

1.

Doorkeeper: "All persons not entitled to the House floor, please, retire to the gallery."

Speaker Redmond: "The House will come to order. The Members, please, be in their seats. We'll be led in prayer this morning by the Clerk, Jack O'Brien."

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

Speaker Redmond: "Roll Call for Attendance. Representative Collins. Representative Collins."

Collins: "Mr. Speaker, I'd like to nominate the Clerk for permanent Chaplain."

Speaker Redmond: "The motion of the Gentleman is received; and I think we should give the Clerk the choice as to which payroll he wants to be on. Mr. Clerk, do you decline the nomination?"

Clerk O'Brien: "The motion is out of order."

Speaker Redmond: "Reading of the Journal. Representative Shea."

Shea: "Mr. Speaker, could the record and the Journal indicate that Representative Giglio is absent because of illness?"

Speaker Redmond: "Any objections? The record will so show. Representative Washburn."

Washburn: "Yes, Mr. Speaker, and Ladies and Gentlemen of the House, would the record show that Representative Peters is absent due to illness?"

Speaker Redmond: "Any objections? Hearing none, the record will so show. Representative Shea."

Shea: "With regards to the Journals, if . . . Mr. Speaker, I move that the reading of Journals for the 132nd through the 138th Legislative Day be waived and they be approved as written."

Speaker Redmond: "You've heard the Gentleman's motion. Any objections? Hearing none, the record will so show. We'll be at ease for 15 minutes; 15, we will begin calling Bills. The distinguished-looking Gentleman in the center aisle is the former Representative Lenard. The distinguished-looking Gentleman, Henry Lenard. The House will come to order. The Members, please, be in their seats. Is everybody on the Roll Call who desires to be on the



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Roll Call. House Bills, Second Reading. House Bills, Second Reading, 3036."

Clerk O'Brien: "House Bill 3036, a Bill for an Act to repeal the Chicago Regional Court District Act. Second Reading of the Bill. One Committee Amendment amends House Bill 3036 in line 1 by deleting the words, 'repeal', and inserting in lieu, thereof . . ."

Speaker Redmond: "Out of the record at the request of the Sponsor. 3376."

Clerk O'Brien: "House Bill 3376 . . . Representative Chapman."

Speaker Redmond: "Representative Chapman. 3376 out of the record. 3377. Representative Byers? Is he on the floor? Out of the Record. 3379. Is the Sponsor here? Out of the record. 3403. Representative Boyle? Out of the record. 3485 and 3846 out of the record at the request of the Sponsor. 3489. 3489. Representative Kane on the floor? Out of the record. 3518. Representative Jaffe, do you want that one called? Mr. Clerk, will you read 3518?"

Clerk O'Brien: "House Bill 3518, a Bill for an Act to amend Section 18-8 of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Representative Jaffe. Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1 amends House Bill 3518 on page 4, line 4, by deleting everything after the word, 'procedure', by deleting line 5 through 9."

Speaker Redmond: "Representative Jaffe. Representative Berman."

Clerk O'Brien: "Berman's Resolution or Amendment."

Berman: "Thank you, Mr. Speaker. House Bill 3518 is an attempt by Representative Jaffe to address himself to the problem of declining enrollment. This is done in House Bill 3518 by two methods. The first method is to allow a school district to take for purposes of school aid their last three years' average daily attendance. At the present time, the school district can take either the current year or last year's. And the Jaffe Bill would allow an average of the last three years. The second part of the Bill provides that no school district may receive less than 90 percent of the state



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aid that it received the previous years. The purpose of Amendment #1 is to strike out this 90 percent floor provision in this Bill because I believe that the 90 percent floor provision has nothing to do necessarily with declining enrollment, but rather might be as the result of substantial other portions or changes in the school district's ability or reason for collecting state aid. A large number of their assessed valuation may have increased substantially, or the people may have moved out or there may have been redistricting that would give rise to some factor that would give that school district less than 90 percent state aid this year as opposed to last year. I think it's an arbitrary figure when we take it at 90 percent. And I think that it really has no basic relationship to what the Gentleman from Cook, Representative Jaffe, is trying to do. And, that is, address himself to the question of declining enrollment. So I submit Amendment #1 to delete a provision that may prove to be very costly to the state, that may have no basis or relationship to declining enrollment at all, and, that is, to delete from House Bill 3518 a guarantee that every school district would get 90 percent, no less than 90 percent, of their state aid last year to this year. And I'd move the adoption of Amendment #1."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Mr. Speaker, I rise in opposition to this Amendment. The 90-percent figure was put in there with good reason. School districts just have to have time to adjust; and they just have not had time to adjust when they've had declining enrollment. Let me give you an example, the school district that I come from and many school districts in the north suburban areas of downstate, although they're losing a small amount of pupils, lose tremendous amount of state aid entitlement. Let me give you one example, School District 68 is losing 10 percent of its enrollment; and yet because of the School Aid Formula is losing 67 percent of its entitlement. This happens over, and over and over again throughout the entire state. At the present time, there are over 60 percent of the school districts that are faced with the problem of declining



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enrollment. And within the next year or two you're going to have probably 90 percent of all school districts faced with this problem of declining enrollments. They are not going to be able to plan if you're going to knock out this 10 percent out of this particular Bill. The three-year average, plus the 10 percent enables the school district to plan ahead and do those things that they have to do. As we know, we've had a number of things hit school districts in the last couple of years, which have just been disastrous. You've had declining enrollments, you've had the multiplier and so on and so forth. So I would submit to you that the 10-percent Amendment that Representative Berman is trying to put on the Bill is not a good Amendment because there are other areas that, while they're losing enrollments, still are getting more money. Let me say this, for instance, the City of Chicago, while it's losing 30,000 students, it's still getting, you know, \$50,000,000 more. There's no reason why that particular district should always get a plus and suburban and downstate districts should always get a minus. When suburban and downstate districts lose the population, they really lose the money for their entitlement. And I would a 'no' vote to this. And I would urge that this Amendment be defeated."

Speaker Redmond: "Representative Skinner."

Skinner: "May I ask the Sponsor of this Amendment a couple of questions?"

Speaker Redmond: "Proceed."

Skinner: "This is too important a subject for about 90 percent of the House floor not to understand what's happening. You stated that this Amendment was about the enrollment, I believe. Wouldn't you say this Amendment is more about money? Who gets how much of the state pie?"

Berman: "The Bill, Representative Skinner, the Bill is addressed to enrollment. The Amendment deals with the money guarantee."

Skinner: "Now, could you explain it again so an ordinary yo-yo like myself could understand what you're saying?"

Berman: "Well, I don't think that you're an ordinary yo-yo."

Skinner: "Well, okay. I . . . you know, you and Giorgi, that's two today



for your side and none for mine."

Berman: "House Bill 3518 without any Amendments does two things.

It changes the School Aid Formula so every school district can average its attendance figure over the last three years. This alone softens the impact of declining enrollment."

Skinner: "Okay."

Berman: "The second part of the Bill says that even after you average your attendance for three years and soften the impact, aside from anything else, you will not receive less than 90 percent of the state aid this year than you received last year."

Skinner: "That's unbelievable."

Berman: "That's the reason I've offered Amendment #1 because I don't think it has any necessary relationship."

Skinner: "So, in addition to giving . . . to, really, taking money away from any school district that has the same number of students as last year or has more students as last year, it also does that other bad thing you just mentioned. How does this 90 percent compare with the 25 percent maximum increase in state aid that those dual districts that are now underfunded get? Does it have any relationship at all?"

Berman: "The only relationship is that they are both arbitrary."

Skinner: "They're both arbitrary and they both cheat dual districts out of money? Okay. Thank you very much. I think your Amendments are pretty decent Amendment, although, I think Representative Jaffe's comment that Chicago's educational funding would not logically continue to increase if their enrollment kept decreasing."

Speaker Redmond: "Representative Deuster."

Deuster: "I would like to ask the Sponsor of the Amendment a question. It is my understanding that the Bill as it now stands would say that no matter how much enrollment that you lost, you are going to get 90 percent of last year's entitlement. And your Amendment will strike that out."

Berman: "Yeah, it's because the Bill doesn't say that. It doesn't say 90 . . . it says . . . it doesn't say, regardless of the enrollment you lost, it says, regardless of anything you lost . . ."



Deuster: "Yes."

Berman: ". . . you're going to get 90 percent. That's the part that . . ."

Deuster: "And so after your . . . if your Amendment is adopted, the heart of the Bill will be the basic provision that you consider the past three years?"

Berman: ". . . That's correct."

Deuster: "Thank you."

Speaker Redmond: "Representative Bradley."

Bradley: "Well, thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I would suggest that we take a pretty good look at this Amendment for the intent that the Sponsor of the legislation is making. With this Amendment put on it, that intent, I think, severely damages what his legislation is attempting to do. And that is to soften the blow to those school districts who are losing students. And I think that includes just about every school district that I can think of in the State of Illinois. There are very, very few of us that don't have school districts that aren't losing students. And what we're asking here is to soften that blow to them this next year by saying to them, 'You can use the past three years in determining your state aid'. And we are saying, 'You will not . . . you shall not receive less than 90 percent of what you received last year'. I think that's a very, very good piece of legislation. And you delete the 90 percent, and maybe you're getting somebody that's only entitled to 80 percent. And you damage what the intent of Representative Jaffe's legislation is all about. So I would suggest to everybody that this is a good piece of legislation. It makes very good sense to me. And I'm, certainly, going to support it. I can't think of anybody sitting in this House that doesn't have a school district in the situation that . . . Representative Jaffe has addressed himself to. And to put this Amendment on, we are in some way watering down the provision that Representative Jaffe through this Bill and this Amendment is going to soften the blow to those school districts who are losing students. So I, strongly, suggest that we defeat this



Amendment, strongly suggest we defeat it, and go ahead and allow Mr. Jaffe's Bill to go out of here in the condition that Mr. Jaffe wants that piece of legislation to go out of here. Thank you."

Speaker Redmond: "Representative Washburn."

Washburn: "Oh, thank you, Mr. Speaker, and Ladies and Gentlemen of the House. If I could just interrupt the proceedings here for a minute. It gives me a great deal of pleasure to introduce the eighth grade class of St. Paul the Apostle Grade School in Joliet. They are accompanied by Mr. William Murphy and Mr. Roland 'Mudrin'; and they are represented by the Honorable Representatives Leinenweber, Sangmeister and Van Duyne. To my left in the gallery, the eighth grade class of St. Paul the Apostle."

Speaker Redmond: "Any further. Representative Berman to close."

Berman: "Thank you, Mr. Speaker. I think it's important to recognize that this Amendment will not, I underline the word, will not hurt school districts that are concerned about their declining enrollments. The balance of the Bill would still address themselves and give some relief to the problem of declining enrollment. This Amendment really deals with the items that are not involved in declining enrollment, namely, tax rates. What happens if the school district decreases its tax rates? And by this . . . without this Amendment, they would still be guaranteed 90 percent of the school aid that they received last year. What if they have a substantial increase in assessed valuation? They would still have a floor of 90 percent of the school aid that they got last year. This Bill without my Amendment could be a rip-off to every school district in the State of Illinois because it doesn't . . . the Bill without the Amendment, the floor that 90 percent doesn't address to only declining enrollment. I think that the Bill does address itself to declining enrollment, there is no reason to guarantee, and that's what you're asking . . . that is what Representative Jaffe is saying. . . there is no reason to guarantee 90 percent state aid for any reason whatsoever. And that is the reason for Amendment #1. I solicit your 'aye' vote."



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

Those in favor of the Amendment vote 'aye' and the opposed vote 'no'. Representative Jaffe."

Jaffe: "Mr. Speaker, in explaining my vote, I want to urge a 'no' vote on this particular Amendment."

Speaker Redmond: "Are you explaining your vote, Mr. Jaffe?"

Jaffe: "Yes, yes, I am."

Speaker Redmond: "Have all voted who wish?"

Jaffe: "Mr. Speaker, I have...."

Speaker Redmond: "For what purpose do you rise, Mr. Jaffe?"

Jaffe: "To explain my vote, Mr. Speaker."

Speaker Redmond: "I didn't hear him talk before. Go ahead and explain your vote."

Jaffe: "Well, Mr. Speaker, what.... what House Bill.... what this House Bill is trying to do is to try and protect those schools with declining enrollment and guarantee that no school gets less than 90% of the entitlement that it got in the prior years. I think this is an Amendment which would hurt every downstate area and would hurt every suburban area. And I would urge a 'no' vote on it."

Speaker Redmond: "Anybody else want to explain their vote? Representative Berman to explain his vote."

Berman: "Well, Mr. Speaker, again.... this Amendment does not address itself to only declining enrollment. If the people.... and I hate to see when a Sponsor stands up and tries to fragment the issue by talking about suburbs and downstate. This Bill without this Amendment cuts across every line. And Chicago is probably is probably least affected by this Bill or the Amendment. You're talking about school districts that will get a windfall.... a windfall without this Amendment because regardless of whether there's an increased assessed evaluation or a cut in their tax rate; they're are guaranteed 90% of last years spending. And I would tell you this, that what you are going to do is give to those school districts that don't deserve that kind of money, additional state aid... and it will be out of the pockets of your school districts.



If you adopt this Amendment, the school districts will benefit because they will still be able to average their attendance over three years, but the questions of tax rates and assessed valuations will still be considered. And if they are not entitled to state aid, they won't get it. That is a fair approach; otherwise you're given a guarantee. Let me point out that those of you who are worried about the state spending money improperly for schools; this kind of an Amendment is necessary because you're giving a guarantee an arbitrary guarantee to school districts that may not deserve that guarantee. That's the reason for this Amendment. It has nothing to do with addressing themselves to declining enrollment. The rest of the Bill with the Amendment would still do that."

Speaker Redmond: "Representative Walsh."

Walsh: "Mr. Speaker and Ladies and Gentlemen of the House, I guess I won't explain my vote now. I just had to comment that this is the first time, in my recollection, that I voted with Representative Berman on one of his Bills and it looked like we were getting beat. However, I agree with...."

Speaker Redmond: "Representative Madison."

Walsh: "Well, I'm not through."

Speaker Redmond: "Oh, I thought you were."

Walsh: "Well, I do want to agree with what he said just in case there's ah... there should be some change. He has stated it absolutely, but another point that I think we ought to take into consideration is the point that we frequently make.... that Members on this Floor talk about funding the formula. One of the problems is that we keep changing the formula in favor of increased funding. Now Representative Berman here has, by his action in changing this Bill, done something for the taxpayer. He's provided that the funding shall go only where it is needed and only where it is needed in terms of educational services. And I would urge an 'aye' vote on his Amendment."

Speaker Redmond: "Representative Madison."

Madison: "Thank you very much, Mr. Speaker. Mr. Speaker, I can recall



last year when Representative Jaffe offered the essence of this Bill as an Amendment to another Bill in order to help declining enrollment. I would suggest to Representative Jaffe that the essence of his Amendment ought to be drafted in a Bill, which he has done, but he has gone a little bit beyond what he did last year and has thrown a sweetener into it, which is this 90% floor. It appears to me that if this Amendment fails, that this Bill is not going to only help school districts with declining enrollment; it could very well end up helping school districts with an increase in enrollment if a sudden drastic change in their assessed evaluation causes their state aid to go down. This Bill would say in essence, even though you have an increased enrollment, you will be guaranteed not less than 90% of your previous years entitlement. I think that Representative Berman is right. It could be a windfall for school districts with increased enrollment and I think that we ought to adopt this Amendment and let the essence of the Bill stand as it is and that is to assist those schools with declining enrollment. Thank you."

Speaker Redmond: "Representative Sharp."

Sharp: "Mr. Speaker and Members of the House, some of the arguments that have been given here... I think... could be true if the condition would exist and we had the Sponsor mention that we could have a roll back in taxes and a school district would benefit greatly, but I think the type of district that this Amendment would definitely hurt by removing the 10% or the 90% assurance. And I think we should have the 90% assurance for districts such as one I have in my district... namely Jacksonville. They have had tax referendums to increase their taxes and they have done everything possible to get by and through a financial crisis. And still they are faced next year with their state aid going from one million nine hundred and ninety thousand to one million six hundred thousand. Now with the 90% assurance they will only lose one hundred and ninety-nine thousand. And without that assurance they stand to lose three hundred and ninety thousand, of course a three year average may make some difference, but I think to a district like this, we're talking around one hundred ninety-one thousand dollars



which means a great deal. So I think that the districts that we're trying to help here need the help and mainly they need it through the 90% assurance and I would ask for a 'no' vote."

Speaker Redmond: "Representative Mugalian."

Mugalian: "Well, Mr. Speaker, to explain my vote very briefly. I just think that there are two elements of this Amendment that have been partially commented on, but I would like to emphasize that one of the two is that by this Amendment, it seems to me, that we would be destroying the formula itself. We don't know what the full consequences would be if we did. And secondly, I think that the result of this Amendment might be to increase the cost of funding it incalculable proportions."

Speaker Redmond: "Have all.... Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House, I suspect that there are many Members on this Floor that find themselves in the same position that I am. I don't believe that there's anyway that you can take the same number of dollars and shuffle it around without somebody getting helped and somebody getting hurt. The irony of it is in my district and I think some of you have the same problem, it helps some of my schools and hurts the others. There's no way that you can win in a district like I have. And I doubt that there's any good solution that any Bill that you could propose would, but usually these Bills are introduced and the Amendments are introduced by someone who is trying to help the people in their district. So frankly, I'll have to confess that I'm a little bit confused about what we should do on this; but in the meantime, I know that one of my districts is being hurt very badly and I'm going to vote 'no'."

Speaker Redmond: "Representative Madigan."

Madigan: "An announcement, Mr. Speaker. Is an announcement in order?"

Speaker Redmond: "Proceed."

Madigan: "Seated in the rear gallery and the east gallery is a group of students from the Gugenheim School in Chicago. The principal, Mr. Timmothy Kane and the group is accompanied by Mrs. Ceretta Vincent. They're from the 21st Legislative District, which is represented by Representatives Washington, Taylor and Pouncey."



And they're in the gallery to my left."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this.... Representative Jaffe."

Jaffe: "Mr. Speaker, at the appropriate time, I'd like a verification of the Roll Call."

Speaker Redmond: "Representative Dyer, do you seek recognition? Record Representative Dyer as 'aye'. On this question there's.... the Gentleman has requested a verification of the Affirmative Roll Call. The Clerk will read the Affirmative Roll Call."

Clerk O'Brien: "Anderson, Arnell, E.M. Barnes, J.M. Barnes, Beatty, Berman."

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

Leinenweber: "Could I be verified right now?"

Speaker Redmond: "Will you verify Representative Leinenweber? Any objections to Representative Leinenweber being verified? Hearing no objections, you are verified."

Clerk O'Brien: "Brandt, Brinkmeier, Caldwell, Capparelli, Catania, Collins, Cunningham, Daniels, Darrow, Davis, Deuster, DiPrima, Domico, Duff, Dyer, Farley, Fleck, Friedland, Gaines, Garmisa, Geo-Karis, Getty, Griesheimer, Ron Hoffman, Holewinski, Dan Houlihan, Huff, Emil Jones, Kelly, Klosak, Kornowicz, Kosinski, Kozubowski, Kucharski, Laurino, Lechowicz, Leinenweber, Leon, Leverenz, Madigan, Madison, Mahar, Maragos, Marovitz, Mautino, McAuliffe, McAvoy, McCourt, McLendon, McPartlin, Merlo, Meyer, Molloy, Mudd,...."

Speaker Redmond: "D.L. Houlihan would like to be verified. Any objections to him being verified? Hearing none, you are verified."

Clerk O'Brien: "Mugalian."

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

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

Speaker Redmond: "How is he recorded?"

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

Kempiners: "Would you record me as voting 'yes' and I would like leave to be verified on that vote."



Speaker Redmond: "Record the Gentleman as 'yes'. Verified. Representative Sevcik."

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

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

Sevcik: "Vote me 'aye'."

Clerk O'Brien: "Nardulli, Palmer, Patrick, Polk, Porter, Pouncey, Randolph, Rayson, Rigney, Schlickman, Schneider, Sevcik, Shea, Skinner, Taylor, Telcser, Terzich, Totten, Vitek, Walsh, White, that's it."

