

HOUSE OF REPRESENTATIVES

SEVENTY-NINTH GENERAL ASSEMBLY

SIXTY-NINTH LEGISLATIVE DAY

MAY 17, 1975



GENERAL ASSEMBLY

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Doorkeeper: "All those not entitled to this House floor, will you please return to the gallery? Thank you."

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

Reverend Krueger: "In the Name of the Father, the Son, and the Holy Ghost, Amen. O Lord, Bless this House to Thy service this day, Amen. Francois Fenelon, who lived from 1651 to 1715, said, 'Speak little, listen much: Think far more of understanding hearts and of adapting yourself to their needs than of saying clever things to them'. Let us pray. Lord, give us a heart to turn all knowledge to Thy glory, and not to our own. Keep us from being deluded with the lights of vain philosophies; keep us from the pride of human reason; let us not think our own thoughts, nor dream our own imaginations, but in all things acting under the good guidance of the Holy Spirit, may we find Thee everywhere, and that all our legislation, and... and that in all our legislation we may live in simplicity, humility, and singleness of heart unto the Lord. That was a prayer written by Henry Kirke White in 1785, Amen."

Speaker Redmond: "Roll call for attendance. Introduction to First Reading."

O'Brien: "House Bill 3017, Lechowicz. A Bill for an Act making an appropriation for the ordinary and contingent expense for certain agencies. First Reading of the Bill. House Bill 3018, Polk. A Bill for an Act to amend the Illinois Profession Engineering Act. First Reading of the Bill."

Speaker Redmond: "Representative Shea. He's at ah... Representative Davis desk."

Shea: "Mr. Speaker, could the record show that there are six members, a delegation of this House, to go to Representative Keller's fathers' funeral and they should be carried on the attendance roll call. That's Representatives Collins, Ryan, Brummet, Choate, Kelly, and Cunningham."

Speaker Redmond: "The record will so show. Representative Madigan."

Madigan: "Mr. Speaker, would the record show that Representative Brandt is excused because of illness."

Speaker Redmond: "The record will so show. Any excused absences on the



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Republican side? Representative Simms."

Simms: "Would the record please show that Representative Telcser is excused because of a death in the family."

Speaker Redmond: "The record will so show. Representative Madigan."

Madigan: "Also, would the record show that Representative Beatty is excused."

Speaker Redmond: "The record will so indicate. Representative Washburn and Representative Walsh have entered the chamber. We may now begin."

Madigan: "Mr. Speaker, Mr. Speaker."

Speaker Redmond: "Representative Madigan."

Madigan: "And also, would the record show that Representative Keller is excused because of the funeral of his father."

Speaker Redmond: "The record will so indicate. Representative Washburn."

Washburn: "Mr. Speaker and ladies and gentlemen of the House, and would the record show that Representative Telcser is absent due to a funeral in his family."

Speaker Redmond: "It's impossible because the record already so shows."

Shea: "Consent Calendar. Second Reading, Second Day. Mr. Walsh."

O'Brien: "Senate Bill 58. A Bill for an Act to amend the Law Enforcement Officers and Firemens Compensation Act. Second Reading of the Bill. Senate Bill 96. A Bill for an Act to amend the Election Code. Second Reading of the Bill. Senate Bill 119. A Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. Senate Bill 144. A Bill for an Act to amend the Election Code. Second Reading of the Bill. Senate Bill 145. A Bill for an Act to amend the Election Code. Second Reading of the Bill. Senate Bill 146. A Bill for an Act to amend the Election Code. Second Reading of the Bill. Senate Bill 167. A Bill for an Act to amend the School Code. Second Reading of the Bill. Senate Bill 281. A Bill for an Act to amend an Act in relation to Agriculture Cooperative Associations Societies. Second Reading of the Bill. Senate Bill 361. A Bill for an Act to amend an Act concerning public utilities. Second Reading of the Bill. Senate Bill 363. A Bill for an Act to repeal Sections of an Act concerning public utilities. Second Reading of the Bill. Senate Bill 365.



A Bill for an Act to amend an Act concerning public utilities. Second Reading of the Bill. Senate Bill 377. A Bill for an Act to amend the School Code. Second Reading of the Bill. Senate Bill 401. A Bill for an Act to amend the Illinois Highway Code. Second Reading of the Bill. Senate Bill 421. A Bill for an Act to amend the State Comptroller Act. Second Reading of the Bill. Senate Bill 467. A Bill for an Act to amend the Illinois Horseracing Act. Second Reading of the Bill. Senate Bill 504. A Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. Senate Bill 533. A Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. Senate Bill 536. A Bill for an Act to amend the Pension Code. Second Reading of the Bill. Senate Bill 537. A Bill for an Act to amend the Pension Code. Second Reading of the Bill. Senate Bill 538. A Bill for an Act to amend the Pension Code. Second Reading of the Bill. Senate Bill 631. A Bill for an Act to amend, a Bill for an Act to restore excess rights to Madison County. Second Reading of the Bill. House Bill 1670. A Bill for an Act to amend an Act to provide for the manner of levying and imposing taxes for the provision of special services to areas within the boundaries of home rule units and not-home rule municipalities. Second Reading of the Bill."

Shea: "The gentleman from Kankakee, Mr. Beaupre. Third Reading on those Bills."

Beaupre: "Mr. Speaker, as long as we're getting off to kind of a slow start this morning, I might, I wonder if I might ah... as a matter of personal privilege, ah... make an announcement. I ah... last night lost a cross pen which is the second ah... time ah... this session that I have lost ah... such a pen on the House floor. Ah... I presume someone either inadvertently walked away with it or ah... I've misplaced it someplace on the floor. They all look alike, as you know, and if you turn up with ah... two cross pens today ah... I'd appreciate it if you'd return one of them to my desk. Thank you."

Shea: "Are you setting up a tax advantage for a casualty loss with a record? House Bill, Second Reading. On the House Bills, Second Reading, House Bill 734. Mr. DiPrimi, are you ready to go with



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that or are you waiting for an appropriation? 734 and 35, are you ready to move? House Bill 734, Mr. DiPrima."

O'Brien: "House Bill 734, DiPrima. A Bill for an Act making an appropriation for a nursing care facility for veterans. Second Reading of the Bill. One Committee Amendment. Amends House Bill 734 on page 1, line 6 and so forth."

Shea: "The gentleman moves for the adoption of Committee Amendment #1. Is there discussion? All in favor will say 'aye'. Those opposed 'nay'. Committee Amendment #1 is adopted. Are there further Amendments?"

O'Brien: "No further Amendments."

Shea: "Third Reading. House Bill 735."

O'Brien: "House Bill 735, DiPrima. A Bill for an Act to provide for the ordinary and contingent expense of the Illinois Veterans Commission. Second Reading of the Bill. Three Committee Amendments. Amendment #1 amends House Bill 735 on page 1, line 11 and so forth."

Shea: "The gentleman moves for the adoption of Committee Amendment #1. All those in favor will say 'aye'. Those opposed 'nay'. The 'ayes' have it. The Amendment is adopted."

O'Brien: "Amendment #2 amends House Bill 735 on page 2 by deleting line 15 through 17 and so forth."

Shea: "The gentleman moves for the adoption of Committee Amendment #2. Is there discussion? All in favor say 'aye'. Those opposed 'nay'. The 'ayes' have it. The Amendment is adopted."

O'Brien: "Amendment #3 amends House Bill 735 on page 1 after line 19 and so forth."

Shea: "The gentleman moves for the adoption of Committee Amendment #3. All those in favor say 'aye'. Those opposed say 'nay'. The 'ayes' have it. Is there further Amendments?"

O'Brien: "No further."

Shea: "Third Reading. On the order of House Bills, Third Reading. Is, er... Second Reading. Is Mr. Luft on the floor? G.L. Hoffman, is he on the floor? Mr. Duff. Mr. Duff on the floor? Mr. Farley. Mr. Katz. Mr. McClain. Mr. Choate. Miss Younge. Kozubowski, Choate, Keller, Neff. Mr. Neff, 1139. 1339, I'm sorry, sir."

O'Brien: "House Bill 1339, Neff. A Bill for an Act to set standards



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for publicly owned motor vehicles. Second Reading of the Bill. Amendment #3, Neff. Amends House Bill 1339 on page 1 by inserting the following after line 20. 'Authorized emergency vehicles are exempt from the provisions of this Act'."

Shea: "The gentleman moves for adoption of Amendment #3. Is there discussion? All in favor say... Mr. Neff."

Neff: "Mr. Speaker ah... Mr. Clerk, er... ah... Amendment #1 and #2 have been tabled, haven't they?"

O'Brien: "No, it's indicated Amendment #1 and 2 were adopted and the Bill was recalled May 9 and held. Nothing tabled."

Neff: "Ah... Mr. Speaker, I would like to table #1 and #2. Those were technical errors and ah... then adopted #3."

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

Madigan: "Mr. Speaker, if the Amendments were adopted, don't we need a motion to reconsider?"

Shea: "We will. The gentleman's motion is to reconsider the vote by which House Bill ah... Amendments #1 and 2 were adopted to House Bill 1339. Is there leave? Hearing no objection, leave is granted. Now the gentleman moves to table Amendments #1 and 2. Is there objection? Hearing no objections, Amendments #1 and 2 are tabled. The gentleman moves for the adoption of Amendment #3. All those in favor will say 'aye'. Those opposed 'nay'. The Amendment is adopted. Is there further Amendments?"

O'Brien: "No further."

Shea: "Third Reading. On the order of House Bills, Second Reading. 1387, Mr. Schraeder. Do you want that called, sir? Read 1387."

O'Brien: "House Bill 1387, Hirschfeld. A Bill for an Act relating to the inspection of elevators. Second Reading of the Bill."

Shea: "The gentleman from Peoria, Mr. Schraeder."

Schraeder: "I think he's got that wrong. That's my Bill and doesn't have anything to do with elevators."

O'Brien: "Schraeder, I'm sorry. House Bill 1387, Schraeder. A Bill for an Act to amend the School Code. Second Reading of the Bill."

Schraeder: "Thank you. Ah... The Amendment is the Bill and be very brief. It was Amendment, it was a Committee Amendment and one suggested by them and it was ah... passed 18 to nothing while on



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the Consent Calendar ah... And then there was an objection and then the objection removed, so this is a simple Amendment. It says a resident district may, upon request, provide transportation to ah... handicapped students if they charge the amount to cover the full cost and I would move the adoption of Amendment #1 to House Bill 1387."

Shea: "We've adopted Amendment #1, Mr. Schraeder."

Schraeder: "You have?"

Shea: "Are there any further Amendments? Third Reading. You're right, Mr. Schraeder. It was adopted and readopted. The gentleman moves for the adoption of Amendment #1. All in favor will say 'aye'. Those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

O'Brien: "No further."

Shea: "Third Reading. McPartlin. Craig on 1522 is an appropriation Bill. Telcser's not here. Lauer is not here. Farley is not here on 1609 and 1610. Mr. Taylor on 1716. Read House Bill 1716, please."

O'Brien: "House Bill 1716, Taylor. A Bill for an Act in relation to the Work Study Program for High School Students living in areas of high unemployment. Second Reading of the Bill."

Shea: "Are there any Amendments? Take 1716 and 17 out of the record for a minute. We're having trouble finding the Bill, Mr. Taylor. 17... House Bills, Second Reading. Mr. Choate. Mr. Washington here? Mr. Berman on 1790. Are we ready to proceed with that? Out of the record. Marovitz. He's not on the floor. Stubblefield. Are we ready on 1907. Call 1907."

O'Brien: "House Bill 1907, Stubblefield. A Bill for an Act setting forth the rights of mobile home park dwellers. Second Reading of the Bill. Two Committee Amendments. Amendment #1 amends House Bill 1907 on page 3, line 28 and so forth."

Shea: "The gentleman moves for the adoption of Committee Amendment #1. All those in favor say 'aye'. Those opposed 'nay'. The Amendment is adopted. Are there further Amendments?"

O'Brien: "Amendment #2 amends House Bill 1907 on page 5 by striking line 17 through 20 and so forth."



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

Stubblefield: "Mr. Speaker, I have ah... an Amendment #4 which incorporates the provisions of Amendment 2 together with more extensive changes and I would, therefore, move to table Amendment 2."

Shea: "The gentleman moves to table Amendment #2. Is there objection? Hearing no objection, leave is granted. Amendment #2 is tabled."

O'Brien: "Amendment #3, Stubblefield. Amends House Bill 1907 on page 5 by deleting line 9 through 20 and so forth."

Stubblefield: "Amendment 3 was recommended to be tabled in Committee and I would move."

Shea: "The gentleman moves to table Amendment #3. Hearing no objections, leave is granted. Amendment #4."

O'Brien: "Amendment #4, Stubblefield. Amends House Bill 1907 on page 5 by deleting line 21 through 23 and so forth."

Shea: "The gentleman moves for the adoption of Amendment #4. Is there discussion? All in favor say 'aye'. Those opposed 'nay'. The Amendment is adopted. Are there further Amendments? Third Reading. Is there an Amendment 5. We've adopted Amendment 1, numbers 2 and 3 are tabled, 4 is adopted. Is there Amendment 5? They tell me there's no Amendment 5, Mr. Stubblefield. We'll hold it for a minute. The Minority Leader, Mr. Washburn."

Washburn: "Thank you, ah... Mr. Speaker and ladies and gentlemen of the House. We're privileged to have with us on this lovely Saturday morning the Eighth Grade class of Hawthorne School from Marengo, Illinois in McHenry County with their superintendent, Mr. James L. Hermes ah... from the 33rd District represented by Representatives Waddell, Skinner, and Hanahan in the rear gallery. Would the Eighth Grade class of Hawthorne School please stand?"

Shea: "On the order of House Bills, Second Reading. On House Bill 1907 the gentleman wishes to reconsider the motion by which House, er... Amendment 3 was tabled. Does he have leave? Leave is granted, hearing no objections. Now the gentleman moves to adopt Amendment #3. Is there discussion? All in favor say 'aye'. Those opposed 'nay'. The 'ayes' have it. Amendment #3 is adopted. The Bill now is in the position where Amendment #1 is adopted, #2 is tabled, Amendments #3 and 4 are adopted. On the order of House, Third



Reading. On the order of House Bills, Second Reading appears House Bill 1766. 1766."

O'Brien: "House Bill 1766, Washington. A Bill for an Act to include construction businesses as additional category in the Illinois Small Business Purchasing Act. Second Reading of the Bill. One Committee Amendment. Amends House Bill 1766 on page 2, line 18 and so forth."

Shea: "The gentleman moves for the adoption of Committee Amendment #1. Is there discussion? All in favor say 'aye'. Those opposed 'nay'. The Amendment is adopted. Are there further Amendments?"

O'Brien: "Amendment #2, Washington."

Shea: "The gentlemen..."

O'Brien: "...amends House Bill 1766 as amended."

Shea: "The gentlemen..."

Washington: "That's a floor Amendment. I move to table Amendment #2. It's my own Amendment."

Shea: "The gentleman moves to table Amendment #2. Does he have leave? Hearing no objection, leave is granted. Are there further Amendments?"

O'Brien: "Floor Amendment #3, Washington. Amends House Bill 1766 on page 4 and so forth."

Washington: "Amendment #3 to House Bill 1766 provides that ah... for waiver of ah... of bonds ah... for contracts under \$50,000. I ask for your support."

Shea: "The gentleman moves for the adoption of Amendment #3. Is there discussion? All in favor 'aye', those opposed 'nay'. The Amendment is adopted. Are there further Amendments?"

O'Brien: "Floor Amendment #4, Washington. Amends House Bill 1766 on page 4 after line 29 and so forth."

Washington: "Amendment #4 simply repeals the Act as of June 30, 1977. It's a self-destruct provision. I move adoption of Amendment #4."

Shea: "Is there any discussion? The gentleman moves for the adoption of Amendment #4. All in favor 'aye', those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Third Reading. On the order of House Bills, Second Reading appears House Bill 1716."

O'Brien: "House Bill 1716, Taylor. A Bill for an Act in relation to



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Work Study Program for high school students living in areas of high unemployment. Second Reading of the Bill. No Committee Amendments."

Shea: "Are there Amendments from the floor?"

O'Brien: "None."

Shea: "Third Reading. On the order of House Bills, Second Reading appears House Bill 1717."

O'Brien: "House Bill 1717, Taylor. A Bill for an Act to make an appropriation for Work Study Program for high school students living in high unemployment areas. Second Reading of the Bill. No Committee Amendments."

Shea: "Are there any Amendments from the floor?"

O'Brien: "None."

Shea: "Third Reading. On the order of House Bills, Second Reading, is Mr. McClain on the floor? Mr. Keller on the floor? Mr. Katz. Mr. Mulcahey. Is he on the floor? I don't see him. Mr. Peters. Mr... That's an appropriation. Mr. Peters, do you want to call 2054? Is 2013 the companion appropriation Bill?"

Peters: "Yes, and it's on Second Reading, Mr. Speaker."

Shea: "Call 2013."

O'Brien: "House Bill 2013. A Bill for an Act making an appropriation to the State Council of Nutrition. Second Reading of the Bill. No Committee Amendments."

Shea: "Are there Amendments from the floor?"

O'Brien: "None."

Shea: "Third Reading. House Bill 2054."

O'Brien: "House Bill 2054, Peters. A Bill for an Act to create a State Council on Nutrition."

Shea: "Are there any Amendments from..."

O'Brien: "Second Reading of the Bill. One Committee Amendment. Amends House Bill 2054 on page 1, line 10 through 17 and so forth."

Shea: "The gentleman moves for the adoption of Committee Amendment #1. Is there discussion? All in favor say 'aye'. Those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

O'Brien: "No further Amendments."



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Shea: "Third Reading. On the order of House Bills, House Bills, Second Reading appears House Bill 2097."

O'Brien: "House Bill 2097, White. A Bill for an Act to amend an Act in relation to the Chicago Park District. Second Reading of the Bill. No Committee Amendments."

Shea: "Hold it. Take that out of the record. On the order of House Bills, Second Reading appears House Bill 2109. Mr. Emil Jones, are you ready, sir? Take it out of the record. 2119, Mr. Totten. Out of the record. J. David Jones on 2140. Are you ready? 2140."

O'Brien: "House Bill 2140. A Bill for an Act in relation to township share of State income tax receipts. Second Reading of the Bill. One Committee Amendment. Amends House Bill 2140 on page 1, line 16 and so forth."

Shea: "The gentleman moves for the adoption of Committee Amendment #1. Is there discussion? All in favor say 'aye'. Those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

O'Brien: "Amendment #2, Dave Jones. Amends House Bill 2140 on page 2, line 16 and so forth."

Shea: "The gentleman moves for the adoption of floor Amendment #2. All those in favor say 'aye'. Those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

O'Brien: "Amendment #3, Dave Jones. Amends House Bill 2140 as amended in the sentence added to Section 901 and so forth."

Shea: "The gentleman moves for the adoption of floor Amendment #3. All those in favor say 'aye'. Those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

O'Brien: "No further Amendments."

Shea: "Third Reading. House Bill 2130. 2150. I think somebody better buy me some glasses."

O'Brien: "House Bill 2150, Pierce. A Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Shea: "Are there any Amendments from the floor?"

O'Brien: "Amendment #1, Gaines. Amends House Bill 2150 on page 1, line 21 by deleting \$2,000 and inserting in lieu thereof \$2,500 and so forth."



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Shea: "Is this an agreed Amendment, Mr. Pierce? Have you... objecting to it. Turn Mr. Pierce on."

Pierce: "Amendment #1 ah... was suggested by the public school special education administrator throughout the State. It removes a rather questionable definition in this Bill. Mr. Gaines is presenting it. The Office of Education, I understand, ah... does, does not ah... want it. Ah... My personal feelings, I don't really want to say because I think the Amendment satisfies some of the objections of the public school administrators, but is not supported by the Office of Education."

Shea: "All right, let me get Mr. Gaines on it. Mr. Gaines on Amendment #1."

Gaines: "Mr. Speaker, ah... after having conversations with ah... the sponsor of the Bill and some others, I had this Amendment drawn up because we had not gotten, at that time, an accurate definition from the ah... Education Department as to what extraordinary ah... meant and that's why we have this and also the \$2,500 figure was more realistic than the \$2,000 figure. Now since that time, I've been contacted by the Department and they would ah... and I would like to have it taken out of the record, record right, so I can talk with the Department on their interpretation."

Shea: "Is that agreeable with you, Mr. Pierce?"

Pierce: "We can either take it out of the record or he can move to adopt it. I really... You know, it's up to him. Well, take it out of the record, if you want."

Shea: "All right, take the Bill out of the record. On the order of House Bill, Second Reading. Boyle, he's not here. Choate. Marovitz is not here. Ewell is not here. House Bill 2276, Miss Willer. Hold that for a minute. The gentleman from Cook, Mr. Madigan."

Madigan: "Mr. Speaker, seated in the gallery are some students from the Lawn Manor School in Oak Lawn. They are accompanied by their teachers and they're from the Representative District represented by Representatives Yourell, Romie Palmer and Jane Barnes. Would they please stand and take a bow?"

Shea: "On the order of House Bills, Second Reading, House Bill 2276."



The lady from Cook, Miss Willer."

O'Brien: "House Bill 2276. A Bill for an Act to amend an Act in relation to licensing and regulation of homes for the maintenance care and nursing of persons who are frail, aged or physically impaired. Second Reading of the Bill. One Committee Amendment. Amends House Bill 2276 on page 1 by deleting line 21 through 23 and so forth."

Shea: "The lady moves for the adoption of Committee Amendment #1. Is there discussion? Hearing none, all those in favor will say 'aye'. Those opposed will say 'nay'. The Amendment is adopted. Are there further Amendments?"

O'Brien: "Amendment #2, Winchester. Amends House Bill 2276 on page 1, line 24 by deleting 'plus \$8 per bed' and on page 2, line 20 by deleting 'plus \$8 per bed'."

Shea: "The gentleman from Hardin, Mr. Winchester."

Winchester: "Thank you, Mr. Speaker. Amendment #2 strikes ah... the 'plus \$8 per bed' in House Bill 2276. I understand this pretty well would kill the whole Bill altogether if it's passed. I've had a lot of mail on this from many of my constituents and in two instances it would raise, er... it would rise from \$50 to \$726 for one nursing home and from \$50 to \$900 for a second nursing home if this Bill is passed. I urge that this Amendment be adopted. Thank you."

Shea: "The lady from Cook, Miss Willer."

Willer: "Mr. Speaker, I oppose this Amendment #2 to House Bill 2276. Ah... We had originally raised the annual license fee from \$50 to a \$100 and did put on this \$8 per bed in my Amendment #3 and I would like to move for adoption of Amendment #3 right now and explain it."

Shea: "We're on Amendment #2, Miss Willer."

Willer: "Well, I don't know how to put these two together. I... It's true. Representative Winchester's Amendment would kill the whole Bill, in effect, because of Amendment #3 which is also change, made a change. So I just oppose Amendment #2."

Shea: "The lady objects to Amendment #2."

Willer: "Should I explain why."

Shea: "Well, I would think that if you are going to object to an



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Amendment, you should explain why."

Willer: "Ah... Representative Winchester's Amendment strikes..."

Shea: "Excuse me, Miss Willer."

Willer: "Deletes ah... the charge of \$8 per bed per year and ah... we believe that this is necessary for the licensing, regulation and inspection of nursing homes."

Shea: "Is there further discussion? The gentleman from Cook, Mr. White. Your light is flashing. Are you on this Amendment, sir?"

White: "No, I am not."

