

HOUSE OF REPRESENTATIVES

SEVENTY-NINTH GENERAL ASSEMBLY

SEVENTY-FIFTH LEGISLATIVE DAY

MAY 23, 1975



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

I.

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

Reverend Krueger: "Bless this House to Thy service this day. Amen. Behold, how good and pleasant it is for Brethren to dwell together in unity. It is like the precious ointment upon the head that ran down upon the beard, even Aaron's beard . . . the Lord commanded the blessing even life for evermore . . . ty and merciful God, as we need Thy help, illumination and guidance, safe unto us clear and distinct perception of things that so we may attain unto a . . ."

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

Jack O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following title in the passage to which I am instructed to ask concurrence of the House of Representatives to wit'. Senate Bills #285, 364, 410 and 1465 passed by the Senate May 22nd, 1975, Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary, Mr. Speaker, I am directed to inform the House of Representatives that the Senate has 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 #37, 1024, 1030, 1097, 1135, 1146, 1175, 1179, 1184, 1285, 1298, 1371 and 1380 passed by the Senate May 22nd, 1975, Kenneth Wright, Secretary."

Speaker Redmond: "Hoffman."

Hoffman: "Thank you, Mr. Speaker, I'd like the Record to show that in as much as we're moving Bills off the Calendar, House Bill 1361, which appears on today's Calendar was passed three days ago."

Speaker Redmond: "I'll pass it again."

Hoffman: "Thank you."

Speaker Redmond: "Senate Bills, First Reading."

Jack O'Brien: "Senate Bill 749, Washburn, a Bill for an Act to amend Sections of an Act to regulate practices of dental surgery and dentistry in the State of Illinois. First Reading of the Bill . . . --02, Hirschfeld, a Bill for an Act to amend the Municipal Code. First Reading of the Bill. 438, to create the Commission of Mental Health



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

2.

and Developmental Disabilities. First Reading of the Bill."

Speaker Redmond: "Resolutions."

Jack O'Brien: "House Resolution 302, Kelly, et al."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, this Agreed Resolution, 302, by Kelly declares the week of May 12 International Institute of Municipal Clerk Week, and I move the adoption of the Agreed Resolution."

Speaker Redmond: "Gentleman's moved the adoption of the Resolution. All in favor say 'aye', oppose 'no'; the 'ayes' have it. The Resolution is adopted. Representative Walsh is now on the floor. The House will now come to order. Representative Berman."

Berman: ". . . er, I would move that the House stand in recess for . . . ah . . . 45 minutes 'til . . . ah . . . 11:30 for purposes of a Democratic Conference in Room 113, 114."

Speaker Redmond: "Any objection? Hearing none, the House will stand in recess for purpose of a Democratic Caucus for 45 minutes. Representative Epton in the Chair. Where are we on, Art'? 113? House Bill, yeah, House will be in order and the Members please be in their seats. The order of business is Messages from the Senate. Senate Bills, First Reading, I've been corrected."

Fredric Selcke: "Ah . . . Senate Bills, First Reading, Senate Bill . . . ah . . . 355, a Bill for an Act to amend the Illinois Banking Act. First Reading of the Bill. Senate Bill 636, an Act to direct the transfer of money between funds in the State Treasury. First Reading of the Bill. Senate Bill 645, an Act to amend the Illinois Aeronautics Act. First Reading of the Bill. Senate Bill 649, an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 731, . . . ah . . . a Bill for an Act to amend the Meat and Poultry Inspection Act. First Reading of the Bill. Senate Bill 989, a Bill for an Act making appropriation for the ordinary and contingent expenses to the Legislative Reference Bureau. First Reading of the Bill. Senate Bill 1063, a Bill for an Act to amend an Act concerning fees and salaries. First Reading of the Bill. Senate Bill 1173, a Bill for an Act to vacate, extinguish, abandon and release easements for highway purposes in Wayne County, Illinois. Ah . . . First Reading of the



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1975 3.

Bill. Senate Bill 1282, a Bill for an Act to amend the Illinois Pension Code. Ah . . . First Reading of the Bill."

Shea: ". . . Bills, Third Reading. The Minority Leader, Mr. Washburn."

Washburn: "Thank you . . . ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, I would ask that the House be in recess for 45 minutes for the purpose of a Republican Conference in Room 114."

Shea: "In other words, you're saying that you're going to be back at 12:30, Mr. Washburn?"

Washburn: "Ah . . . 12:35."

Shea: "The House will stand in recess until 12:35."

Washburn: "There'll be a Republican Conference in . . . ah . . . in Room 144 immediately."

Speaker Redmond: "The House will come to order and the Members please be in their seats. House Bills, Third Reading. On House Bills, Third Reading, appears House Bill 1859, Representative Hirschfeld, for what reason do you rise?"

Hirschfeld: "I rise on a point of parliamentary inquiry, Mr. Speaker, yesterday when the Majority Leader was in the Chair . . . ah . . . I noticed some of my Bills were bypassed, and I noticed some of the other Members Bills were bypassed and we were told they would go back to them as soon as they were . . . ah . . . we found out whether they were or were not on the Agreed List. It's my understanding from examining the Agreed that my Bills at least have been struck from the Agreed List, and I'd like to know whether the Chair intends to return to those Bills since they're far back from 1800 now?"

Speaker Redmond: "The Chair does intend to return to them, the only reason we're doing what we're doing is that if it was a contested Bill, there might not be enough Members here to give you the 89 you want, but we will go back to them."

Fredric Selcke: "House Bill 1859, Kelly, an Act in relation to appointment of Members of the governing boards that serve the Special Districts and so forth. Third Reading of the Bill."

Speaker Redmond: "Is this Kelly or Dunn and Skinner?"

Fredric Selcke: "No, I made a mistake. Dunn."

Speaker Redmond: "J. Dunn."





Fredric Selcke: "J. Dunn."

Speaker Redmond: "1859. Representative Skinner."

Skinner: "Mr. Speaker, I'm afraid I'm a little dense and I got here a little late today. Can you tell me what you told everybody else. What the devil are we doing, what's the procedure?"

Speaker Redmond: "We're taking these Bills in the order where they left off last night."

Skinner: "Now, does this . . . what does . . ."

Speaker Redmond: "But out of deference to the Members, because of the sparse attendance at the present time, any Bill that looks like it's controversial why we are not calling, and that's the reason that I jumped over."

Skinner: "O.K., now, may I ask . . . may I ask, are we going from this list here that I'm holding up, the one you handed out?"

Speaker Redmond: "The Calendar."

Skinner: "Oh. O.K., Calendar. On the priority of call?"

Speaker Redmond: "No, the regular sequence that they appear on the call, as I say I . . . I passed over 1851 and 1858, because they may not be a full compliment here."

Skinner: Well, 1859 is Ralph Dunn and mine."

Speaker Redmond: "J. Dunn, it says here."

Skinner: "Well, it's Ralph."

Speaker Redmond: "Well, it's Ralph and yourself."

Skinner: "I would welcome J. Dunn, but I think it's Ralph. Ah . . . This . . . ah . . . this Bill is an Act that is pretty easily explained if you look at the Digest. It's very similar to the Bills that we passed of Gil' Deavers and Jack Lauer yesterday, except we were trying to save the time of the House, we started out with about 13 separate Bills amending 13 . . . 13 separate Acts, which would take the power of appointment away from the Legislature on overlap . . . on tax districts with appointed Boards of Trustees where the Tax District was in more than one county. Ah . . . This Bill . . . what we did was we took it down to the Reference Bureau and said, 'Hey, why don't you put this in one Bill, since it's the same subject, and let's save time on the Digest . . . on . . . on the Calendar and you will note in the



Digest each of the Acts that are amended, and I would ask for a favorable consideration."

Speaker Redmond: "The question is, shall this Bill pass? Those in favor vote 'aye', oppose vote 'no' . . . can 'aye'. Representative Schlickman."

Schlickman: "Well, Mr. Speaker and Members of the House in explaining my vote . . . vote on this matter which is a 'no', I would simple call to the Membership that for those special districts that lie or overlap between the county of Cook and adjoining counties by this Bill . . . ah . . . will result in the precedent of the Cook County Board making appointments for districts that are suburban, Republican if you will, in nature. Ah . . . We will be having a Member from the Minority Party in those areas appointing the governing board . . . ah . . . of these bodies which have tax living authority. I think it's improper and I would encourage and solicit a 'no' vote."

Speaker Redmond: "Representative Shea."

Shea: "Well, I'm voting 'aye', and I just might tell the Members that that's the present law in counties in home rule counties, the Chief Executive Officer does now presently make the appointments."

Schlickman: "Speaker."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Mr. Speaker, on a point of personal privilege."

Speaker Redmond: "State your point."

Schlickman: "I would suggest to the Gentleman who has taken issue with my statement that the law now is that the Members of the General Assembly representing the Representative . . . ah . . . from the Legislative District involved make the appointment and not the President of the Cook County Board."

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

Deuster: "Well, Mr. Speaker, I think most of the Members have experience with the . . . ah . . . the appointment that we get involved in here and many times we're wondering around the floor of the House with the name of some person that nobody knows or re . . . or really this is an instance where . . . ah . . . we could transfer some responsibility



MAY 23 1975

6.

from the State Government down to the Local Government, at least from the state level to the county level, and that we would probably have a more intelligent handling of the appointment of the Membership of these various districts, Mosquito Abatement Districts, and I think all of us have gotten involved with some lists that somebody sends us and that . . . ah . . . we wonder around and we ask our colleagues to sign these lists and some of them are . . . say ask questions about who they are, but others just sign the name trusting your colleague, and that is a very poor way. I think it's much better to handle this on a local level. I urge your 'aye' vote."

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

Skinner: "Well, I . . . I really want to suggest to Representative Schlickman which districts are precisely involved and I don't want anybody voting for this under false pretenses. Hospital Districts, Drainage Districts, Surface Water Protection Districts, Park Districts, Mosquito Abatement Districts, Public Water Districts, Water Service Districts, Street Light Districts, and Fire Protection Districts. Now, the only one that's been left . . . the one thing we did leave out which was controversial was Sanitary districts, and that has been deliberately left out in order to hopefully dampen down the opposition. I thank the Members for their affirmative vote."

Speaker Redmond: Have all voted who wish? Take the Record. On this question 108 'aye', 11 'nay'; and the Bill having received the constitutional majority is, hereby, declared passed. Re . . . Representative Cunningham."

Cunningham: "Mr. Speaker, and Ladies and Gentlemen of the House, I rise to express my genuine regret at last night's occurrence and any contradiction that I made to such. Apparently, the word has a meaning, and inflicts an injury that I never foresaw nor in any manner intended, but I want you each to know that I deeply regret this occurrence, I would never intentionally do anything to bring dishonor upon the House, and I hope that the Members of the particular racial group involved would know and believe that . . . I . . . it never occurred to me in any way shape or form that they might be thought to be the target of my ill-directed remarks, I certainly shall delete the word from my vocabulary. If all



MAY 23 1975

7.

the piety or wit could lure us back to cancel half a line or all my tears wash out a word of it, I would do so, but I can't do that, I mean, I do not plead ignorance, I just say that I'm very sorry that this occurred. I am particularly sorry, because the noblest Roman of the all, Representative Giorgi, was in the stand, was in the Speaker's stand that time. I know better than any or as well as any that friends are what make life worthwhile, and I shall strive always to deserve and earn your friendship and I ask you for a chance to do so. Thank you, Mr. Speaker."

Speaker Redmond: "The Clerk advises me that we now have a problem with the Roll Call machine. Representative Satterthwiate."

Satterthwiate: "Mr. Speaker, I . . . I wonder if we might inquire what happened while we were in the Democratic Caucus that . . . ah . . . we left the Chambers unattended, it seems to me, and I wonder if some bugs were introduced."

Speaker Redmond: "Have no fear, Representative Walsh was here . . . have any worries, the Clerk has advised me that the Roll Call for per diem has been taken and is correct and is certified and is out of the possession of the House and on the way to the Comptroller. Representative Totten."

Totten: "Thank you, Mr. Speaker, I would like to call the attention of the Members on a point of order. Ah . . . I have received a list of . . . ah . . . House Bills almost every day this week and I thought there was something about . . . ah . . . uncertain unsigned materials being forbidden. Anyway the list, at first I thought, it was an Agreed Bill list. Ah . . . I found out it wasn't last night. Then I thought it was a list of Bills that the lobbyists wanted me to vote against. I did and they all passed. So I assumed it wasn't that. Then I thought it was a list of Bills the Lobbyists passed out and they wanted me to vote for and I did and they were all defeated, and I would like to know why this list is being passed out every day and it's not being used, and I think the Pages should stop passing it out. It's called a Priority of Call."

Speaker Redmond: "Thank you very much. I understand that . . . I announced the result, yeah. I understand that the necessary repairs have been



MAY 23 1975

8.

made and that the Roll Call is now . . . the machine is in perfect order. 1868, Representative Katz."

Fredric Selcke: "House Bill 1868, a Bill for an Act to amend Section 3 of an Act relating to the operation of the General Assembly. Third Reading of the Bill."

Speaker Redmond: "Representative Katz."

Katz: "I'm going to seek to reref . . . to refer that to the . . . ah . . . Rules Committee for further consideration, Mr. Speaker."

Speaker Redmond: "Gentleman has asked leave to rerefer that to the Rules Committee for further consideration. Is leave granted? It's rereferred. 1876. Representative Walsh."

Walsh: "I think what the Gentleman should have done is table that Bill and perhaps filed a Resolution for reference to the Rules Committee. The Rules Committee does not treat legislation, they treat Resolutions, changing and amending the rules."

Speaker Redmond: "Representative Katz."

Katz: "Mr. Speaker, I will then seek leave to table it, we have plenty of matters to consider the rest of the day."

Speaker Redmond: "Any objections to table the Bill? The Bill is tabled. 1876."

Fredric Selcke: "House Bill 1876, a Bill for an Act to amend Section 13 and so forth of an Act to license, regulate tree experts and so forth. Third Reading of the Bill."

Speaker Redmond: "Representative McCourt."

McCourt: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill corrects a loophole of the present Tree Expert Act. It received the unanim . . . the unanimous vote of the Veterans Committee and was assigned to the Consent Calendar. Under this Bill only national persons may be issued a tree experts license, a corporation, partnership, association will be required to have a li . . . tree . . . ah . . . expert license person in their sole employ. Many municipalities and individual property owners use the services of a licensed tree expert and rely on knowledge that such organizations that are licensed by the State are thus qualified to properly perform this occupation to having certain expertise, such as the ability to control Dutch elm disease and other such problems effecting



MAY 23 1975

trees. Under the present law, a company may be engaged in tree work in two or more states or may be doing work all over Illinois and yet would qualify as a licensed tree expert firm if it had but one part-time licensed tree expert on their payroll. Under this Bill, a licensed tree expert can only be in the employ of one company and those people working in the field will be required to have a car showing the name of the licensed tree expert that is supervising the work from the field. Municipalities have found many firms who have no tree experts who ever get involved in supervising work on under their tree contract. This Bill also has some housekeeping changes suggested by the Tree Expert Examining Board. I solicit your favorable support."

Speaker Redmond: "Any questions? The question is, shall . . . Representative Friedrich."

Friedrich: "Just one question of the Sponsor, if I may, Mr. Speaker. Ah . . . the complaint I have in my area is that the people who are licensed get all the flack from the Department and the unlicensed people run around and no one will pick them up or . . . or disagree with them. Now, does this in any way stop the people who are practicing the business without a license?"

Speaker Redmond: "Representative McCourt."

McCourt: "Ah . . . This only prohibits people from . . . ah . . . showing or alleging that they are licensed. In other words, if I wanted to go out and trim a tree, I could do so without being licensed, but if I show that I am a licensed person, I would have to come under the purview of this Act."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Speaker and Members of this General Assembly, as many of you know, I have a hit list for the creation of new licensing . . . ah . . . provisions; and this is not on it, but I wonder if the comments made by the Federal Trade Commission Attorney in Chicago would be relevant. These were made in relationship to House Bill 1616, but let me just ask the Sponsor of this Bill to please comment on these assertions by the Federal Trade Commission Attorney. Occupational licensing prevents free entry into the market and, therefore, lessens competition. As an alternative we recommend that full dis-



MAY 23 1975

closure be required of a qualifications of the various licensed professions. Ah . . . Could the Sponsor tell how this Amendment makes the . . . the basic Act better than it would be if it were just abolished?"

McCourt: "Well, under the Act as it is presently, a corporation could be doing business throughout Illinois and might only have a part-time person on their payroll who would be a licensed tree expert, and so for all practical purposes, a licensed qualified person would not be on the job site as say when the city of Evanston enters into a contract with a firm, a licensed person would never be there, and this . . . this attempts to correct that deficiency that was pointed out to me by the Tree Expert Examining Board."

Skinner: "Mr. Speaker, if I might speak to the Bill. I'm not at all sure we ought to license tree experts, but if we . . . if we should license tree experts, I think we ought to do it the way Representative McCourt wants us to."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Mr. Speaker, I'm rising to speak against this Bill. I would like to read an editorial that appeared in the Butte, Montana Standard recently, entitled, 'How Legislation gets started'. It goes on to say, 'The Great Falls Newspaper noted that more than 1,000 Bills have been introduced in the 1975 Legislature', and commented that, 'it hardly seems possible that so many of things need doing and correcting in one Session'. It doesn't matter whether the Legislature meets annually or by biannually or for that matter three times a year. The Lawmakers will always find more than enough to do. One reason is that legislation generates legislation. A law passed this year will have to be mod . . . corrected, amended, or otherwise modified, even repealed next year. Often laws are passed which produce effects the Sponsors didn't anticipate, and those effects have to be dealt with later. A good example, is the proposal to legalize prostitution introduced by a Billings Legislator. We can all thank our lucky stars that that Bill was killed. Had the measure passed, the next Legislative Session would have seen a flood of Bills designed to make prostitution a more perfect profession. Among the first would be proposals to set up complicated rate structures with a



a concurrent drive to place brothels under the jurisdiction of the Public Service Commission. Questions of advertising regulation would arise, some Senator would seek to . . ."

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

Stone: "What order of business are we on, Sir?"

Speaker Redmond: "House Bills, Third Reading."

Stone: "Well, is reading from a book considered a part of the order of Third Reading?"

Speaker Redmond: "According to Robert's Rules of Order it's objectionable to read from any . . ."

Stone: "I object."

Speaker Redmond: "Representative Deuster."