Speaker Redmond: "Any questions on the affirmative, Representative Jaffe?"

Jaffe: "Arnell?"

Speaker Redmond: "Arnell is here."

Jaffe: "Brinkmeier?"

Speaker Redmond: "Representative Brinkmeier? He's in his seat."

Jaffe: "Anderson?"

Speaker Redmond: "Representative Anderson? He's here."

Jaffe: "Catania?"

Speaker Redmond: "Who?"

Jaffe: "Catania?"

Speaker Redmond: "She's here."

Jaffe: "Cunningham?"

Speaker Redmond: "Cunningham's here."

Jaffe: "Domico?"

Speaker Redmond: "Domico? He's here."

Jaffe: "Farley?"

Speaker Redmond: "Representative Farley? Is Representative Farley on the Floor? How is the Gentleman recorded?"

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

Speaker Redmond: "Remove him from the Roll Call."

Jaffe: "Fleck?"

Speaker Redmond: "Representative Fleck? He's here."

Jaffe: "Friedland?"

Speaker Redmond: "Friedland? He's here."

Jaffe: "Gaines?"



Speaker Redmond: "Who?"

Jaffe: "Gaines?"

Speaker Redmond: "Gaines. Representative Gaines, he's here."

Jaffe: "Griesheimer?"

Speaker Redmond: "Representative Griesheimer is here."

Jaffe: "Kelly?"

Speaker Redmond: "Representative Kelly? He's here."

Jaffe: "Kozubowski?"

Speaker Redmond: "Who?"

Jaffe: "Kozubowski?"

Speaker Redmond: "Kozubowski? Representative Kozubowski? Is Representative Kozubowski here? How is the Gentleman recorded?"

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

Speaker Redmond: "Remove him from the Roll Call."

Jaffe: "Laurino?"

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

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

Speaker Redmond: "Is Representative Laurino here? Oh, I didn't recognize him from the back. Representative Laurino."

Jaffe: "Lechowicz?"

Speaker Redmond: "Representative Lechowicz? Is Representative Lechowicz here? How is he recorded?"

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

Speaker Redmond: "Remove him."

Jaffe: "McAuliffe?"

Speaker Redmond: "Representative McAuliffe? Is Representative McAuliffe on the Floor? How is he recorded?"

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

Speaker Redmond: "Remove him from the Roll Call."

Jaffe: "McLendon?"

Speaker Redmond: "Representative McLendon is here."

Jaffe: "McPartlin?"

Speaker Redmond: "Representative McPartlin is here."

Jaffe: "Merlo?"

Speaker Redmond: "Representative Merlo? I hear him, but I don't see



him. There he is."

Jaffe: "Palmer?"

Speaker Redmond: "Representative Palmer? He's here."

Jaffe: "Patrick?"

Speaker Redmond: "Patrick? He's here."

Jaffe: "Polk?"

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

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

Speaker Redmond: "Remove him."

Jaffe: "Randolph?"

Speaker Redmond: "Representative Randolph? He's here."

Jaffe: "Rayson?"

Speaker Redmond: "Rayson? He's here."

Jaffe: "Terzich?"

Speaker Redmond: "Terzich? He's here."

Jaffe: "I have no further questions."

Speaker Redmond: "What's the score?"

Jaffe: "Capparelli?"

Speaker Redmond: "He's here."

Jaffe: "Daniels?"

Speaker Redmond: "Representative Daniels is here."

Jaffe: "Duff?"

Speaker Redmond: "Duff is here. Representative Palmer, for what pur-
pose do you rise?"

Palmer: "How am I recorded?"

Speaker Redmond: "How is the Gentleman recorded?"

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

Palmer: "Change it to 'no'."

Speaker Redmond: "Change the Gentleman to 'no'."

Jaffe: "Mahar?"

Speaker Redmond: "Representative Mahar? He's here."

Jaffe: "McAvoy?"

Speaker Redmond: "Representative McAvoy? He's here."

Jaffe: "Telcser?"

Speaker Redmond: "Representative Telcser? He's here."



Jaffe: "White?"

Speaker Redmond: "Representative White? He's here."

Jaffe: "Darrow?"

Speaker Redmond: "Darrow is here."

Jaffe: "I have no further questions."

Speaker Redmond: "What's the count? On this question there are 77 'ayes' and 72 'noes' and the motion is carried and the Amendment is adopted. Representative Dunn. Representative Kent, for what purpose do you rise?"

Kent: "I wanted to know how I was recorded?"

Speaker Redmond: "How is the Lady recorded?"

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

Kent: "Would you please record me as voting 'no'?"

Speaker Redmond: "Record the Lady as 'no'. 73 'no'. Representative McAuliffe has returned. Put him back on the Roll Call. Representative Ewing."

Ewing: "Yes, Mr. Speaker, how am I recorded?"

Speaker Redmond: "How is the Gentleman recorded?"

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

Ewing: "Would you vote me 'aye', please?"

Speaker Redmond: "Record the Gentleman as 'aye'. Representative Berman."

Berman: "I thought that you had announced that the Amendment was adopted."

Speaker Redmond: "Well, I hadn't quite. On this question there's 80 'aye' and 73 'nays' and the motion is carried and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Amendment #2...."

Speaker Redmond: "Representative Davis."

Davis: "Mr. Speaker and Ladies and Gentlemen of the House, I have the pleasure of presenting to you the eighth grade graduating class of the James McCart Elementary School... 187 students. Their teacher, Ms. Mamie Brown. The Sponsor of this trip is the vivacious, beautiful, charming daughter of Representative Lewis Caldwell and her name is Phyllis Caldwell and there they are in the West Gallery."



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Will the class please stand? The graduating class of McCart High School. The West Gallery and the North Gallery. They have with them..... seven of their parents are with them."

Speaker Redmond: "East is east and west is west, Corneal. Any further Amendments?"

Clerk O'Brien: "Amendment #2, Berman. Amends House Bill 3518 on page 3, line 32 by deleting the words, 'average of' and on page 3, line 33 by deleting the word 'the' and the number '3'."

Speaker Redmond: "Representative Berman."

Berman: "Mr. Speaker, I'll ask for leave to table Amendment #2."

Speaker Redmond: "Any objections? Table Amendment #..... Amendment #2 is tabled. Any further Amendments?"

Clerk O'Brien: "Amendment #3, Deuster. Amends House Bill 3518 on page 3, line 33 by deleting 'three years' and inserting in lieu thereof 'two years'."

Speaker Redmond: "Representative Deuster. "

Deuster: "Mr. Speaker and Ladies and Gentlemen of the House, now we all know that there is just so much money to go around. The thrust of this Bill offered by Representative Jaffe is to try and take some of the money that is spread around to our schools and to help those schools that have declining enrollment. Now we have three kinds of schools.... as far as enrollment is concerned. We have some of those with stable enrollment. We have some with increasing and we have some with decreasing. This Bill itself is designed to help those schools that are losing students and to provide for reimbursement to them even though the students are no longer there. Now we do recognize that schools with declining enrollments have problems because they may have to maintain janitors and teachers and supervisory people even though some of the students have gone and they've lost money. Now Representative Jaffe's Bill, as it stands would reach back into the past three years and suggest that you could take the average of the three years in the past. Amendment #3, which I'm offering, would change that three years to two. So that if we adopt Amendment #2, we'll still be helping the declining enrollment schools, but we wouldn't be arti-



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artificially going back so far in the past to comprise an enrollment figure which no longer exists. Now the affect of adopting Amendment #2 would be to change the three years to two so we would allow the last two years to be considered. This would reduce the amount of money in relief that would be given to those schools with declining enrollment, but I think that it's a little more fair than the three years. I would be happy to answer any questions. I think if we adopt Amendment #2; we're still moving with the philosophy and thrust of this Bill, which is to help those declining schools, but we're not doing quite so much. We're not distorting the formula and the distribution of funds quite so much, but I think this is adequate and enough. And I urge the adoption of Amendment #3."

Speaker Redmond: "Any discussion? Representative Jaffe."

Jaffe: "Mr. Speaker and Members of the House, I rise in opposition to Amendment #3. Let me say that the three year figure was not arrived at arbitrarily. It was arrived at after a long and hard discussion with superintendent associations with the Office of Education and many other groups. I know of no print-out. I know of no cost estimate with regard to two years. I'm not confident in my own mind that it will accomplish that which the Sponsor wants it to accomplish. And I think if anything, two years is an arbitrary figure and three years, indeed, is not an arbitrary figure because we've done it with school board associations, we've done it with school board superintendents and we've put in long and hard work on it. I would submit to you that two years would not accomplish that which the Sponsor wants it to do, but would in effect, ruin the Bill and I would urge a 'no' vote on this particular Amendment."

Speaker Redmond: "Representative Deuster to close."

Deuster: "Well, in response to the observation of Representative Jaffe, this wouldn't destroy the Bill at all. This will make the Bill more palatable to those who might be inclined to oppose the Bill. I think any figure you use ... whether it's two years or five years or ten years or twenty years, is artificial. What we're doing in the main Bill.... we're talking about ghost students. We're



talking about students that aren't even there anymore and yet we're going to pay the schools. And I think it's one thing to pay the schools something and try and soften that blow of the economic blow that they suffer with declining enrollment, but going back into the past three years is too far. I think three years is too far and I think two years is a little better. And I urge the adoption of this Amendment."

Speaker Redmond: "Representative Berman."

Berman: "Just a question of the Sponsor. Donald, do you know Representative Jaffe's Bill without your Amendment would cost about \$27,000,000. What would your Amendment do?"

Deuster: "In answer to your question, Representative Berman, we asked the Illinois Office of Education to have a computer print-out. I was just advised on the Floor by Dean Williams that the computer broke down or something. We don't have the figure. This much we do know; that my Amendment would probably involve a redistribution of less... money. So if you are in favor of giving the declining schools a little bit less money... we don't know exactly how much, but somewhat less, than you would support the Amendment. And I'm sorry that I don't have the precise figure, but we just know that instead of allowing them to average over three years in the past; this Amendment would allow them to average two years in the past."

Speaker Redmond: "The question is on the adoption of the Amendment. All in favor indicate by saying 'aye' and the opposed 'no'. In the opinion of the Chair the 'noes' have it. The Gentleman has asked for a Roll Call. All in favor vote 'aye' and the opposed vote 'no'. Have all voted who wish? Have all voted who wish? Representative Jaffe, for what purpose do you rise?"

Jaffe: "Mr. Speaker, I would just want the Members to take a look at this particular Amendment and tell you that for all practical purposes that if this Amendment doesn't gut the Bill, it's very close to it. So I would urge a 'no' vote on this Amendment."

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

Collins: "Mr. Speaker, the Gentleman spoke on this already."



Speaker Redmond: "I know. He's through now."

Collins: "Now this is twice that the rules have been.... not only bent, it's just been thrown out the window. Mr. Speaker, I suggest that we abide by the rules or let's just get rid of them."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. Representative Bradley."

Bradley: "Well, thank you, Mr. Speaker. I rise to explain my 'no' vote and ask the Members who are voting green and those who have not voted to take a... or at least have a second thought about this particular Amendment. What we're trying to do and what Representative Jaffe is attempting to do is address himself to a problem, as I said earlier on another Amendment, that everybody sitting here has in his district with some of his schools. And I can't think of very many schools that aren't having this problem and that's declining enrollment. And unfortunately... and very unfortunate the school formula that we operate under in some cases, regardless of declining enrollment, they still benefit from the formula... from the inequities in that formula and it allows them to continue to take a bigger slice of the pie regardless of the loss of students. This in no way hurts that formula or those school districts at all, but it certainly does what this... what this Gentleman's Bill... it addresses itself to that problem and with this Amendment, it dilutes... it dilutes the affect it will have on those school districts and I say practically all of them are losing students. And this... this Bill' is designed to soften the blow of what? I'll tell you what; of the loss of state dollars... the dramatic loss of state dollars and that's what we're talking about. We're talking about what the Constitution says. The Constitution says that it's a primary responsibility of the State of Illinois to fund schools. And I think that means every boy and girl in Illinois, not just some. If we continue to defeat this kind of legislation and promote others, we're going to have some students getting all the money and other students getting none of the money. And I think that's entirely wrong. I can't conceive of the Constitution allowing us to continue to supply and to meet our



obligations to send money.... state aid dollars to our schools to continue to dilute the amount of money available... to dilute it to the point that some boys and girls receive no money at all. And that's what Mr. Deuster is doing with this Bill... with this Amendment and that's what Mr. Berman did with the Amendment before. And boys and girls in my district will receive no money at all. And I object to it and I wish that you would reconsider."

Speaker Redmond: "Have all voted who wish? Take the record. On this question there are 78 'aye' and 76 'no' and the motion carries. Representative Jaffe."

Jaffe: "My light was on, Mr. Speaker. And I was calling for attention. I want a verification of the Roll Call."

Speaker Redmond: "The Gentleman's correct. The Clerk will verify the Affirmative Roll Call."

Clerk O'Brien: "Arnell, E.M. Barnes, J.M. Barnes, Beatty, Berman, Bluthardt, Brandt,....."

Speaker Shea: "Mr. Clerk..... The Gentleman from Knox, Mr. McMasters, for what reason do you seek recognition, Sir?"

McMaster: "Mr. Speaker, I'm sorry that I was not in here at the time and I would like to be recorded as voting 'no'."

Speaker Shea: "Mr. Clerk, would you record Mr. McMaster as voting 'no'? Mr. Jaffe, you've requested a verification of the Affirmative vote and Mr. Brandt would like leave to be verified now. Mr. Caldwell, for what purpose do you seek recognition, Sir?"

Caldwell: "I'd like to be verified, please."

Speaker Shea: "Is that agreeable, Mr. Jaffe? All right. Proceed with the verification of the Affirmative vote."

Clerk O'Brien: "Brinkmeier, Caldwell, Campbell, Capparelli, Carroll,"

Speaker Shea: "Mr. Clerk, excuse me again. Mr. Ebbesen."

Ebbesen: "Yes, Mr. Speaker, I'd like my... vote changed from 'aye' to 'nay'."

Speaker Shea: "Change Mr. Ebbesen from 'aye' to 'nay'. Mr. Ewing."

Ewing: "Yes, Mr. Speaker, I'd like my vote changed from 'aye' to 'nay'."

Speaker Shea: "Change Mr. Ewing from 'aye' to 'nay'. Now would you



give me the Roll Call at this time, Mr. Clerk? The Roll Call at this time is 76 'aye' votes and 79 'nay' votes. Now for what purpose does the Gentleman from Rock Island, Mr. Polk seek recognition?"

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

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

Polk: "Vote me 'no', please."

Speaker Shea: "Vote the Gentleman from Rock Island, 'no'. Now while the Gentlemen are trying to determine which way they are voting, Mr. Davis for the purposes of an announcement."

Davis: "Mr. Speaker and Ladies and Gentlemen of the House, the rest of the class.... the balance of the class, the 184 students from the McCart Elementary School, which is located in the 29th District, Representatives Gaines, Barnes, and Ewell.... they're in the North and the East Gallery here. Would the class please stand? Under the supervision of Ms. Phillis Caldwell, the daughter of Representative Lewis Caldwell."

Speaker Shea: "The Roll Call at the present time stands at 76 'ayes' and 80 'nays' and for what purpose does the Gentleman from Kane, Mr. Friedland seek recognition?"

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

Speaker Shea: "You are recorded as 'aye'."

Friedland: "Vote me 'no', please."

Speaker Shea: "Change the Gentleman from 'aye' to 'nay'. Mr. Hoffman, Ronald."

R. Hoffman: "Mr. Speaker, will you change my vote to 'no'?"

Speaker Shea: "Mr. Hoffman wishes to be recorded as 'no'. Ms. Dyer, how do you wish to be recorded?"

Dyer: "'Aye'."

Speaker Shea: "Ms. Dyer wishes to be recorded 'aye'. Mr. Stearney, how do you wish to be recorded?"

Stearney: "Record me 'aye', please."

Speaker Shea: "Record Mr. Stearney as 'aye'. What is the Roll Call.... Mr. Washburn wishes to be recorded as 'no'. Now does anybody else want to change from 'aye' to 'nay', 'nay' to 'aye'? Ms. Catania



wishes to be recorded as 'no'. Do you want to change your vote, Mr. Deuster? It is now 77 'ayes' and 84 'nay' votes and for which purpose do you seek recognition, Mr. Deuster?"

Deuster: "Mr. Speaker, as Sponsor of the Amendment, I want to indicate that I think that we've gotten a good, fair, honest hearing on this subject and I'm not going to ask for a verification."

Speaker Shea: "The Roll Call stands at 76 'ayes' and 8..... 77 'ayes' and 84 'nays' and the Gentleman's Amendment is lost. Are there further Amendments?"

Clerk O'Brien: "Amendment #4, Lundy. Amends House Bill 3518 by deleting line 19 through 35 on page 15 and so forth."

Speaker Shea: "The Gentleman from Cook, Mr. Lundy on Amendment #4."

Lundy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #4 addresses a related problem with the existing school aid formula. It proposes to eliminate from that formula a requirement which has worked a hardship on... between seventy and eighty districts in this state by requiring them to begin rolling back their tax rates if they are in excess of the maxima specified in the school aid formula. I think... none of us foresaw when we included this requirement in the school aid formula the ramping inflation that these districts would have to deal with. I think there's a pretty general concensus at this point that it is not justified to require these high taxing districts to deprive themselves of locally raised revenue. I would emphasize that this Amendment has no impact on the school aid formula itself or no impact on the amounts of state aid to be distributed among districts. It's purely a matter of local revenue, purely a matter of allowing local districts that wish to pay more for better education to do so. I believe that the Amendment is acceptable to the Sponsor. I would urge an 'aye' vote."

Speaker Shea: "The Gentleman from Cook, Mr. Lundy moves for the adoption of Amendment #4 to House Bill 3518. On the Amendment, the Gentleman from Knox, Mr. McGrew."

McGrew: "Thank you, Mr. Speaker. I have a point of order, rather than to the Amendment."

Speaker Shea: "State your point, Sir."



McGrew: "Thank you very much, Mr. Speaker. I'd merely like to submit to you, that for the first time since I've been down here, I'm beginning to think that the Senate is right, that this is indeed a House of monkeys. We sat in here now for an hour on this Bill. This is the fourth Amendment. We've got two more to go and you and I and everyone in this whole House knows that this Bill is getting no where. I doubt if it makes it out of the House and if it does it is absolutely no where in the Senate. We've got several more to do so and to compound the asininity, we're going to meet again Thursday to consider another Bill to change the school aid formula. It's not going anywhere. I submit to you, let's go on with the business of the House and get about appropriating the dollars that we haven't got anyway."

Speaker Shea: "Is there further discussion? The Gentleman from Will, Mr. Leinenweber."

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

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

Leinenweber: "The affect of this Bill would permit certain school districts....."

Speaker Shea: "Excuse me, Sir. Would the Gentleman and Lady in front of Mr. Lundy please have a seat so that we can see? Proceed now, Sir."

Leinenweber: "Thank you. Representative Lundy, would the affect of this Bill be to permit certain school districts in this state to increase their local real estate tax?"

Lundy: "Only with referendum approval of the voters in those districts."

Leinenweber: "In other words, they can do it with referendum.... but only with referendum?"

Lundy: "Yes. Most districts in the state, of course, can already do that. There are only about seventy or eighty in the state that are prevented by this provision in the school aid formula, which I am trying to remove from doing so. The other one thousand and twenty.... oh, I'm sorry, nine-hundred and twenty or so are already able to raise their rates by referendum and this would simply put all of the school districts in the same position."



Leinenweber: "All right, thank you."

Speaker Shea: "We have a Page who has an apple and orange and can't find the Member requesting it. So if he would identify himself, we could solve one problem at least today. The Gentleman from McHenry, Mr. Skinner."