Shea: "The gentleman from Macon, Mr. Borchers. Are you on this Amendment, sir?"

Borchers: "Yes, I am. I would like to support Amendment #2. I have, I believe I've had a good deal of experience in, involving nursing homes and all this will do is add to the cost, already very high, of the patients. Now the ah... well, people on the welfare in nursing homes will have ah... fixed amounts set by State in agreement, but this cost will go onto the private ah... persons who are, who will have to pick up the tab. Now I feel that adding \$8 per bed is a discriminatory act. The raising from \$5,200, I have no objection to; but you take large nursing homes, this is a considerable sum. And just feel we should support the second Amendment because the theory that ah... they need it for the Department of Registration for inspection or whatever it may be is incorrect. We already have well paid individuals and the budget set up by the State of Illinois to handle in the Department ah...of the various Departments that put people into the shelter care homes or nursing homes and I think we should let it, leave that part as it is. They don't need any more money. They, frankly, have more than they need right now and misusing it besides, in many cases."

Shea: "The gentleman from Kane, Mr. Schoeberlein."

Schoeberlein: "Mr. Speaker and ladies and gentlemen of the House, this \$8 charge is going to be passed on to the one that's using the nursing home. Now we're continually trying to help the elderly and others and this is one way of helping them go broke again. Now, I see no reason why a person renting a room, er... renting a bed in a room should have to pay this particular charge and I



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believe Amendment #2 should be passed and my mail has been very heavy, not only from my district, but other districts in the State. They wonder what we're doing down here."

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

Lundy: "Thank you, Mr. Speaker and members of the House. I rise to oppose this Amendment. It's a terrible Amendment that the choice we have is to allow regulated nursing homes to pay the cost of the licensing and regulation or to take it out of the General Revenue Fund. It's just that simple. If this Amendment passes, we're going to be spending more money out of the General Revenue Fund for this licensing operation. Now, it's not unusual to expect those who are licensed and regulated to pay the cost of that licensing and regulation. We do it in almost every State licensing program. It's no different here. The mail that the members have been getting, of course, have been getting mail. The nursing homes, the special interests don't want to have to pay the extra amount. I can't blame them for that, but when the choice is between having the licensed entities pay the cost and having the people of the State pay it through the General Revenue Fund, I don't think there's much choice. The people, the nursing homes are licensed and regulated in the public interest. It's done to protect the patients and the people who reside in those homes and the operators ought to pay the cost of it. Every other license entity does in this State. We shouldn't take it out of the General Revenue Fund and that's the alternative. I would strongly urge a 'no' vote on this Amendment."

Shea: "The gentleman from Mclean, Mr. Deavers."

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

Shea: "The question is shall the main question be put. All those in favor will say 'aye'. Those opposed 'nay'. The 'ayes' have it. The main question is put. Now back to Mr. Winchester from Hardin to close."

Winchester: "Thank you, Mr. Speaker. Ah... This Bill, all this Bill would do would force additional money onto the patient and the families that have patients in the nursing home and I, I urge adoption of this Amendment. Thank you."



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Shea: "The question is shall Amendment #2 be adopted. All those in favor will say 'aye'. Those opposed will say 'nay'. In the opinion of the Chair, it's too close to call. We'll have a roll call vote. Have all voted who wished? Have all voted who wished? On the Amendment, the lady, er... the lady from Adams, Miss Kent."

Kent: "You called for me, thank you."

Shea: "You have your light flashing."

Kent: "I certainly do and I would hope that you would look at this Amendment carefully and vote 'yes'. We are trying very desperately to improve the nursing homes. These nursing homes are having and being ah... told to correct their safety features, their hallways, their beddings and all of this sort of thing and this added expense will certainly close many of them. There is a great need for good nursing homes. Let's don't hamper them with an \$8 tax."

Shea: "The lady from Cook, Miss Chapman."

Chapman: "Ah... Mr. Speaker, I hope that the members of this House will vote this Amendment down. If there are members who do not like this Bill, let them oppose the Bill, but they, in proposing this Amendment are, for all practical purposes, killing the Bill. Now, it is the practice of this State, it is the practice of this State that we do not pay for licensure under the General Revenue Fund and I would like to briefly read to you what the cost of this program is. Those of you in the Appropriations Committee may know that there's \$1.5 million requested for this licensure and ah... at the present time, if this Bill does not pass, only 37,200 will be brought in in licensure fees. If we approve Mrs. Willer's fair Bill, then only 50% will come from the General Revenue Fund. So even with the approval of this Bill, I am sorry to tell you that 50% of the cost of this licensure will come from the taxpayers pocket. This is a reasonable Bill. It will raise ah... about \$811,000 which is about 50% of the cost of the licensure program. I ask you to vote 'no' on this Amendment."

Shea: "Is there any further dicussion? The gentleman from Cook, Mr. Gaines."

Gaines: "Am I on yet? All right. I feel that this Amendment is necessary because you will be putting a lot of marginal beginning



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institutions out of business before they are able to get on their feet and, on the other hand, you'll be raising the cost of care, both to the State for State patients and also for the private patients. And it's really robbing Peter to pay Paul. It is much simpler if the cost, the few it will cost the State rather than put it on the poor people who have to use these facilities. So, I'm calling for a 'yes' vote."

Shea: "Have all voted who wished? The gentleman from Madison, Mr. Byers. I guess he's left. The gentleman from Perry, Mr. Dunn. He doesn't want to talk any longer. The gentleman from Kane, Mr. Grotberg."

Grotberg: "Thank you, Mr. Speaker and ladies and gentlemen of this House. You're all familiar with the Human Resources Committee of this House and how it's been the habit to send things out 20 to nothing for the last 20 years. I would have you take a look at the roll call on this one. 10 to 8 it went out. It was the most controversial Bill we had in the Human Resources. Everybody seems to think it's a shame to run a nursing home in the State of Illinois because 8 or 10 or 12 in the whole State are acting out on, on an agreed basis and getting in trouble. Well I'll have you know that there are dozens and dozens and hundreds of good nursing homes in this country and this State. They're doing an excellent job and here we are penalizing them for a handful of bad operators and I would certainly think that anyone with a brain in his head would vote green to send the \$8 a bed down the patients throat when all they need is more trouble now. For God's sake, get your head on straight and vote green."

Shea: "The lady from Cook, Miss Willer."

Willer: "Mr. Speaker, I would like to explain my 'no' vote. Ah... Representative Chapman has pointed out what it is costing the State to inspect and license these ah... institutions. It is costing a million and half now. If this Bill passes, it would still only bring in ah... 37% of the revenue. Ah... No, 45%. So, it's true. If you want to call it robbing Peter to pay Paul, I don't think that's it at all and Representative Grotberg has said there is wonderful nursing homes. Many of them, just a few are bad. I disagree. I think we have a lot of bad nursing homes. I think they



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need to be more carefully inspected. This is not unreasonable. It's not unprecedented. Many States do just this. Now if you want it to come out of General Revenue, okay; but I do think this should be voted on by full House and that's why, one of the reasons why I'm opposed this Amendment. Let the General Assembly decide, then, but this is not unprecedented and I don't think it's a ripoff or a robbery."

Shea: "Have all voted who wished? Take the record. On this question, there are 71 'aye' votes, 69 'nay' votes. Amendment #2 is adopted. Are there further Amendments?"

O'Brien: "Amendment #3, Willer. Amends House Bill 2276 on page 1 by deleting line 21 through 23 and so forth."

Shea: "The lady from Cook, Miss Willer, on Amendment #3."

Willer: "Yes, Mr. Speaker, Amendment #3 ah... reduces the cost of the annual license which we had raised to a \$100 from \$50 puts it back to \$50."

Shea: "You'll be back on in a minute. I have this timer on up here. Is... Can you talk now?"

Willer: "Yes. It reduces it from \$100 back to the \$50 and also, and I would ask the members to listen to this, it also exempts, not for profit, non-proprietary nursing homes and county nursing homes. So, I think you ought to think about that. This is Amendment #3."

Shea: "The lady moves for the adoption of Amendment #3. Is there discussion? On the question the lady, er... the gentleman from ah... Lake, Mr. Deuster."

Deuster: "Well, Mr. Speaker and ladies and gentlemen of the House, I believe the lady who is sponsoring this Amendment may have contemplated that the prior Amendment wouldn't have been adopted and I think you're interested in revenue and some funds to support the program and I would suggest that ah... that she might table this Amendment and that would leave the fee at \$100 and provide a little bit additional revenue in view of the adoption of the prior Amendment."

Shea: "The gentleman from Cook, Mr. Madison. Take that off. The gentleman from Macon, Mr. Borchers."

Borchers: "Ah... I have the same suggestion, to table that Amendment."



And if not, we should vote it down so it is \$100 a year. I do believe that \$100 is far fairer than the present \$50 which has been in existence for quite some years. \$100 is all right, but we should defeat that Amendment if the sponsor persists in ah... in a position that does not table the Amendment."

Shea: "Miss Willer, to close."

Willer: "Well, Mr. Speaker, it's been suggested I explain this Amendment again and I really feel that the wise thing for me to do at this point is to table it because it does bring, strike the \$100, bring it back down to \$50 and deletes 'all not for profit institutions' which is going to be far less revenue for the State. So, I would move, at this time, to table Amendment #3."

Shea: "The lady asks leave to table Amendment #3. There's been objection. All those in favor of tabling the Amendment will say 'aye'. Those opposed 'nay'. The 'ayes' have it and the Amendment is tabled. Are there further Amendments?"

O'Brien: "No further."

Shea: "Third Reading. On the order of House Bills, Second Reading appears House Bill 2276. Hold that for a minute. I'm sorry, Mr. Washburn, the Minority Leader, the gentleman from Grundy."

Washburn: "Thank you, thank you, Mr. Speaker and ladies and gentlemen of the House. We have with us 142 members of the social study club of DuQuoin Junior High School accompanied by their principal, Freddy H. Banks, Jr., located in the 58th District, representatives by Representatives Dunn, Richmond and Birchler. Would the social studies club of DuQuoin Junior High School please rise and be recognized."

Shea: "On the order of House Bills, Second Reading, House Bill 2276, er... 2277."

O'Brien: "House Bill 2277, White. A Bill for an Act to prohibit the sale of hearing aids except from prescription of physician or other authorized person. Second Reading of the Bill. Two Committee Amendments. Amendment #1 amends House Bill 2277 as amended adding line 26, the following and so forth."

Shea: "The gentleman moves for the adoption of Committee Amendment #1. All those in favor say 'aye'. Those opposed 'nay'. Amendment..."



Did, do you want this one adopted, Mr..." The gentleman from Cook, Mr. White."

White: "Ah... Mr. Speaker and ladies and gentlemen of the House, I'd like to have leave of the House to table Amendment 1 and 2."

Shea: "The gentleman moves to table Amendments #1 and 2. Is there objection? Hearing none, Amendments #1 and 2 are adopted. Are there further Amendments, er... tabled. Amendments #1 and 2 are tabled. Are there further Amendments?"

O'Brien: "Amendment #3, White. Amends House Bill 2277 on page 1 by striking line 22 through 26 and so forth."

White: "Ah... Mr. Speaker and ladies and gentlemen of the House, I'd like to have leave to table Amendments 3, 4, 5 and 6."

Shea: "Are those your Amendments, Mr. White?"

White: "Yes, they are and Amendment 7 would include all 6 tabled Amendments."

Shea: "The gentleman moves to table Amendments #3, 4, 5 and 6 of which he is the sponsor. Is there objection? Hearing none, Amendments 3, 4, 5 and 6 are tabled. Are there further Amendments?"

O'Brien: "Amendment #7, White. Amends House Bill 2277 on page 1 by striking line 15 and 16 and so forth."

Shea: "The gentleman from Cook, Mr. White."

White: "Amendment 7 defines authorized persons who could ah... have the right to ah... prescribe a hearing aid device."

Shea: "The gentleman moves for the adoption of Amendment #7. Is there discussion? All in favor say 'aye'. Those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

O'Brien: "No further Amendments."

Shea: "Third Reading. On the order of House Bills, Second Reading is 2290."

O'Brien: "House Bill 2290, Porter. A Bill for an Act to require the payment of compensation to any officer or employee of the State of Illinois who is being reinstated in his office of employment. Second Reading of the Bill. One Committee Amendment. Amends House Bill 2290 by deleting everything after the enacting clause and inserting in lieu thereof the following and so forth."



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Shea: "The gentleman from Cook, Mr. Porter. Is this the one you wanted to table, Mr. Porter."

Porter: "Ah... Mr. Speaker, yes. This is the one I wanted to table. I've cleared this with the ah... Committee Chairman and ah... with the leadership on the other side of the aisle and I ask leave to table Committee Amendment #1."

Shea: "The gentleman moves to table Committee Amendment #1. Is there objection? Hearing none, the Amendment #1 is tabled. Are there further Amendments?"

O'Brien: "Amendment #2, Porter. Amends House Bill 2290 by deleting everything after the enacting clause and so forth."

Shea: "The gentleman moves for the adoption of Amendment #2. Is there discussion? Hearing none, all those in favor will say 'aye'. Those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

O'Brien: "No further Amendments."

Shea: "Third Reading. McAuliffe. Emil Jones, 2387. Take that out of the record. McPartlin's not on the floor. D'Arco's not on the floor. Fary is not on the floor. House Bill 2422."

O'Brien: "House Bill 2422, Huff. A Bill for an Act to amend the Illinois Highway Code. Second Reading of the Bill. No Committee Amendments."

Shea: "The gentleman from Cook, Mr. Holewinski, on a point of order."

Holewinski: "Ah... Mr. Speaker, I think probably more appropriately, a point of personal privilege. I see that in the stack of Amendments that I have on my desk, there is a motion to strike the enacting clause on another Bill, not this Bill. I might suggest that if we're going to get into that, there's going to be temptation for every member on certain Bills. There's certainly a large temptation for me to do that on this Bill, but I won't deprive my fellow members the opportunity to face that Bill on Third Reading and I would hope that everybody else would consider that before filing ah... a motion such as that."

Shea: "The gentleman from Cook, Mr. Huff, on 2422."

Huff: "Ah... Thank you, Mr. Speaker. Ah... Ladies and gentlemen of the House..."

Shea: "Is there any Amendments on this Bill?"



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O'Brien: "Amendment #1, Kempiners. Amends House Bill 2422 as follows on page 1, line 1 and so forth."

Shea: "The gentleman from Will, Mr. Kempiners, on Amendment #1."

Kempiners: "Thank you, Mr. Speaker. Ladies and gentlemen of the House, Amendment #1 to House Bill 2422 is probably something that could be called a sunshine Amendment. For the past two sessions, I have been attempting to pass a Bill and I've had some difficulty in the other side of the rotunda which would provide that whenever there is a land transaction between a governmental unit and any legal entity in which a person could hide his identity that there be total disclosure of the people who are receiving the taxpayers money. I don't want..."

Shea: "Excuse me, Mr. Kempiners. Mr. Huff, on a point of order."

Huff: "Yes, Mr. Speaker. I ah... I would like to say this that ah... I hold Mr. Kempiners in the highest of esteem and I find him to be very affable in his demeanor, very efficacious in his intent of purpose and sometimes his perspicacity of man is a wonder to behold. However, at this time, I have, I hold in serious doubt his perspicacity of man at certainly the efficaciousness of this Bill if in him, or I should say as it relates to my Bill. Mr. Kempiners seeks to amend something in my Bill that is simply not offered. And, therefore, under rule 34, as I understand it, I'm going to object to Mr. Kempiners Amendment and seek that it be striken."

Shea: "Let me look at the Bill."

Huff: "He's out of order 'cause I don't think that's germane to anything in the Bill."

Shea: "Are you trying to raise the germaneness, Mr. Huff?"

Huff: "Yes."

Shea: "The gentleman from Cook, Mr. Mann."

Mann: "Mr. Speaker, if you need help in reading this Bill for the first time, I'd be glad to come up and give you some assistance."

Shea: "Thanks, Bob. Mr. Kempiners, as I read the Amendment, you're attempting to add a whole series of new Sections. Mr. Kempiners."

Kempiners: "Ah... May I make a comment with regards to Representative Huff?"



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Shea: "Yes, sir."

Kempiners: "I, first of all, I want to assure him and this Body that this Amendment is not aimed solely at his Bill. Ah... Until that..."

Shea: "I can tell. You should of put in your own Bill."

Kempiners: "I did, Mr. Speaker. And ah... until that Bill becomes law, I intend to offer this Amendment quite frequently. It just happens that this is the first Bill that comes up, but I think that this is germane if I might say so to the existing Act as it is presented because it provides in ah... the Amendment ah... It aims itself towards the Bill which would provide for municipalities to enter into agreements with the Federal Department of Transportation directly and all this addresses itself to is that when such agreements are entered into and land is being purchased that at that time the municipality should require this disclosure. As I say, I do believe this is germane to the Bill and ah... would hope that you take a good look at it."

Shea: "In the opinion of the Chair, the Amendment is not germane. Are there further Amendments?"

O'Brien: "No further Amendments."

Shea: "Third Reading. On the order of House Bills... Mr. Walsh."

Walsh: "Well, Mr. Speaker, I wish you'd reconsider your ruling on that Amendment. The Amendment simply adds a requirement and does not change anything else to the municipalities dealing with the Federal government."

Shea: "The gentleman..."

Walsh: "Now, if we can just discuss this for a moment and this is the reason I think we ought to have the permanent Speaker here. This is a very important Amendment."

Shea: "The gentleman from Lake, Mr. Matijevich, on a point of order."

Matijevich: "Mr. Speaker, I make this point of order. You have already ruled. I think you made a proper ruling because you have to go to the subject matter of the Bill. That's what rule 34c says. You've made your ruling. The gentleman, the Minority, Assistant Minority Leader is now out of order. Now all he can do is appeal your ruling and he knows that."

Shea: "Mr... I understand that. Mr. Walsh, the Bill is on Third Reading."



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Call..."

Walsh: "Well, let me say this, Mr. Speaker. Finally, I have no intention of appealing your ruler, your ruling because I think that you'll marshal your forces. This Amendment does go to the Bill. It requires that land trusts be revealed if municipalities enter into this kind of agreement. Now that certainly goes to the Bill and there just simply isn't any question about it and I can't imagine why the Chair would rule that this Amendment is out of order."

Shea: "On the House Bills, Second Reading appears House Bill 20, 2440. The gentleman from Cook, Mr. Totten."

Totten: "Thank you, Mr. Speaker. Ah... I wonder, that was on Second Reading, I was trying to seek recognition before you moved it to Third on the fiscal note request."

Shea: "There is one attached to the Bill."

Totten: "Ah... That fiscal note is not signed and I wonder if the Clerk would read it."

Shea: "The Bill is on Third Reading. You can come up and look at it."

Totten: "Well, the fiscal note's not in proper order and I, I'm questioning how we can move it to Third Reading. That fiscal note has not been signed. We don't know who it came from. Ah... And I think the the Fiscal Note Act requires that it does and I..."

Shea: "Can I look at it again? The fiscal note is on the Illinois Department of Transportation's stationary and comes from the office of the Secretary which would be Mr. Langhorn Bonds and it is signed by Langhorn Bond."

Totten: "What does... I have two fiscal notes in front of me. What does... Can you read the first sentence in that one?"

Shea: "Yes, sir. 'Memorandum to Representative Huff, Subject: Fiscal Note to House Bill 2422'."

Totten: "Okay, I have another fiscal note here that's not signed that we got..."

Shea: "Well, if you'd like to look at the two that are attached to the file, sir. On the order of House Bills, Second Reading appears House Bill 2451. Is Mr. Barnes?"

O'Brien: "House Bill 2451. A Bill for an Act to provide for the reimbursement of reduced transit fares for the handicapped. Second



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Reading of the Bill."

Shea: "There's been a request for a fiscal note filed with this one. Do you want to hold it, Mr. Barnes? Mr. Boyle on the floor. 2470, 2476 and 77. Call 2474."

O'Brien: "House Bill 2476. A Bill for an Act making an appropriation to the Illinois Office of Prosecution Services. Second Reading of the Bill. No Committee Amendments."

Shea: "Are there any Amendments from the floor?"

O'Brien: "None."

Shea: "2477."

O'Brien: "House Bill 2477. A Bill for an Act to create the Illinois Prosecutors Council and the Illinois Office of Prosecution Services. Second Reading of the Bill. One Committee Amendment. Amends House Bill..."

Shea: "Is there an Amendment by Mr. Katz on that Bill on the desk?"

O'Brien: "Yes, a floor Amendment."

Shea: "Take the Bill out of the record. He isn't here. House Bill 2561."

O'Brien: "House Bill 2561, Griesheimer. A Bill for an Act to amend the Election Code. Second Reading of the Bill. One Committee Amendment. Amends House Bill 2561 and so forth."

Shea: "Do you move for the adoption of the Committee Amendment... There's no... Is there a Committee Amendment on this Bill, Mr. Griesheimer? It's not indicated on the calendar. Will you take it out of the record until we find out what the shape of it is, Mr. Griesheimer? Mr. Hoffman. Mr. Hirschfeld isn't here. Mr. Leverenz on House Bill 2686. Turn Mr. Leverenz on. Do you want this one called, sir?"

Leverenz: "Take it out of the record, please."

Shea: "Take it out of the record. Miss Stiehl, do you want your series called? We're not holding those. The Medical Society has given their blessing now?"

C.M. Stiehl: "Right."

Shea: "Okay, call 24, er... 2692."

O'Brien: "House Bill 2692. A Bill for an Act to amend the Medical Practice Act. Second Reading of the Bill. One Committee Amendment."



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Amends House Bill 2692 on page 2, line 8 and so forth."

Shea: "The lady moves for the adoption of Committee Amendment... Do you move to table? Turn Miss Stiehl on. The Assistant Minority Leader, Miss Stiehl."

C.M. Stiehl: "Thank you, Mr. Speaker. I move to table Amendment #1. It simply corrects some typographical errors and they've been incorporated in Amendment #2."

Shea: "The Medical professions watchdog, Mr. McClain. Are you raising an objection?"

McClain: "No, sir. I was just going to ask her to explain it, but she has. So that's great."

Shea: "All right, the lady moves to table Amendment #1. Is there objection? Hearing none, Amendment #1 is tabled. Are there further Amendments?"

C.M. Stiehl: "Yes."

O'Brien: "Amendment #2, C.M. Stiehl. Amends House Bill 2692 on page 1 in each of lines 2 and 7 and so forth."

Shea: "The lady moves for the adoption of Amendment #2. Is there discussion? All in favor say 'aye'. Those opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Are there further Amendments?"

O'Brien: "No further Amendments."

Shea: "Third Reading. Bill Kempiners. House Bill 2693."

O'Brien: "House Bill 2693. A Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. No Committee Amendments."

Shea: "Is there Amendments?"

O'Brien: "None."

Shea: "Third Reading. House Bill 2694."

O'Brien: "House Bill 2694. A Bill for an Act to amend the Medical Practice Act. Second Reading of the Bill. No Committee Amendments."

Shea: "Are there any Amendments from the floor?"

O'Brien: "None."

Shea: "Third Reading. House Bill 2697."

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

Shea: "Take that out of the record. 2715 is out of the record at the sponsor's request. Mr. Hart isn't here. 2769, Mr. McPartlin is



not here. 2789, Mr. Washburn. Call that Bill."

O'Brien: "House Bill 2789. A Bill for an Act to allow the employment of one additional Assistant Majority Leader and one additional Assistant Minority Leader in the House of Representatives. Second Reading of the Bill."

Shea: "Are there any Amendments?"

O'Brien: "No Committee Amendments."

