechowicz	
142.	18:26	McDonald	
143.	18:26	Madigan	
143.	18:26	Walsh	
143.	18:28	Madigan	
143.	18:28	Shea	
143.	18:28	Madigan	
143.	18:28	Shea	
144.	18:29	Madigan	
144.	18:29	McDonald	

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144.	18:32	Walsh	Dividing ruling of chair
145.	18:33	Madigan	
145.	18:34	Walsh	
145.	18:34	Madigan	
145.	18:34	Walsh	
145.	18:34	McDonald	H.B. #1 Discussion on motion
145.	18:36	Madigan	To overrule ruling of chair.
145.	18:36	McDonald	
145.	18:36	Madigan	
145.	18:36	Shea	
146.	18:37	Madigan	
146.	18:37	Hanahan	
146.	18:37	Madigan	
146.	18:38	McDonald	Withdraw motion temporarily
146.	18:38	Madigan	
146.	18:41	Madigan	
146.	18:42	Shea	
146.	18:42	Madigan	Leave granted
146.	18:43	Madigan	H.B. 357
146.	18:43	Selcke	3rd reading
147.	18:43	Madigan	
147.	18:43	Maragos	Explains bill 357
148.	18:47	Madigan	
148.	18:47	Palmer	
148.	18:48	Madigan	
148.	18:48	Palmer	
148.	18:48	Maragos	H.B. 357 Discussion on bill
149.	18:38	Palmer	H.B. 357

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149.	18:48	Palmer		
149.	18:48	Maragos		
149.	18:49	Palmer		
149.	18:50	Maragos		
149.	18:50	Palmer		
149.	18:50	Madigan		
149.	18:50	Leinenweber		
149.	18:50	Maragos		
149.	18:51	Leinenweber		
149.	18:51	Maragos		
149.	18:51	Leinenweber		
149.	18:51	Maragos		
149.	18:51	Leinenweber		
150.	18:52	Maragos		
150.	18:52	Leinenweber		
150.	18:52	Maragos		
150.	18:52	Leinenweber		
150.	18:52	Maragos		
150.	18:52	Leinenweber		
150.	18:52	Maragos		
150.	18:52	Leinenweber		
150.	18:52	Madigan		
150.	18:52	Geo-Karis	Question	
150.	18:52	Maragos	Yields	
150.	18:52	Geo-Karis	Question	
150.	18:52	Maragos	Answer	
150.	18:54	Geo-Karis	Question	
151.	18:54	Maragos		

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151.	18:55	Geo-Karis	
151.	18:55	Maragos	
151.	18:55	Geo-Karis	
152.	18:56	Maragos	
152.	18:56	Madigan	
152.	18:56	Lechowicz	
152.	18:56	Maragos	
152.	18:56	Madigan	
152.	18:59	Madigan	Votes required - ruling by chair
152.	18:59	Madigan	Recognition of representative
152.	18:59	Telcser	H.B. 357
153.	19:00	Madigan	
153.	19:00	Beaupre	
153.	19:00	Madigan	
153.	19:00	Beaupre	
153.	19:01	Maragos	
154.	19:03	Beaupre	
154.	19:03	Maragos	
154.	19:04	Beaupre	
154.	19:04	Maragos	
155.	19:05	Madigan	
155.	19:05	Dunn	Question
155.	19:05	Madigan	Yields
155.	19:05	Dunn	Asks question
155.	19:05	Maragos	Answers question
155.	19:07	Madigan	Recognition of representative
155.	19:07	Telcser	