Deuster: "Well, I'm standing next to Representative Schlickman and he's not reading from a book."

Speaker Redmond: "He said he was reading from an editorial. It is out of order. It's prohibited by Robert's Rules of Order. Representative Friedland."

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

Speaker Redmond: "The previous question has been moved. The question is, shall the main question be put. All in favor . . . say 'aye', oppose 'no'. No . . . the 'ayes' have it. State your point, Duff."

Duff: "Mr. Speaker, Representative Schlickman was . . . ah . . . on the microphone and whether the question of whether he's reading or not was raised, nonetheless, he was not allowed to finish."

Speaker Redmond: "Representative Stone raised a point of order, according to Robert's Rules of Order, reading is not permitted unless . . ."

Duff: "Ah . . . unless agreed the reading is not permitted, Mr. Speaker, nonetheless, he was not allowed to finish his comment. He might stop reading but he with the motion to . . . ah . . ."

Speaker Redmond: "I don't believe this is . . . point of personal privilege or point of order as far as you're concerned, Representative Duff."

Duff: "Well, Mr. Speaker, I am speaking for one of the Members of this side of the aisle who was interrupted to . . ."

Speaker Redmond: "You don't have the power of attorney for that purpose,





MAY 23 1975

12.

so we'll go to the main question. The main question is, shall this Bill be passed? Those in favor vote 'aye', and oppose vote 'no'. Have all voted who wish? Have all voted who wish? Representative Geo-Karis 'aye'. The Clerk will take the Record. On this question there's 93 'aye', 17 'no'; the Bill having received the constitutional majority is, hereby, declared passed. 1884."

Fredric Selcke: "House Bill 1884 . . . "

Speaker Redmond: "Representative J. Houlihan."

Fredric Selcke: "A Bill for an Act relating to school records of students.  
Third Reading of the Bill."

Speaker Redmond: "Representative Houlihan."

Houlihan: "Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 1884 addresses itself to one of the serious problems that we find in the academic community. The problem which is very serious for our children who are going through the school process who may suffer from unsubstantiated information that might be recorded in his file or his student record. This file or record could follow him through his entire academic career. This record could even be used afterwards and sometimes the record is not substantiated in any way, shape or form. This legislation and the need for this legislation was recognized on the Federal level. A statute was enacted in August of 1974 which would establish a policy that parents of students should have the right to inspect and review their children's records or . . . or at least inspect them prior to release of such record and have the parent's consent. One of the defects of this legislation from the Federal legislation is that the only recourse is the fact that a student who has a problem can only have all the Federal funds withheld. The statute would require the holding of funds if a school that receives Federal funds does not allow a parent the right to inspect a students record. What we attempt to do in this legislation is establish a procedure and protect the right, enable to deal with the problem on the local level so that all students would be protected from any kind of indiscriminate information gathering. This had a full and complete hearing in Judiciary I Committee; and I think the civil rights of the students are very important to be protected;



MAY 23 1975

13.

and this legislation goes a long way in that effort and I'd ask for a favorable Roll Call on this measure."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Mr. Speaker, would the Sponsor yield for a question?"

Speaker Redmond: "Indicates he will."

Schlickman: "Does your proposed Act still apply to the records of non-public schools?"

Houlihan: "Gene, this Act does apply to all schools whether they are public or a private."

Schlickman: "Mr. Speaker, if I may address the question? Mr. Speaker, I . . . I should like to address the Bill."

Speaker Redmond: "Proceed."

Schlickman: "Mr. Speaker and Members of the House, the United States Supreme Court on a number of occasions has enunciated its prohibition on excessive entanglement between . . . by and between the state and non-public schools of a religious nature. There's just absolutely no question in my mind that this Bill would violate that constitutional prohibition on excessive entanglement. The state has no business, and has no right regulating the use of records, school records, that are the possession of a non-public school; and I encourage a 'no' vote on this proposition."

Speaker Redmond: "Representative Ryan."

Ryan: "Will the Sponsor yield to a . . ."

Speaker Redmond: "He indicates he will."

Ryan: "Representative Houlihan, is Amendment #1, as I read it in the . . . in the Digest accurate, and is that a part of the Bill now?"

Houlihan: "Ah . . . Representative Ryan, the Digest summary of the Amendment is really not accurate. The . . . the reference it makes to publication in newspaper is publication in either a student newspaper or a local paper when, for example, A.T.W. or some agency wants to do a review of permanent records, how many students in class, how many attend . . . ah . . . what age . . . ah . . . what ethnic breakdown. The Bill in its current form required notification to the parents that this request was made for this information. This merely allows them to publish this like in a student paper or in a local paper of



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

14.

local circulation to advise parents that only this information, the permanent records, not the teachers evaluation of students is being used; and so I think the Amendment is not accurately explained in the Digest."

Ryan: "It is still a part of the Bill?"

Houlihan: "Yes, it is."

Ryan: "Could you tell me . . . is . . . according to the Digest, it says it requires a State Board of Education to issue implementing regulations . . . ah . . . do they still have that broad sweeping power in this Bill?"

Houlihan: "The . . . ah . . . State Board is required under this Act to set up guidelines for the implementation of this Act, and that is still currently in the Bill."

Ryan: "Thank you."

Speaker Redmond: "Representative Geo-Karis."

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

Speaker Redmond: "Indicates he will."

Geo-Karis: "Ah . . . Jim, I notice Amendment I here, do I understand your Bill correctly; and I have several questions. First of all, I presume your Bill is destined to comply with the latest Supreme Court case? I think they came out about records."

Houlihan: "I'm not familiar with the most recent Supreme Court case, Adeline, if you could refresh my memory or . . ."

Geo-Karis: "I think there was a case, either the State or Federal Supreme Court . . ."

Speaker Redmond: "Representative Stone, your point is well taken."

Geo-Karis: "All right, I'll ask my other question, very well. I notice on House Amendment 1 it requires notices sent to parents prior to release of information be published in a local newspaper of general circulation. Now, what do you mean by that?"

Speaker Redmond: "Representative Stone, your point is well taken. Legal publication defined in the statutes."

Geo-Karis: "Well, Mr. Speaker, what does the . . ."

Speaker Redmond: "Proceed with your questions."

Geo-Karis: "Mr. Speaker, if I may be heard, all I'm trying to find out



MAY 23 1975

15.

is under the notice provision then as you say in the statute . . . ah . . . I'm very . . . I'm sincere about this, do I understand correctly, Jim, that any notice that you give to the parents has to be published?"

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

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

Stone: "All questions should be directed through the Speaker."

Geo-Karis: "I . . . I got his permission."

Speaker Redmond: "Representative Stone is correct."

Geo-Karis: "Well, I'll ask you that question then, Mr. Speaker."

Speaker Redmond: "O.K., proceed."

Geo-Karis: "Well, then answer my question then, Sir, if you would."

Speaker Redmond: "I didn't hear it."

Geo-Karis: "I said . . . ah . . . that all notices under this Bill then by the Amendment, do I understand correctly, Mr. Speaker, that all notices sent to parents prior to release of information under House Amendment 1 are also to be published in a local newspaper of general circulations of p . . ."

Speaker Redmond: "Representative Houlihan."

Houlihan: "No, Mr. Speaker, and Ladies and Gentlemen of the House, that's not . . . ah . . . necessary that they all be published in a local newspaper, what is does require is an alternative . . . or it provides for an alternative if there is a mass of requests for information, rather than notifying every single parent individually, they could do it that way. They will notify, for example, on a particular request, say if you were going to work where there was some kind of security check and there was a request for your information from your files, then the student or the parent will be notified individually. Only in a case, Adeline, where there was going to be some . . . ah . . . survey and two, three, four classes were going to be looked . . . the files of all those people were going to be looked at, then there would be notification."

Geo-Karis: "Oh, I see."

Speaker Redmond: "Representative Ebbessen. Representa . . . Representative Hudson."

Hudson: "Thank you, thank you, Mr. Speaker, would the Sponsor yield?"



MAY 23 1975

16.

Speaker Redmond: "Indicates he will."

Hudson: "Representative Houlihan, my question to you would be is it my understanding that under your Bill so called cumulative files would be open for . . . ah . . . public inspection?"

Houlihan: "Ah . . . Mr. Speaker and Members of the House, the Bill deals with two separate kinds of files, a permanent and a temporary file. The permanent file is all those records which are necessary for the school to maintain its administrative operations like grades and like number of people in the classroom, things of that sort. The . . . ah . . . temporary file is that which would include teacher evaluation, observations . . . ah . . . more personal information and it deals with those two categories separately."

Hudson: "But the temporary files and the cumulative files would be included?"

Houlihan: "That's right."

Hudson: "Now, is . . . is my understanding correct that this applies to both public and non public."

Houlihan: "That's correct, it applies to all . . . ah . . . schools in the state."

Hudson: "In other words, what we would call private schools would be subject to this too."

Speaker Redmond: "Representative Stone."

Hudson: "If I may, Mr. Speaker, on . . ."

Stone: "The Gentleman's question was answered, and he reasked the same question."

Speaker Redmond: "Your point is well taken. Representative Griesheimer. Representative Hudson."

Hudson: "May I speak on the motion, Mr. Speaker?"

Speaker Redmond: "Proceed."

Hudson: "Well, having reestablished this point as Representative . . . ah . . . Hill suggests, Stone, pardon me, I'm going to suggest the coll . . . my colleagues that this is a step in the direction in my opinion of possibly Federal intrusion, certainly governmental intrusion at the State level into the private sector. Representative Schlickman touched upon this, but I'm going to repeat his point if I may; and I



MAY 23 1975

17.

think in that sense it's a bad Bill."

Speaker Redmond: "Representative Hill."

Hudson: "And I recommend a 'no' vote."

Hill: "Mr. Speaker, I certainly . . ."

Speaker Redmond: "Representative Hill."

Hill: ". . . would appreciate if you'd start using the timer and let's get on with the business of the House."

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

Hudson: "I already have. I'm afraid of . . . I'm afraid of . . ."

Speaker Redmond: "Representative Giorgi."

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

Speaker Redmond: "The Gentleman has moved the previous question has been moved. All . . . the question is, shall the main question be put? All in favor vote 'aye', oppose 'no'; the 'ayes' have it. The 'ayes' have it. The question is, . . . all those in favor vote 'aye', and oppose vote 'no'. Have all voted who wish? On this question . . . take the Record . . . on this question 99 'yes', 64 'no'; and the previous question fails. Representative Houlihan to close."

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

Speaker Redmond: "Representative Fleck."

Houlihan: ". . . I think the Bill is . . ."

Fleck: "Did I hear you say the motion failed?"

Speaker Redmond: "It takes two thirds of those voting in present and it failed."

Fleck: "It takes two thirds."

Speaker Redmond: "99 to 64."

Fleck: "The motion to move the previous question failed, is that correct?"

Speaker Redmond: "Right."

Fleck: "All right, could we ask a few questions . . ."

Speaker Redmond: "Go ahead."

Fleck: "All right. I wasn't in Committee when this Bill was heard, Mr. Speaker, and I would like to have Mr. Houlihan clarify exactly what records he is talking about."

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



MAY 29 1975

18.

you did come in the Committee as the Bill was being considered."

Fleck: "I . . . I was a little late if you recall."

Houlihan: "I think the . . . the Bill is clearly layed out, there's been an extensive study on the Bill, I suggest you read the Bill, Charlie."

Fleck: "I asked a question, Mr. Speaker, would the Sponsor be kind enough . . ."

Speaker Redmond: "Would you answer the question, please?"

Houlihan: "The Bill would deal with all records, both permanent and temporary records."

Fleck: "Would that include health records that the school might have acquired?"

Houlihan: "This Bill could deal with health records."

Fleck: "How long a period are these records open to disclosure? As long as the students are in the school or can the be . . . the parents go after the students leave the school, is there any kind of limitations in time?"

Houlihan: "The State Board establishes guidelines in that regard."

Speaker Redmond: "Representative Griesheimer."

Griesheimer: "Thank you, Mr. Speaker, . . . ah . . . because of the fickle finger of faith down here, a Bill which I introduced which was identical to this has wound up in Interim Study Committee in Education. Mr. Houlihan's Bill passed out. I'd like to speak in favor of this Bill."

Speaker Redmond: "Proceed."

Griesheimer: "Ah . . . Many people today are aware of the fact that the Federal Government has passed a re . . . a law which provided for the confidentiality of students records so that they can control the records, at the same time the student or his parent has the right to go in and see these records. Now, the problem with the Federal law is that it makes no adequate provision for enforcement. If there is any violation, you have to go through the Department of Health, Education and Welfare, which is completely unworkable. Mr. Houlihan's Bill goes at this Bill from the local standpoint; and it does not make a differentiation between private schools and public schools for good reasons. There is no reason to . . . to fail to offer this protection



MAY 23 1975

19.

to students and parents of students attending private schools. His Bill is trying to protect these records just as it was originally thought through the Federal process, but so that on a local basis, the protection can be present at all times. This is identical to the way that my Bill was actually presented, but I think Mr. Houlihan's Bill hits the nail on the head. There's no reason to delay a Bill like this, it does not need further study. There's been more than enough study done . . . ah . . . through the Board of Education of our state and also through the Federal Government, through the Congressional Committee; and I think all we can do on a Bill like this is to offer our students and their parents some rights and this Bill adequately gives them their rights; and I, therefore, urge your support."

Speaker Redmond: "Representative Catania."

Catania: "Well, thank you, Mr. Speaker and Members of the House, I rise to respectfully disagree with the previous Speaker . . . ah . . . I am aware that the House Executive Committee has indicated that it is going to set up a study Committee on freedom of information and rights of privacy. I see that the Bill went to Judiciary I, I'm not sure why it went to Judiciary I instead of the Executive Committee, which is where I thought that all of this sort of Bill was . . . Bills were going. But I would suggest respectfully that since the entire subject is going to be studied by that Subcommittee, that this kind of Bill rightfully belongs there, and I don't . . . I would doubt frankly that the Sponsor would want to do that with it. It looks to me like a good Bill, but since the other freedom of information Bills and right of privacy Bills are going there, it seems only logical to me that this should go there too so that the entire subject can be thoroughly studied by the Executive Committee and they can return with a Committee Bill which addresses all aspects to the problem . . . ah . . . next year."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker. I'd like to speak in favor of this Bill and despite the Sponsorship, I think this is a good conservative Bill. It speaks out or directs its attention to against big brotherism in excessive and unnecessary recordkeeping. When files are kept on



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



MAY 23 1975

20.

individuals, the individuals ought to have the right to see what is in these files, particularly when it may effect their future. I think we should vote this Bill out and let the sun shine in."

Speaker Redmond: "Representative Duff."

Duff: "Well, Mr. Speaker, I also would like to speak in favor of this Bill. I think it addresses a very, very difficult problem of . . . I think it addresses a very, very difficult problem of the need of parents to know what's going on and the needs of the . . . of others to be able to protect the confidentiality of records. It's well thought out, it does solve a dilemma, to the best extent that . . . ah . . . are quasi-solemn and efforts would allow us to . . . ah . . . solve these kinds of things; and I very strongly urge the support of the Bill. I don't think it's necessary to study anymore. This subject has been studied by many organizations, and the teacher organizations, the legal and voters and others. It's a good piece of legislation."

Speaker Redmond: "Representative James Houlihan to close."

Houlihan: "Ah . . . Mr. Speaker, I'd respectfully ask for a favorable Roll Call. I think there's been a lot of discussion on the Bill."

Speaker Redmond: "Question is, shall this Bill pass? Those in favor vote 'aye', oppose vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there's 126 'aye, 15 'nay', the Bill having received the constitutional majority is, hereby, declared passed. 1886. Representative Hirschfeld."

Hirschfeld: "Speaker, Mr. Speaker, I notice we now have . . . ah . . . a good number of people back in the body and I wonder if we could go back to the earlier ruling that we'll go back and pick up the Bill that was taken off the Consent Calendar."

Speaker Redmond: "We will in due course. 1886."

Fredric Selcke: "House Bill 1886, an Act to post and maintain effective regulation of horseracing meetings of any type and so forth. Third Reading of the Bill."

Speaker Redmond: "Representative Jaffe."

Jaffe: "Ah . . . Mr. Speaker and Members of the House, being the downstate spokesman on agriculture . . . ah . . . I . . . I've learned how to handle runt hogs, and opossums, and wood pussies, and now they're



MAY 23 1975

21.

actually they're giving me my trial run, they're giving me my first horse race Bill. So . . . ah . . . actually what this Bill does is rather lengthy Bill, but it really isn't that complex. It rewrites and re . . . recodifies . . . ah . . . the horse race Bill and it takes out obsolete parts of the Code. Ah . . . It consolidates into one Act provisions for thoroughbred racing, harness racing, quarter-horse racing, and appaloosa racing. Ah . . . In addition to that it creates a five member board and allows for \$150 per diem allowance which cannot exceed \$4,800. Under the present statute there is a seven-member board. Ah . . . It allows for a 16 percent privilege tax on wagering and set forth is a tax that's to be based on the daily average handle. The current statute has a tax base on a cumulative scale, and, in effect, punishes the associations for doing better . . . ah . . . business. Ah . . . It establishes, I think, for the first time a thoroughbred breeding fund within the state and encourages thoroughbred breeding in the State of Illinois, and re . . . recognizes that thoroughbred breeding is in fact a part of . . . ah . . . agriculture and it also establishes a standardbred breeding fund within this particular state. As I say, the Bill is quite lengthy, I'd be ready to answer any questions, but it came out of the Agriculture Committee 15 to 1. It really should be on the Agreed List, and I would ask for a favorable vote."

Speaker Redmond: "Representative Waddell."

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

Speaker Redmond: "He indicates he will."

Waddell: "As you know, Aaron, the . . . ah . . . Chairman of the Racing Board had said to us in the Agriculture Committee that he would be willing to come back and discuss one of the two of the provisions that were on there, and then never did it. I think, however, that . . . ah . . . the way the shape that this Bill is in right now, and the provision you have on there for the taking out of the funds the amount between \$2,000,000 down to \$50,000 and having that signed out by the Governor of this State of Illinois, I just thought that . . . ah . . . it ought to be known that it is not in good faith. That those things were not adhered to and talked over. I'm gonna' vote for



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 22 1955

22.

your Bill, but next time that anything like this comes up, I'm certainly going to take a second look at it."

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

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

Speaker Redmond: "Indicates he will."