Shea: "Are there any Amendments from the floor?"

O'Brien: "None."

Shea: "Third Reading. House Bill 2790."

O'Brien: "House Bill 2790. A Bill for an Act making an appropriation to the State Treasurer. Second Reading of the Bill. One Committee Amendment. Amends House Bill 2790 on page 1, line 5 by deleting 'treasurer' and inserting in lieu thereof 'comptroller'."

Shea: "The gentleman moves for the adoption of Committee Amendment #1. And on the question, Mr. McClain from Adams."

McClain: "Thank you, Mr. Speaker. Would the gentleman yield to the ah... Committee Amendment?"

Shea: "Indicates he will."

McClain: "Representative Totten, could you explain to me what the purpose is in ah... striking and deleting 'treasurer' and inserting in lieu thereof 'comptroller'."

Shea: "The gentleman from Cook, Mr. Lechowicz, to answer that."

Lechowicz: "Thank you, Mr. Speaker. Ladies and gentlemen of the House, Amendment #1 was a Committee Amendment. The reason it designates 'comptroller' instead of 'treasurer' to pay two additional legislative leaders for the sheer purpose the comptroller already has all State officers salaries. It's a proper Amendment and I would hope it would be adopted by the full House."

McClain: "Thank you."

Shea: "The gentleman moves for the adoption of Committee Amendment #1. All in favor say 'aye'. Those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments? Third Reading. House Bill 2561. That's one we took out of the record, Clerk. We had some problems with it."

O'Brien: "House Bill 2561, Griesheimer. A Bill for an Act to amend the



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Election Code. Second Reading of the Bill. One Committee Amendment. Amends House Bill 2561 on page 1, line 1 by deleting Section 4-6.2 and so forth."

Shea: "Are there any Amendments? Mr. Griesheimer on Amendment #1. He moves for the adoption of the Amendment. All in favor say 'aye'. Those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

O'Brien: "No further Amendments."

Shea: "Third Reading. House Bill 2809. House Bill 2809, Mr. Clerk."

O'Brien: "House Bill 2809, Younge. A Bill for an Act to amend the Metropolitan Civic Center Act. Second Reading of the Bill. This Bill has been read a second time before and Amendment #1..."

Shea: "...was adopted. Now the question is on the fiscal note, is that it?"

O'Brien: "Was adopted and fiscal note is now filed."

Shea: "Third Reading. House Bill 2852."

O'Brien: "House Bill 2852, Marovitz. A Bill for an Act relating to installment contracts. Second Reading of the Bill. One Committee Amendment. Amends House Bill 2852 by deleting '2a' in the following places and so forth."

Shea: "The gentleman moves for the adoption of Committee Amendment #1. Is there any discussion. All those in favor say 'aye'. Those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

O'Brien: "No further Amendments."

Shea: "Third Reading. Third Reading. House Bill 2892."

O'Brien: "House Bill 2892, Berman. A Bill for an Act to amend an Act to establish Northeastern Illinois University."

Shea: "Take that out of the record. House Bill 2909. Mr. Leverenz, are we ready on that one? 2909."

O'Brien: "House Bill 2909. A Bill for an Act to amend the Illinois Fire Protection Training Act. Second Reading of the Bill. One Committee Amendment. Amends House Bill 2909 on page 1, line 1 by deleting Section 10 and so forth."

Shea: "The gentleman moves for the adoption of Amendment number... Mr. Leverenz, do you move for the adoption of the Amendment?"



Leverenz: "No, sir. I don't. I'd like to table Amendment #1 to that House Bill and which will take it back to its original form and adopt Amendment #2."

Shea: "The gentleman moves to table Amendment #1. Is there discussion? All in favor... The gentleman from Cook, Mr. Bluthardt, on Amendment #1."

Bluthardt: "Yes, Mr. Speaker, ah... will the gentleman yield for a question? The question is this, what does Amendment #2 contain?"

Leverenz: "Amendment #2 deletes the last words of the original Bill pertaining to the \$250 on the ah... misdemeanor and simply makes it a class b misdemeanor now."

Bluthardt: "Well, without putting any amount as to the maximum fine on it."

Leverenz: "That's correct. As we discussed yesterday."

Bluthardt: "All right, thank you. No objection."

Shea: "The gentleman moves to table Amendment #1. Is leave granted? Hearing no objections, leave is granted and Amendment #1 is adopted. Are there further Amendments?"

O'Brien: "Amendment #2, Leverenz. Amends House Bill 2909 on page 2, lines 13, 14 by deleting 'and the offender shall be fined \$250'."

Shea: "The gentleman moves for the adoption of Amendment #2. Is there discussion? All in favor say 'aye'. Those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

O'Brien: "No."

Shea: "Third Reading. House Bill 2925, Miss Chapman."

O'Brien: "House Bill 2925. A Bill for an Act to amend the Fair Employment Practice Act. Second Reading of the Bill. One Committee Amendment. Amends House Bill 2925 on page 1, line 9 and so forth."

Shea: "The lady from Cook, Miss Chapman, is she on the floor? Mr. Boyle and Mr. Downs, is Miss Chapman hiding behind you there? Take the Bill out of the record. Well, where is she? Are we here, Jeanie, or we working on E.R.A. or we working on our Bills or what are we doing today? Miss Chapman, do you want this Bill called? This is Mrs. Dyer's Bill. Well, Mrs. Dyer, if you'd get over to your microphone, we'll call on you. I think you ladies



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are spending so much time in the Senate lately that we may want to call you Senators. 2925, Miss Dyer."

Dyer: "Ah... Mr. Speaker, ah... I may need help on the parliamentary procedure here. Ah... This Bill was voted out do pass by the Judiciary I Committee ah... with suggestions for Amendment. After consultation with the Chairman of that Committee I would like to have leave of the House to re-refer this Bill back to Judiciary I Committee where it can be put on interim study and the Amendment can be given more thought."

Shea: "The lady asks to take, the motion is to recommit House Bill 2925 to the Judiciary I Committee and then place on interim study. All those in favor will say 'aye'. Those opposed 'nay'. And before I announce that, Mr. Matijevich."

Matijevich: "Mr. Speaker, I think we'd better vote. It takes 107 to do it."

Shea: "Not to recommit, Mr. Matijevich."

Matijevich: "But she wants it in interim study."

Shea: "I know."

Matijevich: "To put it in interim study."

Shea: "And in..."

Matijevich: "Oh, they're going to put it in interim study. Okay."

Shea: "No, we're going to send it directly to interim study from here. Go ahead, Mr. Washington."

Washington: "Ah... I was just going to ask that question. Ah... Can the floor do that or must that be done by Committee?"

Shea: "All right, we've done it from the floor a number of times, but if... Will you tell me, Mr. Matijevich, with his rule book, says it takes 107."

Washington: "I agree with what she wants to do. That's all I want to say."

Shea: "I know. Where does it... Where do the rules require 107 for the House by unanimous consent to put it there, Mr. Matijevich? Well, the lady's motion is adopted and the Bill is in interim study in Judiciary I and Mr. Matijevich is going to show me the rule. On House Bills, Third Reading appears House Bill 2970. Mr. Barnes, er... Second Reading. I'm sorry, Mr. Barnes."



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O'Brien: "House Bill 2970. A Bill for an Act making an appropriation to State compensation for services rendered to the State. Second Reading of the Bill. No Committee Amendments."

Shea: "Are there any Amendments from the floor?"

O'Brien: "None."

Shea: "Third Reading. 2985, do you want to call that now, Mr. Jones? Mr. Jones, would you... I'm going to hold those two appropriation Bills until Monday if you don't mind, sir? Go ahead, Mr. Jones."

Emil Jones: "Mr. Speaker, I'd prefer to go with the Bills now."

Shea: "Well, I'll tell you what. I haven't called an appropriation Bill today and I'm going to hold them to Monday."

Emil Jones: "Mr. Speaker, you just got through calling an appropriation Bill."

Shea: "Which one, sir?"

Emil Jones: "2970."

Shea: "All right, you're right. You want to go with it, Mr. Jones?"

Emil Jones: "Yes, I'll go with it."

Shea: "All right, call the Bill 2985."

O'Brien: "House Bill 2985. A Bill for an Act to provide for the ordinary and contingent expense of the Governor's Action Office. Second Reading of the Bill. One Committee Amendment. Amends House Bill 2985 on page 1, line 10 and so forth."

Shea: "Mr. Lechowicz on a point of order."

Lechowicz: "Thank you, Mr. Speaker. You've made your point as far as appropriation matters. The other Bill didn't have any Amendments. This one's got an Amendment. They're cutting about 25%. It was a Committee Amendment and I know there's other Amendments on this thing that will take a long time on this Bill today."

Shea: "Well, that's why I'm going to put it over until Monday. Mr. Jones."

Emil Jones: "Mr. Speaker, in your statement when you say you were not calling appropriation Bills, you did not say that you were not calling appropriation Bills with Amendments. Now this Bill happens to have some Amendments to it and you called 2970 which was an appropriation Bill and I, I request that this Bill be called today."

Shea: "All right, now, Mr. Jones, might I explain something to you, sir?"



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This is a highly controversial piece of legislation."

Emil Jones: "It's not controversial. Maybe to two or three individuals."

Shea: "There are a number of members off the floor, some which are attending a funeral of the father of one of our members who have requested to be here at the time this is called. I'm going to honor that request, Mr. Jones."

Emil Jones: "Mr. Speaker, I'm handling this appropriation. I'm the chief sponsor of this Bill and I, I desire this particular Bill to be called at this time."

Shea: "Mr. Jones, there are some members that are at a funeral at the direction of this House."

Emil Jones: "Mr. Speaker..."

Shea: "Can I finish, sir? Turn his mike on. Just, I think he'll show..."

Emil Jones: "Mr. Speaker, we voted on some Amendments on other appropriations, other Bills this morning and ah... I, I think one of the Amendments was on Ann Willer's Bill and had those members been here, it might have decided what the vote would have been on that particular Bill."

Shea: "Now, will you show me the courtesy of letting me finish, please sir? There are members that have been requested by this House to attend a funeral of a father of a member. They've asked to have this Bill held. Now, I'm going to hold it, Mr. Jones. I'm going to exceed to that wish."

Emil Jones: "Mr. Speaker."

Shea: "Call the next Bill."

Emil Jones: "Mr. Speaker."

Shea: "Turn his microphone back on."

Emil Jones: "Mr. Speaker, with all due respect and Chuck Keller is a very good friend of mine, but we are, after we leave Second Reading we are going to Third Reading. You have an agreed list of Bills which we are going to vote on today. We've voted on some Amendments which was very crucial to certain Bills in this House and with all due respect, I'd like to have my Bill called at this time."

Shea: "I'm not calling it, Mr. Jones. And I told you why."

Emil Jones: "Mr. Speaker..."



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Shea: "Mr. Jones, do you want to appeal the ruling of the Chair?"

That's fine, sir."

Emil Jones: "Mr. Speaker."

Shea: "Mr. Washington."

Washington: "On a point of order, Mr. Speaker."

Shea: "Yes, sir."

Washington: "With all due deference to the tragedy which befell one of our members which I don't think anyone takes lightly. Notwithstanding that, Mr. Speaker, I think you have exceeded your authority. You have no right, and I would appreciate it if you think you do for you to delineate it for me in Robert's rules or the rules of this House. You have no right, based on the rules of this House, to tell a member of this House that you will not call his Bill when it follows in logical sequence because certain people who are opposed to that Bill are not present. You do not have that right. Now you will make that ruling and I daresay if you are appealed, you will be upheld, but they will be upholding you in your unconstitutional and illegal action. I would strongly suggest to you, Mr. Speaker, that if you want to maintain your credibility on the floor of this House, notwithstanding the emotional reasons you gave for frustrating this gentleman in his attempt to call his Bill, you would recede from that arbitrary ruling and permit him to call his now. And unless you do that, sir, I would suggest to you that you point out to the members of this House exactly what rule you are invoking at this point."

Shea: "Mr. Washington, you know full well there is no rule I can invoke and you sit there and I hope someday, sir, you sit in this Chair."

Washington: "I hope so, too, but that's not relevant to what we're talking about."

Shea: "...and make decisions, Mr. Washington, that are hard and then have a member sit there and raise and attempt to raise things that aren't at issue here. Now I've made the ruling, Mr. Washington, and Mr. Jones knows I've made the ruling and perhaps if you want to overrule the Chair, you can overrule it. But I am going to exceed to the wish of members that are off the floor of this House because of the request of this House. Mr. Madison."



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Madison: "Mr. Speaker, may I ask the Chair if your ruling will be consistent on other matters regarding members who expect to be absent from a session and who have oppositions to Bills that they would not like to be called until they are present or is your ruling applicable only to this Bill?"

Shea: "It's only applicable because there are six members at a funeral and should be back at 1 o'clock."

Madison: "Mr. Speaker, I daresay there's nobody here that does not, at least, have a, have a basic understanding of the difficulty of holding that Chair and nobody questions the need for the Speaker to make hard decisions. The question is being raised as to whether that hard decision is, in fact, a fair decision, Mr. Speaker. And I suggest that while it may a difficult ruling to make, it is also an unfair ruling to make and an inequitable ruling and for that reason, I would appeal the ruling of the Chair."

Shea: "Now? All right, the gentleman from Cook, Mr. Berman."

Berman: "Thank you, Mr. Speaker. I rise in response to the previous Speaker's comments and some of the other comments that were raised. Many times during the course of debate on Second Readings and Amendments many of us see Amendments being proposed to Bills or have Amendments that we want to propose to Bills that the sponsor disagrees with, but part of our obligation here is to be a deliberate Body and to give everyone the opportunity, pro and con, to debate the Bill equally on the floor of this House. That was part of the objections that we've heard previously today when somebody raised the question about motions to strike enacting clauses. Whether we agree with Bills or disagree with Amendments, we're supposed to be a deliberate Body and allow full discussion. Many times I've come up to sponsors of Bills that I've had perhaps Amendments that have been abhorrant to them, but I've indicated that I wanted the chance to put these Amendments on Bills and they have come up to me and done the same thing and if they indicate to me that they can't be present at a certain time and I think they are entitled the courtesy of being given the opportunity to debate their position and I will go up or down on the merits of the decision of this House. Now, the Speaker is trying to do that with



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this Bill and I don't think that if we're going to ask him to move a Bill when he's been requested by a large, apparently, or a significant number of people to hold it so that they can debate, I think the Speaker's ruling is fair and that's all we're asking for, is fair debate on the Bill. If a large number of people that are in opposition to this aren't here and they've asked that it be held, I think that's a fair ruling, fair to all of us in the long run."

Shea: "All right, now there's a number of members that seek recognition. Turn your lights on and I'll get to them one at a time. All right, Mr. Houlihan, J. Houlihan."

J. Houlihan: "Well, Mr. Speaker, ah... Representative Berman raised maybe a good point, but I'd like to ask Emil Jones if any of these members had the courtesy to ask him as the principal sponsor of the Bill. I think Mr. Berman may have an interesting point."

Shea: "Mr. Houlihan, if you want to talk about that, I don't want a colloquy going back and forth."

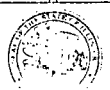
J. Houlihan: "I'd like to talk about that."

Shea: "I have a number of people that seek recognition. Their lights are on and I'll try to get them one at a time. Mr. Houlihan, proceed."

J. Houlihan: "Mr. Speaker, we've been having a difficult time with the calendar, a difficult time moving around and considering Bills at a time and to be fair to all members, we've got to understand that this is a rare situation that we're in. We have until May 23. Now, what would happen if a Bill..."

Shea: "This Bill is not covered by that action. Go ahead."

J. Houlihan: "What would happen if on other Bills, a small minority decided that they were not able to be present and then ask for the Bill to be postponed. I think that's unfair and an unfair imposition on the will of the sponsor. We've always determined that the sponsor has control of his Bill, not the Speaker of the House. That he has the right to call it and the sponsors of the Amendments are here. I think that because of that consideration, we ought to move ahead. I don't think anyone's requested for Emil Jones, what for he hold this back and I think that's improper for



the Speaker to speak for him. I think it's a discourtesy to the sponsor."

Shea: "The gentleman from Kane, Mr. Hill. I'll get to you, Mr. Barnes."

Hill: "I have a parliamentary inquiry, Mr. Speaker. I don't want to become involved in that hassle in regards to this particular Bill so I'm not asking about this piece of legislation, but if I were to leave this floor right now in order to get back to my family and say to you that I'm interested in a lot of Bills and I would appreciate that you do not call these Bills until next Monday at 5 o'clock, what would your answer be?"

Shea: "Sir, it would be what I just discussed with the Mr. Washburn."

Hill: "Would you please tell me what you discussed?"

Shea: "At the end of Second Reading, I was going to make an announcement and I hope Mr. Washburn is on the floor, that if and when we go back to the order of Second Reading, if there are Amendments that are offered by members that aren't on the floor, that it would be the feeling of the Chair that they should be tabled so the members could move their Bills. Mr. Washburn."

Washburn: "Thank you, Mr. Speaker and ladies and gentlemen of the House. But that.. You are going to go after you've completed the Second Reading list today. You are not going to go back on Second Readings again. You were going to wait until the full compliment was here."

Shea: "Yes, sir. Mr. Barnes, on a point of order."

E. Barnes: "Thank you very much, Mr. Speaker. Mr. Speaker and members of the House, my point is this, I think that in all of the years that I have been here and I think that we've did this consistently today, we've raised the question of whether or not the sponsor of a Bill and/or the sponsor of an Amendment to that Bill was present on the House floor relevant to the decisions and to whether or not that matter would be heard now. Now I think that we've gone beyond that point because it seems to me that the sponsor is on the House floor of the particular Bill and has requested that the Bill is heard and I would like, the point that I would like to know and raise is whether or not the sponsor of the Amendment is on the House floor and if that is the case, if the sponsor of the Amendment is or are on the floor then we, I believe, have gone beyond our normal



procedures that we operate under in this Body."

Shea: "Perhaps I did, Mr. Barnes. Mr. Mann."

Mann: "Well, Mr. Speaker and members of the House, I rise to assist the Chair in a constructive way. I want to tell that to the Chair because I recognize the dilemma which you find yourself in. However, Mr. Speaker, there's absolutely no justification for your not calling this matter, Mr. Speaker, none. Now if you were to proceed in this way, Mr. Speaker, we have a long session to go. Every time a matter is called at a certain time of the day, it's going to raise a serious question as to why the Bill is called at that particular time. Now, Mr. Speaker, there are members that have to be absent for reasons. We understand that. We sympathize with the tragedy which has befallen Mr. Keller, but you know and I know, Mr. Speaker, that this calendar goes ahead. Now, we might as well take Mr. Jones into the washroom and hit him over the head if we don't call his Bill now. It's utterly unfair and without any justification."

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

Matijevich: "Mr. Speaker, I would do anything I could to bend over backward to help the Chair. However, we operate under the rules. The rules are here to protect the minority. In this case, Emil Jones is a minority. There is nothing you can do, Mr. Speaker, but call this Bill. The rules provide for it. We have all written those rules. Now, you have not made a ruling. You have made an opinion. Your, your opinion isn't according to the rules and not only that, it's a bad precedent. We had some members here absent last Saturday, a week ago Saturday. Those members could of requested that we hold a number of Bills. We are going to have times in the future when members are going to be excused. There are times when we have funerals and members are absent. It's happened many times in the past, but never since I've been here has there been a ruling of the Chair when a member's Bill is called in sequence according to the rules and that sponsor wishes his Bill to be, to be called that the, that the Chair has arbitrarily said, you can't have it called. Mr. Speaker, I plead with you to call this Bill. I, I don't want to get involved in the matter of Taylor



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versus Jones. I'll be honest with you, but I think that there's no other thing that you can do but call this Bill."

Shea: "Well, Mr. Matijevich, let me tell you. I don't want to get involved in the case of Taylor versus Jones. You're absolutely right. The rules require me to call the Bill. I was trying to be respectful to some members that aren't here. It seems that the feeling of the House is that the Bill should be called. So, we'll call House Bill 2985. Call the Bill."

O'Brien: "House Bill 2985. A Bill for an Act to provide for the ordinary and contingent expense of the Governor's Action Office. Second Reading of the Bill. One Committee Amendment. Amends House Bill..."

Shea: "Hold that. Mr. Bluthardt, are you on a point of order, sir?"

Bluthardt: "Well, yes, Mr. Speaker. I was up here to try and defend the ruling of the Chair and I thought that we ought to be heard on that matter. It's my opinion that the six men who are missing today are missing because they were directed by the Leadership of both sides of this House to attend a funeral. And they were directed last night late to attend that funeral and left early this morning by plane. They, apparently, had no opportunity to talk to Emil Jones or anybody else about delaying the calling of this Bill. It seems to me very ah... reasonable that we ought to hold those, this Bill until these members come back and it seems to me, also, that in fairness to those men and to the House membership that if the Bill is called, those of us who have indicated our support for the sponsors Bill, ought to stay off of that Bill until the rest of our members can be back. It's through no fault of their's that they're gone and I think your ruling was fair and reasonable and it ought to be sustained."

Shea: "Well, Mr. Bluthardt, I appreciate it. The Chair needs no defense. I tried to be fair and I guess, according to the rules, I'm absolutely wrong. And under the rules of this House I'm bound to call this Bill and I made a very arbitrary and capricious ruling trying to be fair and I'm wrong. So, now I'm going to call the Bill. Call House Bill 2985."

O'Brien: "House Bill 2985. A Bill for an Act to provide for the ordinary and contingent expense of the Governor's Action Office. Second



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Reading of the Bill. One Committee Amendment. Amends House Bill 2985 on page 1, line 10 and so forth."

Shea: "Mr. Jones."

Emil Jones: "Mr. Speaker, you made a statement a few moments ago about you were trying to be fair and as long as I've been in this House I have attempted to be fair. I don't like the implication that, by my calling this Bill at this time, I'm not being fair to the fellow members here who are away at a funeral. No one, no one in this House came to me and asked me to hold this Bill on Second Reading. The sponsor of the two Amendments, Representative Jim Taylor, all 250 pounds has suddenly vanished from the House floor. I told him if he wanted to fight me on this Bill, I'm welcome to fight, but I don't like the implication that we are not being fair to other members who are away at a funeral. That is not the issue. So, from what I understand these members are supposed to be back this afternoon. Can I have from you, Mr. Speaker, the promise that when they do return this afternoon that this Bill will be called when they return? If you do, I will more than gladly take it out of the record."

Shea: "Mr. Jones, first of all, if any of my actions indicated or implied that you were unfair, I did not mean it and certainly don't wish to mean it now. I don't know who will be in the Chair later today, but I think, in all fairness to you, we ought to call the Bill now. Now I have said that I was arbitrary and capricious in my ruling, that ah... I was and will call the Bill now. Read House Bill 2985."

Emil Jones: "Mr. Speaker, Mr. Speaker, if that is your ruling, I want the Body to know that I would be willing to hold this Bill since it was implied that certain members were not here, but if you insist, you insist on calling the Bill now, then I will hear the Bill at this time."

Shea: "Call the Bill. Would all the unauthorized people please leave the floor of the House? The gentleman from Cook, Mr. Taylor."

Taylor: "Mr. Speaker and members of the House, I just wanted Representative Jones to know that all 275 pounds of Jim Taylor is on the floor."

Shea: "Mr. Gaines."



Gaines: "I just want the Speaker to know that that's not just a family fight over there. That's ah... I'm over here behind Emil Jones. Thank you."

Shea: "Amendment #1. The gentleman from Cook, Mr. Totten."