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156.	19:07	Telcser	
156.	19:07	Madigan	Restates rule of chair
156.	19:08	Telcser	
156.	19:08	Madigan	
156.	19:08	Telcser	
156.	19:08	Madigan	
156.	19:09	Telcser	
156.	19:09	Madigan	
157	19:09	Madigan	
157.	19:09	Telcser	
157.	19:10	Madigan	
157.	19:10	Matijevich	
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157.	19:11	Matijevich	
157.	19:11	Madigan	
157.	19:12	Dunn	Question
158.	19:12	Madigan	Yields
158.	19:12	Dunn	Asks Question
158.	19:12	Maragos	Answers
158.	19:12	Madigan	
158.	19:12	Duff	Point of order
158.	19:13	Madigan	
158.	19:13	Dunn	
158.	19:13	Maragos	
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158.	19:14	Dunn	
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159.	19:14	Maragos	
159.	19:15	Dunn	
159.	19:15	Madigan	
159.	19:15	Yourell	
159.	19:15	Maragos	
159.	19:15	Yourell	
159.	19:16	Maragos	
159.	19:16	Yourell	
159.	19:16	Maragos	
159.	19:16	Yourell	
159.	19:16	Maragos	
159.	19:16	Yourell	
159.	19:16	Maragos	
159.	19:16	Madigan	
159.	19:16	Rigney	
160.	19:16	Madigan	Discussion of ruling of house.
160.	19:16	Rigney	
160.	19:16	Madigan	
160.	19:16	Rigney	
160.	19:17	Madigan	
160.	19:17	Rigney	
160.	19:18	Madigan	
160.	19:18	Rigney	
160.	19:18	Madigan	
160.	19:18	Tipsword	Question of sponsor
160.	19:18	Madigan	Yields
160.	19:18	Tipsword	Question on H.B. 357
161.	19:19	Maragos	Discussion on H.B. 357

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161.	19:20	Maragos	
161.	19:20	Tipsword	
161.	19:20	Maragos	
161.	19:20	Tipsword	
162.	19:21	Maragos	
162.	19:22	Tipsword	
162.	19:22	Maragos	
162.	19:23	Tipsword	
162.	19:23	Maragos	
162.	19:24	Tipsword	
163.	19:24	Maragos	
163.	19:24	Tipsword	
163.	19:24	Maragos	
163.	19:24	Madigan	
163.	19:24	Keller	Previous question
163.	19:24	Madigan	
163.	19:25	Walsh	Ruling questioned
163.	19:25	Madigan	
163.	19:25	Geo-Karis	
164.	19:25	Madigan	
164.	19:25	Geo-Karis	
164.	19:25	Madigan	
164.	19:26	Geo-Karis	
164.	19:27	Madigan	Previous question
164.	19:27	Skinner	Parliamentary inquiry
164.	19:27	Madigan	

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164.	19:27	Madigan	
164.	19:28	Skinner	
164.	19:28	Madigan	
164.	19:28	Keller	Move to previous question
164.	19:28	Madigan	
165.	19:28	Keller	
165.	19:28	Madigan	
165.	19:29	Collins	Point of order
165.	19:29	Madigan	
165.	19:29	Shea	
165.	19:30	Madigan	Take the record
165.	19:31	Madigan	Motion lost
165.	19:31	Skinner	Appeal decision
166.	19:31	Madigan	
166.	19:31	Skinner	
166.	19:32	Madigan	
166.	19:32	Skinner	
166.	19:32	Madigan	Shall chair be overruled
166.	19:33	Duff	Parliamentary inquiry
166.	19:34	Madigan	
166.	19:34	Matijevich	Point of order
166.	19:34	Madigan	
167.	19:34	Duff	
167.	19:35	Madigan	Overruling of chair
167.	19:35	Geo-Karis	
167.	19:36	Madigan	
167.	19:36	Willer	Explain vote
167.	19:37	Madigan	

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168.	19:39	Madigan	
168.	19:39	Madison	Explains vote
168.	19:39	Madigan	
169.	19:39	Rigney	Explains vote
169.	19:41	Madigan	
169.	19:41	Skinner	Explains vote
169.	19:42	Madigan	Motion lost
170.	19:43	Friedrich	Discussion on bill 357
170.	19:44	Madigan	
170.	19:44	Maragos	To close
171.	19:45	Madigan	Calls for vote
171.	19:46	Skinner	
171.	19:46	Madigan	H.B. 357
171.	19:46	Bluthardt	Explains vote
172.	19:47	Madigan	
172.	19:47	Madigan	
172.	19:48	Matijevich	
172.	19:48	Madigan	
172.	19:48	Maragos	Postpone consideration
172.	19:49	Madigan	Leave
172.	19:49	Madigan	H.B. #1
172.	19:49	Hanahan	Close debate
172.	19:49	Madigan	Recognition of representative
172.	19:49	McDonald	Discussion
173.	19:50	Madigan	
173.	19:50	McDonald	
173.	19:50	Madigan	
173:	19:50	McDonald	