Deuster: "Representative, I received a lot of mail on this Bill relating to the appaloosa horses . . . ah . . . was this originally left out in the Bill or there was some conversation about Amendments? I don't see that any of the Amendments relate to appaloosa horses. What was the controversy and concern over appaloosa horses?"

Jaffe: "There was none that I know of, we have . . . appaloosa racing in the Bill."

Deuster: "Thank you."

Speaker Redmond: "Representative Holewinski."

Holewinski: "Mr. Speaker, Ladies and Gentlemen of the House, I rise to speak on behalf of this Bill. I think it's an excellent racing Bill. It'll provide for an increase in revenue, I understand, to the state of over a million dollars in its first year. Ah . . . It'll provide for relief to smaller tracks that are has . . . that are having problems. Ah . . . It's an equitable Bill and I would . . . ah . . . I would urge everyone to support it."

Speaker Redmond: "Are you ready for the question? The question is, shall this Bill pass? Those in favor vote 'aye', oppose vote 'no'. Have all voted who wish? The Clerk will take the Record. On this question there's 95 'aye', 13 'no'; and the Bill having received the constitutional majority is, hereby, declared passed. Representative Collins. Representative Collins 'aye'. 1889."

Fredric Selcke: "House Bill 1889, a Bill for an Act to amend Sections 3, 4 and so forth of the Civil Administrative Code. Third Reading of the Bill."

Speaker Redmond: "J. M. Houlihan. Representative J. M. Houlihan . . . out of the Record. Put it back in the Record."

Houlihan: "Mr. Speaker, House Bill 1889 . . . ah . . . merely changes the name of the Department of Registration and Education to the Department of Consumer Affairs. It was passed out of the Committee of Veterans



MAY 23 1975

23.

Affairs unanimously. Was on the Consent Calendar, then was taken off and was at one time talked about an Agreed Bill List. I don't think there's anything controversial in the Bill; and I'd ask for a favorable Roll Call."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Will the Sponsor yield?"

Speaker Redmond: "Indicates he will."

Schlickman: "You indicated that this Bill simply changes the name of the Department of Registration, Education to the Department of Consumer Affairs. Isn't it true the Bill also creates within the Department a new Division entitled the Division of Consumer Advocates and specified it . . . specifies the responsibilities of that Division?"

Houlihan: "Ah . . . Gene, I . . . I'm sorry, I . . . I thought we were talking about 189 . . . 1890, I had them mixed up. 1890 and 1888 are a joint package; and 1888 does set up within the Department in accordance with the . . . in accord with the change of name does set up a Division of Consumer Affairs which would deal with the Board and deal with . . . ah . . . functions within the Department of Registration, you're correct on that."

Schlickman: "Mr. Speaker, may I . . ."

Speaker Redmond: "Proceed."

Schlickman: "Have you any indication of what the cost . . . additional cost will be for the operation . . . for the creation and operation of this new Division?"

Houlihan: "Ah . . . Gene, I don't have the exact figure of the additional cost, there were some additions although there was some restructuring; and that Bill, the appropriation for the Department of Registration Education I think has been . . . ah . . . it was approved in the Appropriation's Committee without any . . . ah . . . serious objection to it and also I . . . I'm sure what it does on the House floor, but it . . . ah . . . really is a reorganization and a continuation and . . . ah . . . bringing together of the number of the consumer related activities that the Department already does, and I can look for the exact cost, but I . . . it's already in their budget and would not need an additional appropriation."



MAY 23 1975

24.

Schlickman: "Mr. Speaker, may I pose one more question?"

Speaker Redmond: "Proceed."

Schlickman: "Thank you. A number of years ago . . . a number of years ago this body vested in the Office of the Attorney General responsibilities with regards to consumer affairs, and I'm wondering what relationship would exist between the proposed Division and the present statutory authority and responsibility that the Attorney General has."

Houlihan: "Mr. Speaker, and Ladies and Gentlemen of the House, I think the Attorney General would have his responsibilities under that Consumer Fraud Act to prosecute and bring to courts those cases. As you know, the . . . ah . . . Attorney General is the Attorney . . . ah . . . for the Department and for . . . ah . . . all of the agencies. This would allow the Department to work with the Boards . . . ah . . . having consumer relation members on the Boards to receive complaints of consumers to induct investigations and coordinate information and to initiate . . . ah . . . consumer education programs with the Department and will all of the . . . ah . . . businesses and services that it does license; and I think it's a proper administrative function within the Department of Registration and Education."

Schlickman: "Mr. Speaker, may I address myself to the Bill?"

Speaker Redmond: "Proceed."

Schlickman: "Thank you very much. It seems to me, Mr. Speaker and Members of the House, we have in this Bill an example of what I was attempting to illustrate earlier by quoting from an editorial, 'Legislation proliferates legislation', legislation becomes the means for further legislation without one iota of justification for the proposed legislation to follow previous legislation. It seems to me what we have in this Bill is simply more bureaucracy to befuddle and to burden the taxpayer. The Sponsor of this Bill starts off by describing it as simply a merely Bill, a change in name Bill, but then it's called to the Membership's attention that this Bill goes far beyond that, and we have not received one iota of evidence from the Sponsor of this Bill as to the need for creating another bureau within State Government and we have not, Mr. Speaker and Members of the House, heard from the



MAY 23 1975

25.

Sponsor of this Bill any criticism of the existing organization that we have within State Government with regards to the protection of consumers. I would suggest that until the Sponsor can present to us support for the need of this Bill that we vote 'no'."

Houlihan: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, if I could respond to that, I think there's very . . ."

Speaker Redmond: ". . . previous, Representative Houlihan, you can do it when you close. Representative Hart."

Hart: "Mr. Speaker, and Ladies and Gentlemen of the House . . . of the General Assembly, I agree completely with my colleague, Representative Schlickman. This Department . . . ah . . . at the present time is a licensing Department, and I'd like to call the Membership's attention to . . . ah . . . the Bill on page 6 at the top and . . . ah . . . paragraph number's 1 and . . . ah . . . what they're doing here is to set up a Division apparently to receive complaints of consumers and I'd like to know . . . ah . . . why it couldn't be that the consumers would be making complaints against the licensing and registering . . . ah . . . that is within this Department. It seems to me by this Bill that we're putting the hands in to wash the box house; and I think that . . . ah . . . we're creating a situation here where this Department would be serving both sides of the issue because there's the regulation into one . . . ah . . . hand and to advise and guide . . . provide guidance for those who are being regulated on the other hand and perhaps to prevent . . . to lay a situation where . . . ah . . . innocent persons would go to this proposed Department and for advice and guidance and . . . ah . . . through the bureaucracy . . . ah . . . he would lose his right . . . ah . . . he would be advised . . . ah . . . by persons who have conflicts of interest and so I think . . . ah . . . that this matter . . . ah . . . should be defeated and we should retain the office . . . ah . . . where it is presently in the Attorney General who has the authority and the ability to provide the kind of advice and guidance that these people really need."

Speaker Redmond: "Representative Gaines."

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

Speaker Redmond: "Indicates he will."



Gaines: "Have you read the Consumer Fraud Act as it now stands?"

Houlihan: "Ah . . . Yes, Mr. Gaines."

Gaines: "May I then speak to the Bill?"

Houlihan: "Proceed."

Gaines: "Then you should know that what you're describing is what the Consumer Fraud Act authorizes the Attorney General to do and which I did for six years in the Attorney General's office; and I . . . this is not needed, it's a duplication of reference and attempt to usurp the proper duties of the Attorney General's office; and the licensing agency if they devote all that time to regulating the licensee that we wouldn't have as many complaints in the Attorney General's office as we have."

Speaker Redmond: "Representative Beatty."

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

Speaker Redmond: "Gentleman has moved the previous question. The question is, shall the main question be put? All in favor indicate by saying 'aye', oppose 'no'. It's the opinion of the Chair that the 'ayes' have it. Five Members desire . . . desire Roll Call. All those in favor vote 'aye', and oppose vote 'no'. Representative Skinner."

Skinner: "Well, I just can't believe that a Bill this important . . . ah . . . anyone would want to close debate off on. Anybody who has read the Federal Trade Commission Act which is enacted in the Attorney General's Fraud Statute knows that it deserves . . ."

Speaker Redmond: "Representative Lundy state your point."

Lundy: "Mr. Speaker, I don't believe a motion for the previous question is debateable, if it's defeated, we can continue the debate on the main question; but I think we should vote on it, and if it's voted up and we . . ."

Speaker Redmond: "Your point is well taken. The Clerk will take the Record. On this question there's 99 'ayes', 57 'no'; the motion fails. Representative Leinenweber."

Leinenweber: "Thank you, Mr. Speaker, I'd like to oppose this Bill also, and I would suggest that everybody dig out of their Bill books this Bill, because this is quite possibly the worse Bill introduced this Session. Now, this Bill despite what it appears to do, merely be a name change,



MAY 23 1975

27.

creates the office . . . ah . . . Division of Consumer Advocates and gives it certain powers. One of which I would like to point out is the issue of subpoenas to compel the attendance and testimony of witnesses in the production of evidence. The Circuit Court upon application by the Department shall enforce subpoenas . . . subpoena according to law. This is probably the greatest mischief making device ever attempted to be granted to a bureaucratic agent. There's more damage done to consumers in the name of consumerism in the past few years than is conceivable; and I would suggest that this is a step in the . . . in that direction to do damage to the consumer and I urge a 'no' vote."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Speaker and Members of the General Assembly, I was hoping that I would not have to demolish my Bill book to be able to find the Bill, but apparently there are no copies in the Bill room; and right now we have a friendly Democrat scurrying around trying to find one for it. Those of you who have constituent offices have had complaints that have to do with consumer fraud. Some of you have had complaints from people who have already appealed to the Consumer Advocate and seen no results whatsoever. I have one, a lady who lives in Algonquin that I remember vividly, whose bathtub was installed by a plumber and it was cracked. Now I mean no personal offense to the plumbing industry, I'm merely trying to . . . ah . . . demonstrate the consumer advocacy relative lack of efficaciousness. The Consumer Advocate was called, the Consumer Advocate called the plumbing firm and nothing happened. The lady didn't even get a call back, but when the lady wrote up the letter and we called Mr. Howard Coffman's officer in Consumer Fraud Division of the Attorney General's office and convinced one of their attorney's that it was worth making a phone call to . . . ah . . . lo and behold, not only the person who installed the tub, but the owner of the firm came to the lady's house. Now, we didn't get immediate action, they didn't agree to take the tub out . . . ah . . . and put a new tub in, but after one more call, they did. What this demonstrates is that when someone from the Executive Branch called a Consumer Advocate calls a businessman, the businessman



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



MAY 23 1955

28.

is nice, if patronizing says 'nice girl or nice boy', and ignores the consumer advocate. When someone from the Consumer Fraud Division calls, you get action because the businessman does not know whether the Attorney General may sue him. Let me give you another example, we had a gutter and siding man from Barrington, a reputable businessman, at least he's been in business long enough to be a reputable businessman, and yet he had installed some gutters that were not good, they were not working on a home in Fox River Grove. We called the man up and said . . . and asked him to cooperate and then we . . . ah . . . when we got no reaction, we called the office of . . . ah . . . Consumer Fraud. Now, it took a long time to get this problem fixed, a lot of telephone calls, but I think it probably it never would have gotten fixed had an ordinary low-level or middle-level bureaucrat been the one making the entreaties to the businessman. I have appeared on a radio program on WFYR-FM with one of the investigators in the Federal Trade Commission Office in Chicago. After that program, I have become utterly convinced that there are enough laws with regard to consumer protection in this country, what we don't have is enough money to enforce them. Did you know, for instance, that the Federal Trade Commission has about \$40 to \$45,000,000 to enforce that Act, that's all. Almost every dainty little agency in Washington has more than that. Now, if you wonder why's there's consumer fraud it's because there's not enough lawyers to enforce the Consumer Fraud Act. Did you know that the Attorney General, that is obtained passage of the Consumer Fraud Act in this State and that it is almost verbatim, the same as the Federal Trade Commission Act at the Federal Government. Do you know how many lawyers there are in the Attorney General's office in the Consumer Fraud Act? Somewhere between 40 and 45. Now, if anybody wonders why we don't have enough consumer protection in this state, I would sincerely suggest that instead of creating a new bureaucracy that they utilize a correct bureaucracy that has already proven its worth. Ah . . . I'm willing to fess up, I'm the one that asked, first tag this Bill is one that that perhaps should be looked at, should not be allowed on a Consent list, I have no idea in the world why the Attorney General of this State didn't figure it out ahead of time, but



he didn't; and I think that it is not a good Bill from a consumer fraud point of view. There is another point of view, however, that the Members should weigh, and that is . . ."

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

Skinner: ". . . what do we do with the Department of Registration and Education. It is not working. The number of licenses that have been revoked by the Department can't even be determined by Director Staffler. Now, that's a big problem and maybe, maybe by renaming it and focusing consumer emphasis, a spotlight on the Department, and getting someone who is consumer oriented rather than special interest oriented and having a general interest sort of referee the special interests that are regulated by this state and under that Department's jurisdiction maybe the Department can clean itself up. Maybe this Bill is a viable alternative to my suggestion of outright abolition of the Department which is now in Interim Study Commission. Ah . . . I just don't know."

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

Fleck: "Would the Sponsor yield?"

Shea: "He indicates he will."

Fleck: "All right, then looking for a Senate copy of this Bill, Representative Houlihan, and . . . ah . . . no one on this side has one. So I have the original . . . the Zerox copy of what was introduced. I'd like to call your attention to page 6, lines 21 through 25. Maybe you can tell me what it means, but I certainly don't know what it means. It reads as follows: 'The Department of Consumer Affairs and licensing several laws regulating professions, trades occupations which to build upon the Department for administration so require exercise in its own name but subject to the provisions of this Act the following powers'. What . . . ah . . . the first two lines, 21 and 22, isn't there some kind of an error in there? Its meaning was jibberish that English. Maybe you should amend it, bring it back to Second and put a proper Amendment on it."

Houlihan: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, I think that . . . ah . . . does make sense, I think . . . ah . . . its language is already in the Act, and I don't think Charlie, that's



MAY 23 1975

30.

. . . ah . . . the problem."

Fleck: Would you kindly tell me what it means then."

Houlihan: "Right, Charles, it indicates that the Department . . ."

Felck: "And then it changes . . ."

Houlihan: ". . . will you let me answer the question?"

Fleck: "All right."

Houlihan: "It indicates the Department and then it changes its name from Registration Education to Consumer Affairs and Licensing, deals with all these laws and professions, trades and occupations, and so on and so forth."

Fleck: "But my point is, what does it do with the several . . ."

Shea: "Will you bring your remarks to a close, Sir?"

Fleck: "I thought I had ten minutes, Mr. Speaker."

Houlihan: "That . . ."

Fleck: "You have three minutes."

Houlihan: "Mr. Speaker, and Ladies and Gentlemen of the House, you asked what does it do with all of those, well, if you'd read on . . ."

Fleck: ". . ."

Houlihan: ". . . if you'd read on, Charlie, it says #1, it can conduct examinations, #2, it describes rules, #3, it prescribes rules and regulations for defining and so on and so forth, 4, 6, 7 . . ."

Fleck: "That's my . . . that's not my question, I . . . between Consumer Affairs and Licensing and the words 'several laws', shouldn't there be some kind of descriptive verb to indicate what the Department is to be doing with these several laws?"

Houlihan: "The . . . that's included in the . . . ah . . . delineation from 26 on, it's to conduct examinations, prescribe rules and . . . ah . . . so forth."

Shea: "The Gentleman from . . . ah . . . Cook, Mr. Houlihan, to close."

Houlihan: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, I think . . . ah . . . the point has been made that the . . . there already is with the Attorney General, the Department of Consumer Fraud. The Attorney General raised no objection to this Bill, and I . . . I'd like to offer a . . . ah . . . possible reason. He clearly understands that there's a difference between consumer information, consumer affairs



MAY 23 1975

31.

and consumer fraud. This Department does not deal with and is not dealing with the area that the Attorney General is. What it's trying to do is change the direction of the Department of Registration and Education to have the consumer represented on all of those professions that the agency regulates and licenses. It's an attempt to bring that Department into a more positive attitude towards licensing. Not merely a pro forma industry related activity, but rather an activity which would protect the rights of all of the individual consumers of all of the professions that are licensed by the Department of . . . ah . . . Registration and Education at this current time. In reference to the additional cost, I clearly indicated that they are doing many of these things already, and that this would merely be a reorganization to add emphasis. This would not be setting up a whole completely new Division. It would be bringing aspects of the Department together at one place so that it could respond effectively and forcefully and be a . . . ah . . . strong advocate for the consumer. I'd ask for a favorable Roll Call."

Shea: "The question is, shall House Bill 1889 pass? All those in favor will vote 'aye, those oppose will vote 'nay'. The Gentleman from Cook, Mr. Holewinski, to explain his vote."

Holewinski: "Mr. Speaker, and Ladies and Gentlemen of the House . . . ah . . . I'd like to explain my 'aye' vote by saying that I think in . . . in the times we're living in the emphasis <sup>the emphasis</sup> with ~~hemp~~ <sup>to</sup> now in consumerism. It's a really very appropriate Bill in that without a setting up an entirely new bur . . . ber . . . bureaucracy, we're adding emphasis to the problems of consumers; and I would urge everyone to cast an 'aye' vote."

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

Houlihan: "Ah . . . Mr. Speaker, to explain my vote . . . ah . . . I notice you're up in the Chair and . . . ah . . . maybe you haven't been able to get down to your desk and vote . . . ah . . . might there be . . . ah . . . some assistance on this Bill . . . ah . . . I'd like to address myself to many of my colleagues from our northern section of the city of Chicago . . . in the city of Chicago. This is a very important Bill for consumers. It will help them know where to



MAY 23 1975

32.

go when dealing with the State Agencies. It will help them know where to bring their complaints and have some action taken. It's a Bill which would cut through a lot of the red tape and it would . . . it's a Bill which would be most effective in trying to deliver services to the people who really need them. Poor people, working men and women, people that need the state services and don't know where to go. They can't go to all the differencnt agencies one by one, they need some lead; and I would ask that . . . ah . . . maybe from our side of the aisle, the Majority Leader and others might join me in trying to support this good measure, this measure which would help all the people, people on the northwest side, people in the areas that need assistance from State Government; and I'd ask for a favorable Roll Call."



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1975

33.