Skinner: "I am extremely disturbed that the Gentleman from Cook County, who's the Sponsor of this Amendment, suggested that this has no impact on the State Aid to Education Formula. The only impact is that it guts the basic assumption of equality of dollars between various students no matter what their local property tax base is and no matter what the ability of the local residents are to pay. Now there is a solution for the Evanston syndrome and that solution is that the individuals who want their kids to go to ballet class and all of the other little add-ons that the North Shore likes to put; they can write checks to their local school districts and they will be just as tax deductible as a tax Bill will be. Or they can write checks to a local nonprofit shell organization and hold the classes on Saturdays or on Friday afternoons or whenever they want to. Now for those of you who think that they live in poor districts, I would submit to you that if you really believe every student in this state should have the same number of dollars to finance their education, regardless of where they live, you do not want to vote for this supposedly tax... this tax rate roll back Amendment. If this Amendment is as the original Bill was, and I if it is not, I'm sure that Representative Lundy will correct me; it does not just give a short period of time when the local districts may make up for the loss of state revenue. It permanently guts that roll back proposition. Now for the case of my school district, for instance, it means that the taxpayers who have been getting less than their fair share of state aid because they've been paying too high local taxes, will not enjoy about a thirty cent per hundred tax rate cut through the full implementation of the formula. I would ask for Representative Lundy to try and explain why the North Shore liberals are in favor of equality except when the foot in their shoe gets a little tight."



Speaker Shea: "Would the Members please be in their seats? Mr. Doorkeeper, there are people on the floor of the House who are not entitled to the floor of the House. Would you please ask them to leave? Now back to the Gentleman from Cook, Mr. Lundy to close."

Lundy: "Thank you, Mr. Speaker and Members of the House. As I indicated, what this Bill does is to put the school aid formula in the posture where the state guarantees a minimum of resources behind each child in the state, but does not say to those districts which wish to do more in the way of raising local revenue, that you can't do it. That's what the present formula says. Even if you want to tax yourselves more for better schools, you're not permitted to do so. I don't think that's really consistent with what most Members thought they were doing when we enacted this formula. Certainly it has had in combination with our failure to fully fund the formula has had a devastating effect on some seventy or eighty districts in the state. There was widespread testimony when the School Problems Commission and the State Board of Education held hearings around the state that the roll back should come off. Again, it is acceptable to the Sponsor as I understand and I would urge an 'aye' vote. "

Speaker Shea: "The Gentleman from Cook, Mr. Lundy moves for the adoption of Amendment #4. All those in favor will say 'aye' and all opposed will say 'no' and in the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Is there further discussion? Further Amendments?"

Clerk O'Brien: "Amendment #5, McClain. Amends House Bill 3518 on page 14, line 3 by deleting the word 'transportation' and so forth."

Speaker Shea: "The Gentleman from Adams, Mr. McClain on Amendment #5. Would the Members please be in their seats?"

McClain: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #5 to House Bill 3518 is a Bill.... or an issue at least, that's been before us many times. It used to be Representative Jerry Bradley's Bill, House Bill 493, which would permit the transportation tax rate that now school systems charge for transportation services to include that in applying for state school aid formula



money. I'd like to say that I think that it overwhelming passed the House. It recieved..... it passed here not only as House Bill 493, Jerry Bradley's Bill, but it passed here as our agreed Bill when we were trying to figure out changes to the School Aid Formula. Plus, I'd like to say that philosophically it is in line with the resource equalizer. The resource equalizer basically says the more the local people tax, the more state dollars. And what we've done here..... we're permitting that the school systems that tax for their transportation tax rate may now qualify using that transportation tax rate for school aid dollars. The fiscal impact is eighteen million dollars for this fiscal year, which as you know, is in line with the what the Governor's been talking about, twenty million dollars to help downstate schools. House Bill 493, which we passed here... pased out of this Assembly, 133 to 10. I would ask for favorable support."

Speaker Shea: "The Gentleman moves for the adoption of Amendment #5.

All in favor will say 'aye' and opposed 'nay' and in the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "Amendment #6, Skinner. Amends House Bill 3518 on page 18 by inserting between lines 20 and 21 the following and so forth."

Speaker Shea: "The Gentleman from McHenry, Mr. Skinner on Amendment #6."

Skinner: "If we're going to soften the blow for everybody, we might as well make it for everybody. We have so far taken care of the rural districts that can't raise their tax rate so we have to add education in. We've taken care of the rich districts, who don't care if their students have more money than..... the school districts in the poorer.... poorer parts of the state, which probably is unconstitutional. And now I would suggest that we take out that other artificial limitation in the state aid formula which limits school districts to twenty-five percent.... to a twenty-five percent increase over the state aid to education they received last year. Now for example, in Maine Township, the high school there is receiving only half of the state aid to education that it should be receiving this year. In Niles Township, it's receiving only



about seventy-five to eighty percent of the amount of money. In good old Fenton High School, you'd think Gene Hoffman would take care of his own high school, they're only getting two-thirds of the money that they ought to get. Hinsdale, that's supposed to be a rich area, but they're only getting thirty percent of their fair share of state aid to education because of this flukey little section in the Bill. Now if we're going to take care of seventy districts in the North Shore, which by the way includes my own district and I well, I really resent the fact that this General Assembly is now breaking the compact that it made in 1973 to fund every student equally and letting the rich districts get away with murder; than we might as well get rid of the rest of the compact and pass this Amendment too. The fiscal impact, whenever it gets there,.... unfortunately we all know that we don't have enough money to pay for this so we're really only talking about how we spread the amount of money that we're going to appropriate, is only about seventy-one million dollars. So that makes me the grand-daddy of proposers of Amendments, but don't worry about it, it'll just soften the blow to some different districts that haven't had their fair share yet."

Speaker Shea: "The Gentleman from McHenry, Mr. Skinner moves for the adoption of Amendment #6. Is there any discussion? The Gentleman from Cook, Mr. Jaffe."

Jaffe: "Mr. Speaker, I rise in opposition to this Amendment for a number of different reasons. First of all, this Amendment applies for only one year. You're not really changing the school formula. It applies for school year 76-77 so it's a one year shot and I would be against it for that reason. If that were not enough, I have to say that this is the only Amendment and the only thing that I've ever seen in the school formula that is based on a working print-out that the Office of Education puts out. I might tell you that the working print-out is put out like Carter puts out little liver pills. It's put out every three days or so. I don't see how in the world we could possibly base the formula on a document which is a working print-out which is included in this



particular Amendment. I would also point out to the Sponsor that this does nothing for the elementary school districts and the districts that he's worrying about are the high school districts. I might state that the Office of Education is against and just about everybody I know is against it and I would urge a 'no' vote on it."

Speaker Shea: "The Lady from Lake, Ms. Geo-Karis. You're passing. The Gentleman from McHenry, Mr. Skinner to close."

Skinner: "Well, I'm sure that those districts that are against it, which tend to be the same districts that would be benefited by Representative Lundy's Amendment which we just passed..... the only difference would be instead of raising local taxes as his Amendment will do; we would increase state aid with my Amendment..... are out of their cotten-picken' tree if they're against this Amendment. I would also suggest that there is an answer to Representative Jaffe's problem. There are several answers. Either his constituents may become more prolific, they may bear more children or we can bus children from Chicago to Skokie and fill up the school rooms that way..... that's probably the most practical solution. All in all what we're talking about is fairness. Now we've decided that we shall not discriminate against school children based on the number of school boards; and yet we are grossly discriminately against school districts throughout this state... dual school districts, namely high school districts. What this does, is end that. It doesn't end it entirely though. I'm not asking for one hundred percent of the money that Representative Jaffe's and Representative Lundy's and my school district should be getting. I'm only asking for ninety percent of the money that they should be getting. And if it gets in one year, than we can do the same thing that we did with Representative Houlihan's and my idea with moter fuel tax. We can change it to a permanent change in the formula. I'd be happy to do that, Representative Jaffe."

Speaker Shea: "The Gentleman from McHenry, Mr. Skinner, moves for the adoption of Amendment #6. All in favor will say 'aye' and all opposed will say 'no' and in the opinion of the Chair the Amendment



fails. Is there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Shea: "Third Reading. The Gentleman from Cook, Mr. Schlickman."

Schlickman: "Mr. Speaker, I had requested a fiscal note on this. The fiscal note was provided, but the fiscal note relates to the Bill prior to its Amendments. I would suggest that the Bill be held at the order of Second Reading and an amended fiscal note be prepared and filed consistent with the Bill as it is now standing."

Speaker Shea: "Let me look at the Gentleman's request in the fiscal note and on that question, Mr. Jaffe."

Jaffe: "Mr. Speaker, I would suggest to you that you have already moved this to Third Reading and that it's too late for him to make that motion. In... I would be glad to provide a figure for him as soon as I would have it. There is no possible way that any Sponsor of a Bill would know how much a Bill was going to cost prior to Amendments. All that the rules require is that we file a fiscal note when it comes out to Second Reading. He's made that request and I have provided that for him."

Speaker Shea: "Well, it's the opinion of the Chair that it was on Third Reading prior to the time that you made the request. Further, in the opinion of the Chair that you originally filed the request and it was supplied to you... that material. Is that right, Mr. Schlickman?"

Schlickman: "Well, Mr. Speaker, at the time that I filed a request note, this Bill was at Second Reading unamended."

Speaker Shea: "That's correct, Sir."

Schlickman: "A fiscal note was filed as the Bill stood prior to Amendments. Now..."

Speaker Shea: "That's right, Sir."

Schlickman: "Now Amendment #2 substantially affects this Bill with respect to its fiscal impact. And I think in fairness to the House and I think the whole spirit of the Fiscal Note Act and the rules that we've adopted with respect to that Act, is that prior to the Bill reading, Second Reading, we are fully informed as to its fiscal impact.... fiscal impact as it results from the Bill, as amended,



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and prior to the Third Reading. And I.... it seems to me Mr. Speaker and Members of the House, if we're to vote intelligently in these matters, we should know what the cost consequence is. And we can only do that by having a fiscal note that reports all of the Amendments."

Speaker Shea: "Mr. Schlickman, it's my understanding that the Bill went to Third Reading prior to the time that you requested the fiscal note. It's further my understanding that Mr. Jaffe said he would supply you with a fiscal note prior to the time that it's called on Third Reading."

Schlickman: "Okay, thanks very much, Mr. Speaker."

Speaker Shea: "Is that correct, Mr. Jaffe? You would supply a fiscal note before it's called on Third Reading.... so I'm not misunderstanding the facts?"

Jaffe: "Well, Mr. Speaker.... you know, I will provide it if I have it. I don't have it at the present time."

Speaker Shea: "No, I made the statement that it was the opinion of the Chair that the Bill was moved to Third Reading before the request, but you as the major Sponsor of the legislation said that before you call the Bill on Third Reading, you would see about getting him a fiscal note."

Jaffe: "Yes, I will try and do so, Mr. Speaker."

Speaker Shea: "All right, I think under those terms..... that's agreeable to you, Mr. Schlickman? On the order of House Bills, Second Reading, appears House Bill 3541. And on that Bill, the Gentleman from Marion, Mr. Friedrich. Is he on the floor? Mr. Ryan is off the floor, Mr. Friedrich. Oh, Mr. Ryan is back. Which one of you want to handle the Attorney General's Bill? Mr. Ryan."

Clerk O'Brien: "House Bill 3541. A Bill for an Act to provide for the ordinary and contingent expenses of the Attorney General. Second Reading of the Bill. One Committee Amendment. Amends House Bill 3541 on page 1, line 12 and so forth."

Ryan: "Thank you, Mr. Chairman and Ladies and Gentlemen of the House, this is the ordinary and contingent expenses of the Attorney General. It appropriates nine million, six hundred and thirty-four thousand



and five hundred dollars to the Attorney General. Now I understand that there are some questions, Mr. Speaker and I would yield to Representative Totten."

Speaker Shea: "Well, the Gentleman has moved for the adoption of House Bill 3541."

Ryan: "No.... No, Mr. Chairman. I said I would yield to Representative Totten for a question."

Speaker Shea: "Does he have a question?"

Totten: "Mr. Speaker, I would just like to request of the Sponsor.... we have asked the Attorney General for some information in Committee. We have not received it as yet and I would like him to hold the Bill before we adopt Amendment #1 till we get that information."

Speaker Shea: "Mr. Ryan, at the request of Mr. Totten, do you wish to hold the Bill?"

Ryan: "Reluctantly, but I'll do it."

Speaker Shea: "Take it out of the record. House Bill 3819."

Clerk O'Brien: "House Bill 3819. A Bill for an Act making an appropriation to the State Board of Elections. Second Reading of the Bill. Committee Amendment #1 failed. Amendment #2, amends House Bill 3819 on page 1 by deleting lines 9 through 21 and so forth."

Speaker Shea: "Take that Bill out of the record. And that completes the Bills on the order of Second Reading. Senate Bills, First Reading. 1880, that's Representative Pouncey."

Clerk O'Brien: "Senate Bill 1880. A Bill for an Act to amend Section 2 of an Act to provide for the ordinary and contingent expenses of the Illinois Veteran's Commission. First Reading of the Bill."

Speaker Shea: "Senate Bills, Second Reading. Senate Bill 1609."

Clerk O'Brien: "Senate Bill 1609, Dave Jones. A Bill for an Act to provide for the ordinary and contingent expenses of the Illinois Historical Library. Second Reading of the Bill. One Committee Amendment. Amends Senate Bill 1609 on page 1, line 2 by deleting the period and inserting in lieu thereof and so forth."

Speaker Shea: "The Gentleman from Sangamon, J. David Jones."

Jones: "Mr. Speaker and Ladies and Gentlemen of the House, this is an



Amendment that was passed in Committee to provide additional staff and supplies for the presentation of the Old State Capitol Tours after the performance of the Sound and Light Show. And I move its adoption."

Speaker Shea: "The Gentleman from Sangamon, Mr. Jones, moves for the adoption of Amendment #1. Is there discussion? All those in favor of the Amendment will say 'aye' and those opposed will say 'no' and in the opinion of the Chair the 'ayes' have it and the Amendment is adoption. Are there further Amendments?"

Clerk O'Brien: "Amendment #2 was withdrawn. No further Amendments."

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

Clerk O'Brien: "No Amendments."

Speaker Shea: "Third Reading. On the order of concurrences, consideration postponed, appears House Bill 233. Mr. Wolf, do you want to call that? Take that out of the record. House Bill 3213. The Lady from Cook, Ms. Chapman."

Chapman: "Mr. Speaker, this was the measure that we took up yesterday and we were just a handful of votes short. It is important to pass....."

Speaker Shea: "Ms. Chapman, might I disturb you a minute? Would the Members please be in their seats? Would the Doorkeeper remove from the floor of the House those Members not entitled to the floor? This is final action on this measure and it is the last time that it might be called. So proceed, Ms. Chapman."

Chapman: "Mr. Speaker, this important measure providing for one million, five hundred, fifteen thousand, seven hundred sixty dollars in federal funds will go to continue the employment of thirteen hundred individuals who today are waiting for their paychecks. I ask that you vote 'yes' on my motion to concur with Senate Amendment #1 to House Bill 3213."

Speaker Shea: "The Lady from Cook, Ms. Chapman moves that the House do concur in Senate Amendment #1 to Senate Bill 3213. This is final action and requires 89 votes. Is there any discussion? The Gentleman from Kankakee, Mr. Ryan, the Minority Spokesman on Appropriations."



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Ryan: "Thank you, Mr. Speaker. Will the Lady yield for a question?"

Speaker Shea: "She indicates she will, Sir."

Ryan: "Representative Chapman, is this the same Bill that we defeated or the same Amendment we failed to concur in yesterday because we didn't have some answers on the political end of where some of this money went?"

Chapman: "Mr. Ryan, this is, indeed, the same measure. We got 83 votes on it. And I ask that we postpone. It was my understanding that when this measure was in the Senate that there was sufficient information provided to satisfy the person who had originally had some questions. And I have spoken with Representative Catania; and she assured me that she was satisfied with the information that the Chicago Model Cities Program had provided for her. And, therefore, at this point I am moving ahead with my motion to concur with Senate Amendment #1 because this was the agreement of the Lady from Cook, Representative Catania."

Ryan: "Well, I don't speak for Representative Catania, Representative Chapman. It seems to me that in Committee we had asked for the same information that you've obviously or evidently supplied with Representative Catania. I've never had my questions answered about where that money went, \$93,000 or thereabouts. And since yesterday nobody has made any attempt to explain it to me where that money went. I've seen a few documents that came in . . ."

Speaker Shea: "Mr. Ryan, would you excuse me for a minute. I'm informed that there's somebody in the Speaker's gallery taking pictures. I will tell that person that there is no taking of pictures in the House of Representatives unless there is permission from the Chair. And that permission is not granted. So would you please refrain from taking any pictures in the gallery."

Ryan: ". . . That was Speaker Redmond, Mr. Speaker. Representative Chapman, my questions are the same as they were yesterday. I don't have any backup as to how this money was spent. And I haven't been satisfied that it wasn't wasted or spent in a foolish way. And since yesterday nobody has made an attempt to tell me about this."



Chapman: "I'm sorry, Mr. Ryan. I had misunderstood the objection to this proposal then. And when I discussed this with you yesterday, I was under the impression that your question related to Representative Catania's objection."

Ryan: "Well, Representative Chapman, as I recall in the Committee hearing, you were asked or somebody was to furnish some backup materials as to where this \$93,000 had gone. And to my knowledge that material has never been furnished to the Committee. And I've got Members..."

Speaker Shea: "On a point of...on a point of order, Mr. Ryan, or a suggestion, Mr. Choate would like recognition."

Ryan: "Certainly."

Speaker Shea: "Turn the Gentleman from Union on, will you please?"

Choate: "Mr. Speaker, why don't we just take it out of the Record while Representative Ryan, as the Minority Spokesman on the House Appropriations Committee, that heard the Bill originally has a chance to put his questions to somebody that would know the answers."

Speaker Shea: "I think that's an excellent suggestion, Mr. Ryan, I'm sure Miss Chapman would discuss it with you."

Ryan: "Well, if she'll just supply me with the same information that she supplied Representative Chapman with, I'd be satisfied, I think..."

Speaker Shea: "Take it out of the record. The Gentleman from Knox, Mr. McGrew."

McGrew: "Thank you very much, Mr. Speaker. Is there some assurance from the Chair that if we get this taken care of we can get this problem settled? I'm getting a lot of heat from people that haven't paid in over four weeks in our district."

Speaker Shea: "It's the intention of the Chair to call this Bill today and let it go up or down."

McGrew: "Thank you very much."

Speaker Shea: "Committee Reports."

Clerk O'Brien: "Representative Lechowicz, Chairman from the Committee on Appropriations I to which the following Bills were referred; action taken May 18, 1976. Reported back the following recommenda-



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tion 'do pass' on House Bill 3428. Representative Matijevec, Chairman from the Committee on Executive to which the following Bills and Resolutions were referred; action taken May 18, 1976. Reported the same back with the following recommendation 'do pass' on House Bills 3494 and 3661, 'do pass' and 'rereferred' on House Bills 3799, 3800 and 3801 and 'be adopted on House Joint Resolution 88. Representative Garmisa, Chairman from the Committee on Transportation to which the following Bills were referred; action taken May 18, 1976. Reported the same back with the following recommendation 'do not adopt' House Joint Resolution 89. Representative Taylor, Chairman from the Committee on Cities and Villages to which the following Bills were referred; action taken May 18, 1976. Reported the same back with the following recommendation 'do pass' on House Bill 3908. Representative Taylor, Chairman from the Committee on Cities and Villages. Reported the following Committee Bill for introduction, House Bill 3924; action taken May 18, 1976. Representative Katz, Chairman from the Committee on Judiciary II to which the following Bills were referred; action taken May 18, 1976. Reported the same back with the following recommendation 'do pass' on House Bills 3825 and 3856."

Speaker Shea: "Introductions, First Reading."

Clerk O'Brien: "House Bill 3924, Committee on Cities and Villages, a Bill for an Act to amend the Metropolitan Civic Center Act. First Reading of the Bill. House Bill 3925, Yourell, a Bill for an Act to amend the Jury Commissioners' Act. First Reading of the Bill. House Bill 3926, Walsh-Dyer, a Bill for an Act to relating to the Illinois Veteran's Scholarship. First Reading of the Bill. House Bill 3927, Schisler, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. House Bill 2938, Luft, a Bill for an Act to amend sections of the Illinois Pension Code. First Reading of the Bill."

Speaker Shea: "That's it? Ladies, Gentlemen, we are getting close to the introduction of Bill 4000 this year. I just want to tell you that we will break a record someplace. Third Reading. On the order of House Bills, Third Reading, appears House Bill 1304.