Totten: "Has the Amendment been read? The Amendment was a Committee Amendment that I offered."

O'Brien: "I read the Amendment."

Totten: "All right, all 107 pounds of me will ah... introduce the Amendment #1. That's soaking wet, right. Ah... Amendment #1 was a non-controversial Amendment in Committee which made the following reductions in House Bill 2985. It reduced personal services by \$257,925, retirement by \$17,600, social security by \$12,900, contractual services by \$62,400, travel by \$54,400, printing by \$7,500, equipment by \$3,500, telecommunications by \$16,700 for a total reduction of \$432,955. I'll point out to the members that ah... the Governor's Action Office has requested an appropriation of two million, one hundred and eighty-six thousand, six hundred ah... which is an increase from ah... the prior agency from one million, one hundred and fifteen thousand and the Committee thought that this Amendment should be adopted and I move its adoption."

Shea: "The gentleman moves for the adoption of Amendment #1. Is there discussion? Could we have some order on the floor of the House and would those people on this floor that are not authorized by the Speaker or are not a member of this House, please remove themselves from the floor of the House or the Doorkeeper will remove you. Is there discussion on Amendment #1? Mr. Lechowicz."

Lechowicz: "Thank, thank you, Mr. Speaker, ladies and gentlemen of the House. What Representative Totten has pointed out is absolutely correct. It was a Committee Amendment and also the Department concurred with the Amendment. I move for its adoption."

Shea: "The question is shall Amendment #1 be adopted. All those in favor will say 'aye'. Those opposed will say 'nay'. The Amendment is adopted. Are there further Amendments?"

O'Brien: "Amendment #2, Taylor. Amends House Bill 2985 in line 10, 12, 13, 14, 15, 16, 17, 18, 19 and 20 by deleting each numeral that appears and inserting in lieu thereof 'zero'."



Shea: "The gentleman from Cook, Mr. Taylor, on the Amendment."

Taylor: "Mr. Speaker and members of this House, Amendment #2 to House Bill 2985 is a very simple Amendment. And I just think I should tell you why this Amendment developed and I think it's developed because of last year. The Senate..."

Shea: "Mr. Taylor. Mr. Taylor, wait a minute. Mr. Barnes on a parliamentary inquiry."

E. Barnes: "Mr. Speaker, the inquiry I would like to make is to ah... have the Clerk and the Speaker take a look at the Amendment. I don't believe the Amendment is in order."

Shea: "Would you give me the Amendment and the Bill? The House will be at ease for a couple of minutes."

E. Barnes: "I believe the Amendment, in the form that it's in, left out certain line numbers and just inserted in lieu thereof 'zero', but it does not list out the specific amounts that it is being reduced or reduced by and each of the individual line items that has been the form that I have seen in Amendments of this type to reduce any appropriation that comes through the Appropriations Committee."

Shea: "All right, the House will be at ease for a few minutes while I look at it with the Parliamentarian. On your point of order, sir, it is the opinion of the Chair, after reading the Bills as amended, that House Bill, the Bills remove in 11 lines, the numerals. The numerals are dollar amounts and insert there in lieu thereof 'zero' and it's the opinion of the Chair that the Amendment is germane and proper, er... is in proper form, let's put it that way. Mr. Barnes."

E. Barnes: "Thank you very much, Mr. Speaker. I was going to ask you that question because the part that I raised was whether or not it was in proper form."

Shea: "Proper form, yes, sir."

E. Barnes: "Not whether or not it was germane."

Shea: "I discussed it with the Parliamentarian and we have removed numerals and put another numeral, the numeral zero. The gentleman from Cook, Mr. Jones."

Emil Jones: "Thank you, Mr. Speaker. Ladies and gentlemen of the House, since the Chairman, the Speaker ruled that the Amendment is in proper form, I move at this time to lay Amendment #2 on the table."



Shea: "I think you're motion to lay on the table the Amendment might be just a little premature. Let me talk to the Parliamentarian. Well, Mr. Jones, let me understand if you're motion is correct or I understand it correctly. You move to lay upon the table the Amendment, is that correct, sir?"

Emil Jones: "Ah... You have the Parliamentarian there, so perhaps the Parliamentarian could advise me or guide me in this action."

Shea: "Well..."

Emil Jones: "I want to lay Amendment #2 on the table."

Shea: "The gentleman's motion is to lay Amendment #2 on the table."

Emil Jones: "Mr. Speaker."

Shea: "Yes, sir."

Emil Jones: "Yes, I want to change that. I want to lay his motion on the table. The motion to adopt..."

Shea: "He hasn't made a motion yet. That's why I was wondering... So are you withdrawing anything until Mr. Taylor does something?"

Emil Jones: "At this time."

Shea: "All right, then, Mr. Taylor, on the Amendment."

Taylor: "Mr. Speaker and members of the House, as I forestated, Amendment #2 to House Bill 2985 is a very simple Amendment. It does strike the appropriation from ah... House Bill 2985 and this Amendment was drawn simply because and last year I opposed this same concept. Only at that particular time, the Bill was under the Office of Human Resources. By Executive privileges, the Governor created the Governor's Action Office. In the Senate last year, this Bill was stricken. The enacting clause was stricken. Therefore..."

Shea: "Mr. Taylor... Mr. Taylor, if you'd hold on. Mr. Madison."

Madison: "Mr. Speaker, if I understand it correctly, the gentleman from Cook is speaking on the Amendment #2."

Shea: "He is."

Madison: "I would suggest that his remarks be confined to the elements of Amendment #2."

Shea: "Mr. Taylor, keep your remarks to Amendment #2. Proceed, sir."

Taylor: "Mr. Speaker and members of the House, I think everyone recognizes what this Amendment is all about. I move for the adoption of Amendment #2 to House Bill 2985 and I solicit your support."



Shea: "The gentleman moves for the adoption of Amendment #2 to House Bill 2985. Is there debate? The gentleman from Sangamon, Mr. Kane. Is Mr. Kane on the floor? Your light is on, sir. Turn Mr. Kane's light off. The gentleman from Cook, Mr. Gaines."

Gaines: "I wish to address myself to the report of Mr. Jones's move to table Mr. Taylor's move."

Shea: "Sir, he has not made that motion, yet. We're on the motion to adopt."

Gaines: "Well, then, I am speaking against the motion to adopt. I wasn't here last year, so I wasn't privy to the emotional ejaculations that went, that occurred; but I am familiar with the office in question. When Governor Ogilvie set up that office, he first set up a task force, headed up by Dave Reed, and I happened to be part of that task force that helped put up the guidelines for Community Action Offices and I, also, know that..."

Shea: "Mr. Gaines, please, sir, there is a point of order raised by Mr. Berman. Mr. Berman, on your point."

Berman: "I think the gist of Mr. Gaines comments are the same that were objected to by Mr. Taylor. I think he should restrict himself to Amendment #2."

Shea: "Your point is well taken. Mr. Gaines, if you'll..."

Gaines: "All right, I wish to say that many of the employees who will be unemployed happen to live in my district and they are the innocent victims of what I'm not allowed to talk about. And I think that those of you who were so concerned about unemployment yesterday ought to realize that this will just increase unemployment rolls and you'd be transferring many of these people from this roll to the public aid roll. So, I am asking all of you who are interested in keeping the public aid rolls down to support the move that Mr. Jones is about to make. Thank you."

Shea: "The gentleman from Cook, Mr. Jones. Mr. Jones."

Emil Jones: "Mr. Speaker, with the high rate of unemployment in the State of Illinois, the sponsor of this Amendment happens to be a personal friend of mine; but there comes a time in life when one must do what they feel is right. This particular agency happens to employ about 45% minority. His move to strike the dollar



amount out of this Bill is questionable. I talked to him about this before I asked the sponsor of this particular piece of legislation. He has a personal vendetta, but I learned a long time in this House that you cannot carry a grudge year after year after year. The unemployment rolls are, in the State of Illinois, continue to mount. In some areas of the city of Chicago, you have an unemployment rate as high as 20% and here we have an individual sponsoring an Amendment to put an additional 40 people out of his own community on unemployment. We have, we have an obligation here to service the people throughout the State of Illinois. This agency does render a service. This is the reason why this appropriation passed and this Amendment should be defeated. After the results of this Amendment, at the results of this Amendment, whether they lose or whether they win, I still will be a friend of the sponsor. It's nothing personal with me. I don't carry a grudge from one session to another. It's a very, very bad Amendment and should be defeated. Mr. Speaker, I had requested earlier that we lay this motion on the table, but at this time, Mr. Speaker, I move that this particular Amendment be defeated."

Shea: "Now, ah... you're just moving for the defeat of the Amendment, is that right, sir? All right, on the Amendment, Mr. Huff."

Huff: "Mr. Speaker, in the violence of the streets of the 20th district of Chicago, I want to say, let's get this on. I, therefore, make a suggestion that we move the previous question."

Shea: "The question is shall the main question be put. All those in favor will say 'aye'. Those opposed will say 'nay'. In the opinion of the Chair, the motion received the requisite two-thirds vote. Now to Mr. Taylor to close."

Taylor: "Mr. Speaker and members of this House, I have been a minority myself and, therefore, never attempt to hurt any of my people or any poor people in this State at all, but I happen to know what this Executive Office is on the second floor. I know what he'll do for people on public aid when he denies them a \$50 increase. I know what he did for the highway employees when he denied to give them a raise. I know what the Governor did when he denied to give senior citizens the money and this House came back and did what it



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ought to do. No, I'm not taking this personal because of me, per se. I am a strong believer of the two-party system in this State and what the Executive Mansion is trying to do is create a third party and I defy anyone on this floor to try to tell me any thing is different than that. Mr. Speaker and members of this House, support my motion to strike that appropriation from this Bill so you may help yourself and the people of your district. Thank you very much."

Shea: "The question is on the adoption of Amendment #2. All those in favor.. Mr., Mr. Gaines, do you raise a point of order?"

Gaines: "Yes, you allowed Mr. Taylor to speak like you wouldn't allow me to speak. That's all I'm objecting to."

Shea: "Could we have some order in the Chamber, please. Will the members be in their seat, please; and will the unauthorized persons please get off the floor of the House. The question is shall Amendment #2 be adopted. All those in favor will vote 'aye'. Those opposed will vote 'no'. The gentleman from Cook, the Assistant Majority Leader, Mr. Davis on the question."

Davis: "Mr. Speaker, permit me just to preface the explanation of my vote by saying two little girls that came here and said, 'We want you to get up and say something'. I said, 'Well, I'm going, for their benefit, I'm going to explain my vote'. And I have to explain it by saying that we have, perhaps, left undone that thing which we ought to have done. Ah... The Governor's Office is still ah... a legitimate office and he is obligated, as all of you know, to fund that office. Isn't that true? What we should of done if we did not want the G.A.O. or whatever they call it, we should have ah... stricken it from the, we should have stricken it from our laws, but it's still ah... an official, an official agency of this State government. And whatever you think about the Governor, I've had my differences, whatever you think about him, he's obligated to try to fund it. Now to get here and deny him the money to try to fund that office, I don't think it's the thing we should do. We should either strike gone, strike it from our Statute books or we should fund it and this is the way I look at it. Now I know all of you say, 'Well, we are not obligated. We are going to sit here on the sideline and



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defeat this thing'. Well let me tell all of you something and, and this goes for me, too. There's no such thing as an innocent bystander in this General Assembly. I think, I think that that's where we make mistakes. We are innocent bystanders. We wash our hands. We have nothing to do with it. Whether you want to or not, you are involved and the question here is whether the Governor has the right to try to fund this organization and I believe you lawyers will bear me out and say that he does have that right. And I love Jim Taylor. I love Jones. I love every last one of them. I consider that they're my sons, but the Governor has an obligation as long as this is statutory to fund that organization and to say that he cannot have not one dime to do it, I have to disagree. And I vote 'no'."

Shea: "The gentleman... Now, what I am going to attempt to do is go from Republican to Democrat, back and forth on the way the lights are flashing on the Board. On the question of explaining his vote, the gentleman from Cook, Mr. Porter."

Porter: "Well, Mr. Speaker, ladies and gentlemen of the House, I can't distinguish in my own mind the difference between this Amendment and a motion to strike the enacting clause that was used in the marijuana matter previously and I think that simply because this is the type of tactic that this House should never condone in respect to any Bill whether or not you agree with the merits of the Amendment, I would urge a 'no' vote."

Shea: "The gentleman from Cook, Mr. Pierce."

Pierce: "Ah... Lake County."

Shea: "I'm sorry, Mr. Pierce. The gentleman from Lake."

Pierce: "Maybe after the reapportionment, it'll be in Cook. Ah... Mr. Speaker, in an effort to simplify matters and there's been reference to the second floor, I understand that on the second floor, Mr. Hanahan is holding in Room 212 a meeting of all the Democratic County Chairmen from around the State and I know my County Chairman is there and I wonder, in an effort to resolve this matter that's tying up the House, you might send Mr. Madigan or one of your Assistant Leaders to the second floor to see if the Cook County Chairman is there and maybe he can arbitrate and settle this matter



and we can get down to the business of the House."

Shea: "The gentleman from Cook, Mr. Gaines."

Gaines: "I wish to make an appeal to the bystanders on my side of the aisle. This is a matter of human rights. You talk about problems in the ghetto, you talk about black folks not voting Republican; but when there's an issue between the community, unemployment and political vendetta's, you sit on the sidelines or vote with the political vendettas. Now Mr. Taylor has squashed all the politicians in his ward and district who have associated themselves with that office. He's also squashed all Republicans in his district. So, all Republicans should vote against this amendment. If you want to reach the Republican part of the black community, you have to vote against this Amendment."

Shea: "Mr. Gaines, would you hold on. Mr. Taylor."

Taylor: "Mr. Speaker, I do not have the power of the Governor's office. I do not appreciate the fact that every one of his men is now lobbying and twisting arms. He already has bought Jones with jobs."

Shea: "Mr. Taylor."

Taylor: "Jones has..."

Shea: "Mr. Taylor... Mr. Taylor, please. Mr. Gaines, would you continue, please?"

Gaines: "As I said earlier, I wasn't here last year so I don't know what went on, but I do know that we have 50 people in my community that will be unemployed if this Amendment is passed. And that's what I'm concerned about. Jim Taylor can handle himself politically. He's squashed everybody that's opposed him in his area. So he doesn't need you to help him and he doesn't have his..."

Shea: "Mr. Gaines, keep your remarks to the Bill, sir."

Gaines: "Well, that is the Bill because Mr. Taylor has made it that way. So I'm saying this, I'm calling upon the Republicans to vote 'no'."

Shea: "Mr. Gaines. Mr. Davis on a point of order."

Davis: "Mr. Speaker and I do this humbly because I love the man who came down here and told me that I was wrong. This was not a part of the Statutes. Now I only have my memory to serve me and I'll get the



Statute and look it up, but I'm sure that I'm right, Mr. Taylor. Governor Ogilvie established the office of G.A.O. by Executive Order and it was put into Statute and it is Statutory and I want you to look at the Statutes and if I'm wrong, I'll get on the floor and beg your pardon. But it is Statutory."

Shea: "The lady from Cook, Champaign, Miss Satterthwaite. Now Miss Satterthwaite, so that I don't want to disturb anybody, I can see the flashing lights up here. I will try not to miss anybody. I don't have to have anybody shouting for recognition. Now if the members will please be in their seat, each member has two minutes to explain their vote and we will proceed in that order according to the rules. Miss Satterthwaite to explain her vote."

Satterthwaite: "Mr. Speaker and members of the House, I have two reasons for my green vote on the board. One is that I do not believe we should kill, er... my red vote on board. Excuse me. I do not believe that we should kill a Bill in this fashion on Second Reading. I think we should move it to Third Reading and discuss it there fully on its merit and decide at that point whether or not we want to keep the funding for this agency. Point #2 that I would like to make is that if this agency receives no funds, that there is no place in the budget where the Governor can have, at his discretion, some funds to start new programs. In Champaign County, we now have an office of employment counseling for women. This office was partially funded through this agency. It has now gotten to the point where it is receiving something like \$155,000 in Federal grant money which would not be coming into our community had it not been for the start up funds from this agency. That employment counseling center will no longer be receiving State funds because it has become self-sufficient now, just as it is trying to make the the women it is counseling self-sufficient. I hope that this agency can continue to exist and continue to provide funds for programs of this sort."

Shea: "Are you through, Miss Satterthwaite? The gentleman from, the gentleman from Cook, Mr. Madison."

Madison: "Thank you very much, Mr. Speaker. Mr. Speaker, I rise in opposition to this Amendment, the Governor's sins notwithstanding.



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The fact is that in my community this office..."

Shea: "I'm sorry, sir. That was the Speaker's fault. If you'll wait a minute, we'll start the timer again. Are you on now, Mr. Madison?"

Madison: "Yes, I am, Mr. Speaker."

Shea: "Please proceed, sir."

Madison: "In my community, Mr. Speaker, this office employs a number of people. In my district also, Mr. Speaker, the unemployment rate is some 45%. I would not like us, to see us add to those, to those unemployment roles and enhance the public welfare roles in my district which has a public assistance percentage of some 25%. Now I know what went on... Excuse me, I know what went on in March of '74. I was a victim of what went on in March of '74. I think that the Governor is to be chastized for what he did with the Governor's Office of Human Resources related to political activity. Maybe what we need is a new Governor, but certainly what we do not need..."

Shea: "Mr. Madison, would you confine your remarks to the Bill, sir?"

Madison: "Thank you, Mr. Speaker. What we do not need, Mr. Speaker, is for these people to lose their jobs when they are offering a viable service to the community and it offers employment to those people who maybe, otherwise, might not be able to be employed and I would beseech the members of this, of this House to vote 'no' on this Amendment."

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

McGrew: "Thank you very much, Mr. Speaker. I can presume from your, your answer a while back when you said you did not need to make any verbal motions, that you could see our flashing lights, that I distinctly said a point of order which does have precedent over explaining votes."

Shea: "I'm sorry, sir. Would you proceed with your point."

McGrew: "My point is very simply that we had three gentlemen in a row that stood up and in explaining their vote were using the names of, the name of the sponsor of this Amendment in debate. And, frankly, rather derogatory and I believe that if we checked the rules of the House as so eloquently pointed out by the gentleman from Champaign yesterday, we are not to conduct ourselves in that



matter, the decorum of the House was at a rather low ebb then and I suggest that they refrain from doing so."

Shea: "Your point is well taken, Mr. McGrew. Will the gentleman and ladies in debate please refuse, please not use a members name. The gentleman from Cook, Mr. Caldwell."

Caldwell: "Thank you, Mr. Speaker. Ladies and gentlemen of the House..."

Shea: "Mr. Caldwell, please. Would the members please be in their seat and would the people not authorized to be on the House floor, please leave the floor and those that are authorized to be on the floor, please not stand and block the view of the members talking. Proceed... Mr. Masina. Mr. Caldwell, proceed."

Caldwell: "Thank you, Mr. Speaker. It's unfortunate that ah... this, this, this ah... debate has gotten into its present posture. I would like to call the attention of all of the members ah... of this Body to the fact that what we are attempting to do here is to fund an agency of government. Our jobs down here is to ah... create and support those agencies which will serve the people who are our constituents. I, I would like also to emphasize the fact that this agency doesn't just function for Chicago. It functions throughout the State. I would hope that all of us would look at this thing, not from any personal point of view. There are those of us who like some of the agencies in government and some of us don't, but this floor here is where we are to debate these issues so that we ourselves and our constituents can understand what is being done here at the taxpayers expense. I regret that we are taking up all of this time. We have in the last 2 or 3 weeks voted millions of dollars to various agencies, various programs, various pork barrel issues, Government is a give and take proposition. It's not a one-way street and as far as I'm concerned, G.A.O. is an essential agency of this government because it provides services to people in depressed areas, people who are in need of work and need help and need service and need advice. And I think its a valuable agency of the government and I would hope that we..."

Shea: "Would you bring your remarks to a close, sir?"

Caldwell: "...In that light. I think that we ought to not even consider voting for this Amendment which, in effect, is to strike the enacting



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clause. It is my hope, and I've been here nine years, that none of us would ever attempt this type of technique if we don't like a Bill. I would hope that we would all consider this Bill on its merit and this ah... Amendment #2 to this Bill ah... is literally striking the enacting clause and I would hope that none of us would ever be guilty of that sort of conduct again. Thank you."

Shea: "Might I remind the members that on explanation of vote, they have two minutes. The gentleman from Cook, Mr. Washington."

Washington: "Very briefly, Mr. Speaker. My running mate, James Taylor, was standing here and I wanted to look at him while I made it very clear to this House that I have very warm feelings for Jim and I admire him greatly and one reason I do... I do, Jim, you just don't know it. And one reason I do, or you don't show it. One reason I do is because he is a zealous man and needs to have a singularity of purpose and he has a drive which we respect and admire, but I think his zeal and his singularity of purpose are misplaced totally and completely on this issue. I simply can't understand why a man who represents the district that we represent could not understand that one of the most vital things that are necessary in our district, including his ward, the 16th over which he reigns supreme, is more and more public services to poor, old, students, youth, trying to make their way in this world. My district is one of the poorest, not only in the city, one of the poorest in the nation. Buildings are coming down. Buildings are gutted. There are no leisure time activities for our kids."

Shea: "Mr. Washington."

Washington: "The streets are horrible. We need help. The Governor's Action Office has been able to supply some help in that district."

Shea: "Mr. Washington. Mr. Taylor."

Taylor: "... used in debate by two other gentlemen here. If he want to tell me how bad things are, he carried the mail for the government. If he's a mailman, tell him to go down and talk to the Governor and why he don't move the Public Aid office out of my ward, out of where all the poor peoples live at and make them have to pay bus fare to go to the employment area in order to be able to get to where they can get the service that they rightly need."



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Shea: "Mr... Mr. Taylor."

Taylor: "I know about that. I am there."

Shea: "You'll have a chance to..."

Taylor: "This is a point of personal privilege."

Shea: "Well, then I'll get to you in a minute, sir."

Taylor: "All right."

Shea: "Mr. Washington, to finish."

Washington: "I would like to think that neither one of us have a ventriloquist. I know I don't. I assume he can make the same statement. That isn't the issue. The issue is poor people. I was describing the district to try to illustrate to you how badly we need all the government services we can get. This Bill is designed to do that. I simply can't understand why anybody who has any empathy or relationship to the problems of poor people, not just minorities, but poor people could possibly fight this. I'm not accusing anyone of this vendetta. I'm accusing them of abominable poor judgement. I suggest we vote red on this Bill because it would do a lot for people who need our help."

Shea: "The gentleman from Cook, Mr Barnes."

E. Barnes: "Thank you very much, Mr. Speaker. Mr. Speaker and members of the House, I'm going to very, very brief. I have been consistent in all of the years that I have been down here in this Body, this deliberative Body, to be able to deliberate and to address myself to the issues as they are presented to us and I think that we all should do that. I don't believe in personalities, one way or the other. I don't believe that's the reason we were elected to come here, but I think that today we have before us again, a proposition that was put before us no more than less than two weeks ago."

Shea: "Mr. Taylor."

Taylor: "Mr. Speaker, I asked once about Ron Mossina, Dave Caravello and these other gentleman walking around soliciting votes on the floor here at this particular moment. Would you ask them to leave the floor?"

Shea: "Mr. Taylor, our rules provide that the Governor can have his assistants on the floor."



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Taylor: "How many does the rule provide for, Mr. Speaker?"

Shea: "Let me get the Parliamentarian. Will the House be at ease, please? The rules provide that there is no limit to the number of Governor's assistants that can be on the floor. Now back to Mr. Barnes again. I guess he's finished. Back to Mr. Barnes."