Shea: "Have all voted who wish? Have all voted who wish? Take the record. The gentleman from Cook, Mr. Houlihan, moves postponed consideration. On the order of House Bills, Third Reading, the next Bill is House Bill 1890 and that appears on Usury Report #98. The gentleman from McLean, Mr. Bradley."

Jack O'Brien: "House Bill 1890....."

Shea: "Recognize Mr. Bradley, please, Sir."

Bradley: "Well, Mr. Speaker and ladies and gentlemen of the House, everyone on the floor has the Usury List #1, which is....."

Shea: "Proceed, Mr. Bradley."

Bradley: "I would like to delete from that list, Mr. Speaker, at the request of the Sponsor, before they are read, ah.... House Bill 1444, House Bill 2232 and then Mr. Speaker, I would like to move that we adopt this series of Bills."

Shea: "Mr. Clerk, read the Bills. Mr. Washburn, if you'll have your Members in order, I'll call on you. The Minority Leader, Mr. Washburn."

Washburn: "Thank you, Mr. Speaker and ladies and gentlemen of the House. Now we've had this list ah..... I don't know, Mr. Speaker, whether there is any new Bills on here that haven't been on here before or whether some are on here that have passed or what the status of it is. I have my staff man, Walter Kesselman right here behind me, trying to check as rapidly as he possibly can and I would request that before any action is taken on this unthinkable procedure that you are attempting to force upon us at this time, that we do have a few minutes at least to look over this list and to see what is on it. That is my request at this time, ah... for about fifteen minutes to look over this list so that we'll know what is on it."

Shea: "All right, ah... with leave of the House, I will give the Minority fifteen minutes, at your request, to look over the list. In the meantime, I will continue to call House Bills, Third Reading....."

Washburn: "Well, now ah.... Mr. Speaker ah..... we would have the



opportunity to ah....."

Shea: "Well, Mr.... Mr..... "

Washburn: "How many Bills are on this list?"

Shea: "Mr. Minority Leader, I believe there is 120 Bills on that list.

Now, might I finish, Sir? There are 108 on that list. That is the list that you have had in your possession for over ah....

almost a week. It has been on your desk in three different forms for over a week. I know how familiar Mr. Kesselman is with all of these Bills and you in the Leadership are with all of these Bills, so I can just say this; if you'd like fifteen minutes to look it over, I'll continue to call House Bills, Third Reading, trying to accomodate.....

Mr. Minority Leader, could you ask the gentlemen on your side of the aisle, while you are talking to show a little bit of respect for their own Leader?"

Washburn: "I was listening, Mr. Speaker, to you. I would ask ah..., Mr. Speaker, in all sincerity, that ah... you do not follow that procedure of passing Bills during this fifteen minute period, that perhaps we could just stand in recess for fifteen minutes and stay here on the floor and....."

Shea: "Mr. Minority Leader, we will be in recess for fifteen minutes, ah.... or at ease for fifteen minutes, while you look it over and the Clerk will read the Bills. The gentleman from Bradley, ah.... or from McLean, Mr. Bradley."

Bradley: "Yes, Mr. Speaker, I would like to ask.... ah.... delete two more Bills at the request of the Sponsor and the Minority Leader, I'm sure would want to catch these. House Bill 1889 and House Bill 2404, at the request of the Sponsor and I quite agree with the Chair that it will take at least fifteen minutes to read these Bills."

Shea: "All right, now.... turn on Mr. Washburn, the Minority Leader. Mr. Washburn, the House will be at ease until ten minutes after two. While we are at ease, the Clerk will read the Bills."

Washburn: "Mr. Speaker....."

Shea: "Read the Bills, Mr. Clerk."



Washburn: "Mr. Speaker.... Mr. Speaker..... Mr. Speaker.... Mr. Speaker."

Shea: "Mr. Washburn."

Washburn: "I think, Mr. Speaker and ladies and gentlemen of the House, that the question really is here now with this list and this procedure that you're attempting to ramrod through, is whether or not we are going to render the service we promised when we took our oath of office and I believe that this General Assembly has a solemn responsibility. Mr. Speaker, we are not fulfilling that responsibility when we are forced by the Majority Party to accept quantity for quality. The failure to find a solution to the scheduling problem facing us belongs squarely on the shoulders of the Speaker and the 100 Democrats on the other side of this aisle, who make up the Majority Party in this house. When the Majority Party of this House will not except his responsibilities and will bow to their own rules of disorder to hinder a deliverative process, then we have reached a sorry sorry point, Mr. Speaker, indeed. I ask that this process not be followed, that we follow every Bill in order as the rules state and act on them individually so that every legislator will have the chance to hear his Bill as I have been pleading with you for two weeks, and that the taxpayers will be recognized in this state and not have a batch of bad legislation shoved right down their throat as we are having here today, Mr. Speaker. I ask that they be called individually."

Shea: "At the request of the Minority Leader, the House will be at ease for fifteen minutes and the Clerk will read the Bills. Read the Bills, Mr. Clerk."

Jack O'Brien: (Clerk reading the Bills)

Shea: "Excuse me, Mr. Clerk. Yes, Mr. Bradley?"

Bradley: "2770, at the request of the Sponsor..... ah... if the Clerk read it, I wish he would take it off."

Shea: "Yes, that's correct. That was my fault, Sir."





MAY 23 1975

36.

Jack O'Brien: (Clerk reading the Bills)

Shea: "Thank you, Mr. Clerk. Now just to go over the list again, House Bill 1444 was removed at the Sponsor's request. House Bill 1876 has previously been passed. House Bill 1889 is on postponed consideration. House Bill 2232 has been removed at the Sponsor's request. House Bill 2404 has been removed at the Sponsor's request. House Bill 2456 has been removed at the Sponsor's request. House Bill 2589 has been removed at the Sponsor's request. House Bill 2770 has been removed at the Sponsor's request. 14... what, Mr. Clerk? 1494 was removed at the Sponsor's request, ah.... or was passed yesterday. Now, the procedure will be..... yes, Mr. Hill?"

Hill: "Mr. Speaker, when I had ah... House Bills 1752 and 1753 heard in Committee, ah... I promised the Committee that I would keep those on Third Reading and that if the two Senate Bills came over here, that I would not move those two Bills."

Shea: "At your request, shall I take them off, Sir?"

Hill: "Yes, ah.. would you..... could I please have them sent back to the Committee on Assignment and sent to Labor and Commerce ah... on the Interium Study?"

Shea: "The gentleman makes the motion to take House Bills 1752 and 1753, of which he is the Chief Sponsor, off the order of Third Reading and sent to the Committee on Labor and Commerce Interium Study. Does he have leave? Hearing no objection, leave is granted. Now, might I just..... Mr. Washington."

Washington: "I'm sorry, Mr. Speaker, but might I have leave to ah.... ah... pull House Bill 1975 out of the Agreed List? It's part of a series and I should have caught it before."

Shea: "At the Sponsor's request, House Bill 1975 will be removed from ũsury List #98. Is there further question? Mr. Madison?"

Madison: "Thank you, Mr. Speaker. If I understood the Clerk correctly, he read House Bill 3000, is that not a Committee Bill?"

Shea: "It is a Committee Bill, Sir. Would you ah.... I ah... that is not ah... it is a exempt Bill ah... if you would like we



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

37.

could take it off the list. I'm sure that the Sponsor would have no objection."

Madison: "Well, I think just because it is exempt from the deadline it oughta' be removed."

Shea: "All right. House Bill 3000, at the request of Mr. Leon, Chairman of Savings and Loans, will come off the list. All right, the procedure will be that Mr. Bradley will move for passage of this list. Any person that votes 'aye', votes 'aye' on this list, will have until two hours after convening on the next Legislative day to change his 'aye' vote to a 'nay' vote. If any Bill having received a constitutional majority today, after the Members have had an opportunity ah... those who have voted 'aye', ah... if that Bill falls short of the 89 votes, it will be put on the order of consideration postponed. The gentleman from Cook, Mr. Madison."

Madison: "Mr. Speaker, I understood your announcement as it relates to persons wanting to change their vote from 'aye' to 'no' having two hours, after we convene on the next legislative day. Now does that hold true for persons who want to change their votes from 'no' to 'aye' or from 'present' to 'aye'?"

Shea: "No, Sir."

Madison: "Thank you."

Shea: "Mr. Kelly."

Kelly: "Yes, Mr. Speaker and Members of the House, I would also like to have the same courtesy extended to Representative Hill ah... to me on ah... House Bill 52 ah... to have this Bill sent to the Committee on Assignments and then have them assign it to the Interim Study ah... on the Executive Committee."

Shea: "The gentleman's motion is to take House Bill 52 from the Calendar and placed on the order of ah... Interim Study and Executive. Leave? Hearing no objection, leave is granted. All right, now Mr. Bradley moves that Usury List.... that those Bills on the Usury List #98 do now pass. All in favor will vote 'aye' and those opposed will vote 'nay'. I just want



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

the clock to indicate that the hour is 2:15, that the House is now in order and ah... will you make your motion, Mr. Bradley, please?"

Bradley: "Yes, Mr. Speaker, and I was going to make the same observation. It took the Clerk about twenty minutes to read those Bills. Now, Mr. Speaker, I move that the Bills that are on Usury List #98 and have been read by the Clerk are ah... adopted by the House."

Shea: "All those in favor will vote 'aye' and those opposed will vote 'nay'. On the question, Mr. Hoffman, R.K."

Hoffman: "Thank you, Mr. Speaker. I'm glad that for the record you have acknowledged the time for which this transaction is being considered before very few Members of this House. You know, Mr. Speaker, that there have been many objections heard and filed on all of these Bills. We have asked you, Mr. Speaker, to delay calling these and reading these Bills into the record. We find this as a very irresponsible approach and we have tried to work it out with this Agreed List and we find that doing this in this manner is a true disservice to the people of the State of Illinois, regardless, of what that record is going to show and regardless of what the outcome is going to be after those Members that are predisposed to remove their 'aye' votes and defeat good legislation because of a predetermined plan; I think the people of the State of Illinois are going to long remember this and yes, Mr. Speaker, I'm pleased that you did note the time because I think the people in the State of Illinois have predetermined the time for this kind of politics. This type of chicanery down in the State Capital where all of us, elected to serve the people, are secluded, in some instances, of doing that which we are elected to do."

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

Washington: "Mr. Speaker, very briefly in explaining my vote, if the true story of what has happened here in the past two weeks,



MAY 23 1975

39.

I repeat, if the true story of what has happened in this hall in the past two weeks is told to the people of the State of Illinois, I think you Mr. Speaker, and you Mr. Majority Leader, and all of our Leadership will go down as one of the finest teams that has ever run this House, certainly one of the finest teams to run the House since I have been here. You have tried mightily, you have tried in every way conceivable to move this Calendar and I want to make it very clear that I, for one, have a reserved the dilatory tactics on the other side of the aisle. They would be humorous, if they weren't so tragic. These Bills represent the heart-felt needs of many people in this state. I don't think that you have rushed this thing through. Every Bill on this Calendar that is on that Agreed List, every Bill had a thorough hearing in Committee. None of those Bills had a negative vote, few had 'present' votes and these Bills went through the regular course of business in this House, which has been established for over 100 years. They went to Second Reading and many of them were debated and they went to Third Reading and over a week ago the Minority Leader had a complete and total list of every Bill on this calendar. Baby Schnooks could have studied them in that period of time. Everybody in this House has analyzed every Bill and everybody has registered approval of this approval of every Bill. There are some Bills on this Calendar that I object to, but I know darned well, that based on the Committee vote they would probably go out. I don't think you have to hold your head in shame, Mr. Speaker. I think that you should hold it high and when the Republican Members come back in this hall, they'll owe you an apology for not giving you the service of coming back here when you asked them to come back. I vote 'aye' proudly. Not only for these Bills, but for your reign, you've made us look beautiful."

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

Kane: "Mr. Speaker, I think that there is one Bill on this list which



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

40.

authorizes the General Obligation Bond Issue of \$500,000,000 and if that....."

Shea: "That's right, that's right. That's House Bill 1900 and it will take 107 votes to pass. The gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker and ladies and gentlemen of the House, I too am happy that you recorded the time when this action is taking place. Someone on the other side of the aisle said that if we live by the sword, we die by the sword and ah.... I don't know if he is here to vote on this issue or not, but he is the one that has been saying it a few times in this Session of the Legislature, but I appreciate the fact that you recorded the time because now we have our backs against the wall. If there is one thing that the taxpayers say to me, that you people down there make laws and you don't even abide by your own laws. Now we in this Legislature, ah... we in this House, have adopted joint rules. You voted for it on that side of the aisle and we voted for it on this side of the aisle. If we make laws that the people have to abide by, then we oughta' make laws that we abide by and we oughta' abide by them. We have made a law here in the General Assembly, in both Houses, that as of midnight tonight, all House Bills shall be out of here and if they are not then they are dead or they are going to be brought up as Committee Bills or they are going to be in the Interim Study Calendar for further consideration next year. We made that law. Representative Washburn wants us now to go down the Calendar. He wants to extend the deadline. We have lived through that process and we've done that before. What's happened when we've done that before? Then we louse up the Calendar with Committee Conference Reports and boy did they louse those up. That caused all of our problems. I commend Speaker Redmond for this process of trying to end the General Assembly in an orderly process. I commend him for that. It's the only way that it can be done. Speaker Redmond, I



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

want you to know, I want you to know and I want the taxpayers to know, that it ah..... we've observed it, we've looked at it and we've all got our own minds. We've noticed all of the tricks that are being used to delay this process. Taxpayers, I want you to know that. We've been watching it. We've watched about five on that side of the aisle who have ah.... one Member was here last night who ah..... was complaining about the process. He introduced about 100 Bills. He explained his vote about 100 times. He got here on debate about 100 times. Every time he lost a Bill he put it on postponed consideration and now he is complaining about this process? What in the hell has he got to complain about? He has been more of a process than anything. Now the last point that I'm going to make; we know what is going to happen. Out of this, many Bills are going to be lost and that's another thing that the taxpayers are telling me. There are telling me that you are passing too many Bills around here. They are telling me that if we go home, they're going to be saved. They're going to be saved and I believe them and I say live up to this deadline and save the taxpayers and save us, save our families and save us all. God bless you, Speaker Redmond, you've done a good job."

Shea: "The gentleman from Cook, Mr. Houlihan, J. ah... or D, I'm sorry."

Houlihan: "Thank you, Mr. Speaker. I think that the record here should very clearly reflect that every Member of this General Assembly is very much aware that never have so many Bills received so much scrutiny from so many of the individual Members."

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

Calvo: "Well, Mr. Speaker and ladies and gentlemen of the House, I find it interesting to note that today, for some reason, as we take this Roll Call, the Minority Party in great numbers are not here to vote and I find that interesting because I note in the Bills that we are voting on right now, they



MAY 23 1915

were in the Committee to vote and they did not vote against these Bills. The majority of these Bills do not have one dissenting vote in Committee. Why do they object, in fact, all of them, why do they object now to these Bills, Mr. Speaker? For the reason we've seen in objecting, for the reason we've seen all the explanation and all of the dilatory tactics. It's just another example of what they're doing. For the same reasons we've seen hundreds of fiscal notes requested and filed and all of the rest of the dilatory tactics they've used and then they take this floor and make speeches like they make about public responsibility. Where are they now, when it's time to vote on Bills that they have really no objection to? What kind of public responsibility is that, Mr. Speaker? I want to comment, ah... Bill Redmond has been here every day at the appointed minutes to open this House. Where were they then, if you were here? I wasn't always here myself and I'm not blaming people for not always being here, but we found that we were going to do things on time. We were going to operate effeciently. We didn't have the long hours of waiting and delay in opening this House, and I commend the gentleman for the job he's done. Thank you."

Shea: "The gentleman from Franklin, Mr. Hart, to explain his vote."

Hart: "Well, thank you very much, Mr. Speaker, and ladies and gentlemen of the House. I've ah.... tried to look over these bills, and I, frankly, cannot do it. I don't know whether or not the bills are being scrutinized well, as has been suggested, or whether or not the synopsis of the bills has been scrutinized well, but, certainly, I think the fact that many of these bills came out of Committee without a dissenting vote speaks for the absolute failure, which our Committee system really is. There are many bills that come out of Committee with promises of amendments by the Sponsors because the Sponsors ah.... ask for the Bills to come out ah.... so they have a vehicle and other ah.... excuses like that. But I think the whole significance of what's happen-



MAY 28 1977

ing here today has to signal to the Leadership and the Members of the General Assembly that it's time to get into the 20th Century, that's its time to recognize the fact that the 1970 Constitution of the State of Illinois was adopted by the people of the State of Illinois. The July 1 deadline is a historical deadline, which has no present significance in the State of Illinois. Most of the people of the State of Illinois, ah... and most of the Membership of this General Assembly recognize that fact, but so far I've seen little significance of evidence that the Leadership knows that that is a historical fact and not a relevant deadline anymore. There is only one deadline that this General Assembly should even consider anymore and that is a deadline for passing or acting on a Bill once it has been discharged from Committee. The time has come in the State of Illinois for the Leadership to recognize that we do not have to jam all of these Bills together and vote on them in this manner. It is time that we took more deliberation and spent more time recognizing the fact that we are in fact a full time Legislature, that we are not meeting in biennial Sessions anymore, that we do have to be here more often and I would suggest in going along with this procedure that the Leadership must sit down and recognize that we have to change our procedures to get some work done and to be able to cope with the Legislature as it exists today. I suggest that consideration be given to meeting all year around for two or three days a week, with a couple of months off in the summer, with a week off here or there for various holidays and that in my judgement will be the only way that the Committee system will ever work because it will give the Committees time to deliberate on the issues and it will give them time to have a study of the various questions that need to be studied. It will give time for more than one hearing if it is necessary on issues. It will provide a way where we can, ah... perhaps, even get rid of Commissions by staffing up and using the Committee system in a manner in which it is





MAY 23 1975

44.

capable of functioning. I have never in my life wanted to be identified with a Body that didn't operate at its up-most capacity. I think that the General Assembly is lacking in that capacity at the present time, although certainly the potential is there, but the potential can only be realized by the realization of the Leadership that times have changed. If times hadn't changed, people wouldn't have approved the 1970 Constitution. So I think that this..... what has happened here, in this Session of today, must call attention to the Leadership that its time for realistic and new approaches to the operation of the General Assembly because I think that a recognition of the fact that we cannot under our present rules cope with the volume of the issues that this General Assembly is capable of generating on behalf of the people of the State of Illinois."

Shea: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Mr. Lundy, do you wish to explain your vote?"