The Gentleman from Sangamon, Mr. Kane. Turn on Mr. Bradley's mic' for that."

Clerk O'Brien: "House Bill 1304, a Bill for an Act to amend an Act conveying the Lincoln Monument and ground. Third Reading of the Bill."

Speaker Shea: "The Gentleman from Sangamon, Mr. Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, what House Bill 1304 does is remove from the present statutes the requirement that the person who runs the Lincoln Monument here in Springfield has to be either a son of a Union soldier. What happens is that we no longer have any sons of Union soldiers that are young enough to be the caretaker of the Lincoln Monument. And if the present caretaker has resigned and for the Department of Conservation to hire someone to take care of the Lincoln Monument, they need to have this requirement removed from the statutes. And I'd asked for a favorable Roll Call."

Speaker Shea: "The Gentleman from Sangamon has moved for the passage of House Bill 1304. On the question, the Gentleman from Cook, Mr. Maragos."

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

Speaker Shea: "He indicates he will, Sir."

Maragos: "Does your Bill allow the grandsons and great grandsons or just anyone to caretake . . . be a caretaker?"

Kane: "What it does is remove the requirement that either a veteran of the Union Army or a son of a veteran be the caretaker. That provision is removed."

Maragos: "And what is the . . . what does the . . . Sponsor of the Bill after that removal, that anyone can be hired?"

Kane: "It just removes that requirement."

Maragos: "Thank you."

Speaker Shea: "Is there further discussion? The Lady from Cook, Amy's mother."

Catania: "Thank you, Mr. Speaker, would the Gentleman yield for a quick question?"

Speaker Shea: "She indic...or he indicates he will."

Catania: "Does this Bill contain the provision that the Department of Conservation shall not erect a dwelling for the custodian with



a waiting room for monument visitors?"

Kane: "That wasn't changed in the Bill. I think that the synopsis is in error at that point."

Catania: "Oh, so it still does provide that there will be a dwelling on the grounds, is that correct?"

Kane: "That was in the law passed in 1895. As I understand it, the Department of Conservation is not planning on providing housing for the custodian."

Catania: "The Department is not planning on providing housing?"

Kane: "As I understand it, when I talked to the Department last, is that the Department is not planning on providing housing for the custodian. The house is there, however, and it will be used in running the Lincoln Monument."

Catania: "Is this policy going to apply only to the Lincoln Memorial, or is it going to apply to other historic sites in Illinois as well?"

Kane: "The only historic site that I know of that has a requirement that a Union soldier . . . the son of a Union soldier be the custodian. This is the only monument that that applies to."

Catania: "All right, I wasn't asking about the policy about the Union soldier, I was asking about the housing policy . . ."

Kane: "I don't know . . ."

Catania: ". . . does this housing policy apply?"

Kane: ". . . I don't know what their housing policy is for other state parks. All I know is that under present situation is that they are not planning on providing housing for the custodian at the Lincoln Monument."

Catania: "But this applies only to the Lincoln Monument, is that correct?"

Kane: "I don't know what their policy is. That doesn't have anything to do with this Bill."

Catania: "So the Digest is in error and this does not in any way affect housing on Memorial grounds?"

Kane: "No, the Digest is in error."

Catania: "Thank you."

Speaker Shea: "The Gentleman from Cook, Mr. Bluthardt,"

Bluthardt: "Mr. Speaker, I wonder if you'll yield . . . the Sponsor will



yield for a question?"

Speaker Shea: "He indicates he will, Sir."

Bluthardt: "Doug, do you know what that job pays?"

Kane: "No, I don't. I'd be glad to recommend . . ."

Bluthardt: "You know, if it pays more than \$20,000 a year and you could amend it to the grandson of a Union soldier, maybe I'd apply for that job."

Kane: "I don't believe it pays that much!"

Bluthardt: "Thank you."

Speaker Shea: "The Gentleman from Sangamon has moved for the passage of House Bill 1304. The question is, shall House Bill 1304 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Collins 'aye'. On this question there are 144 'ayes', 4 'nays', 5 Members voting 'present'; and House Bill 1304 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 3154 . . . or 3159. Mr. Berman."

Clerk O'Brien: "House Bill 3159, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Shea: "The Gentleman from Cook, Mr. Berman, asks leave to bring it back to the order of Second Reading. Is there objections? Hearing none, leave is granted. The Bill is back on Second Reading."

Clerk O'Brien: "Amendment #1, Berman, amends House Bill 3159 on page 3, line 29, by adding after the word 'director' the following and so forth."

Speaker Shea: "The Gentleman from Cook, Mr. Berman, on Amendment #1."

Berman: "Thank you, Mr. Speaker. This Bill was moved yesterday from Second to Third without the Amendment being put on that was agreed to in the Insurance Committee. The Amendment is in compliance with the request of a number of Members that reinstates the requirement of the director to confer with members of the public before setting forth rules regarding the J.U.A., and also deletes the requirement regarding reactivation of the Joint Underwriting Association. I move the adoption of Amendment #1."



Speaker Shea: "The Gentleman moves for the adoption of Amendment #1. Is there discussion? All in favor of the Amendment will say 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Shea: "Third Reading. On the order of House Bills, Third Reading, appears House Bill 3222. Want to take that out of the record, Mr. Grotberg? Take it out of the record for just a minute. On the order of House Bills, Third Reading, appears House Bill 3229. The Gentleman from Henderson, Mr. Neff."

Clerk O'Brien: "House Bill 3229; a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Shea: "The Gentleman from Henderson, Mr. Neff. Turn him on please."

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

Last Session the General Assembly approved legislation requiring that all new autos sold in Illinois after January the 1st, 1976, carry labels indicating their fuel economy gas results applied by the Federal Environment Protection Agency. And partly as a response to the Illinois legislation, the U.S. Congress in December approved a similar Federal program requiring all new vehicles to post such test results beginning with the 1977 model year. The model Illinois law adopted last year was based on legislation the Congress repealed in December when they adopted new legislation. For that reason because Congress' action especially preempted states from having different standards from the Federal standards, the 1975 Illinois law must be amended. This Bill will clear up the ambiguity of the current law and make clear that Illinois will comply with the preemption requirement. This Bill also would give local states attorneys and local police force . . . police departments authority to enforce the law. As under the present law and the Federal standards, we have no state enforcement. Therefore, Ladies and Gentlemen, I would ask that we approve this Amendment to this legislation so that we will have enforcement on the Motor Vehicle Law. Last year when it was passed most of the Legislators supported this legislation. The fact is it carried in both Houses by a large



majority."

Speaker Shea: "The Gentleman from Henderson, Mr. Neff, moves for the adoption of the Bill. The question is, all those in favor of House Bill 3229 will vote 'aye' and those opposed will vote 'nay'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 147 'ayes', 1 'nay', 2 Members voting 'present'; House Bill 3229 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 3249. The Gentleman from St. Clair, Mr. Flinn."

Clerk O'Brien: "House Bill 3294, a Bill for an Act making appropriations to the Department of Conservation. Third Reading of the Bill."

Speaker Shea: "It's 3294. I inverted the numbers at the time I called the Bill. The Gentleman from St. Clair, Mr. Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, this is the annual appropriation for the St. Louis Metropolitan Airport Authority. And it passed the Appropriations I Committee by 18 'aye' vote and no 'nos.'. I would suggest or ask for your approval."

Speaker Shea: "Mr. Flinn, is the Calendar then in mistake or House Bill 2394 on the Calendar says it makes an appropriation to the Department of Conservation."

Flinn: "I'm sorry, Mr. Speaker. I got the wrong Bill. I would like to start over if you don't mind. This is the appropriation to the Department of Conservation. And what it does it gives the Cahokia Historical Society \$25,000 for refurbishing the 'Jerome' mansion there in Cahokia. It was reduced by \$25,000 in Committee. I ask for your favorable vote."

Speaker Shea: "The Gentleman from St. Clair, Mr. Flinn, moves for the passage of House Bill 3294. On that question, is there discussion? The Gentleman from Cook, Mr. Madison."

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

Speaker Shea: "He indicates he will, Sir."

Madison: "Representative Flinn, when was the appropriation reduced?"



Flinn: "It was reduced in Committee and on Second Reading."

Madison: "Now, the Digest, Representative Flinn, indicates that there is no Amendment. Then I can assume that the Digest is incorrect?"

Flinn: "That's right."

Madison: "Thank you."

Speaker Shea: "The Calendar indicate the Bill was amended. Is there further discussion? The question is, shall House Bill 3294 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 123 'ayes', 12 'nays'; and House Bill 3294 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 3302. And at the Sponsor's request that's out of the record. On the order of House Bills, Third Reading, appears House Bill 3308. The Gentleman from Cook, Mr. Lechowicz."

Clerk O'Brien: "House Bill 3308, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3308 amends the Juvenile Court Act on setting of adjudicatory hearings in delinquency cases. When a minor is in detention and petition alleges a violent crime, the state may request that the adjudicatory hearing be postponed for up to an entire additional day. This Bill is the product of many, many community meetings. It was introduced specifically at the request of a presiding judge of the juvenile court. Judge Ray 'Sudini' who also came down and testified in this behalf in front of Judiciary II Committee. This Bill had a full hearing. It came out of Committee 16 to 1. I'd be more than happy to answer any questions at this time."

Speaker Shea: "Is there debate? The question is, shall House Bill 3308 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 149 'aye' votes, 3 'no' votes, 1 Member voting 'present'. House Bill 3308 having received the constitutional



majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 3222."

Clerk O'Brien: "House Bill 3222, a Bill for an Act to amend an Act creating the Department of Children and Family Services. Third Reading of the Bill."

Speaker Shea: "The Gentleman from Kane, Mr. Grotberg, asks leave of the House to take the Bill back to the order of Second Reading for an Amendment. Is there objection? Hearing none, take the Bill back to Second Reading. The Gentleman . . ."

Clerk O'Brien: "Amendment #2, Grotberg, amends House Bill 3222 on page 1, line 1, by deleting 'and to amend Section 5 of' and so forth."

Speaker Shea: ". . . the Gentleman from Winnebago, Mr. Giorgi, has a question."

Giorgi: "Mr. Speaker, I have an urgent message for the Members of the General Assembly. Please don't buy anymore tickets for tonight's Italian-Polish dinner. We're completely sold out."

Speaker Shea: "Congratulations. Mr. Grotberg, what is the position of Amendment #2 and Amendment #1?"

Grotberg: "Thank you, Mr. Speaker. Amendment #1 is now on the Bill and was affirmed in Second Reading yesterday. And I got a call from the Reference Bureau, Mr. Speaker, and Ladies and Gentlemen of the House, that Amendment #1, is reworded, first of all, would save about four pages of printing on the Bill; secondly, would bring the whole Child Care Act that this amends into some conformity as regards the annual legislative omnibus Bill that corrects all the statutes. So this . . . I would ask then, Mr. Speaker, to table Amendment #1 and instead offer Amendment #2, which is identical substantively; but the first section of it corrects the statutory numbers on the paragraphs that need help for the Reference Bureau."

Speaker Shea: "Now, you're asking leave to table Amendment #1 . . ."

Grotberg: "I'm asking leave to table Amendment #1, which is up presently on the Bill, enrolled and engrossed."

Speaker Shea: ". . . All right, the Gentleman . . . the Gentleman from Kane, Mr. Grotberg, having voted on the prevailing side just moves to table it. On that question, the Gentleman from Cook, Mr. Holewinski."

Holewinski: "Mr. Speaker, I don't have a copy of this Amendment. I was



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wondering if the Sponsor of the second Amendment could wait a moment until I could look at it before we consider it."

Grotberg: "Mike, do you want to step over here? It's the identical Amendment. The Reference Bureau asked me to . . ."

Speaker Shea: "He says the words are the same, the section numbers are changed."

Holewinski: "I'd like to see that, Mr. Speaker."

Speaker Shea: "Well, I . . . right now the Gentleman asks leave to table Amendment #1. Is there objection? Mr. Madison."

Madison: "Mr. Speaker, on a point of order. Can we legitimately table an Amendment that's already been adopted? Or is a reconsideration necessary first?"

Speaker Shea: "My understanding from the Parliamentarian is that if it was not adopted on a Roll Call vote it can be tabled."

Madison: "And we do have indication that it was not adopted on a Roll Call vote?"

Speaker Shea: "Yes, Sir."

Madison: "Thank you."

Speaker Shea: "All right, the Gentleman asks leave to table Amendment #1. Is there objection? Hearing none, Amendment #1 is tabled. On Amendment #2, Mr. Holewinski is discussing it with him and we'll take it out of the record while we read the Amendment. On the order of House Bills, Third Reading, appears House Bill 3383. And on that question, the Gentleman from Cook, Mr. Lechowicz."

Clerk O'Brien: "House Bill 3383, a Bill for an Act to provide for the ordinary and contingent expenses for the Office of the Governor. Third Reading of the Bill."

Lechowicz: "Take it out of the record, Mr. Speaker."

Speaker Shea: "The light is on to take pictures. Do you want to take that out of the record? At the Sponsor's request, that Bill will be taken out of the record. On the order of House Bills, Third Reading, appears House Bill 3483."

Clerk O'Brien: "House Bill 3483, a Bill for an Act making a supplemental appropriation to the State Board of Education. Third Reading of the Bill."

Speaker Shea: "The Gentleman from Cook, Mr. Berman."



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

House Bill 3483 is a supplemental appropriation for the distributive fund of the School Aid Formula in the amount of sixty-seven and a half million dollars. This Bill was debated in the Appropriations II Committee. And I think several relevant facts were brought out in that debate, pro and con, on this Bill. I would like to take you back for a moment to approximately one year ago. At that time, the School Aid appropriation was introduced in 19 . . . in the spring of 1975. And the level of that appropriation would have provided . . ."

Speaker Shea: "Mr. Berman, could you wait one minute, Sir. Would the Members please be in their seats? Could we have order in the chamber? And might I ask the Dookeepers once again to remove from the floor of the House anybody that's not entitled to the floor? Wait a minute please, Sir, until we get some quiet in here. Proceed, Mr. Berman."

Berman: "Thank you, Mr. Speaker. One year ago, we introduced a Bill calling for appropriations of approximately \$1,200,000,000 for funding of all of the schools throughout the State of Illinois. That Bill was a Bill in keeping with the concept of full funding, which means that that appropriation would have provided to all of the schools throughout the State of Illinois that level of funding that was called for in accordance with the formula that we had adopted in 1973. As the Bill was moving along, you will recall, that in late May or early June the Governor appeared before the Legislature and asked that we cut all appropriations six percent across the board. For many appropriations, the procedure was either too late or inadvisable. The Governor . . . we passed this Bill. We passed the School Aid appropriation Bill in June of 1975 at the full-funding level. Every school district in the State of Illinois by that time had made up its budget for fiscal year 1976. And they relied upon the level of appropriation that was passed by this General Assembly. The Governor reduced that appropriation; and in the fall, we came back and this House of Representatives overrode and restored that veto. But the Senate was not able to accomplish



the same goal. And the appropriation remained at the level that the Governor had reduced it to. This Bill, House Bill 3483, is the supplemental appropriation. This is the same approach that was involved in the question of the override; but there are some differences. First, the amount of money is slightly different, the override was at \$62,000,000, I'm sorry, the override was at \$81,000,000. This is at \$67,000,000. Secondly, we are all aware of the amount of the claims that are involved. We are not legislating based upon projections or speculation. We know exactly what the needs of the schools are. Now, I'm sure there have been great debate as to whether the state can, in fact, afford this appropriation. Several people have cited the question of the \$148,000,000 that was appropriated a few weeks ago for the supplemental needs in the Department of Public Aid. According to the figures that are available to me, the Governor has projected that there would be \$130,000,000 left in the General Revenue Fund on June 30th. That figure is a figure that remains after, after the payment and the expenditure of the \$148,000,000 in Public Aid. We are talking here of about \$67,000,000. We are talking about the most conservative estimate, I believe, of \$130,000,000 in the General Revenue Fund. My answer is 'Yes, we can afford this appropriation'. I would point out further that the figure that the Governor has projected, the \$130,000,000, and I've been corrected, the figure was actually \$133,000,000, is after \$20,000,000 in other supplemental appropriations that the Governor put forth as having a higher priority than the schools. And I would submit to you that I don't place a higher priority, and I don't think that the Legislature, and I know that this House of Representatives has never in the past three or four years, placed other appropriations of a greater priority than the schools. We have responded to the needs of the school children in the State of Illinois in full keeping with the mandate of the Constitution of the State of Illinois, in full keeping with our order of priorities of keeping education as the top priority and for the State of Illinois, the General Assembly and, specifically, for the House of Representatives. I



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would ask that this appropriation of \$67,500,000 be voted out from this House of Representatives in keeping with our order of priority. Now, the question has been asked, isn't this Bill really just to bail out Chicago? And the answer is definitely 'no'. \$20,000,000 of the \$67,500,000 will go to the City of Chicago, that's 30 percent. 30 percent goes to the City of Chicago; 70 percent goes to every other school district in the State of Illinois. What happens if we don't vote the \$67,500,000? If we don't, 41 percent of the school districts in Illinois will receive less money, less money in fiscal '76 than they received in fiscal '75. And I don't know of anyone on this floor that condones that approach to school funding. So I submit to you that this Bill is, number one, a Bill that the school districts rely upon; two, a Bill that the state can afford; three, a Bill that will do irreparable harm to 41 percent of the school districts in the state if we do not pass it. I solicit your 'aye' vote."

Speaker Shea: "Is there discussion? The Gentleman moves for the passage of House Bill 3483. On the question, the Minority Leader, the Gentleman from Grundy."

Washburn: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I rise with a great degree of reluctance to oppose House Bill 3483."

Speaker Shea: "Mr. Washburn, excuse me, Sir. Would the Members kindly be in their seats, and would those people not entitled to the floor of the House please remove themselves? Now, this is a very important measure; and I think we are all interested enough that we'd like to hear the debate on the Bill. Proceed, Mr. Washburn."

Washburn: "Thank you again, Mr. Speaker, and Ladies and Gentlemen of the House. I rise with a great degree of reluctance to oppose House Bill 3483, particularly when I agree with some of the things that the Chief Sponsor has said. He said that he felt he could speak for most of the Members in this Body on this issue. And I feel as though I can. Seldom is that the situation that every Legislator has at the top or at least near the top of this priority list education and the funding of the educational system in Illinois. And I agree with the Sponsor of the Bill when he says



that 30 percent of this \$67,000,000 will go to the Chicago city schools, and about 16 percent to the remainder of Cook County schools, with a total of approximately 50 percent, with 50 percent going downstate. But I don't agree with him when he says that this money will go to those schools. According to the Governor's projections we'll have a cash balance at the end of this fiscal year, June 30th, of about \$133,000,000. Now, that's the lowest or highest cash balance that's been indicated by those who study such matters. But the Governor does indicate that his projection is \$133,000,000 cash balance. But he also indicates, too, that during the last period, the final three months in which Bills can be paid, we'll have Bills presented to him in the amount of \$221,000,000, which of course means that we'll be \$88,000,000 in the red. Now, perhaps that isn't red to some people, maybe it's just a shade of pink. But the passage of this \$67,000,000 Bill will raise that figure to \$155,000,000 that we do not have and, certainly, in anybody's point of view or anybody's eyesight or color chart, that's red and that's deep red. Just because we pass this Bill, if we should, and hopefully we don't, doesn't mean at all that the school districts will receive the money. Thank goodness we can't print cash or bills down here like they do in Washington, or I'm sure we'd be doing it. But we can't. All we'd be doing is fooling a lot of the school districts, a lot of the teachers, the students, and the public at large, the general taxpayer. The money is not available. We've all known that for a long, long time. Indications were given by Treasurer Dixon, the Comptroller, and now even by the Governor himself. And, certainly, Mr. Berman, I cannot see any way in which monies would be available for this cause unless taxes were increased within the next few days. And so, rather than pull the wool over the public eyes once again, put the Governor on the spot once again, I would, certainly, suggest and, strongly, urge that the Body cast a 'no' vote on this Bill, on this \$67,000,000 appropriation for which there is no money to pay it. Thank you very, very much."

Speaker Shea: "The Gentleman from Cook, Mr. Mann."