E. Barnes: "Thank you very much, Mr. Speaker, and I guess I sort of got off the train of thought."

Shea: "Now, Mr. Barnes, before you get back on. Would the members please be in their chairs and quiet so we can listen to the debate."

E. Barnes: "Thank you very much, Mr. Speaker. Basically, as I was saying, and I did get a bit off the train of my thought, but we have here presented to us again today something that was presented to us in a different form less than two weeks ago. I think that in this deliberative Body and that's what it is and I really appreciate allowing, having the opportunity to serve here with the other 176 members that are here. I think what we really should do, though, I really and firmly and deeply believe that we should not set the precedent that each time any one member of us dislike another issue that another member is presenting that on Second Reading we would come up with some fashion to delete the debate and delete the interest in that particular issue we are concerning ourselves with. I think that this motion should be defeated solely on that premise and that the issue involved around the issue of whether or not this agency should be funded should properly be discussed on Third Reading and for those reasons, I'm voting 'no'."

Shea: "The gentleman from Cook, Mr. Huff."

Huff: "Thank you."

Shea: "Mr. Huff, before you proceed. Could we have quiet in the chamber, please?"

Huff: "Thank you, Mr. Speaker. I would hate to ah.. dispute a venerable colleague like Mr. Davis who is highly touted in my respect for him, but I think that the wrongs you do one by one, will one day catch up to you two by two and I believe that that is the case here with respect to House Bill 2985. I'm voting green on that because I do not, under the circumstances, feel that I am ah... militating against an alleged government agency that is supposed to benefit



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the poor, but rather it is not fervent in the least that to vote otherwise, I would be inadvertently subsidizing and supporting a political organization that seeks to hide itself in the most insidious way imaginable and I'm voting green and I'm going to leave that green light up there. I could say more, but out of respect for the Chair and members of this House, I will refrain from that and thank you very much."

Shea: "The gentleman from Cook, the Assistant Majority Leader, Mr. Davis, on a point of personal privilege."

Davis: "Since the gentleman, the young freshman who just proceeded me has expressed so much love for me, I want to say to him, if he can stay down here 17 terms as long as I have and I don't wear gold pants and I don't wear a wide brim hat and have the respect and the joy and admiration of the members of this General Assembly like I enjoy, then I think he will be doing something, like me."

Shea: "The gentleman from Cook, Mr. Raymond Ewell, to explain his vote."

Ewell: "Mr. Speaker, I have yielded to temptation and I've gotten into the parade. I think that what we must do is turn to reason for when we avoided reason and avoided the law, thus began our problems. I say that an effort to strike the entire appropriation of any office is, in effect, striking the enacting clause and I think that this is ill-advised unless we can show that there is cause. I have heard a motion overflow, but I have heard little of cause. I have heard little of reason affect, and I should like to point out that when the Committee made an Amendment to strike a certain amount, they did so in each Department because they had reason to believe it was excessive. They pointed out the relationship between the dollar amount. What we are doing here, is a dangerous two-headed sword. We're avoiding our own responsibility to follow the law. What we're doing is we're saying, an agency can be sacrificed. Today, it may be G.A.O., tomorrow it might be the Comptroller. The day after that, we know not. And I suggest to the gentleman that they consider this, they consider what they are doing in the light of reason. If you are following it for a reason cause, so be it, but I think that all of us must rise above partisanship in the selection of our vote and I should only point to you that do it and follow your



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conscience and do it on the basis of reason and not on the basis of emotion and personal feelings. Thank you."

Shea: "The gentleman, Mr. Emil Jones, to explain his vote."

Emil Jones: "Thank you, Mr. Speaker and ladies and gentlemen of the House. We have taken up considerable time with this Bill, but I'd like to point to the members in this House that the 1970 Constitution granted the Executive Office of the State of Illinois the power to reorganize the agencies within the State of Illinois. So when the question arose as to whether or not he had the powers, he had the power. He had the powers when there was Republican Governor. Now we have a Democratic Governor. We may have another Republican Governor. I didn't serve in Con. Com., but some members in this House did. Let's check the Constitution. My name was mentioned in debate by a fellow member, but I would not even dignify those remarks on the House floor. All I ask for is a red vote at this time and get on with the business of the House."

Shea: "Have all voted who wished? Have all voted who wished? Mr. Totten, to explain his vote."

Totten: "Thank you, Mr. Chairman. I, too, am reluctant to enter into the fray, but I think that it's important that several points be brought out. First of all, the experience that this legislature has had with the previous, or the ah... Governor's Action Human Resources has not been good. The agency has been misused under both administrations. In fact, presently, some 70 employees, in violation of legislative intent, have been transferred when we tried to abolish this agency last year. Most of these employees, a good percentage of them have been in political activity, a direct violation ah... of the legislature's intent. In addition, this agency is not to be used as an employment agency and if we should support Amendment #2, we're not putting anybody out of work. Those people are employed in other places now. There is no one employed in the Governor's Action Office because it doesn't exist. Let me remind the members also, that G.A.O. was created by an Executive Order. As of this week, there is no Executive Order to create the Governor's Action Office and it isn't possible to take the action that we do. In addition, let me point out to the Republican



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members that there is no reason that a Republican member should be voting red. Everyone should be voting green. The previous activity of this agency has been that the Governor has used the people in the fall to work against Republican members and for the life of me, I cannot understand why a Republican member is green on this to reduce this appropriation to zero."

Shea: "Have all voted who wished? Have all explained their votes who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 45 'aye' votes, 73 'nay' votes. Amendment #2 having failed to receive the majority is hereby declared lost."

Selcke: "Amendment #3, Taylor. Amends House Bill 2985 by striking the enacting clause."

Shea: "The gentleman from Cook, Mr. Taylor on his Amendment."

Taylor: "Mr. Speaker and ladies..."

Shea: "Mr. Taylor, are you on now? That was the Chair's fault."

Taylor: "Mr. Speaker, ladies and gentleman of the House, Amendment #3 strikes the enacting clause and as you heard the previous speaker spoke a few moments ago, he said that the Governor's Action Office does not have any appropriation. They are transferred in from the Department of Public Aid, the Department of Mental Health."

Shea: "Mr. Taylor, please. Mr. Jones, are you raising a point of order."

Emil Jones: "number 1..."

Shea: "Are you raising a point of order, sir?"

Emil Jones: "Yes, I am."

Shea: "What is your point?"

Emil Jones: "Tell the gentleman to confine himself to the Amendment #3."

Shea: "He's, he's on the Amendment, sir. Proceed, Mr. Taylor."

Taylor: "As I say, this Amendment #3 strikes the enacting clause. The Governor's Action Office does not have an appropriation. It has not been created by the Executive Office. They have transferred people from their agencies into the Governor's Action Office, Department of Mental Health, Public Aid, Department of Law Enforcement. They're working all over the State and even today, they are working in your district and my district and I say you must



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try to preserve the two-party system. Either you be a Democrat or a Republican. I have no objection to that, but I do ask for your support to Amendment #3 to House Bill 2985."

Shea: "The question shall, the question is shall Amendment #3 be adopted. Mr. Skinner your light is on and I'll get to you. The question is shall Amendment #3 be adopted. On the question the gentleman from McHenry, Mr. Skinner."

Skinner: "Would the sponsor of the Amendment yield to a question?"

Shea: "He indicates he will."

Skinner: "Thank you. Ah... Mr. Taylor, you suggested that the employees of the Governor's Action Office are out in our districts working today. That intrigues me. If indeed they are, they're probably the only State employees that are out in our districts working today and perhaps we should retain the office because of their energy. Do you really mean that they're out there working on a Saturday?"

Taylor: "Well, Mr Skinner, they're not working as a political organization. They're not out there working to serve the people today in terms of giving service. They're out there preparing for the election that's forthcoming which you will be candidate and they will be trying to get your neck. It's just that simple."

Skinner: "I hope so."

Shea: "Is there any further debate? The gentleman moves for the adoption of Amendment #3. All those in favor will vote 'aye'. Those opposed will vote 'nay'. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question, there are 30 'aye' votes, 72 'nay' votes. House Bill, er... 30 'aye' votes, 72 'nay' votes. Amendment #3 having failed to receive the majority is declared lost. Are there further Amendments? No further Amendments. Third Reading. House Bills, Third Reading. On the order of House Bills, Third Reading appears the Consent Calendar. Will you read the Bills, Mr. Clerk? Fred, on page 54. The gentleman from Cook, Mr. Washington."

Washington: "There was some noise, Mr. Speaker. Did I understand you to move that last Bill to Third Reading?"

Shea: "Absolutely."



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Washington: "Thank you."

Selcke: "House Bill..."

Shea: "Before you read those, Mr. Beaupre."

Beaupre: "Mr. Speaker, may we inquire of the Chair as to what procedure we'll be following in regards to moving ah... for final consideration on the agreed Bills. Now is that going to be a part of the Consent Calendar."

Shea: "No, sir. It will be a separate order of business."

Beaupre: "And what procedure will we be using to knock Bills off of there or is that ah... the intent of the Chair that a member may do so."

Shea: "At this time, if you have a Bill that you have some question about, would you see one of the leaders on your side, please? On the Consent Calendar."

Selcke: "House Bill 948. A Bill for an Act to amend the Vehicle Code. Third Reading of the Bill. House Bill 972. A Bill for an Act to create the Sanitary Districts and so forth. Third Reading of the Bill. House Bill 975. An Act to create Sanitary Districts and so forth. Third Reading of the Bill. House Bill 15... Did you leave some of them out, Chalkie? Where's 1101? House Bill 1107. An Act to create a Commission to survey the problems pertaining to public schools. Third Reading of the Bill. House Bill 1468. An Act to amend the Vehicle Code. Third Reading of the Bill. House Bill 1543. An Act to amend the School Code. Third Reading of the Bill. Ah... House Bill 1557. An Act to amend the School Code. Third Reading of the Bill. House Bill 1758. An Act to amend the Vehicle Code. Third Reading of the Bill. House Bill 1808. A Bill for an Act to amend the Pension Code. Third Reading of the Bill. House Bill 1810. An Act to amend the Pension Code. Third Reading of the Bill. 1849. An Act to amend the Pension Code. Third Reading of the Bill. 1916. An Act to amend the Springfield Metropolitan Exposition Auditorium Authority. Third Reading of the Bill. Ah... House Bill 2152. An Act to amend the Adult Education Act. Third Reading of the Bill. House Bill 2157. An Act to amend the School Code. Third Reading of the Bill. House Bill 2203. An Act to amend the Insurance Code. Third Reading of the Bill. Ah... 2210. A Bill for an Act to amend the Vehicle



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Code. Third Reading of the Bill. 2218. An Act to amend the Vehicle Code. Third Reading of the Bill. 2221. An Act to amend the Driver License Medical Review Act. Third Reading of the Bill. 2222. An Act to amend the Vehicle Code. Third Reading of the Bill. 2224. An Act to amend the Vehicle Code. Third Reading of the Bill. House Bill 2249. An Act creating a Commission on Uniform State Laws. Third Reading of the Bill. House Bill 2258. An Act to amend the Vehicle Code. Third Reading of the Bill. 2260. An Act to amend the Pension Code. Third Reading of the Bill. 2264. An Act to amend the Insurance Code. Third Reading of the Bill. 2275. An Act to amend the Insurance Code. Third Reading of the Bill. 2312. An Act in relation to the creation, maintenance, operation of two new Chicago Park Districts. Third Reading of the Bill. 2571. An Act authorizing the professional associations and so forth. Third Reading of the Bill. House Bill 2617. An Act in relation to operation of lending facilities on public and private property. Third Reading of the Bill. 2706. An Act relating to composition election of County Boards in certain counties. Third Reading of the Bill. 2709. An Act in relation to composition election of County Boards. Third Reading of the Bill. 2709. An Act to revise the law in relation to Township organizations. Third Reading of the Bill. 2763. An Act to provide for the licensing of livestock dealers. Third Reading of the Bill. 2768. An Act to amend the Slaughter Livestock Buyers Act. Third Reading of the Bill. 2868. An Act to amend the Health and Safety Act. Third Reading of the Bill. 2869. An Act in relation to safety inspections and so forth. Third Reading of the Bill. Ah... That's it. House Bill 972 which was read earlier on the ah... Consent Calendar is stricken from the Consent Calendar. House Bill 972 does not appear on the Consent Calendar."

Shea: "Have you read all the Bills, Mr. Clerk?"

Selcke: "Yes, sir. I've read them all."

Shea: "House Bill... What's it? House Bill 972 is removed from the Consent Calendar. Could we have a little order in the chamber, please. Who objected to House Bill 972, Mr. Clerk? Mr. Friedrich has filed on behalf of the Minority Party, Mr. Kozubowski. Mr.



Mahar, you have a question, sir."

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Mahar: "Thank you, Mr. Speaker. Ah... The Clerk didn't read 2203. What happened to that?"

Selcke: "I read 2203."

Mahar: "I'm sorry, I didn't hear it."

Shea: "The question is shall these Bills pass. All in favor will vote 'aye'. All opposed will vote 'nay'. Have all voted who wished? Take the record, Mr. Clerk. On these questions there are 116 'ayes' no 'nays', 13 'present'. These Bills having received the Constitutional majority are hereby declared passed. On the order of House Bills, Third Reading appears House Bill 789. The gentleman from LaSalle, Mr. Fennessey."

Selcke: "House Bill 789. An Act to amend the Detention Home Act. Third Reading of the Bill."

Fennessey: "Mr. Speaker and members of the House, at the present time..."

Shea: "Hold on, please. Would the gentleman in front of Mr. Fennessey please sit down and show the speaker the same courtesy?"

Fennessey: "the counties of over 300,000..."

Shea: "Turn up his microphone."

Fennessey: "... in order to ah... build a detention home. And what all this Bill does allows counties that have had a referendum where they build a detention home ah... to rebuild it or remodel it without another referendum. Now there are two Amendments to this Bill. One is just says that it is not a limit on any, Amendment #1 is not a limit on any county with home units. Amendment #2 was put on at the request of Representative McClain and Representative Mary Lou Kent and they have a problem in their county with the detention home and it provides that no county shall be required to discontinue the use of any detention home in existence or in use on the effective date of this Bill because of the fact of the proposition to establish and maintain the detention home had not been submitted to the voters as provided in the Act. And I ask for a favorable roll call.."

Shea: "House Bill... The question is shall House Bill 979 pass. All those in favor will vote 'aye'. Those... I'm sorry, House Bill 789 pass. All those in... Is there discussion? All those in



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favor will vote 'aye'. Those opposed will vote 'no'. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 112 'ayes', 2 'nays', 2 voting 'present'. House Bill 789 having received the Constitutional majority is hereby declared passed. Mr. Gaines 'aye'. On the order of House Bills, Third Reading Consent Calendar appears House Bill 972. The objection was that, was removed. It's back before us now, but we'll have to take a roll call on it. The question is shall House Bill 972 pass. All in favor will vote 'aye'. Those opposed will vote 'nay'."

Selcke: "House Bill 972. A Bill for an Act to amend the Sanitary District Act. Third Reading of the Bill."

Shea: "Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question, there are 114 'ayes', 1 'nay', 5 voting 'present'. House Bill 972 having received the Constitutional majority is hereby declared passed. Hill 'aye'. Gaines 'aye'. On the order of House Bills, Third Reading appears House Bill 793. Mr. Jones on the floor. Is Mr. Jones on the floor? Take the Bill out of the record. House Bill 805."

Selcke: "House Bill 805. A Bill for an Act to amend the Radiation Protection Act. Third Reading of the Bill."

Shea: "The gentleman from Cook, Mr. Downs."

Downs: "Thank you, Mr. Speaker and ladies and gentlemen of the House. House Bill 805 ah... covers a situation with regard to the ah... reporting of ah... overexposures, accidental overexposures ah... due, for instance, to malfunctioning of diagnostic or therapeutic equipment that uses, utilizes radiation ah... As it stands now, there is ah... a need ah... on the part of the Department of Public Health to ah... have a prompt reporting of such ah... radiation overexposures so that they can ah... take corrective measures ah... rather than hearing about it after the fact that certain types of equipment don't work properly or if there are certain problems they might not have known about and unnecessary injury is caused. Ah... This Bill is ah... supported by the ah... Radiation Advisory Council, Radiation Protection Advisory ah... Council and the other agencies involved with radiation. The



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ah... report is to be confidential. It is a confidential record ah... as is other similar types of ah... agency reports on such matters ah... and is ah... not subject to be admissible as evidence in any proceedings. The purpose of that is to enable them to get reports that they, otherwise, would not ah... be able to get. And I move for the ah... favorable vote on this ah... Bill."

Shea: "The question is shall House Bill 805 pass. On the question, the gentleman from Cook, Mr. Maragos."

Maragos: "Very briefly, Mr. Speaker and members of the House. That he should also add another agency that's in support of it is the Illinois Commission on Atomic Energy and it's a very good Bill. I move its adoption."

Shea: "The question is shall this Bill pass. All in favor will vote 'aye'. Those opposed will vote 'nay'. Shea 'aye'. Have all voted who wished? Take the roll call, Mr. Clerk. On this question there are 122 'ayes', no 'nays', no 'present'. House Bill 805 having received the Constitutional majority is hereby declared passed. On the order of House Bills, Third Reading appears House Bill 807."

Selcke: "House Bill 807, Duff. An Act concerning cost and criminal prosecutions. Third Reading of the Bill."

Shea: "The gentleman from Cook, Mr. Duff."

Duff: "Mr. Speaker, ladies and gentlemen of the House, ah... House Bill 807 amends the Criminal Law and Procedure, Chapter 38, 180-3, judgement per cost. The ah... present statute in ah... Illinois, according to recent judicial decisions, is unconstitutional ah... I would refer to the attorneys who are interested to Fuller vs. Oregon ah... '95 Supreme Court, 2116, 1974. Ah... Basic thrust of the Bill is that it now provides ah... for a re-evaluation of the application of cost to the defendants trial when he is found guilty ah... in the situation where he may be or become indigent. It also relates to the ah... present law where it has a killing effect on the constitutional right of a defendant to ask for a jury trial if after that trial he will have to pay for the cost of the jurors, itself. It eliminates that aspect. I would ask for a favorable roll call."



Shea: "The question is shall House Bill 807 pass. On the question, the gentleman from Cook, Mr. Washington."

Washington: "Will the sponsor yield to one question?"

Shea: "He indicates he will."

Washington: "I'm going strictly by the Digest, Mr Duff, but one of the things I see here in 807 is that judgements per cost can be entered against indigent defendents. Did I read this correctly?"

Duff: "Well, the Digest really overreaches itself in the explanation. That is a very, very small aspect because, you could even say it's a misinterpretation. Ah... What it says is that if a person is indigent and perhaps he might be put on a probation system or a work release system and in those cases, if he is earning money, part of the decision of the judge at the sentence might be to allow ah... or to require him to pay a certain amount of money over a period of time. It also provides ah... that there is provision for re-evaluation of indigency. For example if somebody who were not indigent were sentenced and a decision was made by the court to apply cost and then that person might ah... lose their job or lose their income and not be able to pay it, they could go back into the judge under this Bill for a ah... reassessment of their situation."

Washington: "Well, just site the limited instances. I'm not certain I understand and I have no problem with the Bill, but I just want to be certain what limited instances are you referring in references to judgement against indigent defendents. Can you list them one, two, three?"

Duff: "Well, Representative Washington, the real purpose is to make sure that the indigents don't get stuck. I don't know why the Digest was written the way it was written."

Washington: "Well, but can you spell it out briefly?"

Duff: "Well, there aren't any instances where, under the law, the indigent could be required to pay. This really, an evaluation of where if a person became an indigent, he would not have to pay."

Washington: "Okay."

Shea: "The question is shall House Bill 807 pass. All those in favor will vote 'aye'. Those opposed will vote 'nay'. Have all voted



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who wished? Take the record, Mr. Clerk. On this question there are 118 'aye' votes, no 'nay' votes, 4 voting 'present'. House Bill 807 having received the Constitutional majority is hereby declared passed. On the order of House Bills, Third Reading is House Bill 814."

Selcke: "House Bill 814, Mann. A Bill for an Act to abolish the death penalties. Third Reading of the Bill."

Shea: "Mr. Bradley, would you come up to the podium? Mr. Mann, proceed."

Mann: "Well, Mr. Speaker and members of the House, for centuries we have debated the issue as to whether or not the State should take the life of a human being. There was a time in our history when we ah... we took off the hands of a burglar, burned the arsonist at the stake, castrated the rapist, imprisoned the mentally ill. We no longer do this because of moral reasons and because we have found that this kind of response to criminal activity does not work. We have more people in prisons today than we've ever had even though we have more laws regulating their activities. Some people say that capital punishment does, in fact, deter killing. I would point out to you that if we were serious about the deterrent theory, we would hold our executions in Soldiers Field on July 4 or we would hold our executions on national television at prime time, but as a matter of fact, we hold our executions shamefully in private when no one knows who pushes the button that releases the pellet which creates killing by the State in the name of criminal justice. Mr. Speaker and members of the House, I would say to you that in a civilized society, vengeance alone should not be the basis for taking human life. Mr. Speaker, may I have a little order, please?"

Bradley: "Let's give the gentleman some order. It's an important piece of legislation."

Mann: "Mr. Speaker, the Solicitor General of the nation of Canada has recently conducted an exhaustive study on the deterrent effect of capital punishment and his conclusion was that no case can be made that capital punishment deters killing. All capital punishment does is increase the number of killings in our society by making the State the party to killing. If you compare Michigan



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which is a non-capital State with Illinois which is a capital State, you find that our homicide rate is higher. If you compare Chicago with Detroit, you find that our homicide rate is higher. But for those of you who cling to the theory that capital punishment is in fact a deterrent to killing, let me point out to you that capital punishment in this country has become so irrational, illogical and unfair in its application that it cannot be described as a deterrent even to those of you who believe in the deterrent theory. A wealthy person has never been executed in the United States of America."

Bradley: "Would the gentleman bring his remarks to a close. You've been going for about 10 minutes."

Mann: "Well, Mr. Chairman, well, Mr. Speaker, I don't think I've been speaking for 10 minutes."

Bradley: "Well, it's getting close to it and we've been limiting their, everybody else today to about 5."

Mann: "Well, Mr. Speaker, I'd appreciate..."

Bradley: "Proceed."

Mann: "Mr. Speaker, since 1930 there have been 4,000 people killed in this country. Of that number, 54.6 who have been executed have been black, although blacks only constitute 12.6% of our population. Only two women have been executed since 1930. The people who are executed in this country are poor and that seems to be the reason why we tolerate the retention of capital punishment. People who can afford counsel in this country, who can afford adequate defense, plead guilty or find some way of avoiding capital punishment. If Sam Sheppard were a black man or a poor man, he'd be dead today. This is a fair statement on the basis of our experience in this country. There are 10,000 homicides in this country annually. How we decide rationally which 1,500 people are singled out for the death penalty. There's no rational basis for doing it. So to you that even if you believe in the deterrent theory, there's absolutely no basis or fairness in the manner in which we select people who are eventually selected for death. You may think that the people in your district want capital punishment. I'm not sure it's true. The United States Navy has not executed a person since 1846. Mr. Speaker and members of the House, a plea of



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guilty will avoid capital punishment. The ability to hire adequate defense will avoid capital punishment. What we're left with is a law which is a lethal lottery for poor people and minorities. It's a moral abomination. It ought to be removed from the books for once and all. Perhaps the Supreme Court will do so, but until it does, it is my strong feeling based upon morality in one case and upon simple logic in another. The State should not be in the business of killing and I urge your support of House Bill 814."