Lundy: "Yes, I do, briefly, Mr. Clerk."

Shea: "How are you recorded, Mr. Lundy?"

Lundy: "I'm not recorded yet."

Shea: "All right."

Lundy: "Mr. Speaker, I would like to explain my vote. I am going to vote 'aye' on this Agreed List, with the understanding ah... to understand our part of the ground rules that each Member may, until two hours after convening on the next Legislative Day, remove his name from the list. I cannot say, as some other Members have, that I proudly vote 'aye'. I'm sorry that we've had to resort to an Agreed Bill Lists, although the Senate has done it for a long time and it seems to work adequately there. I would prefer to have the Bills debated, but the fact of the matter is that the ground rules which we laid down for ourselves and which were supported by both sides of the aisle, and which passed almost unanimous ah... with very few dissenting votes, ah... preclude that kind of deliberation



MAY 23 1975

45.

on each Bill. Now each Bill doesn't need that kind of deliberation and a good indicator of that is the vote by which they came out of Committee. If the Bill comes out of Committee unanimously, it probably is going to pass the House by a large margin and that ah... takes care of some of my concern. Ah..... I'm also voting 'aye' because I think that we owe it to ourselves to ah... to stick the ground rules that we've set for ourselves and that isn't to say that there's anything magic in the deadlines, but they are the rules that we adopted. All of the Members understood them from the outset and I think we owe it to ourselves to try and live by them. I would point out that with the number of votes that are on the board now and under the ground rules that we have adopted, ah... it may be that a very large number of Bills on this list, ah.. without Republicans voting for them, will be knocked off by Members registering their 'no' votes with the Clerk. There are many Republican Bills on this list and ah... I ah... if I were on that side of the aisle, I would hate to see a Bill placed on postponed consideration under this procedure. I think it serves our purposes to pass this by a large margin and to kind of ah... allow these Bills where a substantial number of Members, not only six as would now be the case, disagree with a Bill to have it put on postponed. So I'm going to vote 'aye' and I hope that the Members on the Republican side will, ah... perhaps reluctantly, as I'm doing, will help us try and solve this crisis situation and ah.... and ah.... and then we can get on with the business later in the ah....."

Shea: "All right, Mr. Lundy wishes to be recorded 'aye'. Are there any further people that wish to vote on this issue? Are there any..... the gentleman from Cook, Mr. Hoffman."

Hoffman: Thank you, Mr. Speaker....."

Shea: "Are you explaining you 'present' vote, Sir?"

Hoffman: "Thank you, Mr. Speaker....."

Shea: "Are you explaining your 'present' vote, Sir?"



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

46.

Hoffman: "I was going to ask at the appropriate time to be recognized to verify the Roll."

Shea: "On this question there are 96 'ayes' and 1 'nay' and 16 Members voting 'present'. Read.... Poll the absentees, will you, Sir?"

Jack O'Brien: "Anderson, Arnell, Bluthardt, Borchers, Brandt....."

Shea: "Mr. Washington, Sir."

Washington: "I suggest that the Clerk read a little bit slower so that we can hear the names."

Shea: "This is on the absentees, Sir."

Jack O'Brien: "Campbell, Carroll, Catania, Coffee, Collins, Cunningham, Daniels, D'Arco, Deavers, Deuster, Duff, Ralph Dunn, Dyer, Ebbesen, Epton, Ewing, Fleck, Gaines, Geo-Karis Griesheimer, Grotberg, Hirschfeld, Hudson, J.D. Jones, Kempiners, Kent, Klosak, LaFleur, Lauer, Leinenweber, Lundy, Macdonald, Mahar, McAuliffe, McAvoy, McCourt, Meyer, Miller, Molloy, Neff, Peters, Polk, Porter, Randolph, Reed, Rigney, Ryan, Schlickman, Schoeberlein, Simms, Skinner, E.G. Steele, C.M. Stiehl, Telcser, Totten, Tuerk, Wall, Walsh, Washburn, and Winchester."

Shea: "Proceed to verify the affirmative votes."

Jack O'Brien: "E.M. Barnes, Beatty, Beaupre, Berman, Birchler, Boyle, Bradley, Brinkmeier, Brummet, Byers, Caldwell, Calvo, Capparelli, Chapman, Craig, Darrow, Davis, DiPrima, Downs, John Dunn, Ewell, Farley, Fary, Fennessey, Flinn, Garmisa, Getty, Giglio, Giorgi, Greiman, Hanahan, Hill, Holewinski, Dan Houlihan, Jim Houlihan, Huff, Jacobs, Jaffe, Emil Jones, Katz, Keller, Kelly, Kosinski, Kozubowski, Laurino, Lechowicz, Kornowicz, Leon, Leverenz, Londrigan, Lucco, Luft, Madigan, Madison, Mann, Maragos, Marovitz, Matijevich, Mautino, McClain, McGrew, McLendon, McPartlin, Merlo, Mudd, Mugalian, Mulcahey, Nardulli, O'Daniel, Patrick, Pierce, Pouncey, Rayson, Richmond, Sangmeister, Satterthwaite, Schisler, Schneider, Schraeder, Sharp, Shea, Stone, Stubblefield, Taylor, Terzich, Tipsword, VanDuyne, VonBoeckman, Washington, White, Willer, Williams, Younge, Yourell, ah... I don't believe I called Lundy. Lundy added



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1975

47.

on as an 'aye' vote."

Shea: "All right, Mr. Hoffman, is there any question of the affirmative Roll Call."

Hoffman: "Yes, Sir, Mr. Speaker."

Shea: "Would you proceed, Sir?"

Hoffman: "Representative Brandt?"

Shea: "Mr. Brandt is not recorded."

Hoffman: "Representative Barnes?"

Shea: "Representative Branes is in his seat."

Hoffman: "Representative Boyle?"

Shea: "Mr. Boyle is right here."

Hoffman: "Representative Brinkmeier?"

Shea: "Representative Brinkmeier, ah... is Representative Brinkmeier on the floor? How is he recorded, Mr. Clerk?"

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

Shea: "Take him off the Roll Call."

Hoffman: "Representative Calvo?"

Shea: "Representative Calvo is in his seat."

Hoffman: "Representative Craig?"

Shea: "Representative Craig, is he on the floor? He is in his seat, Sir."

Hoffman: "Representative Darrow?"

Shea: "Representative Darrow is in his seat, Sir."

Hoffman: "Representative Ewell?"

Shea: "Representative Ewell, ah... is Raymond Ewell on the floor? You'rell is here. Did you say Ewell or You'rell?"

Hoffman: "Ewell."

Shea: "Is Mr. Ewell on the floor? Right there."

Hoffman: "Representative Garmisa?"

Shea: "Representative Garmisa, is he on the floor? Take him off the Roll Call."

Hoffman: "Representative Giorgi?"

Shea: "Representative Giorgi is standing right by his seat, Sir."

Hoffman: "Representative Greiman?"

Shea: "Representative Greiman is right by his seat, Sir."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Hoffman: "Representative Hill?"

Shea: "Representative Hill is right here in the front of the Chambers, Sir."

Hoffman: "Representative Keller?"

Shea: "Representative Keller is in his seat."

Hoffman: "Representative Laurino?"

Shea: "Representative Laurino is in his seat. Mr. Garmisa is back on the floor so put him back on the Roll Call."

Hoffman: "Representative Kosinski?"

Shea: "Representative Kosinski is in his seat, Sir."

Hoffman: "Representative Leon?"

Shea: "Representative Leon is by ah... Representative Holewinski."

Hoffman: "Representative Mudd?"

Shea: "Representative Mudd, ah... is Representative Mudd on the floor? How is the gentleman recorded?"

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

Shea: "Take Mr. Mudd off of the Roll Call."

Hoffman: "Representative VanDuyne?"

Shea: "He is in his seat, Sir."

Hoffman: "Representative Lucco?"

Shea: "He is in his seat, Sir."

Hoffman: "Representative Patrick?"

Shea: "He is in his seat, Sir."

Hoffman: "Representative Schneider?"

Shea: "He.... right in the back there, Sir."

Hoffman: "Representative ah.... Schraeder?"

Shea: "Representative Schraeder, ah... he is in his seat, Sir."

Hoffman: "Representative White?"

Shea: "He is in his seat, Sir."

Hoffman: "That's all, Mr. Speaker."

Shea: "Is there any further question of this Roll Call? On these questions there are 94 'ayes' and 1 'nay' and 16 voting 'present'. These Bills are declared passed subject to the Members removing their name from the Roll Call as of this date. The gentleman from McLean, Mr. Bradley."



Bradley: "Well, thank you Mr. Speaker and Mr. Speaker and Ladies and Gentlemen of the House, you have on your desk Usury Report #96 and I would like for the...well first, I would like to remove House Bill 954, Farley, at the request of the sponsor, and House Bill 1964, Katz, at the request of the sponsor."

Shea: "Would you give me those numbers again, Sir?"

Bradley: "House Bill 954, Mr. Farley. And House Bill 1964, Mr. Katz. The same provisions will apply as far as recording a no vote. I move for the adoption of Usury Report #96 and ask that the Clerk call the bills....er...read the Bills."

Shea: "Wait, there are some other Members that appear that want to take a bill off or something. Mr. Berman?"

Berman: "A...yes, Mr. Speaker, I'm the principle sponsor of 2956, would you please remove that from the list?"

Shea: "2956 is off the list at the Sponsor's request. Mr. Lundy? Turn Mr. Lundy on."

Lundy: "Thank you, Mr. Speaker and Members of the House. Going back to the earlier roll call on Usury Report #98, I believe you did not intend to declare passed House Bill 1900, which requires 107 votes."

Shea: "No, Sir. I said that at the beginning that Bill took 107 votes and that will remain on the calendar."

Lundy: "Thank you."

Shea: "Alright, on the ..... do you have the Usury Report No.....read the bills, Mr. Clerk."

Jack O'Brien: "House Bill 337. A Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill. House Bill 541. A Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill. House Bill 559. A Bill for an Act to revise the provisions of the State Revenue Sharing in Local Governmental Entities. Third Reading of the Bill. House Bill 573. House Bill 573. A Bill for an Act to amend the Municipal Code. Third Reading of the Bill. House Bill 707. A Bill for an Act to amend the Unemployment Compensation Act. Third Reading of the Bill. House Bill 843. A Bill for an Act to amend an Act



in relation to Public Water Districts. Third Reading of the Bill. House Bill 919. A Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill. House Bill 1088. A Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill. House Bill 1210. A Bill for an Act to amend the Real Estate Broker's Salemen's License Act. Third Reading of the Bill. House Bill 1227. A Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill. House Bill 1229. A Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill. House Bill 1234. A Bill for an Act to amend the Housing Authority Act. Third Reading of the Bill. House Bill 1239. A Bill for an Act to amend the Illinois Housing Development Act. Third Reading of the Bill. House Bill 1251. A Bill for an Act to amend an Act relating to Civil Service in Park Employees and Retirement Board Employees Annuity Fund System. Third Reading of the Bill. House Bill 1257. A Bill for an Act to amend the Child Labor Law. Third Reading of the Bill. House Bill 1467. A Bill for an Act to amend the Criminal Code. Third Reading of the Bill. House Bill 1520. A Bill for an Act to amend the Criminal Code. Third Reading of the Bill. House Bill 1533. A Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill. House Bill 1535. A Bill for an Act to amend the Criminal Code. Third Reading of the Bill. House Bill 1536. A Bill for an Act to amend an Act in relation to fencing and operating railroads. Third Reading of the Bill. House Bill 1544. A Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 1546. A Bill for an Act to amend an Act in relation to relocation payments to persons displaced by acquisition of real property by the State agency. Third Reading of the Bill. House Bill 1547. A Bill for an Act to Amend the Pension Code. Third Reading of the Bill. House Bill 1554. A Bill for an Act to amend an Act creating the Board of Higher Education. Third Reading of the Bill. House Bill 1563. A Bill for an Act to amend an Act relating to care and treatment of counties, by counties, by counties, to persons afflicted with tuberculosis. Third Reading of the Bill. House Bill 1593.



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

A Bill for an Act to provide for health planning functions. Third Reading of the Bill. House Bill 1605. A Bill for an Act to amend the Pension Code. Third Reading of the Bill. House Bill 1613. A Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 1615. A Bill for an Act to amend an Act in relation to vocational education, vocational rehabilitation of disabled persons. Third Reading of the Bill. House Bill 1649. A Bill for an Act in relation to the creation and operation of public treasurers' investment pools. Third Reading of the Bill. House Bill 1684. A Bill for an Act to amend an Act to revise into law in relation to township organizations. Third Reading of the Bill. House Bill 1705. A Bill for an Act to amend an Act creating the Illinois Energy Resources Commission. Third Reading of the Bill. House Bill 1750. A Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill. House Bill 1791. A Bill for an Act to amend an Act to revise into law in relation to marriages. Third Reading of the Bill. House Bill 1805. A Bill for an Act to amend the Probate Act. Third Reading of the Bill. House Bill 1814. A Bill for an Act to repeal Sections of an Act codifying the powers and duties of the Department of Mental Health and Developmental Disabilities. Third Reading of the Bill. House Bill 1820. A Bill for an Act to assure members of the public the right to inspect and copy public records. Third Reading of the Bill. House Bill 1821. A Bill for an Act to amend the Insurance Code. Third Reading of the Bill. House Bill 1883. A Bill for an Act to amend the Pension Code. Third Reading of the Bill. House Bill 1905. A Bill for an Act to amend the Vehicle Code. Third Reading of the Bill. House Bill 1925. A Bill for an Act to provide for the election of trustees of North Shore's Sanitary District. Third Reading of the Bill. House Bill 1936. A Bill for an Act to amend the Illinois Savings and Loan Act. Third Reading of the Bill. House Bill 1937. A Bill for an Act to amend the Illinois Savings and Loan Act. Third Reading of the Bill. House Bill 1955. A Bill for



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES



an Act to....."

Shea: Yes, Mr. Keller, please."

Keller: A...I would like to have sometime this evening, 1955 heard so I...could I pull that off?"

Shea: "At the sponsor's request, House Bill 1955 will be taken from the list."

Jack O'Brien: "House Bill 1955 is removed. House Bill 1966. A Bill for an Act creating the commission, the organization of the General Assembly. Third Reading of the Bill. House Bill 2004. A Bill for an Act to amend the Currency Exchange Act. Third Reading of the Bill. House Bill 2034. A Bill for an Act to amend the Criminal Code. Third Reading of the Bill. House Bill 2118. A Bill for an Act to create the Educational Manpower Retaining Act. Third Reading of the Bill. House Bill 2151. A Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 2153. A Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 2160. A Bill for an Act to amend an Act in relation to vocational educational rehabilitation for disabled persons. Third Reading of the Bill. House Bill 2198. A Bill for an Act to amend an Act in relation to States' Attorneys and Assistant States' Attorneys. Third Reading of the Bill. House Bill 2200. A Bill for an Act to amend the Fish Code. Third Reading of the Bill. House Bill 2248. A Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill. House Bill 2251. A Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill. House Bill 2252,....has already been passed. House Bill 2253. A Bill for an Act to amend the Workmen's Compensation Act. Third Reading of the Bill. House Bill 2270. A Bill for an Act to amend the Insurance Code. Third Reading of the Bill. House Bill 2376. A Bill for an Act vacating an easement in Kane County. Third Reading of the Bill. House Bill 2387. A Bill for an Act to amend the Medical Practice Act. Third Reading of the Bill. House Bill 2398. A Bill for an Act creating Sudden Death...Sudden Infant Death Syndrome Study Commission.



MAY 23 1975

53.

Third Reading of the Bill. House Bill 2405. A Bill for an Act to amend an Act in relation to State finance. Third Reading of the Bill. House Bill 2440. A Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 2455. A Bill for an Act to in relation to neighborhood opportunities center programs. Third Reading of the Bill. House Bill 2558. A Bill for an Act to amend the Illinois Housing Development Act. Third Reading of the Bill. House Bill 2576. A Bill for an Act to amend an Act to require the payment of interest by lessors in residential real property on security deposits made by lessee. Third Reading of the Bill. House Bill 2577. A Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 2592. A Bill for an Act to amend the Illinois Anti-Trust Act. Third Reading of the Bill. House Bill 2608. A Bill for an Act to amend the Illinois Nursing Act. Third Reading of the Bill. And also 2621. A Bill for an Act to amend the Election Code. Third Reading of the Bill. House Bill 2625. A Bill for an Act increasing the number of circuit court judges. Third Reading of the Bill. House Bill 2697. A Bill for an Act to amend an Act creating the Department of Children and Family Services. Third Reading of the Bill. House Bill 2705. A Bill for an Act to amend the Election Code. Third Reading of the Bill. House Bill 2711. A Bill for an Act to amend the Election Code. Third Reading of the Bill. House Bill 2724. A Bill for an Act to amend the Election Code. Third Reading of the Bill. House Bill 2741. A Bill for an Act to amend an Act to provide for the licensing and regulating of detective agencies. Third Reading of the Bill. House Bill 2776. A Bill for an Act to amend an Act to revise into law in relation to construction of statutes. Third Reading of the Bill. House Bill 2778. A Bill for an Act to amend the Insurance Code. Third Reading of the Bill. House Bill 2801...has already passed. House Bill 2809 has already passed. House Bill 2891. A Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 2892. A Bill for an Act to amend an Act to establish Northeastern Illinois University.



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

Third Reading of the Bill. House Bill 2911. A Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill. House Bill 2951. A Bill for an Act in relation to certain loans to non-English speaking persons. Third Reading of the Bill."

Shea: "Order of House Bills' Third Reading...Ladies and Gentlemen, the intention of the Chair is to leave this list sit on your desk for half an hour and have you, an opportunity to look at the bills. Now on the order of House Bills' Third Reading appears House Bill 2404. The Gentleman from Christian, Mr. Tipword, has leave of the House to take that bill back to Second Reading for the purposes of an amendment. Leave...now he moves for the adoption of...read the amendment."

Jack O'Brien: "Amendment No. 23. Tipword. Amends Engrossed House Bill 2404 as amended on page 1 in line 6 and so forth."

Shea: "The Gentleman moves for the adoption of the amendment. Is there.. all those in favor say, those opposed, nay, the amendment is adopted. Further amendments? Third Reading."

Jack O'Brien: "No further."

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

Bradley: "Thank you Mr. Speaker and Ladies and Gentlemen of the House, I'd like to check with the Clerk and see if he read in that list of Usury Report 96 House Bill 1805."