Mann: "Thank you very much, Mr. Speaker. When this Bill was up earlier this year, I voted for it, and voted for it enthusiastically, because I felt that there was a crisis in education in the State of Illinois. I feel that that crisis continues to exist today. I feel it will be aggravated and exasperated if Chicago schools have to close 17 days early and we have all the attendant problems of dealing with children out of school for nearly three weeks. But as strongly as I feel about the necessity for this Bill, I would also point out that there is no agreement among, either the leaders or the elected officials, about whether or not we have the revenue necessary to support this legislation. Some say that the state is on the verge of bankruptcy, others say, 'No, it is not'. Nor can we count upon the Governor, who may or may not give the proper priority to this legislation. I think it would be somewhat hypocritical for us to pass this legislation with the firm knowledge that the Governor was going to veto it, and then go back into our districts and say, 'We did everything we could, but the Governor vetoed it'. Nevertheless, I am going to vote for and do support this Bill; but I want to point out to you that the time has come, the time has come to say that we've got to pay our own way. And way we're going to pay our own way is going to increase taxes, even if it means an increase in the income tax. And Representative Rayson and I have introduced House Bill 3201, which provides for a half cent increase on the individual and appoint an increase in corporate, with an increase in the exemption from \$1,000 to \$1,500, which would produce about \$200,000,000. You may snicker about it or you may wonder about the political wisdom; but as we approach June 30th, and we're faced with the needs of public assistance, elementary and secondary education, higher education, children and family services and all the other human needs that we must pass in order to properly represent the people in our district, I say to you that we may very well have to turn to a revenue measure. And I think that we might as well live up to it now. If our schools are that important to us, let's pay our way. And I would just add one more thing. I believe that the time is right if we



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will tell our constituents why we need additional revenues they will support us. If we try to hide and run away from the issue, we will find ourselves with vetoed legislation, our kids out of schools and the crisis in Illinois education continuing. I hope you will support this Bill and commence to think about the need for additional revenues. Thank you, Mr. Speaker."

Speaker Shea: "The Gentleman from DuPage, Mr. Hoffman, Gene."

Hoffman, G.: "Mr. Speaker, Ladies and Gentlemen of the House, I heard the Sponsor of the Bill refer to education as being a first priority. I don't disagree with that basically. However, I do think there is a higher priority, and I think that priority is our honor and our integrity as individuals and as a Body. There is nary a person in this Body today who in his mind and in his heart doesn't believe that the money is available. We all know it's not there. We heard the Minority Speaker tell us it isn't there, we've heard the Comptroller tell us, we've heard the Economic and Fiscal Commission tell us, we've heard the Bureau of the Budget tell us. We know that the money isn't there. And, true, there is going to be \$130,000,000 at the end of the fiscal year; but that money will be more than consumed by lapse spending. We all know that. We know that that money is already being committed as we're going down the line these last few months of the Session. There is no money. And that . . . those kinds of figures are related to revenue speedups and pay-out slowdowns. And you have all heard from the vendors who haven't been paid. We have an obligation and we must meet that obligation to ourselves and to all of our constituency. Now, to say that there will be 41 percent of the school districts receiving less money in F.Y. '77 than they will in F.Y. '76, that may very well be true; but it is not because of what the state is doing necessarily, it is because of increases in assessed valuation and reductions in the number of pupils. I might remind you that Illinois in comparison to other states in the Midwest, and particularly other industrial states across the nation, have done well, have done very well. And I believe that the greatest injustice that we can do is continue with this charade



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of supplemental appropriations. Because the longer we do this, the less time we're going to have to sit down together, and the less time we're going to have to reason together to decide what we're going to do in establishing educational finance priorities for the next fiscal year. Ladies and Gentlemen, I believe in good conscience. We have but one choice; and that once choice is to vote 'no'."

Speaker Shea: "The Gentleman from Sangamon, Mr. Londrigan."

Londrigan: "Mr. Speaker, and Ladies and Gentlemen of the House, this Bill lost last time for two reasons. First of all, we did not have the money; and second of all, downstate was not given their equitable, fair share of this tax dollar. What is changed this time? Absolutely nothing. If those of you who think we have the money think they should vote for this, what about downstate getting their fair share? We just got a Jaffe Bill defeated, which attempted to do something for downstate. The Bradley Bills were defeated attempting to give us our fair share. What has Chicago and the suburbs done? They have the formula as they want it, and all this Bill is going to do is make it more inequitable and more unfair. If they really wanted to pass this Bill, why didn't they come to downstate and give us our fair share, and pass a Bill? No, they want to keep it so they get more than their fair share and the downstate are left with a little pittance. They think because they give us a few hundred thousand dollars we're going to run and vote for them. Now, whether or not you think we've got the money, you'd better vote 'no' because we're never going to get our fair share if we continue to vote for this formula."

Speaker Shea: "The Lady from St. Clair, Mrs. Stiehl."

Stiehl: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Since I have been in this Legislature, I have felt that education should be the most important program in State Government. And I have worked to this end. So last fall when I voted to sustain the Governor's reduction in school funding, I did so with a very heavy heart; but I did so because I knew the money was not there. And to promise to the schools money that they could not get, to me



was false and misleading and would only raise false hopes for many districts. But I did hope that we would be able to order our priority and our financial condition would improve to the extent that we could grant this . . . and vote for this supplemental at this time. Now, I find that, not only has the state financial condition become much worse, we now have the worst cash flow problems we have had in the history of modern bookkeeping in State Government. And once again with a very heavy heart I will have to cast a 'no' vote because again to do so . . . to cast a 'yes' vote would be false and misleading because when September 30th comes and October 1st and the state has no money to pay its bills and it cannot make its state aid payment, we will be in far worse shape than we are now. Thank you."

Speaker Shea: "The Gentleman from Sangamon, Mr. Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I'm voting 'no' today on this Bill to fully fund the School Aid Formula, not because I don't believe that the schools should be funded, and I voted last year to fully fund the formula and I voted to override the Governor's veto, but I'm voting 'no' today because of the way the money we're voting for is distributed inequitably and because the School Aid Formula we have now is structured inequitably. Last year when we voted for full funding, we also voted for certain changes in the School Aid Formula. But those changes were vetoed by the Governor, and those changes aren't before us today. So the money we are voting for today in this supplemental appropriation is not going to go to the same districts that the money would have gone to last year when we voted for full funding. The schools in my district here in Springfield and many other legislative districts are badly discriminated against in the way that the money that we are voting for today is being distributed. It's true that if this Bill passes every school district will get more money this year than they otherwise would. But there will still be more than 400 school districts in this state that will get less money from the state this year than they got last year. If we vote for full funding today, the Chicago School District will get \$70,000,000 more



from the state this year than last year. It's true that out of this Bill that we're voting for now the Chicago School District is going to get only \$20,000,000 out of the some \$60,000,000 that we're voting. But we've already given to schools this year some \$76,000,000. We passed that last year and the Governor signed it at the rate of \$76,000,000 additional money to fund the School Aid Formula. Now, the Chicago School District out of that \$76,000,000 received \$50,000,000. And I say that that's disproportionate. I have nothing against Chicago getting more money, I have nothing against Chicago having a good school system; but I think that we should be fair in the way that we distribute money around the state. If we pass this Bill today, Chicago will be getting \$70,000,000 more this year than last year from the state, while the Springfield School District will be getting \$828,000 less, Champaign will be getting \$872,000 less, Rockford will be getting \$889,000 less, Bloomington \$356,000 less, Aurora-West \$120,000 less, Peoria \$156,000 less. And these are school districts that will be receiving less money even if we do have full funding. And the list of those school districts goes on and on. And they include Waukegan, Dixon, Urbana, Alton, Belvidere, Normal, Taylorville, Skokie, Bensenville, Zion, North Chicago, until we reach a total 400 such school districts. The existing School Aid Formula is sucking money out of many of our school districts downstate and sending it elsewhere. You've heard about the crisis in the Chicago school system. And that the Chicago schools will be missing 17 days this years if we don't pass this Bill. I think we should contrast that to what's happening in Springfield and some of the other downstate school districts because our school districts downstate are facing an infinitely greater crisis. Let me give you some comparative figures. You know, if Chicago was facing the same crisis that Springfield is facing today. Chicago would be getting \$89,000,000 less from the state than it is already receiving without full funding. And instead of facing a budget deficit of \$47,000,000, Chicago would be facing a deficit of \$136,000,000. That's the size of the crisis that's facing Springfield, Peoria,



Bloomington, Champaign and a host of other school districts. And that crisis is being faced much larger than the one in Chicago, and it's being faced without the threat of closing schools earlier. Many of our school districts are getting crumbs while others are feasting. And full funding will get us only a few more crumbs while providing a rich desert for those who have already had a full meal. I'm not going to vote for those few crumbs today, because I think that before we vote for that money we're going to need a change in the School Aid Formula, and we're only going to have that money to spend once. And that money should be spent after we get the formula changed, and not before. I say let's change the formula, let's change the way that the money is distributed around the state, and then we can vote for full funding of the School Aid Formula. I vote 'no'; and I urge the defeat of this Bill at this time."

Speaker Shea: "The Gentleman from Cook, the Assistant Minority Leader, Mr. Walsh."

Walsh: "Mr. Speaker, and Ladies and Gentlemen of the House, to those people who spoke of the revenue situation in this state and the absolute impossibility of passing this Bill, I say, Amen. I also say that with manipulations, and these manipulations are in the process, I think it's possible that the Governor will sign this Bill. And I think we ought to take a very responsible look at it at this time. We may never see this again until it becomes law. We hear a lot about people comparing priorities. The Sponsor spoke of education as a number one priority. And that we owed it to the boys and girls to provide for this supplemental appropriation. I submit to you this is different than a supplemental appropriation to the Department of Public Aid. We passed that of some \$145,000,000. I confess to having voted for it. I didn't like voting for it; but I voted for it. The only reason I did is that the people on public aid must have that money. We cannot have starvation in this state. The reason for this supplemental appropriation was that the Department of Public Aid and the Governor did not estimate the number of recipients properly; and, therefore, in order to meet our



obligations to the poor, we had to vote that supplement. This is entirely different. In this situation, these school districts, and I submit to you, each and every one of them knew what was happening. What we're being asked to do here is to, in effect, bail out, legitimize the deal made by the Chicago Teacher's Union with the Mayor of the City of Chicago. That's precisely what we're doing here. The rest is all window dressing. Now, as to what the education establishment has done in the last six or seven years since the enactment of the income tax; what has happened without this supplemental appropriation is that we have about quadrupled, quadrupled state aid to elementary and secondary education. No other area in State Government has even approached this kind of increase. Higher education, for example, in the face of increasing enrollment, where there is decreasing enrollment in elementary and secondary education, has had an increase of 77 percent since 1969; 281 percent are almost quadrupling the appropriation for 1969. I would like for the Sponsor perhaps in his closing statement to point out where there's been any increase, any increase in the product in elementary and secondary education, much less a quadrupling, a quadrupling of benefits to the taxpayers, to the people of the State of Illinois, to the boys and girls. I think on any fair evaluation the testing of the students in this state, as well as throughout the country, would indicate that the product is inferior to the product of some years ago. There is not money here, Mr. Speaker. Everybody here knows that there's not money. And I submit to you that those of us who are running for reelection ought to keep track of who votes for this. And I think a vote for this today ought to have the effect of a cosponsoring of an increase in the income tax in January or February of 1977. I urge you to vote 'no'."

Speaker Shea: "The Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Mr. Speaker and Members of the House, these are indeed critical times with the finance of the State of Illinois. This has been proven out by statements that have been made and by facts produced by the Bureau of the Budget, Fiscal Economic Commission,



the Comptroller and the Treasurer's Office. But we go back in history just a few short years ago. This House and the Senate adopted the law that made the Resource Equalizer a reality. And we did that knowing full well that we intended to live up with our commitment to that Resource Equalizer. But low and behold last year came about and we found we were short on funds. And everybody in the State of Illinois that thought about the kids came to Springfield with all the big guns. And even with that they couldn't influence us to spend money that we didn't have. And some of us then went along with the Governor's veto of funds; but with the promise that in this Session of the General Assembly that we would try to reestablish the equal . . . the Resource Equalizer as we had originally established it. And Representative Hoffman made the statement earlier that we should remain with our integrity intact. And I agree with him. But we made the commitment, and I know a number of us did, and I was one of those the last time we sustained the Governor, that we would find the funds to feed . . . to educate our children. And I'm not concerned about whether Chicago is getting a few more dollars than we are downstate. Let's face reality, who pays the taxes, everybody in the State of Illinois; and everybody's children ought to be educated. And I didn't agree with the Chicago group last year because the funds were not available; but I'm not going to hold that against them this time. I want the students in my area educated, I want the students in Chicago educated. And I say to you that we now have the chance to give them the education. We haven't spent the state money so far this year. We still have priority basis. This is one of the top priorities and we have to fund it. I say support 3483."

Speaker Shea: "The Gentleman from Cook, Mr. Collins."

Collins: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Throughout this debate we've heard statements made as to plans made, programs commenced, commitments made and a lot of other rhetoric concerning the education of our children in this state. But I think a lot of what we've heard is just plain rubbish."



I stand before you today as the only Member of this House who last June voted 'no' on the appropriation of these funds. Now, if I had enough sense to save the fiscal irresponsibility of our actions at that time, I believe that the educators should have even more of an insight and more foresight and should be able to plan accordingly. But did they? Of course not. They went ahead on their wild spending plans, blightfully pouring money down a rat hole until we became . . . back last Session facing vetoes which the Governor had to make because he was attempting to bring some stability to the finances of this state. And I supported his vetoes at that time. In spite of that, money has . . . there has been no effort made by educators in this state to clean their own house. And so today, once again, we face this Bill, which I can only categorize as the Illinois Bankruptcy Bill. Certainly, it's the Illinois Income Tax Increase Bill. And most certainly, it's the Chicago Board of Education bail-out Bill. Well, I don't think that we should take any such action at this time or ever. We have seen this Board of Education wasting money with high-priced administrators, with far-out schemes, with experimental schemes in the City of Chicago until we have exhausted our finances throughout this state. We saw the Chicago Board of Education capitulate in cowardly fashion to an illegal strike. And as Representative Walsh said, that's what we're talking about today. That money that's bailed out to the Chicago Board of Education, rather than to stand up against an illegal strike and take the action that was so plainly called for. Mr. Speaker, and Ladies and Gentlemen of the House, the taxpayers of this state are sick and tired of the way the money is being wasted in these Chambers, and particularly in the name of education. We want and they want quality education for the children of the State of Illinois; but that's not the money we're talking about. The money we're talking about is being wasted and everyone of us know it. And the taxpayers are saying to us, 'Let us up. We've had enough.' I know I've heard from the taxpayers in my district. I think everyone of you have. And I say, Mr. Speaker, it's time that every one of us started listening



to them. Please vote 'no' on this terrible Bill."

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

Maragos: "Mr. Speaker and Members of the House, I have to arise to disagree with my colleague from the 30th District because we are talking here about children, and not about any particular other issue that we try to throw a smoke screen into the wind. Whether we like it or not, Mr. Speaker and Members of the House, if this particular piece of legislation does not pass, the children of Chicago and throughout the state will be shortchanged for several weeks of education and for many weeks of summer school, plus other shortchanges which is happening more and more throughout this past year. Let us not kid ourselves, Mr. Speaker and Members of the House, that by eroding the educational system of this country, and this state especially, we are demoting the prospect for the future of this country and of this state. We said we always talk about priority. We always say we're going to do something to give priorities to education and to other programs which will insure the best investment for our children and for our future citizens. But every time when it comes to doing it we always find an excuse why we should not. I say to you, Ladies and Gentlemen of the House, that the state is not broke. In fact, we have messages disappearing on this Calendar today which are the accelerated Bills that could give you a shot in the arm for another year until we can really study the additional revenue sources of our state. The Revenue Committee of this House has diligently studied these questions and will report to you in due course. Again today the Revenue Committee of the House did pass out a Resolution by which we'll have joint studies. And maybe by next fall come with some other solutions about our revenue picture. But let's not take it out on an issue that has nothing to do with the revenue picture as a whole, excepting that these children do need the education, they do need these extra weeks of schooling. And what will the cost be later on if we have to try to use it for remedial purposes, Mr. Speaker and Members of the House? And I see these other downstate Legislators, I do not fault them completely that maybe they would



like more money for their school districts than they are getting. I wish we could, and I'm not an authority on the School Aid Formula. All I can tell you, even if I had to take a few crumbs for my students in my district, I will take them. And I'm not a Representative from the City of Chicago, but I also represent suburban areas as well. And if the school . . . as the Assistant Minority Leader stated that if the schools have been shortchanged or the schools have been quadrupling their expenses, let us not kid ourselves, the expenses have also quadrupled because of the inflationary spiral. I say to you, again, let us not throw false smoke screens in the path of education with these children. If we really mean it to find where the fat is, let us do our work between now and next year. But do not say right now we're going to use this again as another hatchet job, instead we'll have to use a tack hammer. Please, Mr. Speaker and Members of the House, let us not defeat a Bill which has it's useful purpose for the education of our children. Thank you."

Speaker Shea: "I will inform the Members that there are 22 people that still desire to speak on this measure. The Gentleman from Cham . . . or from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker, would the Sponsor yield to a question?"

Speaker Shea: "He indicates he will, Sir."

Friedrich: "Would you tell me what percentage of the school children in Illinois live in Chicago who are going to get 30 percent of this?"

Berman: "About 25 percent."

Friedrich: "25 percent. So what would be the per pupil benefit to Chicago as opposed to downstate?"

Berman: "Well, I think the figures are quite comparable. You're talking about 30 percent of the money and 25 percent of the kids."

Friedrich: "Well, I wonder was there any reason why you didn't think that downstate needed the money per pupil as much as Chicago? Why wouldn't you put in a Bill that benefitted every pupil the same way if you're really trying to benefit the schools?"

Berman: "Well, if you want an analysis of the School Aid Formula and how the money is spent, I'll be glad to do it. I don't think this is the



time. And I'll address myself as to the question of Chicago's response to the needs of downstate in my closing arguments."

Friedrich: "I don't believe I want to take money out of my district and spend more money in Chicago if that's the way this Bill is cut."

Speaker Shea: "The Gentleman from Union, Mr. Choate. You don't wish to speak? The Gentleman from Adams, Mr. McClain. He wishes to not speak. The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. As been pointed, House Bill 3483 seeks to appropriate an additional 67.5 million dollars for fiscal 1976. Now, we have been told over and over again today and by very applicable agency in the State Government, from the Governor, to the Comptroller, to the Bureau of the Budget, the Economic Fiscal Commission, that we don't have the money. Now, we're being told by one of the largest banks in the Midwest that we don't have the money. And I would ask you to refer to the Wednesday, May 12th, Edition of the Chicago Daily News, what it says, 'Illinois is losing its prime credit rating something tantamount to a fiscal catastrophe unless it radically changes its spending habits'. A report by one of the largest banks in the Midwest says. Now, what's important about this that one of the largest banks is none other than the First National Bank of Chicago. Now, what's relevant about that? I would ask you to recall that the president of the First National Bank of Chicago is Mr. Robert Aboud. Now, who is Mr. Robert Aboud? Some of you may remember when we had the circus on the floor of the House last fall that one of the prime speakers in be . . . in favor of overriding the Governor's veto and spending even more money than this was none other than Mr. Robert Aboud, the President of the First National Bank of Chicago, which now says that deficit in spending is threatening to ruin our state's credit rating. I suggest that he must have had a change of heart since last fall. I think that's appropriate that he does so because we cannot keep on spending what we don't have. It's been pointed out we cannot spend money. We cannot appropriate what we don't raise. And if you're bound and determine to spend this money, then you'd better get on Bob Mann's Bill and get out of . . . on the floor of this House



and vote for it. I'm saying right now that I will not vote for it. I will not sponsor it. I will not support it. I think those of you who vote 'aye' on this, it's been pointed out, should be commended if they get on Bob Mann's Bill because this is none other than the Income Tax Raise Bill of 1976. I think a 'no' vote if you're not willing to get on that Bill. I think it's a fine idea for you on that side of the aisle who want to spend this money to appropriate . . . to appropriate this money to offer to raise our taxes. The people where I come from will not stand it, they've had it up to here in taxes. And I'm voting with them, and I'm voting 'no'."