Bradley: "The gentleman from Will, Mr. Sangmeister."

Sangmeister: "Well, Mr. Speaker and members of the House, ah... this question has been argued ah... not recently, but through the centuries and if there is anybody in this House that has not made up their mind which way they're going to vote on this issue, they never will by now and although I hate and I'm reluctant to call off debate, with the calendar we've got, at this time I move the previous question."

Bradley: "The gentleman has moved the previous question. The question is shall the main question be put. All those in favor will say 'aye'. Those opposed will say 'no'. The 'ayes' have it. The gentleman wish to close."

Mann: "Well, Mr. Speaker, I'll be very brief. I would like to point out once more with regard to this deterrent theory that I think most of you would base a 'no' vote on. The President Kennedy, Senator Kennedy and Martin Luther King were all killed in States that had capital punishment laws. It was no deterrent to their deaths. Capital punishment is not a deterrent and I urge your support of House Bill 814."

Bradley: "The question is shall House Bill 814. All those in favor will signify by voting 'aye'. Those opposed by voting 'no'. Mr. Leinenweber to explain his vote."

Leinenweber: "Thank you, Mr. Speaker, members of the House. As some of you know, I have for some time been an opponent of abortion and some of you know I've also been a believer in the deterrent effect of the death penalty. Now it has been suggested that those who opposed abortion and favor the death penalty are inconsistent. Therefore, because I do not want to compromise my ability to speak out against abortion



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and do so effectively, and most importantly, because there may, in fact, be an inconsistency in those two positions, I'm going to vote 'aye'."

Bradley: "Mr. Londrigan, to explain his vote."

Londrigan: "Mr. Speaker, I don't think everything that was said should go unanswered like the only reason we're voting on this is because of the deterrent. What we're doing here is protecting the innocent people. This death penalty is just. The hit man goes out for money and kills someone. He gets what he deserves justly. If he goes to prison for life, what's to prevent him from killing the guard. The guards and policemen need this protection. When a man kills and it's not under passion, he gets what he deserves and we must protect the people. We all, we get up and talk about the rights of the criminal. Too many of us are not stating that we are concerned about the innocent people and I think that this Bill goes too far as usual. They're not killing and sentencing to death people these days, but it is a deterrent."

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

McAuliffe: "Mr. Speaker, ladies and gentlemen of the House, on behalf of the 13,000 Chicago policemen, I proudly vote 'no'."

Bradley: "The gentleman from Cook, Mr. Meyer. As the gentlemen want to explain their vote, we have to recognize them."

Meyer: "Yea, I think this one's important, Mr. Speaker. I just like to point out that the Chairman of Judiciary II Committee, Representative Harold Katz, is again absent and this is the fourth Bill that's come out of his Committee which has more than 89 votes against it. I think it's a front for all the people who sit on the floor of this House and work."

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

Ewell: "Mr. Speaker, ladies and gentlemen, I, too, believe in consistency and I say, I, who did not hesitate to condemn the fetus without asking whether it was black, white, rich or poor, sane or insane. I say that I cannot hesitate at this moment. I say that on behalf of an infant whom we condemn there is no charge except the whim of the mother or the convenience of society. There's not a trial. There's no appeal and execution is swift and unerring



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and I can do no less than follow the wishes of my constituency and I, too, have to vote 'no' on this Bill."

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

Borchers: "Just in refuting a couple of facts ah... about deterrents.

In Brazil they have no kidnapping and do you know why? They execute them. When the Lindberg baby was kidnapped and the kidnapper..."

Bradley: "Give the gentleman some order."

Borchers: "When the Lindberg baby was kidnapped, the Federal Congress passed a law on mandatory death. It stopped kidnapping in this country until after World War II when the typical type of bleeding heart that we have in this chamber, some of them, got busy and changed the law around. It is a deterrent. In Brazil it's a deterrent right now and it could be so again here."

Bradley: "The gentleman from DuPage, who happens to be the last gentleman that wishes to explain his vote, Mr. Hudson."

Hudson: "Thank you, Mr. Speaker. I was simply going to say there are 101 red lights up there and I'm not going to explain my vote."

Bradley: "Have all voted who wished? The Clerk will take the record. On this question, there are 36 'ayes', 102 'no', 6 voting 'present'. This Bill having failed to receive the Constitutional majority is hereby declared lost. House Bill 816."

Selcke: "House Bill 816, Mugalian. An Act to provide for the ordinary and contingent expense of the Department of Financial Institutions. Third Reading of the Bill."

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

Mugalian: "Mr. Speaker, ladies and gentlemen of the House, this is the annual appropriation of the Department of Financial Institutions and I ask for its passage."

Bradley: "Any discussion? If not, the question is shall House Bill 816 pass. All those in favor will signify by voting 'aye'. Those opposed by voting 'no'. Have all voted who wished? The Clerk will take the record. On this question we have 129 'ayes', 1 'no', none voting 'present'. This Bill having received the Constitutional majority is hereby declared passed. House Bill 822. For what purpose does the gentleman from Peoria, Mr. Tuerk, arise?"

Tuerk: "Well, Mr. Speaker, members of the House, I think on these



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appropriation Bills taht it would be wise if the sponsor would give us the amount of money, how it compares over the last fiscal year. I think this point has been brought up many, many times and I don't think it'd take that much time and it would be advantageous to the membership."

Bradley: "Your point is certainly well taken by the Chair."

Selcke: "House Bill 822. An Act to amend the Illinois Physical Therapy Registration Act. Third Reading of the Bill."

Bradley: "The gentleman from Cook, Mr. Mugalian, er... wait a minute. Pardon me, the gentleman from Peoria, Mr. Schraeder."

Schraeder: "Mr. Speaker, members of the House, this was one of the series of four on physical therapy that was on the Consent Calendar. Ah... Representative Schneider had this one taken off for question and he's removed these objections when I talked to him. And it's in effect now. We're just trying to legalize what's going on and has been going on and I move it, the do pass."

Bradley: "Further discussion? The question is shall House Bill 822 pass. All those in favor will signify by voting 'aye'. Those opposed by voting 'no'. The gentleman from Cook, Mr. Williams."

Williams: "I wonder if the sponsor would just yield to a little question here?"

Bradley: "He indicates he will."

Williams: "Is this going to allow these ah... people here to work in a massage parlor? As we know what massage parlors to be. I'm not talking about the therapeutic massage parlors."

Schraeder: "No, these are ah... I would only say, it's news to me if they are. No, this has nothing to do with that. These are people that are training ah... as physical therapists. They're working in hospitals and that now, the same as student nurses do, the same principal. They work with ah... license certified physical therapists in their training and this ah... in conjunction with their training."

Williams: "All right, thank you. I just didn't want them to have a license to operate a massage parlor."

Schraeder: "No way."

Bradley: "Further discussion? Again the question is shall House Bill



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822 pass. The gentleman from Kane, Mr. Hill."

Hill: "Did you say that ah... these students work in the hospitals now?"

Bradley: "Are you asking a question to the sponsor, Mr. Hill? Will the sponsor yield? He indicates he will. Mr. Schraeder."

Schraeder: "In their period of training, they work with registered certified physical therapists in all the hospitals of the State of Illinois. This just legalizes it, Jack."

Hill: "Well, Mr. Speaker, then I'd like to speak on the Bill."

Bradley: "Proceed."

Hill: "I believe today when we're paying these high amounts of money to be treated in a hospital that I don't believe that some student should be working on anyone of my family or anyone else in this State of Illinois. If they have to go through a training session, that session certainly should be handled in some school under complete jurisdiction. Too many times the situation would present itself where that person in charge is not present and that student, as it says here, will be working on patients. I think it is a very bad precedent to be set. When I pay for a therapist to be working on me, I want that person to be qualified completely and I would certainly suggest that you vote against this piece of legislation."

Bradley: "The gentleman from Peoria, Mr. Schraeder, do you wish to close?"

Schraeder: "Yes, can I answer his question. These are students working with ah... instruction colleges. It happens to be that these students are working with Illinois Central as part of their schooling. This is not some outside group. These are people going to school in Mark Hayes, it's an Illinois Junior College. That's all it is."

Bradley: "All right, the question is on House Bill 822. All those in favor shall signify by voting 'aye'. Those opposed by voting 'no'. Have all voted who wished? The Clerk will take the record. On this question there are 100 'ayes', 16 'nays', 9 voting 'present'. This Bill having received the Constitutional majority is hereby declared passed. House Bill 824."

Selcke: "House Bill 824, Lundy. A Bill for an Act to amend the Nursing



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Home, Sheltered Care Homes, and Homes for Aged Act. Third Reading of the Bill."

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

Lundy: "Thank you, Mr. Speaker and members of the House, House Bill 824 would require that ah... before an applicant for a license for a nursing home, shelter care home or home for the aged could be granted that license, the applicant would have to file with the Department of Public Health and agree to keep ah... updated a statement of ownership. That is a statement which would include the name, address and other pertinent data of any person who owned, who held any ownership, holds any ownership interest in that home. It came out of the Committee unanimously ah... that is with no dissenting votes. It is supported by the Department of Public Health. It is complimentary to ah... the Bill of Representative Stubblefield which passed out of this House a few days ago with no dissenting, with very few dissenting votes, if any. I would ask for a favorable vote."

Bradley: "Further discussion? The gentleman from Winnebago, Mr. Simms."

Simms: "If the sponsor would yield."

Bradley: "He indicates, he indicates he will."

Simms: "Last week, I think it was ah... Representative Houlihan brought up the question of Representative Stubblefield's Bill dealing with ah... those firms that might be ah... large corporate structures, perhaps on the New York Stock Exchange, whether or not you were going to amend this in the Senate to give some type of reasonable disclosure as to the stockholders. Ah... Some of these large firms may have, you know, literally thousands of stockholders. Have you given any thought to that Amendment."

Lundy: "The Bill as originally drafted, Representative, only required disclosure of persons who held a 5% or more ownership interest and the Committee adopted an Amendment to take that out and require 100% disclosure. Ah... I agreed to it. My Bill, originally, would of..."

Simms: "I think your Bill in original form would have been better, thank you."

Bradley: "Further discussion? If not, the question is shall House Bill 824 pass. All those in favor will signify by voting 'aye'. Those



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opposed by voting 'no'. Have all voted who wished? The Clerk will take the record. On this question there are 109 'aye', 4 'no', 11 voting 'present'. This Bill having received the Constitutional majority is hereby declared passed. House Bill 833."

Selcke: "House Bill 833. A Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Bradley: "The gentleman from Cook, Mr. Getty. Mr. D'Arco. It's on the agreed list and that's why we skipped it. So, back to 833. Mr. Getty, it has been read a Third time."

Getty: "Mr. Speaker, ladies and gentlemen of the House, House Bill 833 addresses itself to a problem which we have in ah... cases where the public defender is unable to represent typically because of a conflict of interest or in cases where there are counties that do not have a public defender. The present Statute provides for a maximum payment to appointed counsel of \$250. Obviously, this is very, very unrealistically low. The Amendment to this Statute proposed by House Bill 833 would provide that counsel would be permitted to be paid upon verified petition filed with the Court and approved by the Court up to the grand amount of \$1,000. It further restricts the hourly rate to no more than \$20 per hour for out of court time and \$30 per hour for in court time at amounts substantially below the accepted ah... bar rates. I would also call to your attention that in Cook County, there is a great deal of difficulty in finding attorneys right now who are willing to accept appointed counsel cases where the public defender can't take them because of conflict of interest. I would ask for a favorable roll call on this ah... Bill."

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

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

Bradley: "He indicates he will."

Lechowicz: "Ah... Representative, who'll be paying these increased fees?"

Getty: "The county."

Lechowicz: "Is that with approval of the County Board?"

Getty: "I know of no objection to it. I know Judge Power has supported this for the last ah... two years and the amount that would be



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indicated here would be, in all probability, in many cases be less than paying a flat \$250 because of time. However, where the case would involve a protracted, strike that word protracted, where a more lengthy ah... case ah... they could go up to \$1,000."

Lechowicz: "Are there any provisions for Federal money?"

Getty: "No."

Bradley: "Further questions?"

Lechowicz: "What would be the fiscal impact on Cook County in this Bill?"

Getty: "I, I don't know what the fiscal impact would be. I suspect that because of the relatively small number of cases that are involved that it would not be substantial."

Lechowicz: "How many are there? About how many are there?"

Getty: "I'd say there'd be no more than 500 per year maximum. And certainly not at the ah... maximum rate."

Lechowicz: "Who appoints these attorneys?"

Getty: "Judge Power."

Lechowicz: "Is that true in other counties, that the judge of the Criminal Section would appoint the attorney?"

Getty: "Well, it would be the judge presiding at, in the Criminal Court, that's correct."

Lechowicz: "And do you have any idea how many cases this would apply within the other 101 counties?"

Getty: "Well, in counties where there is no public defender, it would apply to the same number of cases that there presently are. In counties where there is a public defender, it applies only in those cases as indicated, where there's a conflict of interest where the public defender may not represent."

Lechowicz: "Well, could you tell, give me an example of a conflict of interest where a public defender could not represent a client."

Getty: "Yes, where two persons are arrested, charged with an offense, and their defenses are antagonistic. One says, you did it. And the other says, ah... you did it. And it's a question of who did it and obviously, there's a conflict."

Lechowicz: "Well, why can't a public defender be appointed on that case?"

Getty: "The public defender would be appointed for one, but not the other."



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Lechowicz: "Oh, you're saying that both people are destitute."

Getty: "Representative Lechowicz, we're in a dialogue here between two members and..."

Lechowicz: "Well, my question is ah..."

Getty: "You've asked several questions ah..."¹

Lechowicz: "Well, fine. If you want me to, I'll speak against the Bill."

Getty: "That's... Go, proceed."

Lechowicz: "I wish the membership of the House would take a look at 833. It's really a measly Bill. It measly raises the maximum rate from \$250 to \$1,000. I haven't heard any justification for the \$750 increase from a... Maybe \$250 is too low, but I don't know if \$1,000 isn't too high. When you're talking about the fiscal impact on Cook County of ah... possibly 500, that hasn't been justified to me that that's the total amount of those cases. And the answer as far as the other 101 countes, I don't know the answer on that one, but ah... it's not a bad lawyer's Bill. But I would hope the membership would, if some other attorneys would assure me that a \$1,000 is not excessive in that type of a case, I wouldn't have any objections to the Bill."

Bradley: "The gentleman from Cook, Dan Houlihan."

D. Houlihan: "Thank you, Mr. Speaker, ladies and gentlemen of the House. This is not as the previous speaker has said, a bad lawyer's Bill, but it also happens to be a very good peoples Bill. This is a reasonable and very realistic Bill. The provision which is being changed here, first of all, is only for felony cases. The maximum limitation for misdemeanor cases of \$150 remains the same under the Statute. Secondly, by increasing the ah... maximum limitation on felony cases to \$1,000 we are not mandating the payment of \$1,000 in each felony case in which the Court appoints a private counsel to represent an indigent defendent. Rather, what we are doing for the first time is providing for a verified petition and a ah... an accounting of hours up to a maximum limitation of \$1,000. The effect of this will not be payment of \$1,000 to each and every felony case. Now as the sponsor has indicated, not only Judge Power, the presiding judge of the criminal division of the circuit court of Cook County, has been urging this Bill for



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some three or four years, but also the presiding judge, the chief judge of the circuit court of Cook County, both of whom recognize that this is needed if we are to have effective representation by private counsel. I think that the Bill is long overdue and I urge the support of the Bill."

Bradley: "The gentleman from DuPage, Mr. Hudson. The gentleman from Cook, Mr. Duff."

Duff: "Well, Mr. Speaker, ladies and gentlemen of the House, I just have to rise in support of this Bill. Ah... Really, if you think about the cost factors in trying to take care of people who are appointed and you recognize that ah... if the charge of a young man who's come out of school, who is going to try cases or somebody who is an experienced lawyer who may be charging \$30, \$35 an hour out of which he probably has an overhead of two-thirds of that and you give him \$250. He's goes to court one morning and he uses up that entire morning for that one first appearance. If you take an average number of appearances of four or five times in court plus some book work on the side, client handling, interviewing, you can see that he will rapidly go way past \$250. Ah... It has been that amount for a long time and what it is doing, it is causing good attorneys not to be able to economically afford to do what we would want them to do. It is a good Bill."

Bradley: "The, the gentleman from Cook, for what purpose do you rise, Mr. Lechowicz?"

Lechowicz: "I just want to thank Representative Houlihan for his explanation and based upon his explanation, I'm going vote in favor of this Bill."

Bradley: "All right, the gentleman from Christian, Mr. Tipsword."

Tipsword: "Mr. Speaker and ladies and gentlemen, I, in view of what Mr. Lechowicz has just said, I have very little that I would like to now say except that I want to assure everybody that this is not going to be a windfall for one, for some few lawyers. Ah... Most of the downstate counties, at least the ones which I am acquainted, they follow a list and if a person has been appointed in a case, the next time they appoint someone else down the list. And it's a matter that's been passed around. In fact, it's been an obligation



and, and almost a punishment that has been passed around in view of the limitation that has been heretofore placed upon felony cases. In fact, in the Fourth Judicial Circuit in which I happen to practice, the ah... the judges have apologized, but have the limit necessarily and as has been heretofore explained, in each case there won't be \$1,000, but I can assure you that the fees that are paid are fees that will be earned. I heartily recommend the Bill."

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

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

Bradley: "He indicates he will."

Madison: "Representative Getty, would your Bill be applicable to a situation where an indigent refused the services of a public defender?"

Getty: "Yes, ah... it would be applicable there. I want to point out, however, to the Body that the, it's purely within the court's discretion to appoint counsel other than the public defender where there is a public defender. I have... purely permissive. This does not in any way change the law in regard to that. It doesn't mandate anything. What it does, however, mandate ah... is that a little more reasonable compensation be paid ah... to the person based upon an hourly rate. That's all."

Madison: "Thank you."

Bradley: "The lady from Cook, Ms. Catania."

Catania: "Thank you, Mr. Speaker, members of the House. If my memory serves me correctly, all of the non-lawyers on Judiciary II voted 'no' on this Bill. Now we had a discussion a couple of days ago about doctors getting paid for serving indigents. The lawyers in this Assembly stood up and, again if my memory serves me correctly, said that they feel, in their profession, that they have an obligation to serve indigents. Now, today, we're hearing that they want to get paid well for serving indigents. They're saying that they're putting a ah... a limit on their fee. However, there is language in the Statute which I don't think this Bill makes any effort to change which says that the judges can decide when there are extraordinary circumstances and then there is no limit on the



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fee and I think this may be the case of, in the Stateville situation where we have several people who are residents of the Stateville Correctional facility for whom we are in the position of having to make a special appropriation from the Illinois taxpayers money ah... for their defense. And we talked about the lawyers fees in that case which went up to \$750 a day for attorneys who were serving three defendents. Now I think that it's very important for us to take a very serious look at what we're doing here. I, too, think that lawyers should be paid adequately. I think that doctors should be paid adequately, too, for serving indigents. We happen to have a lot more lawyers in this Body than doctors. The other day, we took the position that doctors really ought to serve indigents ah... kind of as a social obligation and I sort of resent now hearing the attorney's stand up and tell us what a hardship it is for them to serve indigents as a social obligation when they told us just the other day that they all regard this as something that's an integral part of their lives."

Bradley: "The lady from Lake, Ms. Geo-Karis."

Geo-Karis: "Ah... I think we've had enough discussion and I'd like to move the previous question."

Bradley: "The lady has moved the previous question. The question is shall the main question be put. All those in favor say 'aye'. Opposed 'no'. The 'ayes' have it. The gentleman from Cook, Mr. Getty, to close."

Getty: "Ah... With the deep respect that I have for the lady from Cook, who ah... most recently spoke, I'd like to distinguish on two clear basis. The Bill she referred to ah... relative to the medical profession to other day, called for doctors to be paid on the same rate. This calls for lawyers to be paid on a very substantially lower rate than they normally would be paid. It, also, sets an absolute limit for, \$1,000. Now that can be a two week jury trial that that lawyer has to, to ah... handle and that can be devastating and that does not have anything to do with the protracted litigation case. In fact, the Supreme Court of the State Illinois, is held 422 hours. It is no protracted litigation and all the lawyer can collect is \$250 and I hope that this House will vote for this, not



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for lawyers because the lawyers are still doing the job, but for, to vote for it so that poor people who have to be represented by a lawyer will be able to have some kind of adequate counsel and I'm asking you to vote for it on that basis. Thank you."

Bradley: "The question is shall House Bill 833 pass. All those in favor will signify by voting 'aye'. Those opposed will vote 'no'. Mr. Sangmeister to explain his vote."

Sangmeister: "Thank you, Mr. Speaker and members of the House. In defense of the lawyers here, I would like Representative Catania to show me one lawyer who stood up here on the floor of this House and said that the doctors ought to take care of the indigents for nothing. I don't know and I don't recall of one lawyer who took that position, but ah... in support of this Bill, I think you should remember that the appointments that are made under this section of the Statute ah... the lawyers are officers of the court and they have no ah... decision of their own. When the judge says you're going to serve, you're going to serve. Now as far as the Will County case that Representative Catania referred to, had we had this law there was a good possibility that this section of the Statute would have been used and the judge would have said you're going to get \$30 an hour and \$20 an hour outside of court time up to a maximum of \$1,000 and that's all you're going to get, but because the law is so bad that it allows only \$250 total for a felony, the judge then moves over to that section of the Statute that says protracted services and there, of course, that opens Pandora's Box to whatever it may be. The judge in Will County could very well, under that case, have used this and said, gentlemen you're going to get \$1,000 for the total handling of this case, but the law is not there and that's what Representative Getty is trying to do and this is a fine Bill and not just a Bill to get more money for lawyers and I ask your support."

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

Duff: "Well, Mr. Speaker, ladies and gentlemen of the House, I voted for the Bill that Representative Catania is referring to and I would remind her that there are a lot of people ah... who are not criminals who are poor, that attorneys can help such as women



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who are not getting alimony from their husbands and people like that who are helped as a matter of professional activity. Ah... Sometimes there are even legislators on this floor who will refer ah... poor people to us to ask us to help them and we do. I'm telling you that if a person is poor and they want adequate help and a lawyer has to do \$3,000 of work for \$250, he just is not going to be able to continue to do it."

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

Dunn: "Thank you, Mr. Speaker and ladies and gentlemen of the House. By way of explanation of my vote, I would like to point out one thing that I haven't heard in any discussion and that is that these lawyers who handle these cases, by and large, in so far as I know without exception, do not apply for these jobs, number one. And number two, have no choice about whether to take them. In Macon County where I'm from, when the judge appoints a special defender for a criminal in a case, he tells the lawyer, you're appointed to serve, and that's all there is to it. So we've been serving all along free and then finally for \$250, there's an affidavit procedure here. There's a limit on the fee, nobody is going to get rich and this is a good Bill."

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

Deuster: "Well, Mr. Speaker, I rise as another lawyer, but one who's not practicing simply to say that the distinguished lady from Cook County who spoke previously and who, in her slighting manner I think, slurred the legal profession and suggested that there were some of us who did not stand up for the doctors. I, for one, stood up for the doctors and mentioned their social conscience, but although I don't think ah... the distinguished lady Representative from Cook should apologize to the ah... members of the legal profession in this House. I do think it would be helpful for all us to bear in mind again the rules relating to decorum indicating that we should speak to the question and not make observations about other members of the House."

Bradley: "Your point is well taken. The gentleman from Kankakee, Mr. Beaupre, to explain his vote."