Shea: "He did. He did read that, I think."

Jack O'Brien: "Yes sir, 1805 was read."

Bradley: "Thank you."

Shea: "On the order of House Bill's Third Reading appears House Bill 1895. We are waiting for Mr. Houlihan. Mr. Hoffman, Gene Hoffman, did you seek recognition sir?"

Hoffman: "Yes Mr. Speaker...a...for an inquiry of either you or Representative Bradley, who introduced this list. A...in terms of the...the list inquiring about the...<sup>single</sup>a...<sup>critic</sup> that was used to determine what would go on that list. In other words, how did you sort that out? I guess that's what I'm really asking."

Shea: "Those bills were all bills that received no negative votes in bi-partisan committees."



Hoffman: "Let me call your...96? Usury List 96?"

Shea: "98 or '96, the first list we just called."

Hoffman: "The list you just called, 96, and correct me if I'm wrong, Mr. Bradley...a....indicates to me, I noticed just on the first page that there's three no votes, one no vote,..."

Shea: "There are bills on that list that have had nays in committee, they seem to be what appears to be non-controversial legislation."

Hoffman: "Alright, I have a question of Representative Bradley. Would he... alright, I would call your attention..."

Shea: Mr. Hoffman, would you discuss it with him? We have only so much time to get so many bills out."

Hoffman: "Alright."

Shea: "On the order of motions for now. Mr. Stone, you have a motion on the table, do you wish to move adoption of that motion?"

Stone: "Yes I do Mr. Speaker."

Shea: "Alright, I went from the order of Third Reading to motions. Read Mr. Stone's motion."

Stone: "The motion, do you have it there. If you don't have it Mr. Clerk, the motion simply stated is that I move..."

Jack O'Brien: "We hereby move the following suspensions of the temporary rules with the House through and including May 23, 1975. The provisions of Rule 58(b) permitting explanation of votes for members other than the chief sponsor of the bill or resolution. Paul Stone."

Shea: "All in favor of the motion will vote aye. Mr. Madison?"

Madison: "I have a question of either the sponsor of the motion or the Chair, Mr. Speaker. What I want to know is will this motion include the Usury List 96 in terms of explanation of vote."

Shea: "No sir, this will be for bills we call on Third Reading."

Madison: "Well, the Usury List 96 will be called as Third Reading all inclusive, Mr. Speaker."

Shea: "That will not include that, sir."

Madison: "Thank you."

Shea: "All in favor of the Gentleman's motion will vote aye, those opposed will vote nay. Have all voted who wished? Take the record, Mr. Clerk. On this question there are 97 ayes, 4 nays,



I present. The motion is adopted. On the order of House Bills' Third Reading appears House Bill 1895."

Jack O'Brien: "House Bill 1895. A Bill for an Act in relation to labor contracts in retail sales industry. Third Reading of the Bill."

Shea: "The Gentleman from Cook, Mr. Houlihan...James."

Houlihan: "Mr. Speaker and Ladies and Gentlemen of the House. In the spirit of cooperation in the same sense that we have to move the calendar and get the business done and keep the deadline and for the first time abide by all the rules of our House, I would like to make a motion to refer this bill to Interim Study Calendar. I've talked... this is the controversial "meet after six o'clock" sales bill. Its been heard in the House before. I'd just like to make this one comment, that I've talked to some of the opponents and proponents, it is not my intention to effect contracts which are now existing, therefore, there is no absolute necessity to be considered right now. I've talked to the Chairman of the committee and I think we can bring it out on the calendar so it can get full debate in the fall. I so move and ask leave of the House...."

Shea: "What committee was that sir?"

Houlihan: "It was Labor and Commerce."

Shea: "The motion of the Gentleman is to take 1895 from the...from the calendar order of Third Reading, return it to Labor and Commerce in Interim Study. Does he have leave? Hearing no objection, leave is granted."

Houlihan: "Is this alright with Representative Caldwell? Thank you."

Shea: "On the order of House Bills' Third Reading...the Gentleman from Brad...McLean, Mr. Bradley."

Bradley: "Mr. Speaker and Ladies and Gentlemen of the House, so that the members will know what bills we are going to address ourselves...a... and if any other members have any bills here that they are...are the chief sponsor and want them off, if they'd hurry back so that everybody can consider them, but at the request of the sponsor, House Bill 2248....."

Shea: "Would you hold that, Mr. Bradley, until you have them all?"

Bradley: "I thought that they could..."



Shea: "Alright, what do you want?"

Bradley: "2248 and 2251, Mr. Farley requests they be taken off the list and I won't interrupt again until we are ready to proceed with the list."

Shea: "Alright, so everybody knows what's happening, we're going down the order of House Bills' Third Reading. If the member is not here, his bill will not be called until we've gone through all bills one time, so that any member not on the floor when his bill was called, takes the chance of not having his bills on this, the final day for passage. Does the Chair have leave to follow that procedure? On the order of House Bills' Third Reading, which one of Mr. Kucharski's bills did not receive the requisite vote to pass? It was 1900, wasn't it? That bill needs 90 or 107 votes to pass. On the order of House Bills' Third Reading appears House Bill 1900. The Gentleman from Cook, Mr. Kucharski, do you wish that heard, sir?"

Kucharski: "Yes Mr. Speaker. House Bill 1900 would create the Southeast Asian Veterans' Home Loan Act. It would allow veterans that served in Southeastern Asia, between the years of 1961 and 1973, to apply for loans from the Veterans' Commission up to \$5000. A...the reason, or the purposes for the loan is the purchases of homes or to make home improvements...a...for a farm, for a condominium, or an apartment building, if that applicant is going to reside in an apartment building. The loans would be funded by general obligation bonds. And the interest, on the loan, itself, would be 1/2 per cent to 1 per cent higher than the loan is on the general obligation bond. Now the applicants have 20 years after the date of discharge to file for this program. The...the term of the payment of the loan would be 10 years. basically, that's what the bill is intended to do and if there are any questions, I'd be happy to answer them."

Shea: "The Gentleman moves for the adoption of House Bill 1900. On that question, the Gentleman from Cook, Mr. Barnes, Eugene."

Barnes: "Thank you very much, Mr. Speaker. Mr. Speaker and members of the House, House Bill 1900 had a thorough full hearing in the Appropriation Committee II...a...hearing. There was no opposing opposition on this. I think it is an excellent proposal, especially based upon the



dire economy situation that we are involved in especially in the housing market. Representative Kucharski, I believe, came up with not only a novel, but a very very honest approach to a problem that should be addressed with our intention. I would solicit favor... favorable votes for this bill."

Shea: "On the question, the Gentleman from Cook, Mr. Lundy. Mr. Kucharski moves for the adoption of House Bill...Mr. Kane?"

Kane: "Will the sponsor yield for a question?"

Shea: "He indicates he will."

Kane: "The bill indicates that the maximum amount of a loan for any individual would be \$5000 and the amount of the general obligation bond that you are asking for is \$500,000,000?"

Beatty: "That the Veterans' Commission may sell up to \$500,000,000 and House Bill 1901, we authorized the Veterans' Commission to sell, or we appropriate to the Veterans' Commission \$10,100,000 for the initiation of the program in the loans."

Kane: "But this, this would indicate that there are 100,000 persons who would be eligible for these loans?"

Beatty: "There are approximately 150,000 to 200,000 veterans in Illinois who would fall into this loan program. It also includes widows and missing-in-action, unremarried widows and missing-in-action wives."

Shea: "The question is shall House Bill 1900 pass? This takes 107 votes. All those in favor...Mr. Beatty on the question."

Beatty: "Mr. Speaker, members of the House, there cannot be a finer bill proposed in the session of the legislature than this one. If we are going to have bonds and have the government back them, this is the way we should spend the money to take care of those men who are on the spot fighting for us in our wars, and I recommend that everyone vote aye on this bill."

Shea: "On this question all those in favor will vote aye, all those opposed will vote nay. This takes 107 votes. Have all the members voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 112 ayes, 4 nays, 4 voting present. House Bill 1900 having received the



MAY 23 1975

59.

Constitutional majority is hereby declared passed. On the order of House Bills' Third Reading appears House Bill 1912. Is Mr. Tuerk here? Tuerk, if you pass this bill now, you will wait until we come around again. At the sponsor's request, House Bill 1812 is taken out of the record....or 1912. On the order of House Bills' Third Reading appears House Bill 1913. Is Mr. Jones on the floor? Take the bill out of the record. The Gentleman from Cook, Mr. Totten."

Totten: "Thank you Mr....Thank you Mr. Speaker, I'd like to inquire of the Chair, is it the intention of the Chair to go through all the bills on Third Reading? And then come back and pick them up and keep going until we get that done?"

Shea: "Its the intention of the Chair, after the calling of the passage of the Usury List, the next Usury List, that the Chair will go back and start where he started yesterday on House Bill 1440, and we'll proceed through the calendar one time with the exception of the bills he is now calling and the sponsor are off the floor."

Totten: "Thank you."

Shea: "House Bill 1928."

Jack O'Brien: "House Bill 1928. A Bill for an Act to amend the Health Maintenance Organization Act. Third Reading of the Bill."

Shea: "Mr. Lundy, would you wait minute, I hear some noise over here. Does your light flash Mr. Walsh?"

Walsh: "Its on now, Mr. Speaker. Apparently it has been disconnected up there."

Shea: "You may have worn it out."

Walsh: "Fill me in now on what we're doing. I understood that you are going to run through that charade one more time."

Shea: "Would the members please be in their seat. Mr. Walsh, I am proceeding to call the bills on the order of Third Reading minus the bills that just passed and the bills that are on Usury Lists that Mr. Bradley is moving for."

Walsh: "Well how long must we wait until you get to that business because I don't want to have any part of it, I don't want to be close to this place when you are doing that."

Shea: "Well, fine, Mr....."





MAY 23 1975

60.

Walsh: "Now how long...how soon is that going to happen..."

Shea: "Oh, I would imagine, Mr. Walsh, that's going to happen about 4 o'clock."

Walsh: "About 4 o'clock, Mr. Speaker, and then in that time, you're going to be calling Republican bills who are out in protest to this nonsense is that right? And you're telling them...."

Shea: "Mr. Walsh....."

Walsh: "Wait a minute, I'm not through."

Shea: "Turn Mr. Walsh off why I answer his question. Mr. Walsh, I am going to call bills in the order on which they appear on the calendar, Republican or Democrat. Turn him back on."

Walsh: "Push my button. Look, Mr. Speaker, a substantial number of Republicans, if I were to guess, I'd say 5/6's of them, have walked out in protest over the way you people are running this House. And I...if you Democrats, if you Democrats are human beings, you..."

Shea: "Mr. Walsh,...Mr. Walsh....would you wait a minute. Would you wait a minute? Would the members be in their seats? May we have some order in the House and show some courtesy to one of the Republican leaders. They may not show us the same kind of courtesy, but we can be Ladies and Gentlemen about it."

Walsh: "Way to go there, cheap-shot.

Back to it....our people are out of here, and they're out of here for good reason, and you know its good reason. This is the worse tactics that any one, I defy any one, I defy Clyde Choate, I defy Paul Randolph, I defy Corneal Davis to tell me, to tell me when there has been a tactic anything like this. You know very well that this is sickening. Now there's no reason on earth why the people who walked out of here in protest should lose their bills because they protest this action. And I suggest to you...."

Shea: "Mr. Walsh....shut him off for a.....Mr. Walsh, Mr. Walsh, I just want to bring you up to date. I want to bring you up to date, Mr. Walsh. I just called a Republican bill, it took 107 votes. There were a substantial number of Republicans voting on that issue, so there were 3/5's of the elected members of the House of Representatives on the floor of the House of Representatives. The Gentleman



from Union, Mr. Choate, whose name was used in a point of personal privilege."

Choate: "I only want to know one thing. How in the hell I got involved in this?"

Shea: "Now turn the Minority....Assistant Minority Leader, Mr. Walsh, back on."

Walsh: "Well, you got involved, Clyde, because of the many years you've spent here and I was requesting to know from you and from Mr. Randolph and from Decon Davis if they have in all of their time, and I invite you Decon, I invite you to address yourself to this issue, but stay with the point sir. If you have ever in your life seen an action like this, we've had a great deal less, we've had a great deal less, there's no question about that...."

Shea: "Mr. Walsh, one of our members is raising a point of order."

Walsh: "Well wait a minute, Mr. Speaker."

Shea: "Mr. Matijevich."

Matijevich: "I raise a point of order. We're on the business of the House, we have no obligation to answer the Assistant Minority Leader, all we have an obligation to do is to do the business of the House."

Shea: "You're absolutely correct sir. House Bill 1928. Go ahead sir. I believe the...."

Walsh: "Alright, the request is....the request is this. You're going down the list, you're following the rules now because following the rules now suit your purposes...."

Shea: "Mr. Walsh, Mr. Barnes is raising a point of order. Mr. Barnes."

Barnes: "Thank you very much Mr. Speaker. I believe, according to the rules of this House as we operate under them, one of the members on our side of the aisle has raised an objection to this point being offered verbally. I believe the rules require that objection is made that it has to be made in writing, and I would suggest that the Assistant Minority Leader would do so if he's talking about an orderly process in going about the business of this House."

Shea: "Alright. Mr. Walsh, I'm going to say one thing, so you understand it. I'm going down the list. If the members aren't on the floor.



I'm skipping their bills. Can I finish, Mr. Walsh? When we get through with the next Agreed Bill List, I'm going to return to House Bill 1440, and I'm going to call the bills one at a time, just like my agreement with the Minority Leader. Now if the Minority Leader wants to change his commitment to me, have him come on the floor. Call the bill. Well, if you would get to it instead of making political speeches, sir. Yes."

Walsh: "Alright, the request that I make of you, Mr. Speaker, is that you call no Republican bill on that list because the Republican members are absent from the floor right now in protest over what you people are doing to the democratic process. Now that, sir, that sir, is my request....."

Shea: "Mr. Walsh....Mr. Walsh, I cannot honor that request."

Walsh: "Why?"

Shea: "The rules of the House require me to call them in numerical order."

Walsh: "Mr. Speaker, if I may address myself to the rules of this House."

Shea: "Call the bill....."

Jack O'Brien: "House Bill 1928....."

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

Hill: "Mr. Speaker and members of the House, I certainly would suggest that you continue calling these bills in order. I can recall a couple of years ago in a very heated caucus of the Democratic Party, a member of that party got up and gave a very emotional speech and says "now I'm leaving". Well now, it so happened that right after that I gave an emotional speech and I ended by saying this "but I'm not going to leave, I'm going to stay here to protect myself and my constituents and I seems to me that you Republicans should do the same thing"."

Shea: "Read the bill. Read the bill, will you please?"

Jack O'Brien: "House Bill 1928. A Bill for an Act to amend the Health Maintenance Organization Act. Third Reading of the Bill."

Shea: "Mr. Lundy, would you wait a minute. Now Mr. Walsh, you have delayed the operation of this House continuously over the last three weeks. Today, you've asked me to violate a very rule that you've insinuated that I have tried to violate. Alright, sir, state your



MAY 23 1975

63.

point."

Walsh: "You have a lot of nerve saying that I have delayed the operation of this House for over three weeks...."

Shea: "Will the Ladies and Gentlemen, please Mr. Walsh, will the Ladies and Gentlemen please show some respect to the Gentleman, and then we can get on with Third Reading."

Walsh: "I have not delayed the operation of this House, I have cooperated with the Democrat leadership with our Republican leader, Mr. Washburn, at every turn, every time we were asked. We weren't asked very often. We weren't consulted one...at all about what happened in your conference last night and this morning, in your decision to ride rough-shod over us. To the question of delaying the House, I defy you to point your finger to one instance when I delayed the House. I have had questions, legitimate questions, I thought, in representing the people that sent me down here. But I have never, and never consciously, delayed the operation of this House except when I engaged in a filibuster in my first term, when, at that time, again, when the Democrat speaker, they attempted to ride rough-shod over a minority. Now I suggest to you that I have not, and if this, if this speech right now is termed "delaying the House" then so be it. You deserve it and you deserve a lot more. And I only hope that the people, the people that Mrs. Willer represents, for example, find out that she voted for twenty tax increases without referendum."

Shea: "Would you...would you bring...you're not a point of personal privilege now, Mr. Walsh. Would you bring your remarks to a close?"

Walsh: "I'm addressing myself to the remarks that the Chair made that I have never heard a speaker or presiding officer in any context make of any member of that body, and I think you owe me an apology, sir. You had no right saying that. And I defy you or any member to point to an instance where I have delayed the operation of this House."

Shea: "Call the bill."

Jack O'Brien: "House Bill 1928."

Shea: "The Gentleman from Grundy, Mr. Minority Leader."

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



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

64.

we've returned to somewhat normal procedure in the order of call, and certainly the Republican members of this body want to participate as long as deliberations and expressions can be made and as long as we proceed in this somewhat orderly manner, at least, we want to participate. But Mr. Speaker, when we go back, if you go back to the rules of disorder, I want you to know right now, that we will not permit that. If we do not have our chance to participate in the orderly and deliberately process, we have no part of it and we will leave the chambers again. Thank you."

Shea: "House Bill 1928. Mr. Lundy."

Lundy: "Thank you Mr. Speaker, I would move to recommit that bill to the Human Resources Committee to be put on Interim Study."

Shea: "The Gentleman asks leave to take from the order of Third Reading to return to Human Resources and Interim Study. Is there objection? Hearing none, this bill is so ordered. On the order of House Bills' Third Reading appears House Bill 1934. The Gentleman from DuPage, Mr. Hoffman. Now, Mr. Hoffman, your leadership has requested that no Republican bills be called, but I'm obligated to call them. If you don't want it heard, tell me please. 1935. Turn Mr. Hoffman on please."

Hoffman: "A...House Bill....House Bill 1935 is correctly stated in the... a...digest, it increases the ceiling on the tax for the...."

Shea: "I'm sorry, Mr. Hoffman, it was my fault, will the Clerk read the bill."

Jack O'Brien: "House Bill 1935. A Bill for an Act to amend an Act to revise into law in relation to counties. Third Reading of the Bill."

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

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1935 is correctly defined in the digest. It increases the ceiling on taxes for the conduction of elections from one cent to two cents in counties of under 3,000,000. This bill is supported by the Urban Counties Council of Illinois. I have statistics here which indicate the cost of a...a...elections and the cost of voter registration, which indicates that...the...one cent levy doesn't even come close. For example, in our own county of DuPage, the election appropriation or expenditures for the 1974 budget was \$2,100,000. A...the one cent



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975 .65.  
tax levy raised \$257,000. I have other statistics here, but I'll  
be pleased to answer any questions and I would request your...a...  
affirmative vote on 1935."