Speaker Shea: "The Gentleman from Cook, Mr. Kosinski."

Kosinski: "Mr. Speaker, this is much like a recurrent dream. I think I've heard some of this before some where in dim history. And I have the very definite feeling that it isn't going to change one vote in this House. Therefore, for fear of redundancy, I move the previous question."

Speaker Shea: "The question is, shall the main question be put? You think that's out of order, Mr. Collins? He explained his motion, not the Bill. 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 has the requisite two-thirds. And back to the Gentleman from Cook, Mr. Berman, to close."

Berman: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I think that much of the debate from those of us who agree that the schools deserve to be fully . . . to be funded at the maximum level necessary for a good education are missing the point of this Bill. We are one part, this House of Representatives on this day, of a multi-faceted legislative process. The Senate must concur and the Governor must concur. Now, I would point out to you that at no time did this Sponsor come to this Legislature and say that because this was good for Chicago this is what this Body must take or leave. In fact, every Bill that has done anything for downstate in the area of education that has reached the Governor's desk in the past two years this Sponsor has been a very vocal architect of



and proponent for. Let me give you some statistics to those of my colleagues who complain about Chicago and the School Aid Formula. Senate Bill 1493 was a Bill that addresses itself to the needs of downstate in every way that the downstaters have put forth. It included Representative Bradley's provision for the Transportation Formula. It addressed itself to the rate changes for the downstate school districts. It addressed itself to the elimination of the rollback. And it addressed itself, I would add, to the title I problems which crossed the lines as far as Chicago and the Metropolitan areas of downstate. That Bill was passed out of here, out of both Houses. It was vetoed by the Senate. And, Representative Kane, I'd like you to listen to this for just a second, because I'm addressing myself to your arguments regarding downstate lack of response from Chicago. The votes on the override on Senate Bill 1493 in the Senate. There were 4 Republicans in favor of that veto override, there were 21 Democrats, 21 Democrats that voted to override that Bill, with every one of those votes, except two or three, being Chicago Democrats. They were on the veto override. The people that scuttled the Bill to change the Formula in favor of downstate were your downstaters, not Chicagoans. Now, I want the record to show very clearly that we recognized that there are some injustices in this Formula; but Representative Friedrich in his talk about the difference between 25 and 30 percent, I stand to be corrected, you didn't vote for this Bill when it came for the override. And if it was only the 5 percent, I doubt if your vote would only be that way. I think that those of us that are concerned about the needs of our school children must look at it from this point of view, not pie in the sky, because we are faced with an administration that had to be forced time and time again by a united effort, a united effort to increase school funding. That united effort was a consolidation of Chicago interests and downstate interests. Of course, this Bill doesn't give everything to everybody they want. I haven't seen a Bill introduced that ever will. But I will tell you this, and I want you people to understand what you may not be supporting today, or let me say, I want you to understand what I'm asking you to support.



the Legislators from the 59th District, there is \$1,870,000 in this Bill for your school district; the 58th District, \$1,220,000; the 57th District, \$1,978,000; the 56th District, \$1,367,000; the 55th, \$1,422,000; the 54th, \$1,424,000; 53rd, \$1,106,000. I've got the figures on my desk. And I think during the Roll Call, I will invite you all, this material was available for distribution on the floor of this House. Because of certain procedures that material was not distributed today, not because of the fault of the Sponsor. I have the printout to show exactly what each school district is going to get and what each legislative district is going to get. The proposition that this Bill offers you today is a simple one. You're either voting to give your school district more money than it would have if House Bill 3483 is not passed or you're voting to give them less money. This is the appropriation for fiscal year '76. There is no other Bill, no other Bill that will get your school districts money this fiscal year, fiscal year '76, than House Bill 3483. This is not for the exclusion of any other changes. And will be glad to discuss them and debate them. And will be glad to support things that are meaningful as we have in the past. But the question is, and I suggest strongly to my downstate colleagues you're cutting your nose to spite your face if you think that voting 'no' is going to prove a point on this Bill. This is a Bill that's going to get more money for your school district in fiscal year '76; and there is no other Bill that will do it. And I urge an 'aye' vote on this Bill."

Speaker Shea: "The question is, shall House Bill 3483 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. The Gentleman from Cook, Mr. Rayson, to explain his vote. The Gentleman from Champaign, Mr. Hirschfeld, to explain his vote."

Hirschfeld: "Thank you, Mr. Speaker. I guess the best news we've heard is this is the only Bill. So if we beat it, we might be done with this problem. But it reminds me of the old fable of a man, and a boy and the donkey that were riding down the road. As they went through the first little hamlet, the boy was riding and the man was walking, and everybody said, 'Isn't that just typical. There's



no respect for the young people anymore, the father rides and the boy walks'. And when they get to the next hamlet, the man is riding and the boy is walking. And everybody says, 'Well, that's what you expect in the 1970's, the youth have no respect for their elders'. So finally they get to the third little hamlet and they're going across the bridge and they're both riding the donkey. And they fall through a very weak bridge. And, of course, the moral of the story is if you try and please everybody, you lose your donkey. And that's what's going to happen here. We are doing nothing more but subverting ourselves to the insatiable appetite of the mayor of the City of Chicago. The same thing happened in the lottery several years ago. We passed the lottery on the presumption the money was going to go to education. And then we twisted it all to transportation. Now, this Bill is unfair to downstate, I don't care if you give us \$100,000,000. What happened downstate is we cut our budgets back when we failed to override the Governor's veto. But Cook County didn't. The mayor went in and said, 'Take all you want. I'll go down and bleed the Legislature for some more dollars next fall or next spring. We'll get it for you. Go ahead and pass it'. That's what happened. Downstate cut its budget back, but the City of Chicago didn't. And I, for one am tired of having us dangle out \$1,000,000 or \$5,000,000 or any other amount in order to satiate the mayor's appetite. Mayor Daley made promises he could come up with \$10,000,000. Well, let's see him do it for a change, out of his own pocket instead of out of the pocket of the rest of the people in the State of Illinois. And I might add this in conclusion, the Chicago teachers are better paid than almost any other teacher of a comparable city in the United States, anywhere from 12 to 25 percent higher pay. If they are so interested in our school children, I sometimes have my doubts about these teacher's unions anymore, then let them not work for nothing; but let them spread their salaries over a little longer period of time. And work with these young people in Chicago and help bail out the problem that they themselves have made. All I can say, Ladies and Gentlemen, is that downstaters better stick together on this



whether you . . ."

Speaker Shea: "The debate timer is on. Are you finished, Mr. Hirschfeld?"

I turned the clock back on, but I do want to remind you . . ."

Hirschfeld: ". . . No, that's all right, Mr. Speaker, I'll be finished in just a few more months."

Speaker Shea: "The Gentleman from Madison, Mr. Steele, to explain his vote; and the debate timer is on at two minutes. Proceed, Sir."

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

I rise to explain my vote because we just don't have the money.

According to Comptroller Lindberg's office just several days ago

speaking to the Higher Education Committee, the passage of this

Bill, along with the other special education Bill, will create a

cash-flow shortage as of September that will run through every

other month of this fiscal year, a cash flow . . . a negative

cash balance as of September and from that month forward. Now,

we do have a commitment to education. And I submit that we're

keeping that strong commitment to education. This year in Illinois

we're going to appropriate state aid per pupil in Illinois, the

second highest amount of any state in the entire nation, second

only to the State of New York. And I think we all recognize and

realize the fiscal problem that New York's having that we don't

want to duplicate here in Illinois. In our budget this year in

Appropriations Committee, we are going to appropriate the highest

increase for education, a 9½ percent increase for education, aid

to education in Illinois, the highest increase of any state in

the nation. And so I submit we are keeping our faith to a strong

educational system here in Illinois; but it's time today for us

to also keep the faith with the people who sent us here and the

people who are paying these bills. And I say that we must not

vote for this Bill because we do not have the money, it's wrong,

it's fiscally wrong and morally wrong to appropriate monies for

which there is no available cash balance as of September in the

budget in our cash treasury. And I urge you also to vote 'no'."

Speaker Shea: "The Gentleman from Cook, Mr. Rayson, to explain his vote."

Rayson: "Thank you, Mr. Speaker. To explain my vote, I might start out



by saying I've heard an awful lot of bemoaning rhetoric here a good deal of which I can concur with. And, hence, I guess is the paradox that we're all under in this situation. Now, I ... as the Minority Leader originally indicated, he was reluctant to rise against the Bill, and I'm reluctant to say that I will vote for this Bill. But I'd like to tell all of you that we do have this fiscal problem. We do have a vehicle that's in Rules Committee. We would like to get House Bill 3201 on the floor. We would like to have Legislators meet their responsibility and meet the fiscal problems at hand. I want to support the schools. I want to have the money for it. I don't want to be one of those, and there are many here I suspect who will vote for this, go home to their constituents, and play cute games, and rely on the Governor. The first alarm struck was the Assistant Minority Leader when he said, 'Gee, gee, maybe the Governor won't veto it this time and pull us out'. We shouldn't be in that position. We should be honest, and to be honest is, one, I think we all want to support the schools; and two, we've got to raise the revenue. So why not give us a hand and move this pusillanimous Rules Committee to move House Bill 3201. And for those who suggest that, you know, all those who vote for this Bill ought to be Cosponsors; if we get it out of Rules, I'll ask every one of them to be Cosponsors to that Bill. I think that's where it's at, and that's where we should go. And we shouldn't mess around anymore. And either we push this up or down; but we meet our responsibilities. That's what it's all about."

Speaker Shea: "The Gentleman from DeKalb, Mr. Ebbesen, to explain his vote."

Ebbesen: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, several years ago before we had the new Constitution, we had the personal property tax, which basically was our automobile, and then we also had the corporate property tax, which still does exist. By 1980, of course, we're going to see this removed. And we're going to have to replace that revenue. But I'd like to call to the attention of some of those who've addressed themselves as far as Chicago"



67.

having to close their schools 17 days early, and increased taxes, legislation that's been introduced. I'd like to call your attention that since 1971 the corporate personal property taxes has extracted from the Department of Local Government Affairs' 1973 Report with a history going back of what we have records of, 1971, there's been a billion dollars extended and only about 50 percent collected. That leaves about \$500,000,000 available in delinquent corporate personal property taxes. Now, I don't know why 102 counties, including the County of Cook, can be so efficient in collecting real estate taxes and so neglectful. Now, I'm not talking, I don't know who collects them, Democrats or Republicans; but I say get those available, delinquent corporate personal property taxes. And you will answer a tremendous financial situation here in the State of Illinois for all the taxpayers. For that reason, I vote 'no'."

Speaker Shea: "The Gentleman from DuPage, Mr. Hudson, to explain his 'no' vote."

Hudson: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Not too long ago, I sat here and voted 'no' on a \$147,000,000 public aid deficiency Bill. And I did this, not because I lacked a sensitivity for those in need or felt any less than some of the rest of you do, but I didn't feel we had the money in that proportion to spend at that time. And I voted 'no'. And I'm voting 'no' on this Bill for the same reason. I simply do not think that we have the money. It's dishonest to continue to spend money we do not have. I am of the firm opinion that the Cadillac days of educational funding may well be over. Indeed, I think they are over. And I think our taxpayers have had it, and are clearly telling me where I come from that they're looking for value received for the money that is already going in and has gone in to our educational system. Many of these people are feeling that they are not seeing value received to the extent they would like to see it. And they are asking us to go slow and proceed with caution. before we spend any more money in excessive amounts on educational funding. They are asking us to do what they have to do in their own



families. And if the . . . if the funds are low and they do not have money for new socks, they may have to darn those socks that they already have. If they don't have money for a new suit of clothes or a new coat, they have to get along with the ones they have. That does not mean that they're going to be entirely without, nor does it mean that our kids in the State of Illinois are not going to continue to receive educational benefits, they will. A 'no' vote on this Bill will not shut them off; but it will, I believe, keep the . . ."

Speaker Shea: "I've returned it back on, will you bring your remarks to a close, Mr. Hudson?"

Hudson: ". . . Yes, I will. Thank you very much, Mr. Speaker. I am convinced that a red light here is absolutely necessary. It is the fiscally responsible thing to do. And it is the only way that we're going to stop what I would consider to be a raid on public finances now that will surely mean a raise in our income tax. This has to be a precursor to a raise in income tax. I have voted 'no' on these Bills that would bring it about and I'm going to continue to vote, and I don't intend to vote for a raise in the income tax when and if it comes."

Speaker Shea: "Have all voted who wish? Have all voted who wish? The Lady from Champaign, Miss Satterthwaite, to explain her vote."

Satterthwaite: "Mr. Speaker and Members of the House, I was strongly supportive of the override for the funds that had been cut from the budget to provide for full funding for our education formula. At that time, I felt that it was imperative that we continue to fully fund that formula to provide the schools with the amounts that we are obligated to give them from the state level. It's with a great deal of reluctance today that I stand to explain that I am changing my support now to a 'no' vote, and I feel that I must say that the reason for that has nothing to do with 'Chicago versus downstate'. It simply has to do with the fact that there will be only a specific number of dollars available. And I feel that at this point the allocation of those dollars would better be in next year's budget, rather than in the current year's budget, since



the school year has already passed since we have made adjustments along the way. And I reluctantly cast a 'no' vote."

Speaker Shea: "The Gentleman from Lawrence, Mr. Cunningham, to explain his vote."

Cunningham: "Mr. Speaker, and Ladies and Gentlemen of the House, none who knows anything about this doubts that this is the straw that would break the camel's back, the cupboard is bare, there simply isn't enough money in the till to pay for this unnecessary drain on the people's treasury. Pass this Bill and within two years we'll have an increase in your income tax. Now, we've heard many humanitarians surely proclaim that the lives of thousands of young people will be somehow be damaged unless \$67.5 million is extracted from the taxpayers forthwith. I recognize the importance of education and believe in it with all of my soul; but it doesn't follow that the more money you spend, the more education you get. In many ways we witness the malaise that's been with this governmental thinking since the New Deal, and that is, the more money you throw to the problem, it'll go away. I believe that the students of Chicago and downstate, too, need as much as money, more determination, more dedication and more pride. We might learn with them the lesson of the most prominent architects from Chicago that less is more. The number one politician in Illinois desperately needs the passage of this Bill; but that need is of his own making. I doubt that there was a Legislator in this Body who told . . ."

Speaker Shea: "Would you bring it to a close, Mr. Cunningham?"

Cunningham: ". . . surprising, my clock showed 90 seconds . . . but the number one . . . the need that I mentioned by his honor is of his own making . . ."

Speaker Shea: "You've passed using the other 30."

Cunningham: ". . . do you have it on or not?"

Speaker Shea: "Yes."

Cunningham: "Well, with your leave, and I'm not going to make any comment about Resolutions, but you're about to persuade me. I want to say this in this regard, those of you who are tempted to vote 'aye' on the thought that the Governor will veto are putting on a



futile hope. The will might remain, but the muscle is gone. He has . . . is much a prisoner of the system as you and I, and he has to have passage of the accelerated tax. So don't count on him to do his duty, you do it yourself and vote 'no'."

Speaker Shea: "The Gentleman from Winnebago, Mr. Simms, to explain his vote."

Simms: "Well, Mr. Speaker and Members of the House, briefly, in explaining my 'no' vote, I cast my vote against this appropriation for the simple reason that we cannot afford it at the present time. The message is clear from the people across this state, and I think, across this nation, even those in Washington, D.C., are now feeling it, from those from the Democratic Party, where Governor Carter is doing extremely well to the Republican Party, where Governor Reagan is. People don't want governments to spend more money than what they have. They don't want to pay increased taxes. They want you, and I and members of the Legislature to live within the existing means that we have. And for this reason, I'm voting 'no' for the good of the people of the State of Illinois. And I will not vote to raise any taxes."

Speaker Shea: "The Lady from Lake, Miss Geo-Karis, to explain her vote."

Geo-Karis: "Mr. Speaker, and Ladies and Gentlemen of the House, I sat in this auspicious Assembly for three and a half years, I have seen budgets inflated with political payrolls galore in the Department of Transportation, the Department of Public Aid, the Department of Children and Family Services and a full fork of others, which are under the direct control of the Governor; 54 percent of our budget goes to Governor-controlled agencies. At this time, I'd like to call upon his Excellency, the Governor, to do what I think is right for my district, at least, and for my counties. This Bill will give my county schools approximately \$2,500,000. Maybe that doesn't mean a thing to anyone else, sure Chicago gets 25 percent that the students abdicate, but if you figure it out by the breakdown we have here, 12 districts are included in Chicago, two are included in mine. I cannot, I cannot minimize the efforts of education over concrete. And this very Body sat here and added an Amendment to the



Department of Transportation's budget for \$200,000,000 for political payrollers, and no one said a thing about it. Well, I can't do that."

Speaker Shea: "I turned it back on. Would you bring your remarks to a close, please?"

Geo-Karis: "Mr. Speaker, thank you. I don't wish to tarry any longer; but I have to vote 'yes' because my school districts need help."

Speaker Shea: "The Gentleman from Cook, Mr. Gaines, to explain his vote."

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

It pains me to listen to the rhetoric about we don't have the money. We have 'X' number of dollars and we can spend it any way we want to. So don't tell me we don't have the money. You don't want to spend it for the children. You have something else up your sleeve you want to spend it for. But don't say we don't have it. I agree we have a limited amount. But I think the first priority should go to the children. And I think if there are any cutbacks, we should do this for next year because most of the school districts have strapped themselves for this year, and they'll be on notice for next year. About the raising of taxes. Why fool your constituents? Next year we're going to have to raise taxes anyway, whether we're back or another group are here. So don't crumble that bromide. because everybody says we're going to have to raise taxes next year. Nobody wants to accept that. The Governor and many of the leading politicians of this state have sold the people a bill of goods that if they just tighten the budget they'll never have . . ."

Speaker Shea: "I turned it back on. Would you conclude your remarks, Sir?"

Gaines: ". . . that they'll never have to have any tax raise again. We're going to have to have a tax raise next year, whether you pass this Bill or not. I know you're saying 'no' now, but next year watch it. The people in my district are willing to pay for more taxes for better schools. I've talked with them honestly. And so I'm voting 'yes'."

Speaker Shea: "The Gentleman from Lake, Mr. Griesheimer, to explain his vote."

Griesheimer: "Very briefly, Mr. Speaker. The hypocrisy of a number of



people that are voting green in this Bill is overwhelming. We talk about priorities, and I want you to know that I carefully watched the vote of certain particular people that are voting green up there; and they have voted for every single deficiency appropriation that's rolled through this House, from the welfare deficiency all the way through the deficiency for the State Racing Board. As far as I am concerned, the very distinguished Assistant Minority Leader hit the nail right on the head when he said, 'Those who are voting green are those that are standing up and telling their constituents they are for a tax increase'. And I'm going to be darn sure to let my constituents know exactly where I stand on that. I'm against a tax increase. We can't afford this. And to those people that are voting green, you'd better get ready because that's what's coming in the next election."

Speaker Shea: "The Gentleman from Cook, Mr. Berman, to explain his vote."

Berman: "Well, Mr. Speaker, I think that most of the points I have covered; but I think we ought to make it just very clear so that some of my colleagues who are voting yellow, in particular, and a couple that are voting red don't misunderstand the purpose of this Bill. 70 percent of this money, approximately \$45,000,000, is going to downstate school districts. By voting 'no' you're saying that you don't want that money to go there. And I say this to the people who have felt in the fall and who feel now that our priorities are with education, and that there is sufficient money to pay it, as do I. And I think that . . . I don't know who you're kidding, but I think that you're doing a great injustice to a principle that I thought you've always supported, and that is, by placing education as a top priority. For fiscal '76, you're saying to your school children that you don't want them to get any more money. And I hope that you'll be able to explain that to them when you go back."

Speaker Shea: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 72 'ayes', 75 'nays'. And the Gentleman from Cook, Mr. Berman."

Berman: "Well, Mr. Speaker, I'm going to make this request, but it's very



reluctant, because I . . . if I acted out of pique or out of personal response I probably would not make this motion or request; but I think that I owe it to all the school children in the state, including those people who haven't supported their own school children, to ask that this be placed on Postponed Consideration."