Beaupre: "Mr. Speaker and ladies and gentlemen of the House, I think



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one thing that seems to escape the judgement being passed upon here and ah... for the enlightenment of the ah... Representative from Chicago who spoke, Representative Catania, I'd like for you to know that we are talking about criminal cases only, that you will find that lawyers throughout the width and breadth of this State in civil matters represent indigent clients for nothing. In my own community, we have a volunteer legal aid agency that represents indigent clients without a fee. All of the members of the bar association participate. Each of us take two weeks out of our year to man that office and where court action is required those cases are farmed out. I would suggest to you that the legal profession is doing a great deal towards handling indigent cases. We are talking here about a situation where the State has brought an action against a party and ah... and ah..."

Bradley: "Let's give the gentleman some order."

Beaupre: "And under these circumstances it seems to me that a fee is warranted."

Bradley: "The gentleman from Will, Mr. Leinenweber, to explain his vote."

Leinenweber: "Thank you, Mr. Speaker. I'd like to remind the members of this House that you get what you pay for. If you want to pay \$250 so that an indigent can be represented, you're going to get a \$250 representation. And I'll tell you what that is. That's a plea. So if you want all the indigents who don't want a public defender for whatever reason to have to plea because he gets an attorney who doesn't have the time and the effort to stand for \$250 and continue to vote 'no' on this Bill, but if you want to get decent representation, then provide for decent pay so they can get something worth payment."

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

Calvo: "Well, Mr. Speaker, ladies and gentlemen of the House, there are people on this floor who feel that an attorney has a conflict of interest to vote on this Bill and ah... I've handled one criminal case, perhaps two in all my years of practice. One of those I was appointed by the court to represent an indigent defendant. It was a lady. You know what happened, the court didn't have any provision to pay us at that time and ah... as the last speaker said,



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what happened that lady ah... said I'm guilty so go ahead and plead me guilty and I didn't make any great effort to talk her out of it. Now the point, I think, is this. She really didn't have much representation, but it didn't cost her anything. It didn't cost the county anything. It didn't cost the State anything or anybody else. And when you get free service, that's just about the kind of service you get. Now, I'm going to vote 'present' but this is a good Bill and I can tell you a lot of reasons why. One of which is the Bills that we're paying for and I voted to support those because I think we have to provide this service for the people who cannot afford an attorney, but we've been paying in these cases before the Supreme Court many thousands of dollars. Now here we're talking about a maximum of \$1,000 and I can tell you this, the other members of my firm do a little criminal work and we won't look at anybody in a criminal felony case for \$1,000, but anyway I'm going to vote 'present'. But I urge you to pass this Bill. It's a good Bill. I'm voting 'present' because someone might say, Well, Horace, this is a conflict of interest because your firm does criminal work. We do not represent indigent defendants. We are not any part of the public defenders office, but I tell you it's a good Bill. If someone has an attorney and not the public defender or a county where there isn't a public defender, he ought to have some kind of adequate, adequate representation. If you don't pass this Bill, I can guarantee you he's not going to get it."

Bradley: "The lady from Lake, Ms. Geo-Karis and we're using the clock on the timer for two minutes."

Geo-Karis: "Mr. Speaker and ladies and gentlemen of the House, as one lawyer who has not had to do any defense of anyone not having been appointed by the court, the only reason I am voting for this Bill is because the poor defendants will get an honest shake. When you figure the time a conscientious lawyer will spend on a trial, it's very, very much. Now I voted for the doctors Bill. I'd like to see people paid for their services and the lawyers have been the whipping post for too long. In our county, we have a public defenders office and we have a good one. However, there are counties that do need this type of a service and I certainly agree with



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Representative Sangmeister and I vote 'aye'."

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

Berman: "I'd just like to see three more votes up there or four or five for this good Bill. What you're doing here is saying that, first of all, it doesn't mean that every lawyer is going to get a \$1,000 for every case. It's subject to the perusal of the judge and to determine exactly the kind of money that he thinks he's earned and the judge knows that he's going to be very, very ah... tight as far as expenditure of the counties funds on these cases, but also I think you want to recognize that all you're doing here is allowing a fee on an hourly basis that's anywhere from a half to a third of what would usually be charged and I appreciate the 90 votes plus."

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

Gaines: "I wish to take this opportunity as a non-lawyer to speak on behalf of this Bill. There are many indigents who need good legal protection and they're not going to get it in a big city like Chicago from any lawyer for free. That's unfortunate, but that's just the way it is and I do not think that the indigents should be penalized because some of you think that the lawyer should have a higher degree of ah... ethics than what you think you have. I don't know if any of you would give your ah... profession for free, your talents for free if you were in a similar position. So, I'm urging you on behalf of the indigents getting legal protection to vote 'aye'."

Bradley: "The gentleman from Peoria, Mr. Schraeder, to explain his vote."

Schraeder: "Well, Mr. Speaker, when I came to this Bill, I looked in the Digest and it showed a 15 to 5 vote and I looked around to see whether I could find the Chairman of the Judiciary Committee that heard this so I could ask him how the vote went. And apparently he wasn't available to make the answer that I thought. So I just assume that the 15 to 5 vote must have had some kind of implications and I won't say what they are because I'm not sure, but it seems to me that hearing the discussion on this Bill, deserves it, indicates to me a conflict of interest. The basic premise of most of the people speaking have been in favor of this Bill, they've



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been practicing attorneys and it also seems to me that, that we all well know that they also have a schedule of a blue book or some such titled book that says fees shall be set at so and so. Now this I don't know is constitutional, but it's in effect. And what this actually does is put in the law a system of collections for attorneys for their fees the same as they now have in their unwritten code in the blue book and I think this is a lawyer's Bill and also I want to point out the one following thing. Some of the attorneys said, well you don't get good trial work unless you pay for it and that indicates to me that the lawyers are only going to work if they get paid and they're not going to represent indigent clients that are assigned by the court and I think that's bad ethics. If a lawyer is assigned a case, he ought to give it his full talent and not because of what the pay is and I vote 'no' and I think it's a shame."

Bradley: "For the information of the House, we have at least seven more people who would like to explain their vote. The gentleman from DuPage, Mr. LaFluer, to explain his vote."

LaFluer: "I, I did not, Mr. Speaker. I wish to ask for a verification if this Bill should pass."

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

Leon: "Mr. Speaker and ladies and gentlemen of the House, as a layman who has worked in courtrooms for many, many years, any attorney who is worth his salt would not appear on a criminal trial if he was being paid for less than \$1,000 a day. This Bill will permit a lawyer to spend two or three weeks on a case and maybe get a maximum of \$1,000. I think it's a good Bill. I think an attorney who is worth his salt certainly is worth a \$1,000 of anybody's money to represent them in a criminal case and protect them and see that they're exonerated if they're innocent. Thank you very much."

Bradley: "The lady from Cook, Ms. Catania, to explain her vote."

Catania: "Well, thank you, Mr. Speaker, members of the House. Ah... If I were rising on a point of personal privilege, I guess I would probably have about 20 minutes since my name has been mentioned so often. In response to one question that was asked, I did not



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etch in my mind the names of the attorneys who spoke on the doctor Bill as my name apparently seems to be etched in the minds of some of the attorneys on the floor of this House. What I said was that I had some problems with the Bill. I think they could be worked out. I mentioned the problems in Judiciary Committee. I think that if this Bill went back to Second Reading, the people who are concerned about the outrage of the taxpayers occasionally could work it out on Second Reading. And I think this Bill could pass."

Bradley: "The gentleman from Peoria, Mr. Tuerk, to explain his vote."

Tuerk: "Well, Mr. Speaker and members of the House, being a non-lawyer I think there are enough safeguards in this Bill on the hourly basis. If I read this Bill correctly, on the basis of \$20 and \$30 dollars an hour, whether it be in court or out of court, it would seem to me that the maximum now allowable under this Act would only allow a lawyer to spend ten or fewer hours on the case. Now it would seem to me that the safeguards of the hourly rate are built in to where the thousand dollar maximum should not be a real issue in this discussion. I would move for its adoption."

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

Madison: "Thank you very much, Mr. Speaker. As a non-lawyer, Mr. Speaker, who has no conflict whatsoever, I'm concerned about ah... indigent people being able to get the, the ah... best legal protection and the legal representation that's possible and it seems to me that a lawyer who has to spend four weeks on a criminal case and receive \$250 for his effort is an abomination and so I'm going to vote 'aye' on this Bill."

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

Palmer: "Well, Mr. Speaker and ladies and gentlemen of the House, one of the reasons today on an appeal is the question of competency of counsel and the trial court. Now where that point arises, the court goes into it and if they find anything at all, then they will reverse that, that ah... verdict of the, or finding or holding or judgement of the trial court. That costs the counties of, a great amount of money. Most of the appeals today go to the Appellate Court and not directly to the Supreme Court as they used to, were then



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involving the Attorney General's office. The Attorney General will not go to the Appellate Court and in many of these counties, special attorneys have to be ah... State's Attorneys have, or are hired to do this kind of work. Now on a dollar and cents basis, it would seem to me, that if you pay the trial attorney for these kind of cases a little bit, you may be saving a lot of money in the long run. It's almost unconscienable to ask, and in some of these counties they do, an attorney to take a case for \$250. He's not going to do the kind of job that's necessary to be done. Either for his client or for the State or the criminal justice system. And this is what it's all about. So we should be paid more money. This Bill here, as Mr. Tuerk has said, has built-in safeguards. They have to provide a list of time that they have set on the case for the approval of the judge. It can't go beyond a \$1,000 and as many have said on the floor of this House, there are not many lawyers who'll take a criminal felony case for a \$1,000. It's much more than that. It's a good Bill and should be passed."

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

Mann: "Mr. Speaker, I apologize for taking the time of the House. There are some Representatives from the Chicago metropolitan area that I'd like to ask to reconsider their votes here. There are two questions that haven't been raised. One is the constitutional right to a trial by jury and I think we are invading that right when we deny a man the opportunity to adequate counsel and the second one is that just a visitation out to the court of 26 out in California and see that assembly line justice. When defendent after defendent gets up and cops out on a plea, half the time not knowing what he's pleading guilty to, really sometimes without access to counsel, but he trusts. Even though I have great respect for most of the public defenders, really ah... I don't think that this is a, a lawyer's Bill. I'd like to urge my colleagues who are lawyers to get off the present and vote 'aye' and the rest of you ah... to vote for a good Bill."

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

Bluthardt: "Thank you, Mr. Speaker and members of the House. I wouldn't take the time up except that one has indicated he's going to ask



for a verification of the roll and perhaps we can get a few more votes up there so it won't be necessary to spend the time on verification. It seems to me, and I am a lawyer, but I haven't practiced law since the nine years I've been down here and I don't intend to, but it seems to me, one person has referred to bringing this back to Second Reading and amending it. How are you going to amend. You wouldn't expect to amend it down to less than \$20 an hour ah... for office work and \$30 an hour in court. What would you do? Take the \$1,000 maximum off, then there'd be no ceiling and no limit and it could run up to thousands and thousands of dollars instead of \$1,000. Another gentleman has ah... indicated that there is a blue book put out by the legal profession. Sure, there is a recommended rate put out by the Chicago bar, at least there was when I practiced law and also by the Illinois bar, and what's the rate? The recommended minimum rate for office hours is \$50 in the Chicago area. I think it's \$40 downstate. And for court, it's \$100 a day and it might be even more today than it was then. Now we're asking attorneys who are going to represent the indigent and who are directed by the courts to represent an indigent to work for about a third or a quarter of what he normally would expect to receive in a similar case if the person was not indigent. I think it's a 'damn' good Bill and I think we ought to support it and we ought to put some more green lights up there so we don't have to go through verification."

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

Shea: "Let Mr. Hill go."

Bradley: "The gentleman from Kane, Mr. Hill."

Hill: "I got problems enough without getting involved in that. Mr. Speaker and members of the House, I've heard a couple attorneys get up here and say that if they would vote this piece of legislation, it could be considered a conflict of interest. I think those attorneys that are voting 'present' or in opposition to this piece of Bill are the ones that should worry about a conflict of interest. The maximum on this is \$1,000. Those are the ones that should be concerned. I would suggest that you change your vote from 'present' and vote for a piece of legislation like this. Maybe a \$1,000 isn't a lot of money,



but poor, for that poor individual that doesn't have the, that amount of money to spend on a court case, it's a heck of a lot of money. This is a good piece of legislation and I haven't been noted in the past to get up and talk for attorneys. I'm not talking for attorneys now. I'm talking for the people and it seems to me that you people that are attorneys, voting 'present', should vote for a piece of legislation like this."

Bradley: "The gentleman from Cook, the Majority Leader, Mr. Shea, to explain his vote."

Shea: "Well, Mr. Speaker, ladies and gentlemen of the House, this does set a limit and I think Mr. Hill probably as a non-lawyer has put it much better than I can as a lawyer, but you know we had trouble with the appellate defender. We said, you know, nobody wanted to pay lawyers to defend at the appellate level. We're now spending 2.3 million of State dollars a year to pay for an appellate defender and it's going to go up and up and up. Now if you want to retain some semblance of home control, put a limit on it, let the county take care of their own problems for I assure you, before long, they're going to make the appellate defender apply to the counties and then it's going to cost us 6 or 7 million dollars down here. I think this is good legislation."

Bradley: "The gentleman from McHenry, Mr. Skinner, to explain his vote."

Skinner: "Oh... You know, this legislation probably needs it, but for those of you who have any semblance of an idea of what this is going to do to the county treasury, may I extrapolate from 1966 when defense for indigents cost \$12,000 in McHenry County to about \$30,000 per full time public defender's office about three years ago plus the private attorney. Now, I'm sorry if I have to get personal here, but it's something I feel very deeply about. Other professionals don't give away their services as it has been said. I wonder how many full time legislators consider themselves professionals. I wonder how many full time legislators realize that the reason they can't make do on their part time \$12,000 expense fee for the home office is because they can't subsidize their office like other professionals who get paid the six months of the year can. Finally I wish to express my profound respect for



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Representative Calvo in voting 'present'."

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

Downs: "Mr. Speaker, ladies and gentlemen of the House, as an attorney who has been involved in cases like this and under circumstances which this Bill covers I just want to make one quick point. I know there is a concern on the part of members of this House about attorneys in general and attorneys being rich or getting rich off of Bills like this. Let me assure you that the attorneys who are usually involved in being appointed in cases like this who make themselves available in this, in cases like this are not the lawyers making alot of money. They are lawyers willing to become involved in these kinds of cases. They are not ripping off anybody and I urge your 'aye' vote and if you're voting against this for that reason, please that's not a proper reason to vote against it."

Speaker Redmond: "Representative Giglio."

Giglio: "Well, Mr. Speaker and members of the House, since the lawyers are crying that they would rather be plumbers than make \$20 an hour, I think I'm going to change my vote so they can make \$20 an hour."

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

Terzich: "Mr. Speaker, my wife and children are waiting for me at home so I'd like to have the roll on this and all the rich lawyers vote 'no' and all the poor ones vote 'yes'."

Speaker Redmond: "Have all voted who wished? Take the record. On this question there's 101. Representative LaFleur, do you persist in your request for a verification?"

LaFleur: "Only if we can verify the affirmative roll call of the attorneys."

Speaker Redmond: "Other than that, you do not, is that correct?"

LaFleur: "No, Mr. Speaker."

Speaker Redmond: "On this question there's 101 'ayes', 21 'no', and the Bill having received the Constitutional majority is hereby declared passed. 837. Representative Shea."

Selcke: "House Bill..."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, on the agreed Bill list there's been a number of



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Bills that, after the leadership has talked to most of their members, will probably could come off the list and we could vote on it now. There's 130 Bills on the list. I have a list that I'd like to read slowly so the members could mark their calendars or mark their list appropriately and then I would like to move for the adoption of the Bills that remain so that... If I could read the list of Bills that have been requested by the leadership on both sides to come off. House Bill 960. I think there is a list on the Clerk's desk, is there not, Mr. Clerk? So there is no question about it with you."

Speaker Redmond: "Fred. Here's the list."

Shea: "House Bill 960."

Speaker Redmond: "Representative Peters."

Peters: "Representative Shea, I'm sorry. I didn't quite understand. Are you now reading the Bills that are taken off?"

Shea: "Yes, sir."

Peters: "Thank you."

Shea: "You have... Every member was furnished with an agreed Bill list which is User List #88, starts with Bill 0072. The following Bills will come off that list. House Bill 960. House Bill 1034. House Bill 1144. House Bill 1243. House Bill 1250. House Bill 1252. House Bill 1381. House Bill 1506. 1506. House Bill 1586. 1696. 1767. 1862. 2112. 2125. 2132. 2174. 2189. 2229. 2386. 2425. 2466. 2538. 2732. 2932. Those are the Bills that will come off that list. Now, Mr. Speaker, with the Bills that remain on that list and there is over a 100 Bills, I would move that those Bills be read by the Clerk and that we take a roll call to pass them."

Speaker Redmond: "Representative Kane."

Kane: "Representative Shea, House Bill 1917 is a Bill that affects ah... Springfield and Sangamon County and the three Representatives have talked about it and would like to, also, remove that Bill from this list."

Selcke: "What number?"

Kane: "1917."

Shea: "Is that Mr. Jones's Bill. Do you want it off the list, Mr. Jones? Mr. Jones can take it off the list. Take it off the list."

Speaker Redmond: "Mr. Jones spoke to me about that and he does want it off."



Kane: "1917."

Speaker Redmond: "Representative Washburn."

Washburn: "Thank you, Mr. Speaker and ladies and gentlemen of the House.

Now, I'm certain that on this list there are Bills that perhaps an individual legislator would like to cast a 'no' vote on, maybe two or three of them. Now what arrangement will be made for those individual legislators who might cast an 'aye' vote on the board for the entire list, but would like to be recorded 'no' on ah... a particular Bill on the list."

Shea: "It would be the same as on the Consent Calendar, Mr. Washburn. That they would go down to the well, see the Clerk, and request it to be recorded 'no' on those Bills."

Washburn: "I, I would suspect it would not happen. I suppose there's not that much concentration of opposition to any one Bill on the list or it would have been removed. If it should drop the vote below 89, I suppose that Bill would, what? Removed from the, be called again or would it be defeated?"

Shea: "No, I think we'd have to call it again."

Washburn: "Okay."

Shea: "Now, this.. I might just... I'd like to talk to the members about something for a moment, if I might."

Speaker Redmond: "Proceed."

Shea: "This list started out at 560 Bills. It was gone through by the leadership and the Committee Chairman and the Minority Spokesman on all the Committees once. It was given to you last night and there was some questions raised about Bills that were removed. So that it's at least attempted to be the most non-controversial list that's been out for a long time and I'm sure there's some members that got some objections to it, but I would take and bet anybody that wants to, \$10 against a \$1 that the list of Bills that were just removed, when they are called, will pass this House."

Speaker Redmond: "Representative Madison."

Madison: "Thank you very much, Mr. Speaker. On a technical point, Mr. Speaker, there are three or four Bills on this list that have already passed and I think, just for the record so that they don't



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end up with two recordings, that they ought to be removed from the list, too."

Shea: "The Clerk, I think, Mr. Madison, will read each Bill that is on the list. He has to read it a Third time."

Madison: "Fine, thank you."

Speaker Redmond: "Representative Borchers."

Borchers: "Mr. Chairman, I just handed in just three Bills out of that whole list and I would suggest that if by some chance that all hand in the record of the Bills they're opposed, if by some chance, and I agree with what Representative Shea has said that the chances are that most of these Bills are going to pass. But if by some strange coincidence, there is enough 'no' votes ah... handed on a Bill, that it would ah... maybe be taken back on the floor and handled."

Shea: "That's correct. Now, Mr. Clerk, if there's no further questions, would you read the Bills that remain on the list sir?"

Speaker Redmond: "Read the Bills."

Selcke: "House Bill 72. A Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Redmond: "Representative Shea."

Shea: "There are three or four Bills, Mr. Clerk, on that list and I'm going to defer to my colleague from Cook, Mr. Madison, who I know has thoroughly culled the list and he'll give me the Bills that passed, Mr. Madison."

Madison: "Thank you very much, Mr. Majority Leader and Mr. Speaker. I may not have them all. I do know House Bill 72 was passed. House Bill 583. House Bill 607. House Bill 658. I am not sure about House Bill 373. I'm not sure."

Speaker Redmond: "We can check the calendar. If the Bill is called and if it isn't on the calendar, why, then we can remove it. Proceed."

Shea: "583 and 771 they tell me were passed also, Mr. Clerk."

Selcke: "Five what, Jerry?"

Shea: "583, but 771 was not passed."

Speaker Redmond: "Go ahead."

Selcke: "House Bill 373 amends the Code of Criminal Procedure. Third Reading of the Bill. House Bill 7, House Bill 716. Amends an Act



relating to custody and disposition of property held by law enforcement agencies. Third Reading of the Bill. House Bill 730. Amends a Public Water District Act. Third Reading of the Bill. House Bill 771. Amends the Snowmobile Registration Safety Act. Third Reading of the Bill. House Bill 782. Amends the Election Code. Third Reading of the Bill. House Bill 809. Amends the Highway Code. Third Reading of the Bill. House Bill 825. Amends the Motor Fuel Tax Law. Third Reading of the Bill. House Bill 854. Amends the Illinois Highway Code. Third Reading of the Bill. House Bill 872. Amends Retailors Occupation Tax Act. Third Reading of the Bill. House Bill 909. Amends the Dram Shop Act and so forth. Third Reading of the Bill. House Bill 911. Amends an Act in relation to designation of emergency telephone numbers and so forth. Third Reading of the Bill. House Bill 949. Amends the Municipal Code. Third Reading of the Bill. House Bill 9..."

Speaker Redmond: "Wait a minute, Mr. Clerk. What was the last one you called?"

Selcke: "The last one I called was 949."

Speaker Redmond: "Okay."