Shea: "The Gentleman from DuPage, Mr. Hoffman, moves for the passage of  
House Bill 1935. On the question, is there any discussion? All  
those in favor will vote aye. Those opposed will vote nay. Have all  
voted who wished? Have all voted who wished? Have all voted who  
wished? Have all voted who wished? Take the record please. On  
this question there are 90 ayes, 19 noes, 17 present. House Bill 1935  
having received the Constitutional majority is hereby declared passed.  
On the order of House Bills' Third Reading appears House Bill 1938."

Jack O'Brien: "House Bill 1938. Deavers. A Bill for an Act to amend the  
Illinois Savings and Loan Act. Third Reading of the Bill."

Shea: "The Gentleman from McLean, Mr. Deavers."

Deavers: "Mr. Speaker, members of the House. House Bill 1938 permits  
savings and loan associations to issue permanent reserve shares to  
provide in the association of the Articles of Incorporation, the  
voting rights shall be vested exclusively in permanent reserve  
shareholders. And I move for the passage of House Bill 1938."

Shea: "The Gentleman moves for the passage of House Bill 1938. Is there  
discussion? The Gentleman from Cook, Mr. Berman, on the question."

Berman: "Would the sponsor yield?"

Deavers: "Yes."

Berman: "There's a technical area that I, personally, am not familiar  
with at all. What does this bill do?"

Deavers: "Actually, it gives them the same rights that they had when they  
convert from mutual to a stock savings and loan or that that they have  
certain vested voting rights, the same as the Articles of Incorporation  
of any corporation that you would handle."

Berman: "Does this cut out...a....a....other people that have savings  
in the institution?"

Deavers: "No, that when they converted over, that if any one member  
descend, then they lose no rights. It has to be 100 per cent  
cooperation."

Berman: "Does...well....a....do people that come in after this is voted...a.  
by the a...by the a...a....persons, by the shareholders, the permanent



MAY 23 1975

66.

reserve shareholders. Is that a locked-in group then, or later..."

Deavers: "Yes."

Berman: "And does that exclude labor people from having rights to vote?"

Deavers: "Unless they become shareholders."

Berman: "Could you explain the reason for this...a...this move?"

Deavers: "I think, mainly, the main reason for this move is the lack of the right of State savings and loans to branch and be on a parity with federal savings and loans, so we have a mass movement at this time that all the State's mutuals are converting to federal stock savings and loan."

Berman: "Alright, thank you."

Shea: "Further discussion? Is Mr. Houlihan's light on? Is he here? Now back to Mr. Deavers to close."

Deavers: "Mr. Speaker, I just move for a favorable roll call."

Shea: "The Gentleman moves for the passage of House Bill 195..38. All those in favor will vote aye, those opposed will vote nay. Have all voted who wished? Have all voted who wished? Take the record Mr. Clerk. On this questions there are 100 ayes, 1 nay, 40 voting present. House Bill 1938 having received the Constitutional majority is hereby declared passed. On the order of House Bills, Third Reading appears House Bill 1939."

Jack O'Brien: "House Bill 1939. Deavers. A Bill for an Act to amend the Illinois Savings and Loan Act. Third Reading of the Bill."

Shea: "The Gentleman from McLean, Mr. Deavers."

Deavers: "Mr. Speaker and Members of the House. House Bill 1940, 39, excuse me, amends the Illinois Savings and Loan Act, permits the director to authorize reasonable compensation for the sale of permanent reserve shares. And before Art asked the question, that is in connection with this change-over so they do have the authority to sell and also sell at a reasonable value. I move...."

Shea: "The Gentleman moves for the passage of House Bill 1939. Is there any discussion? Is there any discussion? The Gentleman from Madison, Mr. Calvo, on the question."

Calvo: "Well, yeh, I'd like to ask a question. Maybe I missed something in...a...his explanation of the other Bill. I'm assuming that maybe



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1975

67.

a permanent reserve share is like stock in a bank, but I don't know what...I just want him to explain what it is. Like capital stock in a bank, or what's a permanent reserve share, Representative Deavers? Jerry, will he yield for a question?"

Shea: "He indicates he will."

Calvo: "Alright, I've already asked it."

Deavers: "I think you answered your own question..."

Calvo: "Well, its what I want to know for sure. I gathered that, is that right?"

Deavers: "That's exactly the same. The same treatment that you would have with the same type of bank stock."

Calvo: "Well, if I might ask just one other question. How did the people acquire these shares? Didn't they pay for them at the time of acquisition, or what are we...what's happening?"

Deavers: "Normally, under a mutual savings and loan and what has...what has occurred, that when you became a saver or a Certificate of Deposit, as you know, the mutual. Now we're converting over to a stock and that some of those people...a...death or whatever, are going to develop some types of reserve, you can also, I think, over-capitalize and also develop treasury stock, I think, from that process also."

Calvo: "And all this bill does is provide for some...a...assignment of value to those shares. Is that correct?"

Deavers: "That is absolutely correct."

Calvo: "Alright, thank you."

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

Deavers: "Mr. Speaker, I move for a favorable roll call."

Shea: "The question is shall House Bill 1939 pass? All those in favor will vote aye, those opposed will vote nay. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Sponsor, you are entitled to explain your vote, if you seek to. Mr. Deavers, on please."

Deavers: "Mr. Speaker and members of the House, that in looking at this bill, I don't think we are creating any difficulty on anybody. If

I get 89 votes, I'll shut up."



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES



MAY 22 1975

68.

Shea: "Have all voted who wished? Take the record please. On this question there are 99 aye votes, no nay, 48 present. House Bill 1939 having received the Constitutional majority is hereby declared passed. Mr. Davis, would you care to come to the rostrum sir?"

Davis: "Thank you Mr. Speaker for this privilege. Will the following members of my Soul-Brothers Committee please stand. Representative Eugene Barnes; Louis Caldwell; Raymond Ewell; Charles Gaines; don; Langdon, Patrick, Taylor, Pouncey; and James C. Taylor; Harold Washington; Jesse C. White; Livetta H. Younge. Mr. Speaker and Ladies and Gentlemen of the House, I come to make this little presentation to you and I might preface by just saying a word about power. The word "power" is neither good nor bad. But power in the hands of a good man is good and power in the hands of a bad man is bad. We are happy to say that in our observation here, in this General Assembly, you have been more than good and we, as members of this committee, take great pleasure in presenting to you this check for the General Assembly Welfare Fund of \$1,508.72 and we have a third of that amount, which is \$754, to be presented to the President of the Senate."

Speaker Redmond: "Representative Davis, on behalf of the members of the General Assembly and the members of the House, I want to thank you and your soul brothers for this magnificent presentation to the Welfare Fund and it's my earnest wish and hope that it is a long time before any of the members are going to be in need of any welfare funds. I hope that we all don't have to use it and that the treasury builds up higher and higher. Thank you very much. Representative Capuzi, who endorses this, you or me?"

Capuzi: "You'd better endorse that one, Mr. Speaker. But at this time, I'd like to take this opportunity to thank...a...the Deacon and all of the members for the donation to our Welfare Fund. We will have a report of exactly what we have in this Fund and I'd also like to thank Johnny Fary for their contribution to the Welfare Fund, and Mr. Merlo and Nardulli, and DiPrima, and all of the boys for all of the work that they did making the dinners a success, and naturally, for the great increase of funds that we have in our Welfare Fund. Thank you very much."



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1975

69.

Shea: "Turn Mr. Capuzi on again, please."

Capuzi: "Mary Jo has to deposit that check, they don't trust either one of us. Now quite a few members have asked...a...what this Welfare Fund is. Well, throughout the years, now this goes back many many years, we used to have the, or we did have the St. Patrick Day dinner, and then of course, it came into the St. Joseph, and now the soul food, the Polish dinners, and so on. Now, this Fund is for the members of this Assembly. In the event that a member of a family should pass away. If a member is in dire need of some funds, we are always willing and happy to donate something to them to help them through their crises, if they're hospitalized and so on. And in the event and God forbid, I hope it never happens, but it has in the past, where a member died while we are in session, or even out of session, as long as he is an elected member, then a certain amount of money is donated to the widow or to the members of the family, as our contribution to help tied them over. That's it."

Shea: "Thank you, Mr. Capuzi. On the order of House Bills' Third Reading appears House Bill 1942. Mr. McPartlin."

Jack O'Brien: "House Bill 1942. A Bill for an Act to amend the Illinois Anti-Trust Act. Third Reading of the Bill."

Shea: "Mr. McPartlin...could we have a little order, please? Mr. Part, could you sit down so we could see Mr. McPartlin. Thank you sir."

McPartlin: "Mr. Speaker and members of the House....House Bill 1942 exempts recommendations of schedules of the suggested rates by the Association of Barbers from this Act, under the Anti-Trust. The exemption would permit them, as survivors of the association, to conduct surveys regarding rent, utilities, wage, linens, soaps, tonics, and other items that are entailed in the cost of operating a barber shop. And I would appreciate your support on House Bill 1942."

Shea: "The question is shall House Bill 1942 pass? Is there any debate? The Gentleman from Cook, Mr. Schlickman."

Schlickman: "Will the sponsor yield?"

Shea: "He indicates he will."

Schlickman: "Within the Illinois Anti-Trust Act, does there presently exist any exemptions for any professions or occupations relative to

fees?"



GENERAL ASSEMBLY  
STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1975

70.

McPartlin: "Ah... not at the present time, although ah... medicines architects, engineers and land surveyors are in there at the present time. It's on the last page of the Bill, Gene."

Schlickman: "What ah..... may I ask another question, Mr. Speaker?"

Shea: "Proceed, Sir."

Schlickman: "What's on the last page of the Bill?"

McPartlin: "It says on the ah... activities of any bonafide, not for profit associations, society or board of attorneys, practitioners of medicine, architects, engineers, land surveyor and barbers, or real estate brokers, licensed and regulated by an agency of the State of Illinois."

Schlickman: "And you Bill ah....."

McPartlin: "All I'm doing is adding the barbers to it."

Schlickman: "Your Bill would add barbers to that list that already set forth in the Act?"

McPartlin: "Thank you."

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

Skinner: "Mr. Speaker, I wish the Federal Trade Commission had also commented on Bills like this. I think probably what's wrong with this Bill is that instead of adding something it should be completely abolishing the Bill ~~ah...~~ or the law as it exist now. We in the State of Illinois are rapidly setting up something that ah... looks a lot like the medieval guild system. We've got 181 licensed professions and ah... apparently the present law allows for the dissemination of suggested fees for all of these professions and I ah... you know ah... should we have it for legislators too? I just don't understand. I don't think that we should add barbers. I think that we oughta take everybody else off."

Shea: "The gentleman from Will, Mr. Leinenweber."

Leinenweber: "I have a question for the Sponsor. Representative McPartlin, why is there a need for this Bill?"

McPartlin: "The need was what I said in my comments. The exemption would permit the Masters Barber Association to conduct surveys regarding rent and utilities and wages, soaps, tonics, all of



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

the supplies."

Leinenweber: "No, ah... as I understand the Bill, it permits them to ah... have a suggested rate of ah...fee schedules. Is that right?"

McPartlin: "Yes, that's in there also."

Leinenweber: "Well, ah... why is this needed?"

McPartlin: "Well, the Journeymans Association is in favor of the Bill. I mean this is what they want so that they can negotiate."

Leinenweber: "Well, is that the only reason that ah... they want it or is there any public purpose for this?"

McPartlin: "Well, not that I know of. It's the Journeymans that actually had me sponsor the Bill."

Leinenweber: "Well, Mr. Speaker, just very briefly on the Bill, ah... I think that this is a bad Bill. I think that there are other bad parts of the Act, which the gentleman deviated that ah.... permits any other group of individuals for fixing fees. This is a price fixing Bill. All price fixing Bills, in my opinion, are bad and I would suggest that the Membership vote against this."

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

Deuster: "Mr. Speaker, would the Sponsor yield for a question?"

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

Deuster: "Mr. McPartlin, how many barbers are involved? Do you know how many licensed barbers there are in Illinois?"

McPartlin: "I do not know off hand, no."

Deuster: "Thank you ah.... I would like to speak on the Bill."

Shea: "Proceed, Mr. Deuster, to speak to the legislation."

Deuster: "Yes, I've been trying to work very closely to the barbers and one of the facts that has come to my attention is that they are dwindling in number and they are really hard pressed. If we would allow their union to do them in by ah.... moving in the direction of suggested rates, we are just going to accelerate the movement away from barber shops to the beauty parlors and more and more people are patronizing the beauticians



MAY 23 1975

72.

who seem to do an adequate and sometimes better job of treating the hair and ah... if we take away the right of the individual barber to have a lower price in order to compete, we are really hurting them and I don't think the rank and file barbers around Illinois want this legislation and I would urge a 'no' vote. Their union leader may, but I think that their union leaders have lead them down the wrong path and the wrong direction before and I urge a 'no' vote."

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

Hanahan: "Mr. Speaker and Members of the House, the Master Barbers Association and the Journeymans Barbers Union, that is management and labor have requested this Bill for passage and I find it very unique that the speakers in the opposition to this Bill know damn well that they have this right, that the Bar Association is neatly tucked into the provisions of being exempt from the Anti-Trust Act. Isn't it odd that ah.... it all depends on whose ox is being goared here when it comes to exemption. Now the Barbers Association and Union feel that ah.... and for everyones information, there is 14,000 licensed barbers in Illinois, they feel the great need of this Bill. This is not the first time that the House has come up with this Bill. It has passed the House three of four times in the past and the suggested retail prices of haircuts would be a hell of a lot better for the average working man to know what they are when they enter a barber shop then to go into someplace with no suggested price list available, not knowing unless you ask before you get your hair cut, what the cost of that hair cut would be. It's a matter of suggestion that that hair cut price listing be made available to the public throughout Illinois. I think that it is a good Bill. It is endorsed by both the Trade Union Movement and the Master Barber, which is the contractor or the employer group of barbers in this State of Illinois."

Shea: "The gentleman from Will, Mr. VanDuyne."

VanDuyne: "Well, ah... I would like to ask the Sponsor a question,



MAY 23 1975

73.

Mr. Speaker. Would he yield, please? Mr. McPartlin, as you know I'm a Member of the Journeymans Barber ah... Union ah.... myself."

McPartlin: "I didn't know that."

Van Duynes: "Ah... and also you know that in Illinois there are two unions. One the ah.. Masters Barber Local Union and also The Journeymans Barber Local. Now ah... I just want to ask you this question. Does this give exclusive right to the Master Barbers Association to set prices with the exclusion of ah.... The Journeymans Barber Association?"

McPartlin: "No, they would negotiate between the shop owner and the barber, ah... this is what would happen. The Master Barbers and the Journeymen."

VanDuynes: "Well, I'm a little suspicious. Whenever you start making a law that says that any one group has the exclusive right to do something, it seems to me that you're automatically excluding the other one from doing the same thing."

McPartlin: "No, this Bill does not do that at all."

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

Hart: "Well, I just wanted to answer my good friend from McHenry, Mr. Hawaiian, who's appreciation of attorneys seems to go up and down daily, that the Bar Association may be exempt under this particular state law, but its not exempt under the Federal Anti-Trust Law and as far as I'm concerned they can amend this Bill and take the Bar Association out of it because it is not binding and I don't think that it has anything to do with the Bill] ah.... to take a shot at the lawyers every chance you get and I would appreciate it if he would resist such temptations."

Shea: "Mr. Schlickman, do you desire recognition?"

Schlickman: "Well, Mr. Speaker, I rise on a point of order. I should like to call to your attention and to the attention of the Membership that within the rules of this House, Rule 57, there is a Sub-Section that reads as follows: 'When recognized by the Chair, the Member may then speak to the



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

74.

question under deliberation avoiding personalities, names and discourteous language.' Mr. Speaker, I'm sorry to say that during this Session, there has been less decorum in this House than in previous Session I served and do think it appropriate to suggest to the Speaker that the Membership be chastised. I don't think that it is appropriate, particularly this time of the season when we have school students in the balcony ah... seeing this House in operation, that we have bar-room talk."

Shea: "Mr. McPartlin to close."

McPartlin: "Mr. Speaker, I would ask for a favorable vote on House Bill 1942."

Shea: "The question is shall House Bill 1942 pass. All those in favor will vote 'aye' and those opposed will vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Deavers votes 'aye'. Have all voted who wish? Take the record. On this question there are 95 'ayes' and 28 'nays' and 10 voting 'present' and House Bill 1942 having received the constitutional majority is hereby declared passed. Now Mr. Walsh, the hour having reached 4:00, I intend to call the Usury List that Mr. Bradley put in so if the House could be at ease for a few minutes while the Republicans ah... if any of them want to leave. Mr. Walsh."

Walsh: "First of all before I say anything else, there is a Bill that I am the Sponsor of on the Usury List that I request be taken from the List. It is House Bill 1720."

Shea: "At the Sponsors request, House Bill 1720....."

Walsh: "And now, Mr. Speaker....."

Shea: "Can I finish, Sir? House Bill 1720 will be taken from that list..... that is not on this list. It might have been on the last list, Mr. Walsh, but that one has passed."

Walsh: "Let's try 1520, Jack."

Shea: "1520."

Walsh: "Check, that is, 1520. You can strike 1720 too, if you want to. Now, Mr. Speaker, I would ask of you by what authority



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1975

MAY 23 1975

75.

do you go to this Usury List and I suggest to you that under Rule 37, you must have 107 votes to suspend the rule relative to the order of call."

Shea: "Mr. Matijevich."

Matijevich: "Mr. Speaker, I make the point of order....."

Walsh: "I address that to you, Mr. Speaker."

Matijevich: "Evidently you weren't here, I'm not sure where you were, but you evidently abdicated your responsibility to your constituency, but if you were here, you would have heard the Speaker say at that time, with leave of the House, we would go to that order and return to it in one half hour and we had leave of the House. You evidently abdicated your responsibility. You didn't think that it was important enough to be here and that is why we are coming back to it. We had leave of the House. Now is you want to object to that, you should have been here. You should have been here in your position of responsibility, but you weren't, so that's why we're getting back to it."

Shea: "Mr. Bradley, the gentleman from McLean, on the question."