Speaker Shea: "The Gentleman places the Bill on the order of Postponed Consideration. On the order of Third Reading . . . or the Gentleman from Cook, Mr. Madison."

Madison: "Mr. Speaker, this Bill has been placed on Postponed Consideration. Is there any possibility or is it within the purview of the Chair when this Bill comes up again to invoke a gag rule."

Speaker Shea: "The House might be able to do that."

Madison: "Thank you."

Speaker Shea: "On the order of House Bills, Third Reading, appears the number House Bill 3222, but that Bill is on Second Reading. The place of that Bill now is on the order of Second Reading. Amendment #1 has been tabled. Amendment #2 is pending; and on Amendment #2, Mr. Grotberg."

Grotberg: "Yes, thank you, Mr. Speaker. I think I explained to Mr. Holewinski the nature: This is the same substantive Amendment as Amendment #1, but it cleans it up for the Reference Bureau in their cataloging. And I would move the adoption of Amendment #2."

Speaker Shea: "The Gentleman moves for the adoption of Amendment #2. Is there debate? All in favor of the Amendment will say 'aye' . . . Do you have a question, Miss Chapman? Turn Miss Chapman on."

Chapman: "Mr. Grotberg, and Mr. Speaker, I have a copy of your Amendment; and your explanation sounds very persuasive. But could you just wait a minute. So that we really could look at it in the Bill? Could you just hold it for a few minutes?"

Speaker Shea: "Mr. Holewinski, when we took it out of the record fifteen minutes ago, looked at it. And Mr. Grotberg's statement was that it was the same as Amendment #1 but with retabled sections."

Chapman: "Okay, okay, all right. Okay, I beg your pardon. I was off the floor at that point in time."

Speaker Shea: "The Gentleman moves for the adoption of Amendment #2. All



those in favor will say 'aye', those opposed will say 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Shea: "Third Reading. On the order of Consideration, Concurrence, Consideration Postponed, appears House Bill 3213. And on that order of business the Lady from Cook, Miss Chapman. Did you want to call this Bill today, Miss Chapman? 3213?"

Chapman: "Oh, oh, do I want to call it. Thank you, Mr. Speaker. Some of you may recall having heard about House Bill 3213 in the last 24 hours, and many Legislators have heard from their constituents about House Bill 3213 in the last few days. This was the measure that we took out of the record a little earlier in the afternoon because Mr. Ryan desired to have additional information. That information was provided for Mr. Ryan, and I discussed the matter with him before he left. He did not have part of it . . . enough time to really look at it, but he indicated he had no objection to us going forward with the Amendment right now. I move that we concur with Senate Amendment #1 to House Bill 3213. This is the matter that has been . . . this concurrence has been on the Calendar for two weeks; 1,300 individuals are waiting for their checks. The main thrust of the Bill is to add over \$1,000,000 in several funds, seeded funds, for work-relief programs in the State of Illinois. Please vote 'yes' on the concurrence motion."

Speaker Shea: "The Lady from Cook, Miss Chapman, moves that the House do concur in Senate Amendment #1. On that question, is there any debate? The Gentleman from Cook, the Assistant Minority Leader, Mr. Walsh."

Walsh: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I understood the Lady to say that Representative Ryan did not have time to digest the material that was given him, and so she is unaware of whether or not he has removed his objection. Representative Ryan had to leave. I wonder if the Lady would agree to hold this until tomorrow when Representative Ryan has an opportunity to look that material over."



Chapman: "Mr. Walsh, this matter . . . this concurrence motion has been on the Calendar for two whole weeks. Perhaps you didn't hear me say that I did talk to Mr. Ryan and asked Mr. Ryan if because of the emergency nature of this he had an objection to my going ahead. And he said, 'No', he did not have an opportunity to really look at it, but other Committee Members of the Appropriations II Committee apparently did have that opportunity. Plus, Mr. Anderson, for example, did have that opportunity and he said he had no objection to us going forward. I believe two weeks for a concurrence motion to be on the Calendar is time enough for a person to know how he was going to vote on the matter. And I would like to have a vote today, Mr. Walsh."

Speaker Shea: "You've responded. Do you care to speak to the Bill, Mr. Walsh?"

Walsh: "If this is speaking to the Bill, Mr. Speaker. Representative Ryan left because he was ill. Now, in response to the question that I put to the Lady from Cook, my interpretation of the answer, which was pretty lengthy, was that Representative Ryan did not, I emphasize 'did not', remove his objections because he did not have an opportunity to look over what I understand is a large sheaf of papers. So if the Lady . . . I would again ask the Lady if she would . . . I have the Lady right here in front of me . . . if she would mind holding it until tomorrow."

Speaker Shea: "The . . ."

Walsh: "The Amendment, I beg your pardon."

Speaker Shea: ". . . the commitment from the Chair, Mr. Walsh, is that she would get a Roll Call vote today. The Gentleman from LaSalle, Mr. Anderson."

Anderson: "What Representative Chapman says is absolutely true. George Ryan and I did confer with Representative Catania, and with Representative Chapman; and Representative Ryan had no objection before he left. So . . ."

Speaker Shea: "The . . . are you through, Sir? The Lady from Cook, Miss Catania, did you want to speak on this issue?"

Catania: "Thank you, Mr. Speaker and Members of the House. I have all the



information right here, which was finally provided to me by manpower and model cities. It's all here if anybody wants to come and look at it. I gave it to Representative Ryan, who had plenty of time to look at it before he had to leave because of someone else's apparent illness. I think that all of the objections have been removed. Certainly, if the Senate didn't object; I don't see why we should object. And I would suggest we get on with it. Pay these peoples' salaries."

Speaker Shea: "Mr. Walsh, did you wish to make a further statement, Sir?"

Walsh: "Just to say, Mr. Speaker, that I understood someone to say that Representative Ryan was ill. He is not fortunately. A dear friend is ill; and he left for that reason and not because of his own illness."

Speaker Shea: "Thank you, Sir. The Lady from Cook, Miss Chapman, moves that the House do concur in Senate Amendment #1 to House Bill 3213. This requires 89 votes and if final action. All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 106 'ayes', 18 'nays', 22 Members voting 'present'; and the House does concur in Senate Amendment #1 to House Bill 3213. On the order of House Bills, Third Reading, appears House Bill 3537. And the Gentleman from Cook, Mr. Epton. It's the intention of the Chair to get through House Bills, Third Reading, that are appropriation Bills. And the Chair will call the appropriation Bills in the Calendar order number they appear on Third Reading. Mr. Epton."

Clerk O'Brien: "House Bill 3537, a Bill for an Act making an appropriation for the ordinary and contingent expenses for the Insurance Laws Study Commission. Third Reading of the Bill."

Epton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill has been before the House in the past. It provides the appropriation for the Illinois Insurance Study Commission. In Committee we advised . . . in response to questions the Bills that we had promulgated and which had passed the House and the Senate and enacted into law. We reduced our appropriation at the request



of the Chairman of the Appropriation Committee. Originally, we had asked for \$300,000. And in an attempt to rewrite the Insurance Code, which was last written in Illinois in 1937. Obviously, however, in view of the financial crisis the revision of the Code will just have to wait another two years. We have three permanent full-time employees who work on I regret to say seven days a week sometimes; and I think that the Commission gets more than its due for the money expended. I hope you will vote in favor of the \$85,000 appropriation. This fiscal year we spent . . . we have spent or committed to date almost \$82,000. I think that we will need \$85,000; but, of course, if we don't we would be happy to turn back any funds to the Treasury. I respectfully ask that you vote in favor of this Bill."

Speaker Shea: "The Gentleman moves for the adoption of House Bill 3537.

On that, is there any debate? The Gentleman from Cook, Mr. Fleck."

Fleck: "I'm just curious, Bernie, why is this Bill separate from the omnibus Bills on Commissions?"

Epton: "I have no idea except to this extent, we have always introduced a separate Bill for the Commission in the past eight years. Sometimes it's included in the omnibus Bill, sometimes it's been allowed to go separately. I really don't know what creates the division. I would say in the last eight years, five times it's been within the omnibus, three times it has not."

Fleck: "But there's never duplicity where it's in both?"

Epton: "No, no, we receive only funds once."

Fleck: "Okay."

Speaker Shea: "The Gentleman from Cook, Mr. Barnes."

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

Epton: "Yes."

Barnes: "As I understand, in the past in Appropriation Bills of this type, and if my memory serves me correctly, this Bill also, has been included in the omnibus Bill. Is that correct?"

Epton: "Well, yes, I just responded to Representative Fleck, on the last eight times, five it's been within the omnibus, three times it's



been a separate appropriation."

Barnes: "Well, is the Digest correct that this is an \$85,000 appropriation?"

Epton: "Yes, Sir."

Barnes: "How does that compare with the last two fiscal years?"

Epton: "It's iden . . . the last year was \$85,000, the year prior was \$75,000."

Barnes: "How much was the expenditures in the last fiscal year of \$85,000?"

Epton: "We have spent to date \$65,000. We have contractual commitments of another \$12,000, which . . . and we have additional expenses so that we anticipate with the salaries yet to come that we will spend in the neighborhood of \$82,000 for the fiscal year."

Barnes: "Well, Mr. Speaker, to address the Bill, and I agree with the Sponsor, and I know that in the past we have handled it in two manners. One of the things, though, that I think this year, and especially in all of these Commission Bills, that we should at least hold them until we know exactly how much money is in the pot. We are in . . . we have certain fiscal restraints that we have on us this year that we haven't had in the past. I'm not going to oppose this Bill. And I'm at a low loss of how it worked its way through without someone raising this question before we got to this point. So I will not oppose it, but I think that hereafter and in the future these Bills of this type, all of the Commissions, should be held so we can really determine exactly how much G.R.F. are available so that these . . . all of the Bills can be considered in the same manner. And I think to just go ahead and appropriate money for a study Commission when we are saying we haven't got dollars for other areas, I don't think is a responsible position for us this year."

Speaker Shea: "The Gentleman from Cook, Mr. Epton, moves . . . Mr. Lechowicz, do you seek recognition, Sir? I'm sorry."

Lechowicz: "Well, to respond to Representative Barnes' inquiry, the Sponsor in good faith asked if this was contained in the omnibus appropriation Bill. I told him it was not, he, in turn, said, 'Well, I'll put it in as a separate Bill'. I told him that he should proceed in that vein. This Bill had a full Committee hearing, and



I would strongly encourage an 'aye' vote."

Speaker Shea: "The Gentleman from Cook, Mr. Epton, moves for the passage of House Bill 3537. The question is, shall House Bill 3537 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wish? Have all voted who wish? Mr. Tipsword . . . would you record Mr. Tipsword as 'aye'. Turn you on? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Bill there are 143 'ayes', 6 'nays', 5 Members voting 'present'; and House Bill 3537 is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 3383."

Clerk O'Brien: "House Bill 3383, a Bill for an Act to provide for the ordinary and contingent expenses for the Office of the Governor. Third Reading of the Bill."

Speaker Shea: "The Gentleman from Cook, Mr. Lechowicz."

Lechowicz: ". . . responds in native tongue . . . On House Bill 3383 is the appropriation for the Office of the Governor for fiscal year 1977 in the dollar amount of \$1,335,300. In comparison to the fiscal '76 appropriation it is less. Last year we appropriated \$1,342,038. I'd be more than happy to answer any questions in relation to House Bill 3383 if there are any."

Speaker Shea: "The Gentleman from Cook, Mr. Lechowicz, moves for the passage of House Bill 3383. Is there debate on the question? The Gentleman from Kane, Mr. Grotberg."

Grotberg: "Thank you, Mr. Speaker: Representative Lechowicz, not only on this, but there will be several Bills like this, is there a substantive Bill somewhere coming along over the six-months' restriction on pay out on these executive offices that are up for election? Or is it part of the appropriation Bill?"

Lechowicz: "No, it is not. I believe that the Senate is looking into this situation and drafting Amendments; but, as you know, the Governor has also indicated that he nor any member of his administration wants to hamstring any next administration. In turn, they are going to be working on a month-to-month basis as well. There is no indication from Governor Walker or any of his people that are going to try to tie up the money for this full fiscal year 1977."



In fact, he's going to ask for an orderly transition. I would imagine that this was also the case in the Governor Shapiro and Governor Ogilvie. And there wasn't any difficulty under Governor Ogilvie and Governor Walker."

Grotberg: "I was not insinuating, Sir, that any such design; but I had heard that there was a six-month restriction concept being floated somewhere. It's not on this Bill or any other Bill that you know of?"

Lechowicz: "No, Sir, not in this House."

Grotberg: "Thank you very much."

Speaker Shea: "The Gentleman from Cook, Mr. Lechowicz, moves that House Bill 3383 pass? The question is, shall House Bill 3383 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. The Gentleman from Cook, Mr. Mann, do you wish to speak? Have all voted who wish? Caldwell 'aye'. Take the record, Mr. Clerk. On this question there are 159 'ayes', 1 'nay', no Members voting 'present'; House Bill 3383 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 3795."

Clerk O'Brien: "House Bill 3795, a Bill for an Act to provide for the ordinary and contingent expenses of the Sudden Death Syndrome Study Commission. Third Reading of the Bill."

Speaker Shea: "Virginia Macdonald, you don't want to call that one today? Take it out of the record. What about 3817, Mr. Lechowicz? Do you want to call that today?"

Clerk O'Brien: "House Bill 3817, a Bill for an Act to provide for the ordinary and contingent expenses for the Office of the Governor, the Bureau of the Budget, the Governor's Office of Manpower and Human Development. Third Reading of the Bill."

Speaker Shea: "The Gentleman from Cook, Mr. Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. I'm sure that the entire Membership knows that we amended the Governor's Office out of the Bill yesterday. Basically, what's contained in the Bill now is the dollar



amount to the Bureau of the Budget and the Governor's Office of Manpower and Human Development. The Bureau of the Budget has a reduction in their . . . let me just basically explain . . . the Manpower and Human Development's new appropriation equals \$40,574,619. The increases in Federal labor projects funded by \$477,100 for a state-wide Manpower Service Grants and Aid Program. This is the revised estimate of the spending based on the differences in the state and Federal fiscal years. It also breaks out the grants and aid to community action agencies under the State Economic Opportunity Office. And it breaks out in detail the grants and aid for balance of state prime sponsors for the various seeded projects. We reduced the Bureau of the Budget's portion by \$104,000. So now the new appropriation is \$2,290,148. If there are any questions, I'll be more than happy to answer them."

Speaker Shea: "The question is, shall House Bill 3817 pass? On the debate, the Lady from Lake, Miss Geo-Karis."

Geo-Karis: "Mr. Lechowicz . . . will he yield for a question, please?"

Lechowicz: "Yes, Ma'am."

Geo-Karis: "Representative Lechowicz, how much is that total budget for the Governor's Office? I don't quite understand it from the Digest."

Lechowicz: "The Governor's Office is not located in this budget at all, Ma'am. That was passed on 3383."

Geo-Karis: "Well, I'm looking at House Bill 3817 in the . . ."

Lechowicz: "I just told you it was amended out yesterday on Second Reading."

Geo-Karis: "The whole works? All right, what . . ."

Lechowicz: "Yes, Ma'am."

Geo-Karis: ". . . what is left then in this amount?"

Lechowicz: "The Bureau of the Budget and the Governor's Office of Manpower and Human Development."

Geo-Karis: "Approximately how much altogether, please?"

Lechowicz: "\$42,000,000."

Geo-Karis: "Thank you."

Speaker Shea: "The question is, shall House Bill 3817 pass? All those



in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 137 'ayes', 19 'nays', 4 Members voting 'present'; and House Bill 3817 is, hereby, declared passed. Is there any appropriation Bills on the order of Third Reading that any of the Members want to call and get to the Senate? Are there any Bills on the order of Third Reading that have to go back to the order of Second Reading for the purposes of Amendment that the Members would like to call today so that they would be in a position to pass tomorrow? The Gentleman from Cook, Mr. Downs."

Downs: "Thank you, Mr. Speaker. Committee Bill 3834 went to Third Reading yesterday. And I understand there is an Amendment to this Bill to be presented on the Minority side.' So I ask leave to take it back."

Speaker Shea: "What's the number? What number is that?"

Downs: "House Bill 3834."

Speaker Shea: "On the order of House Bills, Third Reading, appears House Bill 3834. The Gentleman asks leave to take it back to the order of Second Reading. Is there objection? Hearing none, the Bill is returned to the order of Second Reading for an Amendment. Are there any Amendments, Mr. Clerk?"

Clerk O'Brien: "Amendment #1, Duff, amends House Bill 3834 on page 3, line 24, by deleting 'require' and inserting in lieu, thereof, 'encourage'."

Speaker Shea: "The Gentleman from Cook, Mr. Miller, on that Amendment."

Miller: "Well, thank you, Mr. Speaker. Representative Duff and I had found a problem in the Bill, we believe to be a problem, after it had gone to Third Reading yesterday and ask the House for its attention for half a minute. In this Bill amending the Alcoholism and Intoxication Treatment Act, there is a provision that requires that the Director of Insurance require that all health and disability insurance programs include alcoholism as a covered illness. Now, I think there are two problems in that language. Number one, we have the Department of Mental Health dictating to the Department of Insurance. And I think that could create an internal conflict



within . . . between the two agencies. And number two, what it does is mandate that all people in Illinois must buy in their health policy coverage for alcoholic treatment. And I would submit to you that there are a good number of people in Illinois who do not imbibe in alcohol and have no need for the coverage. And for that reason, I have submitted an Amendment that takes out the word 'require' and substitute the word 'encourage'. And I think that would handle the problem. And I ask your support."

Speaker Shea: "The Gentleman from Cook, Mr. Miller, moves for the adoption of Amendment #1. All those in favor will say 'aye' . . . Mr. Berman, do you seek recognition?"

Berman: "Yes, Sir, I have a question of the Sponsor."

Speaker Shea: "Proceed."

Berman: "Tom, by your Amendment you're seeking to delete the requirement that alcoholism be covered by accidental and health policies?"

Miller: "I believe, 'Art', what I am doing here is asking this House to not require that alcohol . . . that people be required to buy health insurance that has alcohol treatment coverage in it. What I'm saying is that I think there are a lot of people in Illinois who do not drink alcohol and who have no need for that type of coverage. And it ought to be an optional matter and not mandatory for all people."

Berman: "Hasn't it been an option to some extent, though, all these years?"

Miller: "Yes, well, that's the way I want to keep it, Art'. I think the language of the House Bill 3834 would mandate alcoholic treatment coverage in all insurance policies."

Berman: "Well, if I may address myself to the Amendment. I think that the reason for the Bill is to recognize that alcoholism is a serious, serious problem in our society. It hasn't been serious enough to encourage people to purchase this or for insurance companies to encourage this type of coverage. I think part of the total picture involves a recognition of the problem and an inclusion in the insurance program of this state as a matter of public policy that alcoholism by a covered item. And I would vote against Amendment #1."



Speaker Shea: "Further debate? Mr. Duff?"

Duff: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I would like to just point out one thing to the Representative from Chicago, who just spoke, if I might, Art'. One of the key problems here is this does go back to the wording of last year, which was encouraged, rather than requires. And the reason 'requires' is difficult is because it says that the Department of Mental Health should 'require'. And if you wanted to accomplish your goal without confusing in the executive branch, you should have the Director of Insurance 'requiring'; otherwise, you're going to have some very tough problems between D.M.H. and insurance. And the Sponsor of the Bill is aware of this. We're all in favor of this legislation. And we've agreed to support it; but this one word change we think is . . . will eliminate an ambiguity."

Speaker Shea: "Mr. Berman, again."

Berman: "Well, I hate to belabor the point; but is it my understanding then that the Department . . . that the Committee, it is a Committee Bill, I see, approved a mandatory coverage but wanted it . . . did they want . . . did they want the mandatory coverage or did they not want the mandatory coverage?"

Speaker Shea: "It's my understanding, Mr. Downs and Miss Chapman accepted the Amendment."

Berman: "All right, thank you."

Speaker Shea: "All in favor in the adoption of the Amendment will say 'aye', opposed 'nay'; in the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Third Reading. On the order of House Bills, Third Reading, appears House Bill 3833. But before I get there, Mr. Jones, you seek recognition?"