Selcke: "House Bill 963. Amends the Election Code. Third Reading of the Bill. House Bill 965. Amends the Motor Fuel Tax Law. Third Reading of the Bill. House Bill 989. Requires the Illinois Local Governmental Law Enforcement Officers Training Board to establish minimum mandatory police training standards and so forth. First... Third Reading of the Bill. House Bill 1030. Amends the Election Code. Third Reading of the Bill. House Bill 1055. Amends the General Assembly Retirement System. Third Reading of the Bill. House Bill 1063. Amends the Revenue Act. Third Reading of the Bill. House Bill 1151. Amends the Illinois Income Tax Act. Third Reading of the Bill. House Bill 1153. Amends the Illinois Income Tax Act. Third Reading of the Bill. House Bill 1160. Amends State Employees Retirement System and so forth. Third Reading of the Bill. House Bill 1171. Amends the Retailors Occupation Use Tax Act. Third Reading of the Bill. House Bill 1171. Amends the Retailors Occupation Tax Act. Third Reading of the Bill. House Bill 1230. Amends Section 4 and 8 of an Act prohibiting

discrimination by public works and so forth. Third Reading of the Bill. House Bill 1232. Amends an Act prohibiting solicitation or inducement of sale and purchase and so forth. Third Reading of the Bill. House Bill 1237. Amends the Urban Community Conservation Act. Third Reading of the Bill. House Bill 1244. Amends Public Aid Code. Third Reading of the Bill. House Bill 1246. Amends the Criminal Jurisprudence Act. Third Reading of the Bill. House Bill 1447. Amends the Ejectment Act. Third Reading of the Bill. House Bill 1248. Amends Eminent Domain Act. Third Reading of the Bill. House Bill 1255. Repeals Sections authorizing corporate authorities by ordinance to require the inhabitants to labor on city, village street and so forth. Third Reading of the Bill. House Bill 1269. Amends the Illinois Municipal Budget Law. Third Reading of the Bill. House Bill 1322. Amends the School Code. Third Reading of the Bill. House Bill 1331. Amends the Counties Act. Third Reading of the Bill. 1357. Amends the Criminal Code. Third Reading of the Bill. 1367. Amends the Insurance Code. Third Reading of the Bill. 1407. Amends the Criminal Code. Third Reading of the Bill. 1416. Amends the Illinois Securities Law. Third Reading of the Bill. 1442. Amends the Business Corporation Act. Third Reading of the Bill. 1455. Amends the Hospital District Law. Third Reading of the Bill. House Bill 1459. Amends the Park District Code. Third Reading of the Bill. 1460. Amends the Mosquito Abatement District Act. Third Reading of the Bill. 1461. Amends Public Water Districts Act. Third Reading of the Bill. House Bill 1462. Amends the Water Authorities Act. Third Reading of the Bill. House Bill 1513. Amends an Act in relation to Secretary of State. Third Reading of the Bill. House Bill 1551. Amends the Revenue Act. Third Reading of the Bill. 1555. Amends the School Code. Third Reading of the Bill. 1568. Amends the Agricultural Fair Act. Third Reading of the Bill. 1589. Amends an Act relating to the Board of Higher Education. Third Reading of the Bill 1597. Amends the School Code. Third Reading of the Bill. 1617. Amends the Election Code. Third Reading of the Bill. 1680. Amends the Illinois Aeronautics Act. Third Reading of the Bill. 1680. Ah... 1697. Amends the School Code. Third Reading of the Bill. 1707.

Amends the Insurance Code. Third Reading of the Bill. 1725.

Amends an Act concerning land titles. Third Reading of the Bill. 1736. Amends the Insurance Code. Third Reading of the Bill. 1739. Amends the Insurance Code. Third Reading of the Bill. 1787. Amends the Civil Administrative Code. Third Reading of the Bill. 1788. Amends the Economic and Fiscal Commission Act. Third Reading of the Bill. 1806. Amends the Conveyance Act. Third Reading of the Bill. 1910. Amends an Act relating to public water districts. Third Reading of the Bill. 1911. Amends the Counties Act. Third Reading of the Bill. 1922. Amends the Sanitary District Law Act. Third Reading of the Bill. 1923. Amends the Municipal Code. Third Reading of the Bill. 2031. An Act to exchange real estate between the State of Illinois and the Department of Conservation. Third Reading of the Bill. 2043. Amends the Sanitarian Registration Act. Third Reading of the Bill. 2141. Amends the Fees and Salaries Act. Third Reading of the Bill. 2155. Amends the School Code. Third Reading of the Bill. 2170. Amends the Weights and Measures Act. Third Reading of the Bill. 2192. Amends the Municipal Code. Third Reading of the Bill. 2193. Amends the Health Code. Third Reading of the Bill. 2209. Amends the Civil Administrative Code. Third Reading of the Bill. 2220. Amends the Vehicle Code. Third Reading of the Bill. 2236. An Act authorizing the Director of Mental Health to convey certain real property and so forth. Third Reading of the Bill. 2237. An Act authorizing the Director of Mental Health to convey certain real property. Third Reading of the Bill. 2242. Amends the Illinois Pension Code. Third Reading of the Bill. 2259. Amends the Vehicle Code. Third Reading of the Bill. 2286. Amends the Credit Card Use and Insurance Act. Third Reading of the Bill. 2318. Amends the Revenue Act. Third Reading of the Bill. 2401. Amends the Municipal Code. Third Reading of the Bill. 2430. Amends the Illinois Vehicle Code. Third Reading of the Bill. 2437. Amends the Election Code. Third Reading of the Bill. 2718. Amends the Unified Code of Corrections. Third Reading of the Bill. 2720. An Act requiring atomic energy plants to immediately report nuclear occurrences and so forth. Third Reading of the Bill. 2728. Amends various Acts appearing in the



Illinois revised Statutes. Third Reading of the Bill. 2729. Amends various Acts appearing in the Illinois revised Statutes. Third Reading of the Bill. 2730. Amends various Acts appearing in the Illinois revised Statutes. Third Reading of the Bill. 2731. Amends an Act concerning present law and so forth. Third Reading of the Bill. 2733. Amends various Acts appearing in the Illinois revised Statutes. Third Reading of the Bill. 2734. Amends various Acts in the Illinois revised Statutes. Third Reading of the Bill. 2735. Amends an Act to revise the law in regard to x-rays. Third Reading of the Bill. 2736. Amends the Election Code. Third Reading of the Bill. 2737. Amends the Probate Act. Third Reading of the Bill. 2738. Conforms references and provisions of various Acts to the Illinois Supreme Court rules in Illinois Civil Practice Act. Third Reading of the Bill. 2740. Amends the Criminal Code. Third Reading of the Bill. 2780. Amends the Illinois Vehicle Code. Third Reading of the Bill. 2782. Amends the School Code. Third Reading of the Bill. That was 2872. Amends the School Code. Third Reading of the Bill. 2872. 2875. Amends the Municipal Code. Third Reading of the Bill. 2968. Amends various Acts to provide statutes. Third Reading of the Bill. 296, 2982. 2982. Amends the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, I move that the Bills just read by the Clerk do now pass."

Speaker Redmond: "Any discussion? The question is shall these Bills pass. All in favor indicate by voting 'aye'; opposed by voting 'no'. Any desire to cast a negative vote on any of the Bills, come to the well. Representative Matijevech."

Matijevech: "Mr. Speaker, only to correct the calendar. It lists House Bill 854, the principal sponsor as being Speaker Redmond. He's told us very often that he has not introduced one Bill and that correctly should be ah... Dick Luft as the sponsor. I don't want anybody to get the wrong impression that the Speaker has introduced a Bill."

Speaker Redmond: "Thank you, sir. The record will so show Representative



Luft. I don't know how my name got on there. Representative Brinkmeier."

Brinkmeier: "Yes, Mr. Speaker and members of the House, just an observation. I notice there's a series of Bills in here by a sponsor that's rather conspicuous by his answers and I'm questioning now ah... do you normally pass Bills when they cheat sponsors not on the floor? I'm not objecting, just asking a question."

Speaker Redmond: "I think he's lucky."

Brinkmeier: "I should be so lucky."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On these Bills there are 136 'ayes', no 'nay' and the Bills having received the Constitutional majority. Representative Bradley votes 'aye'. I hereby declare passed. It's approximately a hundred Bills. Representative Brummet 'aye'. Representative Fennessey. On the order of House Bills, Second Reading appears House Bill 898. No, on Third Reading, 898. The Chair recognizes Representative Fennessey."

Fennessey: "Members of the House, I'd like to recall House Bill 898 to the order of Second Reading for the purpose of an Amendment."

Speaker Redmond: "Does he have leave? Representative Walsh."

Walsh: "Mr. Speaker, we've gone out of order."

Speaker Redmond: "Are you objecting? You've got five members..."

Walsh: "We don't need five members, Mr. Speaker. That's against the rules."

Speaker Redmond: "Does the gentleman have leave?"

Walsh: "Mr. Speaker."

Speaker Redmond: "Representative Walsh."

Walsh: "The gentleman should move to suspend the rules to go out of order to consider that Bill and I would like to know what his reasons for doing it are ah... in asking that ah... er,... for that suspension."

Speaker Redmond: "Representative Fennessey, will you explain your motives."

Fennessey: "Okay. Well, the Bill is very near ah... ready to be called on Third Reading and it's a very simple Amendment. It's just clarifying language. It doesn't change the intent of the Bill



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at all."

Walsh: "Could I know what the Bill ah... is about?"

Speaker Redmond: "Will you explain the Bill?"

Fennessey: "The Bill ah... establishes Agriculture Protection Areas. House Bill 898."

Walsh: "Well, Mr. Speaker, I think it would have been alot better if the gentleman had talked with Mr. Washburn, the Minority Leader, before taking this action. I, myself, have no objection to it. I don't know whether he does or not."

Speaker Redmond: "Representative Shea."

Shea: "A quick consultation with the Minority Leader, Mr. Washburn, says he has no objection."

Speaker Redmond: "There being no objection, the Bill will return to the order of Second Reading with... We'll recognize Representative Fennessey."

Fennessey: "Amendment #3, and this ah... just clarifying language objected to by the Department of Local Government Affairs. Ah... on page 9, line 22 by inserting the word after, before supervisor, the word 'assessor, board of assessors or' and ah... this is to take care of counties that have a commission form of government. I guess in those counties, they do not call them supervisor assessments. They have a Board of Assessors or some other name and also on line 30, page 9 by deleting ah... line 9 and inserting 'for determing the proper assessed value for the various classes and location of agriculture land'. It doesn't change the intent of Bill at all. It just clarifies the language. I move for the adoption of Amendment #3."

Speaker Redmond: "The gentleman has moved the adoption of Amendment #3 to House Bill 898. All in favor say 'aye'; opposed 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments?"

O'Brien: "No further Amendments."

Speaker Redmond: "No further Amendments, Third Reading. On the order of House Bills, Third Reading appears House Bill 1843. We recognize Representative Max Coffey. Representative Lechowicz."

Lechowicz: "Mr. Speaker, I know we're getting pretty close to the close of the session and before the members, just for the purpose of an



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announcement if I may that the Appropriations Committee I will meet immediately after adjournment in Room 114 for further consideration of Bills and on the Calendar today for Monday's meeting was posted for Appropriations I at 12, noon, that is a mistake. And it's going to be heard at 8 o'clock in the morning in lieu of 12 o'clock on Monday. Thank you very much. I'm sorry, Max. Thank you."

Speaker Redmond: "Representative Coffey."

Coffey: "Mr. Speaker, I would like to return House Bill 1843 back to Second Reading for reasons to table Amendment #4 and add Amendment #5. I'd like leave, please."

Speaker Redmond: "Does the gentleman have leave? Representative Shea."

Shea: "I just wondered if Mr. Walsh just objects on Democratic Bills or both sides. I have no objection."

Speaker Redmond: "Representative Walsh."

Walsh: "Mr. Speaker, Mr. Coffey showed the courtesy of consulting with the leadership of the Democratic party before taking this step. Now that leadership does not include the Majority Leader. He went right to the top, Mr. Speaker."

Speaker Redmond: "Wise man. Representative LaFleur."

LaFleur: "Mr. Speaker, ah... there is ah... on the Clerk's desk a yellow sheet that we are signing in case we have Bills on Third that we want ah... brought back to Second ah... for the purpose of Amendment. Is the Chair still going to honor that list on the Clerk's desk?"

Speaker Redmond: "Will you repeat your inquiry?"

LaFleur: "Yes, there is a list on the Clerk's desk that we have been signing for the return of Bills that are on Third to Second for purposes of an Amendment. Are we going to honor that list ah.. Mr. Speaker?"

Speaker Redmond: "I didn't know about it until right this minute. I'll I'll honor it to the best of my ability."

LaFleur: "Thank you."

Speaker Redmond: "Yes, leave the, House Bill 1843 is returned to the order of Second Reading. Now, Representative Coffey, what is your motion?"



Coffey: "I would like to make a motion to table Amendment #4 to House Bill 1843. I'd like leave, please."

Speaker Redmond: "The gentleman have leave? The Amendment is tabled. Any further Amendments?"

O'Brien: "Amendment #5, Coffey. Amends House Bill 1843 on page 1 by deleting line 24, 25, 26 and so forth."

Speaker Redmond: "Representative Coffey."

Coffey: "Mr. Speaker and ladies and gentlemen of the House, Amendment #5 includes all parts of Amendment #4 which was just removed. Also, it gives the right for a corporate authority to waive the one half mile distance in this, in this Resolution. Also, the impact statement on page 6, line 10 through 12 will not be required unless by Resolution of the corporate authorities so authorizes. I'd like to ask for this Amendment to be added."

Speaker Redmond: "The gentleman has moved the adoption of Amendment #5 to House Bill 1843. All in favor say 'aye'. All opposed 'no'. The 'ayes' have it. The Amendment's adopted. Representative Palmer, for what purpose do you rise? Third Reading. Representative Palmer."

Palmer: "Yes, Mr. Speaker, for a request. The device that was used to move alot of these Bills that we just went through I think is a good device, but I, we only got the list yesterday afternoon and I wish that it would be possible, and I'm sure we'll have some more, that we could have them just a little bit ah... you know, ahead of time. A little bit more time than what we did have so that we can go through them alot more. Alot, in many instances there were Amendments put on that we hadn't had a chance to, at least I haven't had a chance to check out. I did my best to vote, but if we had just a little bit more time than the time that we have had to look these things over, it would, by me, would be greatly appreciated."

Speaker Redmond: "The point is well taken and we'll try to do it. Representative Barnes. Representative Barnes."

E. Barnes: "Thank you very much, Mr. Speaker. Mr. Speaker and members of the House, I have cleared this with the leadership on both sides of the aisle and the Appropriations. This morning, this morning the sub-committee of Appropriations division #2 met and I would



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like to move to suspend the appropriate rule, posting rule so that ah... House Bill 592, House Bill 691, House Bill 1263, House Bill 1297, House Bill 1318, House Bill 2995, and House Bill 2942 can be heard in Appropriations Monday morning, division 2."

Speaker Redmond: "The gentleman has moved that the posting rule be waived to permit the hearing of the Bills which he read, 592, 691, 1263, 1297, 1318, 2995, 2942, be posted so they can be heard in the Appropriations Committee on Monday. Any objections? They may be posted. It's ah... the opinion of the Chair in order that the recess this afternoon will have any relevancy as far as getting to see your family, it is suggested that we honor this list of returning Bills from Third to Second. We'll try it tomorrow and if it doesn't work tomorrow, then Monday; but we'd be here to 6 o'clock and we might as well stay to midnight. Representative Davis."

Davis: "Ah... Mr. Speaker and ladies and gentlemen of the House, I'd like to direct your attention in this announcement to the ah... soul food soiree committee's report and ah... I would like to thank each one of you for the wonderful support you gave the dinner and on behalf of the entire committee, I hope that a good time was had by all. The ah... total ah... money collected was \$5,006.25. The total money spent was \$2,743.15 and we have a balance of \$2,263.10. One-third of this balance will go to the President of the Senate and his welfare fund and the other two-thirds will go to the Speaker of the House for our welfare funds here in the House. Again, I want to thank every last one of you and may God Bless you and keep you."

Speaker Redmond: "Stand at ease for about one minute. On the order of consideration postponed appears House Bill 522 and the Chair recognizes Representative Friedrich."

Friedrich: "Ah... Mr. Speaker and members of the House, for the same reason mentioned on the Bills on Second Reading, I'd like to ask for unanimous consent to suspend the rules to let this be heard on Monday."

Speaker Redmond: "The gentleman has asked that for unanimous consent to suspend the deadline rule. This Bill expires today, to extend



that until Monday. Is there any objection? Representative Gaines."

Gaines: "Yes, I object, Mr. Speaker."

Speaker Redmond: "Representative Gaines objects."

Friedrich: "Well, Mr. Speaker, I ah... I thought we could save some time here because we have Appropriations Committee meetings yet and I'm sure that everybody wants to get home and I would like to have, at least, a fair chance for this to have a hearing since the new Amendment's on it. I, I thought that my request was reasonable and I, I hope they're not using this just as a method of beating the Bill because I think that's unfair."

Speaker Redmond: "There's a method, Representative Friedrich, if you move to suspend the rules and you get 107 votes, why then you can proceed."

Friedrich: "Yes, sir, but I think that's highly unlikely, but I guess that's the only alternative I have or else we'll hear the Bill."

Speaker Redmond: "Do you move to suspend the rules?"

Friedrich: "I move to suspend the rules."

Speaker Redmond: "The gentleman has moved to suspend the rule with respect to deadlines so that ah... extend the time on House Bill 522 'til Monday. Those in favor vote 'aye' and those opposed vote 'no'. Representative Lundy. Representative Lundy."

Lundy: "Thank you, Mr. Speaker. I wonder if the sponsor would explain what the Bill is and why it's necessary to ah... to extend the rule."

Speaker Redmond: "Representative Friedrich."

Friedrich: "This Bill is on the State Board of Education. I moved it back to try to accomodate some people who had a problem with it. I have not satisfied all of them, but I've satisfied the majority. I would not say it is not controversial, but it'll be time consuming if we hear it this afternoon. I was just merely trying to ah... accomodate those who want to leave and those who have, those of us who have to go to Committee. That's all. I'm not trying to just extend it so we can have it heard at a regular hearing. I would appreciate your vote on this because..."

Speaker Redmond: "Have all voted who wished? How is Representative Shea? Have all voted who wished? Clerk will take the record. Representative



Caldwell."

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Caldwell: "Mr. Speaker, I would respectfully request a roll call, er... verification of the roll call."

Speaker Redmond: "The gentleman has requested a verification of the affirmative roll call. He has a right so to do. Representative Collins."

Collins: "Mr. Speaker and ladies and gentlemen of the House, I can understand objection to this Bill or any other Bill, but in all the time I've been here, I think that this is a simple courtesy that has automatically been extended to any member just as automatically as we postpone a Bill on postponed consideration on a Bill once. And I really, I really think it's unfair to any member to do this to his particular Bill. I ah... remind all of us that we all could be in this position in this next week. We're under deadlines and I, I just think it unfair to ah... kill a Bill in this fashion. Ah... It should be a courtesy, I would think, that no one would refrain from extending to another member ah... no matter what your feelings on the Bill were and I just hope the gentleman will reconsider his request for the verification."

Speaker Redmond: "Representative Bradley."

Bradley: "Thank you, Mr. Speaker and Mr. Speaker and ladies and gentlemen of the House. I ah... did not vote for this Bill when it was on Third Reading and it went to postponed consideration, but certainly, I would hope that my good friend would remove his objection so that the gentleman would have 107 votes and so that we could give it another chance and a hearing. And it's been the ah... at least this side aisle, I felt, has been very fair about these things for a good many years in giving 107 votes and we're happy to see some green lights on that side and I would hope that he would withdraw his objection so that we would have a chance to ah... take another crack at it Monday and let it go up or down."

Speaker Redmond: "Representative Caldwell."

Caldwell: "I withdraw it, Mr. Speaker."

Speaker Redmond: "The gentleman has withdrawn his request. On this question there's 110 'aye', 11 'no' and the motion is carried.



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The time is extended until Monday. Representative Deuster, for what reason do you rise?"

Deuster: "Mr. Speaker, on the same order of consideration postponed, I would like to request the same extension ah... provided to the prior sponsor for House Joint Resolution 4. I don't want to take the time of the House today and I would move that the rules be suspended so that we could, that could be considered on Monday as well."

Speaker Redmond: "Representative Lundy."

Lundy: "Thank you, Mr. Speaker. Would the sponsor or the maker of the motion indicate whether House Joint Resolution 4 is in any different form than it was when it was last considered by the House. As I understood it, that was the rationale for Representative Friedrich's request that he had made changes in the Bill and he wanted an opportunity to have it heard on its merit in its new form."

Deuster: "Yes."

Lundy: "I just wondered if your ah... Resolution has been changed?"

Deuster: "Ah... It has not, but it was called about 3 minutes before we adjourned last night and it was a rather serious subject and I thought maybe everyone would like ah... at full attendance time to have a chance to vote it up and there were many, many absentees ah... and that's the reason for that. That was beyond my control as sponsor and I would ask that same courtesy."

Speaker Redmond: "Representative Lundy."

Lundy: "I thank the gentleman for his explanation."

Speaker Redmond: "Any objections to... Representative Berman."

Berman: "Objection."

Speaker Redmond: "Representative Berman objects. Representative Duff."

Duff: "Well, Mr. Speaker, ladies and gentlemen of the House, ah... the Representative is only asking for the courtesy that we extended to everybody else. Ah... I doubt very much if it's going to improve in the roll call when it comes, but ah... he is, as each of us from time to time have to, asking for a normal courtesy. Now if he doesn't get the courtesy, Mr. Speaker, I will make a motion that his Bill be heard today."



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Speaker Redmond: "Representative Berman."

Berman: "Let me explain the reason I'm objecting and I think that when we are asked to come in here on Sunday and on Saturdays, some of the people who want to have their things extended, their Bills extended, their Resolutions extended, why not think of some of us that have to come here and spend days that we usually don't work here. You had a shot at the Bill. It had a terrible roll call and now you want to do it again on Monday and that's an imposition on all of us. I'm objecting."

Speaker Redmond: "Representative Deuster."

Deuster: "Well, I would like to say that ah... I had requested, as Representative Hudson the co-sponsor, that this be heard ah... Oh, I think, maybe a week ago or so and it was called five minutes before adjournment last night and as I say, I'm sorry about that. Ah... but I don't think, in view of the great number of absences, that that was a fair consideration. I just ask that it ah... the courtesy be extended, yes..."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Speaker and ladies and gentlemen of the House, I don't intend to support this Bill, but I'll tell you what. Let him have his time for extension."

Speaker Redmond: "Representative Deuster, it appears that there are objections and there is not unanimous consent. Now, there's another avenue and that's to move to suspend the rules and on that you will get a hundred, need 107 votes. Representative Deuster."

Deuster: "Well, I've received counsel that there's no time limit on introducing Resolutions and ah... with that in mind, I suppose I could just graciously withdraw this and introduce another one later, but I think that would be an unnecessary duplication of the printing responsibilities and I would prefer not to do that but..."

Speaker Redmond: "Leave to withdraw. Any objections?"

Deuster: "Well, I would... Yea, I'll be very glad to ah... I'm saying, I would be very glad to withdraw it, but it was a serious subject and ah... I'm advised, under the rules, you could



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simply just reintroduce the Resolution."

Speaker Redmond: "I think that is correct and... I think that is correct and I think after the 23rd, that we'll probably have more floor time. So is there any objection to the gentleman withdrawing? House Joint Resolution 4. You may withdraw it. Representative Duff."

Duff: "Well, Mr. Speaker, that means that we get another Committee hearing and two more postponed considerations and all sorts of stuff like that. Why don't we just fish and cut bait. Ah... and roll the thing up today or down. I mean..."

Speaker Redmond: "A lot of people want to get home and visit their families. That's the reason. Representative Deuster."

Deuster: "All right, Mr. Speaker. Yea, Mr. Speaker, I want to get home as bad as anybody else and that was the reason for the motion to put it off 'til next week. If it's not the inclination of the House to hear this matter, if no one wants to consider this, well then, ah... if that's the case, I will be very happy to recognize the overwhelming wishes of the colleagues and I will, at this time, ah... withdraw my motion."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, I move that the House do adjourn until 5 p.m. tomorrow night."

Speaker Redmond: "All in favor 'aye'; opposed 'no'. The 'aye's have it. We adjourn until 5 o'clock tomorrow morning, tomorrow afternoon. Representative McGrew."

McGrew: "Thank you very much, Mr. Speaker. Quite some time ago, when I stood up to speak it was on a point of, of order. I was totally ignored and told to sit down and turn on the light and you would be able to speak. Now, I turned this light on and it has been flashing ever since we first started to read the Consent Calendar, the agreed list. It's been setting here flashing ever since then. You changed the order of business four or five times. You've recognized everyone under the sun, now what in the world are we to do. Are we to turn on our light or are we to stand up and yell?"

Speaker Redmond: "I'm sorry if I missed it, Representative McGrew. It's better to stand up and yell, I guess."



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McGrew: "It is still sitting there flashing."