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174.	19:54	Palmer	Discussion on ruling of chair
174.	19:55	Madigan	
174.	19:55	Geo-Karis	
175.	19:56	Madigan	
175.	19:56	Leinenweber	
175.	19:57	Madigan	
175.	19:57	Skinner	
175.	19:58	Madigan	
175.	19:58	Madigan	
176.	19:58	Dunn	Explains vote
176.	19:59	Madigan	Motion lost
176.	19:59	Skinner	Discussion on H.B. #1
176.	19:59	Madigan	
176.	19:59	Skinner	
176.	19:59	Madigan	
176.	19:59	Skinner	
177.	19:59	Hanahan	
177.	20:00	Skinner	
177.	20:00	Hanahan	
177.	20:00	Skinner	
177.	20:00	Hanahan	
177.	20:00	Skinner	
177.	20:01	Hanahan	
177.	20:01	Skinner	
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177.	20:01	Skinner	

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177.	20:01	Hanahan	
178	20:01	Skinner	
178.	20:01	Hanahan	
178.	20:02	Skinner	
178.	20:02	Hanahan	
178.	20:02	Skinner	
178.	20:02	Hanahan	
178.	20:02	Skinner	
178.	20:02	Hanahan	
178.	20:03	Skinner	
178.	20:03	Hanahan	
178	20:04	Skinner	
179.	20:05	Hanahan	
179.	20:05	Skinner	
179.	20:05	Hanahan	
179.	20:05	Skinner	
179.	20:05	Hanahan	
179.	20:05	Skinner	
179.	20:05	Hanahan	
179.	20:06	Skinner	
179.	20:06	Hanahan	
179.	20:06	Skinner	
179.	20:06	Hanahan	
179.	20:06	Skinner	
179.	20:06	Hanahan	
179.	20:06	Skinner	

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179.	20:07	Skinner	
180.	20:07	Hanahan	
180.	20:08	Skinner	
180.	20:08	Hanahan	
180.	20:08	Skinner	
180.	20:08	Hanahan	
180.	20:08	Skinner	
180.	20:08	Hanahan	
180.	20:09	Madigan	
180.	20:09	Skinner	
180.	20:09	Hanahan	
180.	20:09	Skinner	
180.	20:09	Hanahan	
180.	20:10	Madigan	
180.	20:10	Skinner	
180.	20:10	Madigan	
180.	20:10	Ryan	Yields time to Skinner
180.	20:10	Madigan	
180.	20:10	Skinner	
180.	20:11	Hanahan	
180.	20:11	Skinner	
180.	20:11	Hanahan	
182.	20:11	Skinner	
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182.	20:11	Hanahan	
182.	20:12	Skinner	
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82.	20:12	Skinner	
82.	20:12	Madigan	
82.	20:12	Shea	
82.	20:12	Madigan	
82.	20:13	Skinner	
83.	20:13	Hanahan	
83.	20:13	Madigan	
83.	20:13	Shea	
83.	20:14	Madigan	
83.	20:14	Skinner	
83.	20:14	Hanahan	
83.	20:14	Skinner	
83.	20:14	Hanahan	
83.	20:15	Skinner	
83.	20:15	Madigan	
83.	20:15	Hanahan	To Close
84.	20:17	Madigan	Vote called
84.	20:17	Madigan	
84.	20:17	Madison	Explains vote
84.	20:18	Madigan	Take the record
84.	20:18	Madigan	H.B. #1 passed
84.	20:18	Shea	
84.	20:18	Madigan	
84.	20:18	Shea	Reconsider vote
84.	20:19	Madigan	
84.	20:19	Farley	Move to lay on table

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185.	20:19	Madigan	H.B. 439
185.	20:19	Walsh	
185.	20:10	Madigan	
185.	20:20	Shea	Move to adjourn
185.	20:20	Madigan	
185.	20:20	Shea	
185.	20:20	Madigan	House in recess
185.	20:21	Madigan	Committee reports
186.	20:21	Selcke	Reading of committee reports
186.	20:24	Selcke	Senate bills first reading of bills
188.	20:25	Madigan	House adjourned