Jones, J.: "Yes, Sir, thank you, Mr. Speaker. I'd like to have leave to be recorded 'aye' on House Bill 3217, which passed yesterday. It does not change the result. I was . . . the Cosponsor of the Bill was off the floor when the vote was taken."

Speaker Shea: "Is there objection? Leave is granted. Now, back to Mr. Bradley on House Bill 3833."

Bradley, J.: "Well, thank you, Mr. Speaker. And Mr. Speaker, and Ladies and



Gentlemen of the House, House Bill . . ."

Speaker Shea: "Wait, he's got to read the Bill, Mr. Bradley."

Clerk O'Brien: "House Bill 3833, a Bill for an Act to amend the
Prosecutors Advisory Council Act. Third Reading of the Bill."

Bradley, J.: "Well, Mr. Speaker, and Ladies and Gentlemen of the House,
what 3833 is doing is giving the power to the . . . to employ
law students for a period not to exceed six months and to place
these students as legal interns in the States Attorney's Office
and it becomes effective immediately. I understand some of these
students have already been hired starting June 7th. The money
has already been appropriated. We just haven't given them the
power to go ahead and hire them, and that's what this legislation
will do. There will be approximately 80 interns in some 64 counties,
11 in Cook County and 69 in the rest of the state. And I move . . .
I urge and request your support on House Bill 3833."

Speaker Shea: "The question is, shall House Bill 3833 pass? Is there
debate? The question is, shall House Bill 3833 pass? The Gentleman
from Cook, Mr. Lechowicz."

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

Speaker Shea: "He indicates he will, Sir."

Lechowicz: "Now, is this a program for the summer for the states attorneys
in the State of Illinois?"

Bradley, J.: "Yes, as I said, in all of Illinois the states attorneys
can hire interns; 11 will be hired in the County of Cook, 69 in the
various other counties throughout the state."

Lechowicz: "Now, is this strictly a summer program?"

Bradley, J.: "Well, it's limited to six months. So it's limited to the
time of the . . . when the students are not in law school."

Lechowicz: "Well, when does it start?"

Bradley, J.: "I understand if we pass this legislation it will begin
June 7th."

Lechowicz: "What was the appropriation for this?"

Bradley, J.: "The total amount was \$350,000."

Lechowicz: "Where was it at?"



Speaker Shea: "If I might, from the Chair, with leave of the House, explain to Mr. Lechowicz because I was the Sponsor of the original legislation, that this was part of the original legislation. But in the Bill being drafted the exact and precise words were left out for this program. The money was appropriated at the close of last fiscal year."

Lechowicz: "Well, that means that might have elapsed then, right? Just what we need. Thank you . . . I would strongly recommend a 'no' vote. I'll tell you why, because this is a program that was conceived of last year. And I didn't think that I was, you know, sleeping or what but I just wanted to know if the money was appropriated this year. But here, in turn, this is possibly a good program under more beneficial financial conditions; but a whole year has transpired....And I know that the various states attorneys didn't receive an adequate salary increase by this General Assembly. And I don't believe that they're overworked. In fact, in the testimony that was heard by . . . given by Attorney General Bill Scott, he made mention of the fact that the states attorneys in this state are receiving more compensation than the Attorney General is. And the states attorney in Cook County alone is receiving compensation of \$50,000 and our good Attorney General of the state is \$42,000. Now, we're going to be giving him additional people whether it's six months, and you know those six-month programs as well as I do, then, in turn, it will become a full-year program. And this money will lapse into the General Revenue Fund. And that's just where we need it. Thank you."

Clerk O'Brien: "Representative Madigan in the Chair."

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

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, the Prosecutors' Council was passed at the end of the last fiscal year and became effective on July 1st of this year. At that time, one of the programs that they had used throughout the state was to have interns assigned to the various states attorneys throughout the state law students that are presently in law school and to help the states attorneys and to learn how to be lawyers, an intern program. That



program everybody thought was in the Bill; but at the time that they tried to get the money and get approval from the Comptroller's office, he wanted additional language in that Bill. At the present time, there are some 80 law students in Illinois law schools that are depending on this money for to either continue their education or to pay for what they've already borrowed. I would ask my colleagues to join with me and vote 'aye' on this measure."

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

Mann: "Well, Mr. Speaker and Members of the House, you may recall that when this measure was originally presented to the House that I felt that it was an exceedingly bad Bill and one that was not necessary. I still feel it's a bad Bill; but I do feel that this particular Bill is the best part of it. In other words, as long as the Prosecutors Advisory Council is a reality now or we might as well avail ourselves of the opportunity to give some law students some experience with regard to our criminal justice system. And I'm sure that these students will be placed as legal interns on a bipartisan basis. I would feel that that ought to be stated by the Sponsor. I think that would be fair. But I would urge your affirmative votes for House Bill 3833."

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

Catania: "Thank you, Mr. Speaker, would the Sponsor yield for a question?"

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

Catania: "Representative Bradley, is there any provision in here for people working in the Public Defender's Offices?"

Bradley, J.: "To the best of my knowledge it is the States Attorney's Office only."

Catania: "So we're really turning our backs on the public defenders considerable need for assistance, and we're going, instead, to help the states attorneys, who already make more money and have more help than the public defenders?"

Bradley, J.: "No, I don't really think we're turning our back on them. If you have any legislation along those lines, I'd be glad to support it."



Catania: "Well, I had an Amendment last year to try to include the public defenders in these provisions; and, unfortunately, I was not able to compete with Representative Shea's considerable strength on the House floor. I don't recall how you voted on that Amendment, Representative Bradley."

Speaker Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Shea. He withdraws his request. The Chair recognizes the Gentleman from Cook, Mr. Palmer. He withdraws his request. The Chair recognizes the Gentleman from Cook, Mr. Caldwell."

Caldwell: "Thank you, Mr. Speaker. I wonder if the Sponsor would yield to a question?"

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

Caldwell: "Representative Bradley, do you recall last Session when a group of us had a similar Bill, I think the maximum amount was about \$45,000, and it was to provide internships for the community colleges in the state where these students would come down here for the last six weeks. And this Bill was soundly defeated on the basis that we couldn't afford it, it would set a bad precedent. And I'm wondering what is the difference, and this one is going to cost some 10 or 12 times than the amount that was asked for in that particular legislation?"

Speaker Madigan: "Mr. Bradley."

Bradley, J.: "My only response would be that we possible should address ourselves to this program and to that program at another time. I can't tell you what the differences are, except in this particular case, we've already passed the appropriation Bill. The only reason that we need this Bill is to allow them to go ahead and be hired. This program has been approved. It isn't whether we should approve other programs along with it, it's simply one that's already been approved by the General Assembly. We simply made a mistake when we passed it in not giving them the authority. That would be my only response that I could give you, Sir."

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

Duff: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, if it



were for my certain knowledge of the integrity of the Sponsor, I would almost think there was a little cynicism involved in this proposal. It seems strange to me that when last year we fought so hard on this House floor to get an Amendment accepted to this establishment of this . . . these monies and this council, we were told that there was not enough money to do justice for the defense as well as the prosecutorial side. And we were told that at a time when we were passing just about everything that the prosecutors wanted out of this House, including pay raises and other kinds of benefits. It also seems unusual to me that while last year we had the advice and council on this subject, Representative Palmer, who had spent such a long time, became thoroughly involved, in fact, with the father of this concept and the Chairman of the States Attorneys Council for so long that the parties who are interested in this subject haven't even bothered to take the time to consult with any of the people on this side of the aisle who were interested in this subject before. It's kind of a unilateral action to now take monies, which are in excess, and instead of lapsing them when we need them, find a way to spend them. I think Representative Lechowicz is absolutely right."

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

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

Speaker Madigan: "The Gentleman has moved the previous question. The question is, shall the main question now be put? All those in favor signify by saying 'aye', opposed . . . the 'ayes' have it; and the Chair recognizes the Gentleman from McLean, Mr. Bradley, to close the debate."

Bradley, J.: "Well, thank you, Mr. Speaker, and Ladies and Gentlemen of the House. With all due respect to the concern of everybody on the floor, and I think there have been some questions brought up. But the Dean of the University of Illinois has called and talked with the Leader, I understand, on that side of the aisle urging the support of this legislation. Let me read to you what we left out and we're placing into the law that we passed. It



simply gives the States Attorney the ability to contract with law students for a period not to exceed six months for the purpose of placing them in the States Attorneys' offices as interns. Everything else has been accomplished, we've already done it. I know that there are some concerns in other areas. I think that this is the idea way to improve our States Attorneys' offices and those people who are training to be attorneys. And I urge the support of the Members for this legislation."

Speaker Madigan: "The question is, shall House Bill 3833 pass? All those in favor signify by voting 'aye', all those opposed by voting 'no'. The Chair recognizes the Gentleman from Peoria, Mr. Schraeder, to explain his vote."

Schraeder: "Well, Mr. Speaker, this is a little bit ironic it would seem to me that we discuss the expenditure of state money in quite length on an educational Bill this afternoon that took care of our students. And now we're taking a special piece of legislation and giving it to some of those who may or may not need it. What about all those students that applied to you for legislative scholarships and you can't help them? They can't even get one year of college. We can't get summer jobs for any of those people. And now we're taking a group of people because they want to be attorneys, have got four years of college behind them; and we're going to give them the \$450,000 to give them summer employment. That's awfully awry to me; and I think this is special legislation and ought to be defeated very resoundingly."

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

Stone: "Mr. Speaker, Ladies and Gentlemen of the House, I believe this is a very fine program. I think it deserves the 89 votes. The money has already been appropriated for this . . . for these interns. We do need this legislation so that they can be hired. I am relatively well acquainted with the States Attorneys' Intern Program. My son is states attorney at my home county. And last year had one of these interns in his office. That young man did an outstanding job in handling traffic cases and this sort of thing



for the office. It was a worthwhile thing for our small county and it turned out to be very worthwhile for this young man. He passed the bar and was admitted today to practice law in the State of Illinois. He's now been hired on a full-time basis in my county. I believe it's a good program for the people of the State of Illinois; and I'm certain that it's a good thing for the law students of the State of Illinois. It gives them an opportunity to learn by doing while they are in law school. And I certainly would hope that we could get some more votes on the Bill."

Speaker Madigan: "The Chair recognizes the Gentleman from McHenry, Mr. Skinner, to explain his vote."

Skinner: "You know, this is not such a bad idea if they'd cut in the public defenders and let us go to that reception and that dinner tonight. Why doesn't the Sponsor realize that he doesn't have the votes and put it on Postponed Consideration and then the Speaker can adjourn the House and we can go have lunch, or breakfast, or dinner or whatever we're going to."

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

Bradley, J.: "Well, thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I've looked around and I see there's a few empty chairs and rather than take up more time of the House without all the Members being here, I'd like to put it on Postponed Consideration."

Speaker Madigan: "The Gentleman has asked leave for Postponed Consideration. And the Bill shall be placed on the order of Postponed Consideration. On the order of House Bills, Third Reading, appears House Bill 3854; and the Chair recognizes the Gentleman from Cook, Mr. Holewinski."

Clerk O'Brien: "House Bill 3854, a Bill for an Act to amend the Illinois Clinical Laboratory Act. Third Reading of the Bill."

Holewinski: "Mr. Speaker, I move that we return House Bill 3854 to the order of Second Reading for purposes of an Amendment."

Speaker Madigan: "The Gentleman has moved to return the Bill to the order of Second Reading. Is there leave? Leave being granted, the Bill shall be placed on the order of Second Reading. Mr. Holewinski."



Clerk O'Brien: "Amendment #1 amends House Bill 3854 and so forth."

Holewinski: "Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 3854 is a Committee Bill from the Committee on Human Resources. It was adopted as a Committee Bill by the House. I voted out by that Committee as a Committee Bill with the understanding that I would submit this Amendment on the floor of the House. This Amendment really eliminates an ambiguity in the way this Act is drafted. The term 'person' is already defined in the Clinical Lab' Act; and what this does is just remove the redundancy so that it is further defined. I move the adoption of the Amendment."

Speaker Madigan: "The Gentleman has moved for the adoption of the Amendment. Is there any discussion? There being no discussion, the question is, shall Amendment #1 to House Bill 3854 be adopted? All those in favor signify by saying 'aye', opposed . . . the 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Committee Reports."

Clerk O'Brien: "Representative Maragos, Chairman from the Committee on Revenue, to which the following Bills and Resolutions were referred; action taken May 18, 1976, reported the same back with the following recommendations 'do not pass', House Bill 3254, and be adopted House Joint Resolution 93. Representative Boyle, Chairman from the Committee on Appropriations II to which the following Bill were referred, action taken May 18, 1976; reported the same with the following recommendations 'do pass' on House Bills 3515, 3633 and 3859, 'do pass' as amended House Bills 3531 and 3532."

Speaker Madigan: "Messages from the Senate."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary.

Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed Bills of the following titles in the passage of which I'm instructed to ask concurrence of the House of Representatives to wit', Senate Bills 1593, 1619, 1685, 1741 and 1782, passed by the Senate May 18, 1976. Kenneth Wright, Secretary.

A message from the Senate by Mr. Wright, Secretary. Mr. Speaker,



I'm directed to inform the House of Representatives the Senate has concurred with the House in the passage of a Bill of the following title to wit', House Bill 3156, passed by the Senate May 18, 1976 by a three-fifths vote. Kenneth Wright, Secretary."

Speaker Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Yourell, for purposes of a motion."

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

I ask leave to waive the Posting Rules so that House Bill 3436 can be heard in Counties and Townships Committee tomorrow. House Bill 3436 came out of Rules; and I've checked with the Leadership on both sides of the aisle, including the Minority Spokesman of the Counties and Townships Committee, and I've found no objections. And I ask for leave."

Speaker Madigan: "The Gentleman has asked for leave. Is there leave? Leave being granted, we shall use the Attendance Roll Call, and the matter can be heard in the Counties and Townships meeting tomorrow. And the Chair recognizes the Gentleman from Cook, Mr. Maragos."

Maragos: "Mr. Speaker and Members of the House, I move at this time that Rule 24(d) be suspended so that House Bill 1815, which is in the Transportation Committee, which expires tomorrow, should be extended at least 15 days from its date of expiration. And I checked it with the Minority Spokesman of the Transportation Committee as well as the Chairman of the Transportation Committee and they no objection to it. This has to do with the hazardous material which came out of the Rules Committee."

Speaker Madigan: "The Gentleman has moved to extend the deadline for his Bill in Committee. Is there leave? Leave being granted, his deadline shall be extended."

Maragos: "One question. Mr. Speaker, I'd like to have a parliamentary inquiry. I think this will be facing other Committee Chairmen. I just brought it to the attention of the Parliamentarian that there still has to be an Interim Study Calendar according to the rules, even though it can be . . . because, technically, we can still have something heard between now and January. And today in our Committee



we have stated that we can put things on Interim Study Calendar as long as we follow the rules, I think it's 24(e). But I'd like to get a clarification and announcement so the Clerk's office will be aware."

Speaker Madigan: "Well, we'll prepare something for you, Mr. Maragos."

Maragos: "Thank you."

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

Katz: "The House Rules Committee will be meeting in the morning in 122B at 9:30 a.m. to hear petitions for declaration of exemption under Rule 29(c). That's in Room 122B at 9:30 a.m. in the morning. It will be the last meeting this week to hear these matters, and Members are urged to be there if they would like to be heard."

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

Lechowicz: "Thank you, Mr. Speaker. For the purpose of an announcement. Appropriations I will meet tomorrow morning at 9 o'clock. The Waterways budget, which was postponed until tomorrow, will not be heard because the authorizing increase in the bonding proposed is still in the Revenue Committee. So the Waterways budget will probably be heard next week. We'll meet tomorrow morning at 9 o'clock in Room 114. Thank you."

Speaker Madigan: "The Chair recognizes the Gentleman from Macoupin, Mr. Boyle."

Boyle: "Thank you, Mr. Speaker, for purposes of an announcement. Appropriations II will meet in the regular room at Room 118 at 9 a.m. tomorrow morning."

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

Rayson: "For purposes of announcement, Mr. Speaker, the Judiciary I Subcommittee on Medical Malpractice will meet at 9 a.m. tomorrow morning in Room C1. And hope they move in directions of recommendations."

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



Shea: "Mr. Speaker, I move that the House now stand adjourned until 1 o'clock p.m. tomorrow."

Speaker Madigan: "The Gentleman has moved that the House stand adjourned until 1 o'clock tomorrow. All those in favor signify by saying 'aye', opposed . . . the 'ayes' have it, and the House is adjourned. And we will call to order the First Special Session. And the Clerk will read the Journal."

Clerk O'Brien: "Journal for the 14th and 15th Legislative Day."

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

Shea: "Mr. Speaker, I ask that the Journals be accepted as printed and we waive the reading of the Journals."

Speaker Madigan: "Is there leave? Leave is granted. Mr. . . ."

Shea: "Mr. Speaker . . ."

Speaker Madigan: ". . . Shea? Yes."

Shea: ". . . I move that the Roll Call of the Regular Session be used as the Roll Call of the First Special Session."

Speaker Madigan: "Is there leave? Leave is granted. Messages from the Senate."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary.

Mr. Speaker, I'm directed to inform the House of Representatives the Senate has adopted the following Senate Joint Resolution in the adoption of which I'm instructed to ask concurrence of the House of Representatives to wit', Senate Joint Resolution #5, resolved by the Senate of the Seventy-ninth General Assembly of the State of Illinois, First Special Session, thereof, the House of Representatives concurring, therein: 'When two Houses adjourn on Thursday, May 18, 1975, the Senate stands adjourned until Wednesday, May 26, 1976, at 12:30 o'clock p.m. When the House of Representatives stands adjourned until Wednesday, May 26, 1976, at 4:15 o'clock p.m.'"

Speaker Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Shea, to explain that Adjournment Resolution to Mr. Maragos."

Shea: "Mr. Speaker, I move that we adopt the Adjournment Resolution. What it means is that the Second Special . . . or First Special Session will stand adjourned until 4:15 on Wednesday, May 26th."



Speaker Madigan: "The Gentleman moves for the adoption of the Adjournment Resolution. All those in favor signify by saying 'aye', all those opposed . . . the 'ayes' have it; and the Resolution is adopted.
Mr. Shea."

Shea: "I move that we now adjourn."

Speaker Madigan: "The motion is to adjourn. All those in favor signify by saying 'aye', opposed . . . the 'ayes' have it and we are adjourned. Second Special Session. Motion for Roll Call. Mr. Shea."

Shea: "Mr. Speaker, I move that the House adopt the Roll Call of the Regular Session for the Roll Call of the Second Special Session."

Speaker Madigan: "We've all heard the motion. All those in favor signify by saying 'aye', opposed . . . the 'ayes' have it. The reading of the Journal."

Clerk O'Brien: "11th and 12th Legislative Day."

Shea: "Mr. Speaker, I move that the Journal be adopted as printed and we waive the reading of the Journal."

Speaker Madigan: "All those in favor of Mr. Shea's motion signify by saying 'aye', opposed . . . the 'ayes' have it. The motion is adopted. Messages from the Senate."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has adopted the following Senate Joint Resolution in the adoption of which I'm instructed to ask concurrence of the House of Representatives to wit', Senate Joint Resolution #5, resolved by the Senate of the Seventy-ninth General Assembly of the State of Illinois, Second Special Session, thereof, the House of Representatives concurring, therein: 'When the two Houses adjourn on Tuesday, May 18, 1976, the Senate stands adjourned until Wednesday, May 26, 1976, 12:45 o'clock p.m. The House of Representative stands adjourned until Wednesday, May 26, 1976, at 4:20 o'clock p.m.'"

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

Shea: "I move that the House now adopt a Resolution."

Speaker Madigan: "On Mr. Shea's motion, all those in favor signify by



saying 'aye', opposed . . . the 'ayes' have it."

Shea: "I move that we do now adjourn."

Speaker Madigan: "Mr. Shea moves to adjourn. All those in favor signify by saying 'aye', all those opposed . . . the 'ayes' have it, and we are adjourned. Mr. Clerk? That's all."



HOUSE OF REPRESENTATIVES

SEVENTY-NINTH GENERAL ASSEMBLY

ONE HUNDRED FORTY-FIFTH LEGISLATIVE DAY

MAY 18, 1976

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