Bradley: "Mr. Speaker and ladies and gentlemen of the House, I now move for the passage of Usury List #96, as read by the Clerk."

Shea: "On the question, ah... the gentleman from Cook, ah... or the gentleman from Grundy, Mr. Minority Leader."

Washburn: "Thank you, Mr. Speaker and ladies and gentlemen of the House, I think that this is a good indication ah... another indication ah... the second one today of who ah... which party in this Body is abdicating their responsibility to their constituents. Now Mr. Speaker, when you went back to the regular order of business, the process which should be followed, the Republican Party came back and took an active part, but now, Mr. Speaker, if you're going to start playing the same old games by giving us another list that was distributed just a few moments ago, one which we had never seen before, to my knowledge and contains who knows what, I was told that there



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



MAY 23 1975

76.

were some Bills on there that ah....came out of Committee with ah.... that were similar to that. I just want you to know that we cannot participate in actions such as this. We have to take a responsible position and our responsible position at this time is to leave."

Shea: "Will the House be at ease for a few moments, while the Republican Members vacate the floor? Mr. Simms."

Simms: "Mr. Speaker, I am the Sponsor of House Bill 1467, 2724 and 2711, which are on this ah... list of ah... ineffecient Bills and some good Bills. Out of protest because of the way that this House is being operated, I ask that they be removed and I want no part of this ah... activity."

Shea: "Mr. Simms, could you give us ah.... Mr. Simms, could you give us the numbers again, Sir? If you would repeat them slowly so that the Clerk can understand them."

Simms: "1467."

Shea: "1467."

Simms: "2724."

Shea: "2724."

Simms: "2711."

Shea: "2711. Al right, now back to Mr. Bradley on the question.

Mr. Hirschfeld, do you have ah..... the gentleman from Champaign, Mr. Hirschfeld."

Hirschfeld: "I have a point of order, Mr. Speaker."

Shea: "Proceed, Sir."

Hirschfeld: "I think that it is most inappropriate that these Bills be called. I do not even have a copy on my desk, as a matter of fact and I remember two years ago when we were the majority party and I think that the Speaker would agree with this, and your people were being run roughshod over by the then Speaker of this House, with whom I had had many many arguments; and as I remember it, Mr. Speaker, I stood up time and time again and supported your side of the aisle..... I would like to be allowed to finish, if you don't mind, Mr. Matijevich? I certainly never interrupt you."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

77.

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

Matijevich: "I do mind. We've had enough delays around here and that's why we're here in this position. I make the point of order that we're on the order of business. We decided it. We decided over a half hour ago and we have returned to it and I do mind. I've been listening to delay and delay and I ah.... that's why we're at this position right now. If we had followed Speaker Redmond in the schedule that we had, we'd have finished. We'd gone home tonight at midnight and everything would have been completed orderly."

Shea: "Mr. Matijevich, will you let me get back? Now Mr. Hirschfeld, will you state your point?"

Hirschfeld: "Yes, my point is very simple, Mr. Speaker. In five months your side of the aisle has vindicated Bob Blair."

Shea: "The gentleman from ah.... the gentleman from McLean moves for the adoption of the Usury List read by the Clerk. All those in favor will vote 'aye' and those opposed will vote 'nay'. The lady from Lake, to explain her vote."

Geo-Karis: "No, not to explain my vote. I just wanted some information, Sir. On some of these Bills, ah.. I just want to be instructed on how I vote 'yes' and how I can vote 'no'..... ah... I'm just completely confused today with everything going on."

Shea: "Well, let me go over the position that we have taken here. I will repeat again. Any Member that is recorded as voting 'aye' will have two hours after our return on the next legislative day to change his or her vote from 'aye' to 'nay'. Any person voting 'aye' will have that privilege. Have all voted who wish? Mr. Madison to explain his vote."

Madison: "Thank you very much, Mr. Speaker. Mr. Speaker and ladies and gentlemen of the House, in explaining my vote, ah.... number one, I would like to indicate that ah... that ah... I believe in following my Leadership, but I believe that as a follower, I ought to be a responsible follower. Now Mr. Speaker, all along for the last three weeks, we have been told



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

78.

that we would have an Agreed List and the methodology as it relates to the compilation of that Agreed List would be on the bases of those Bill not having received a 'negative' vote in Committee. Now we are faced with the list that we received today, approximately one hour ago give or take a few minutes, that has Bills ah... and as I look at the first Bill on the list, Mr. Speaker, the first Bill had three 'negative' votes and three 'present' votes. Now that is six votes that were not recorded in Committee in favor of this Bill. There is another Bill in here, Mr. Speaker, that had four 'aye' votes and 1'nay' vote and no persons voting 'present'. Now that's five people in that Committee that heard that Bill. Now I would suggest that that was not due deliberation on that particular Bill. For that reason, Mr. Speaker, I'm going to vote 'present' on this list and I want it perfectly understood that my reason for voting 'present' is in protest to the Usury List because the only explanation that I have been given for the methodology by which this list was compiled, is that it appeared that these were noncontroversial Bills. Now I would suggest, Mr. Speaker, that all that glitters, is not gold and that controversy ah... or the lack of controversy, like duty, is perhaps in the eyes of the beholder and that the.... that the methodology used for the compilation of this list had no basis whatsoever as far as I can see. Now I have promised several Members of this Assembly that I would vote 'aye' on their Bills and some of their Bills are on this list and I would like to keep that commitment on those Bills, but as I understand the rules, Mr. Speaker, I am precluded from changing my vote from 'present' to 'aye' on certain Bills."

Shea: "You could vote 'aye' today, Sir, and change all of your votes to 'present' or 'nay' within two hours of our next Legislative Session."

Madison: "Well, Mr. Speaker, in terms of the number of Bills that I'm committed to vote 'aye' on, it would be much easier to



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1975

79.

for me to vote present on all of them and aye on a few than to vote aye on all of them and present on quite a few, and for that reason I'm voting present and I apologize to those members whose vote...whose vote...I committed my vote to on their bills, but I must, in absolute protest of this list, vote present and I would urge the rest of my colleagues to do the same."

Shea: "Mr. Beaupre from Kankakee."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House, I assure you, and especially those on my side of the aisle, that it is not my intention to be dilatory. I had not spoken on this floor for two days in an attempt to help move legislation. In our caucuses where the Speaker's list looked like the roster, I chose not to speak. But I must speak out on this question. I went along and voted on the last list; as you know, I raised objections last Wednesday night when that first list was passed out saying that I thought it would be alright as long as we had enough time to go over the list. We did, and I think we had time to deliberate sufficiently on the list so that possibly the consideration of those bills got as much as any bill that was called on the floor. So I had no quarrel with voting on the last list. I quarrel with voting green on this list. I have to join my colleagues on this side of the aisle, Representative Choate and Representative Hart and those who are protesting because I believe that we are really on this list creating, in effect, a legislative Poseidon Adventure. We are inverting the legislative process to the point where the burden of proof is on those who would choose to be bilked. I worry not about my record on these matters because the provisions have been made for us to change our votes. There's no quarrel about that. What I worry about is putting out bad legislation. There are bills on this list that should be beaten and we have not had an opportunity to go over them. I think this is a very unfortunate, I think unfortunately, our party is responsible for it. I hesitate very much to vote anything but green on this because I realize that the business of the House must go on, but I don't think that we can afford to put out bad legislation and I join Representative Choate and Representative Hart and vote present."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

80.

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

Ewell: "Thank you, Mr. Speaker. That's a little improvement over Yourell.

Ladies and Gentlemen, Mr. Speaker, Ladies and Gentlemen of the House, I just sat here and heard a lot of pious oratory that in essence has been devoid of a lot of substance and/or a lot of truth. I have sat here on the last hours of the night when the opposite power was in power and I have watched them with amendments re-write bills striking everything after the enacting clause. I have heard no hearings for these newly created bills whatsoever. No notice to the public or to anyone and they weren't even printed. And yet, they went out as law by a responsible Republican majority in both Houses. I have sat here, further, after the hour of midnight and into the next day, a legal fiction, if you please, and I have seen conference committee reports, reports where the conference committee never met, reports that were barely written, but weren't passed out to the membership, there was no notice, no opportunity to be heard, and no one knew what there were voting for when they voted. But it was acceptable legislation and it was law. Now I suggest that the members of the other side of the aisle who have dragged their feet and done everything that they could do to delay the liberty of process of this Body to put us in an impossible bind. And as you make your bed, so must you sleep in it. Gentlemen, you have sown these oats and you are reaping the bitter results, and I'm glad to vote aye."

Shea: "In explanation of votes, the Gentleman from LaSalle, Mr. Anderson."

Anderson: "Well, Mr. Speaker, I was elected by my constituents to be here on the floor and watch out for their well being, and I'm here. I think what we are doing is very irresponsible and when it comes time to call for a verification, I respectfully ask for one."

Shea: "Alright sir. The Gentleman from Cook, Mr. Duff, to explain his vote. I guess his light is off. The Gentleman from Sangamon, Mr. Kane, to explain his vote."

Kane: "Mr. Speaker, Mr. Speaker and Ladies and Gentlemen of the House, I'm voting present on these bills. I think the only reason why we are in the situation that we are in is that we refuse to suspend



MAY 23 1975

81.

rules for the deadline for considering in the House of origin."

Shea: "Pardon me sir. I didn't hear what you said."

Kane: "I said the only reason why we are in the situation that we are in is that we refuse to suspend the rules for getting House bills out of the House of origin by May 23. To get to this place, we have suspended a number of rules. In committee, to meet that deadline, we suspended the rules for notice. We suspended the rules for printing of bills, we have suspended most of the rules which have allowed the public, or would have allowed the public to have any kind of meaningful input into the legislative process. And so I'm voting present today, because I think we are involved in a process that should be a deliberative body and the process that we are engaged in at the present time, does not add to that deliberative process. I would, however, like to vote aye on five bills. May I have leave?"

Shea: "...to the Body, Mr. Kane, that you don't want to vote aye and then vote no on the other bills that are present. Is that it?"

Kane: "Yes, Mr. Speaker, I'd like to vote aye on five bills."

Shea: "Does the Gentleman have leave? Hearing objection, Mr. Kane, it looks like you could vote aye and then change."

Kane: "Mr. Speaker, I think that as a Representative who has been elected by my constituents to come here and vote that I believe that I have that right and I would ask leave of the House."

Shea: "Mr. Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, there is a procedure whereby he can do that. He can vote aye on this roll call, and he has two hours after we've convened tomorrow to vote present on the rest of them. That can be done....the next day."

Shea: "The Gentleman from Winnebago, Mr. Georgi."

Georgi: "Mr. Speaker, I don't want to take the time of the House now to read it into the record, but I'd like...."

Shea: "We'll get back to you sir. Mr. Beatty. Mr. Beatty?"

Beatty: "Briefly, Mr. Speaker, Members of the House, there have been insinuations that this is going to allow a lot of bad bills to pass. If you look at the total, you will see that now there are 95 aye



MAY 23 1973

votes and perhaps seven members can defeat these bills, or any bills that they wish to defeat, any members voting green. And I know that many of my colleagues are voting green, and I know that many of my colleagues are voting to defeat a certain number of these bills, so I don't think the procedure is bad. And in comparison with one of the times in the last session where an ethics bill was thrown at us with about ten minutes time to look at it, the members in this instance have until, probably, Tuesday to look at these bills if they wish to vote no, and so I think it is a fair procedure. I think we've got a fine Speaker and he's doing a great job and I vote aye."

Shea: "The Gentleman from Kane, Mr. Friedland."

Friedland: "Mr. Speaker, point of information, please. Is it true that once a roll call has been verified such as on the previous list, parties cannot change their vote."

Shea: "No sir, we had leave of the House that those members who had voted aye, had until Tuesday, or the two hours until after the next legislative day, to remove their names. Those members that voted aye had leave to change it to a negative vote on that roll call and on this roll call. The Gentleman from...the Lady from Champaign, Ms. Satterthwaite."

Satterthwaite: "Mr. Speaker, and members of the House, this is my first term here and so I can't look back on what happened two years, four years ago, or some other time. The only thing I have to base my vote on is what happens in this session. I truly wanted my vote cast on the floor of this House to be responsible for every single bill that I voted upon. I fast learned that that was impossible to do. There is no way that every legislator in this Body can feel thoroughly informed about every vote they cast. We have had the custom of having consent calendar. We have taken large numbers of bills, we have had the opportunity to peruse those bills and to cast our vote enmasse for all the votes on that list and to come back and change votes on individual bills. This procedure is very little different from what we have practiced in the past. I feel that the option we have here of moving a number of bills in a relative efficiently



MAY 23 1975

83.

fashion with the privilege of having our vote removed if we determine that there are some bills on this list, as we go over them this weekend or until we come back in the next legislative session, any bill that we have voted for today, can have our support removed and I feel that I will have more time to determine how my vote is going to be cast on these bills than I have had for many other bills I've voted on in the past. I think I can be just as responsible and perhaps, more responsible, than I have been on many of the other votes we have cast with all the rules being followed all the way and I would urgently request that those who are not voting, or those who have lights other than green up there, consider that they may be doing this and be more responsible than they have been in the past. Thank you."

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

Mahar: "Thank you Mr. Speaker. A point of information. Is it too late to remove a bill from this list?"

Shea: "Yes sir. ....chers"

Borchers: "Well Mr. Speaker and fellow members of the House, I've been here now six years, going on seven, I have a peculiar situation in my area. I am accountable, actually, to nobody. I'm not accountable to the Democratic machine in my area; the Republican machine in my area, the Decatur Herald and Review, the League of Women Voters. I am absolutely free, I can do as I please. My only boss is the people. It happens I am elected by Democrats and Republicans both in my area. And the leadership of both sides, Democrat and Republican, have never been for me and I could care less. I'm not voting because, as I sit here, I'm emphasizing my independence. As I sit here, I have listened to more interesting evasions of the truth and circling around the truth than I heard for a long time. Its very interesting to me, but the simple fact is that if I do what my conscience says, I will leave because I am not being able to vote justly, responsibly on a single bill here, and that I can say to you and I can look any Democrat leader and the Republican leader, my newspapers, all the people that I have mentioned in the article because none of them have ever



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES



MAY 23 1975

84.

supported me, and again, I don't care. So I'm going to do what I think is right and I don't go along with what's going on here."

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

Hoffman: "Thank you Mr. Speaker and Ladies and Gentlemen of the House, my present vote on that board is there in dissent and it was on the last roll call, of this nature. But I think based upon the ruling of the Chair, that precludes my further consideration of any piece of legislation encompassed in this and I think Representative Kane and others that are voting present are troubled by this. In that we are taking the prerogative on a massive roll call to vote in dissent, eliminates our option to vote for good legislation offered by either side the aisle, and in between those, I have voted for legislation sponsored by either side of the aisle. And I would raise the objection that because the ruling of the Chair is such, it eliminates our vested authority, our responsibility to legislation that is good and is needed. And I would like to be recorded present in dissent."

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

Berman: "Well Mr. Speaker, I rise on a point of order. I believe that we have previously adopted a rule limiting explanation of votes..."

Shea: "Not on this issue, sir."

Berman: "Well, may I suggest, Mr. Speaker, that we have discussed this, we have an awful lot of bills yet to be addressed, and there's been a request for verification, I'd respectfully suggest that we move on."

Shea: "Does the speaker have leave? I suppose we could take a vote on that, but we have three more men who want to talk. Mr. Friedrich."

Friedrich: "Mr. Speaker, I don't want to talk, I just want to be sure I understand your ruling with Representative Kane. I voted present on both of these batches of bills and I want to know if you have ruled that I cannot submit a list of ayes or noes later. I thought that's what you told them."

Shea: "Sir, you cannot get on a verified roll call and there's been a request for a verified roll call."

Friedrich: "No sir, I'm asking, later on today, I have a secretary



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

85.

typing now a list of my votes on these, and I just want to know if I'm precluded from submitting those."

Shea: "Sir, you cannot add your name to a verified roll call. The Gentleman from Lake, Mr. Griesheimer."

Griesheimer: "Thank you Mr. Speaker. I'll try to make this brief. I wasn't going to speak, I haven't spoken for the last couple of days on any procedure other than one or two bills, and I know that everyone is anxious to get out of here. But having gone through one term down here and hope that I've learned something. I have to tell you Gentlemen and Ladies of this House that I am genuinely disturbed when I hear an individual get up before this House, a freshman, and I hope to God she doesn't represent the general knowledge of the Democratic process for all freshmen. All of us learn by the interaction and voice communication down here. It's true that we do not know what's in every bill, but the life blood of the Democratic process....."

Shea: "Proceed sir."

Griesheimer: "...is the interchange of ideas and these ideas and these thoughts and these troubles with bills are what makes this whole State and this whole country work. Now if you adopt a procedure which the leadership has adopted now, you cut off the ideas. I grant you it is more efficient, but there is a vastly more efficient system than the Democratic system and its what's called, the same system that they used in Nazi Germany. Its a bad system because you have a few people making the decision what's good for the whole. Now all we were asking for down here was the opportunity to hear the interaction on bills that were not agreed to. The first set of bills, I agree with you, they were submitted as Representative Beaupre said, and we had an opportunity to review them. The second set of bills, no one has had an opportunity here to debate on, we are completely unknowledgable on these and its totally irresponsible to vote yea or nay on them. So thus, I am also casting my vote present. In a sense a protest, to show the public and the voters in my district that I know nothing of these bills and I do not agree with this system."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

86.

Shea: "The Lady from Lake, Ms. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I have cast an aye vote because there are a number of bills, here, that I want to vote aye on. I was sent here by the people of my district to represent them. And I'd feel bad if I didn't represent them good, bad, or indifferent to the best of my ability. If I understand correctly, your ruling is this. If I vote aye now, and as I peruse these bills, I find that some of them I do not really care to support. I can change that vote, is that correct Mr. Speaker?"

Shea: "Yes sir...yes mam."

Geo-Karis: "...by Tuesday. I know we've all been tired. We've had long hours. I'm not going to blame anyone particularly, but all I can say is that we are here to represent our people and I appreciate you telling us this, but I feel bad because in your first roll call that you had, your first list, we were....."

Shea: "Go ahead Ms. Geo-Karis..."

Geo-Karis: "And I was one of them who was out. I would have like to have voted on some of those bills. Now have you already verified that first list?"

Shea: "That's been a verified roll call."

Geo-Karis: "Is there any leave that we can have from this assembly to go back in the roll call?"

Shea: "I don't think so, but we'll check for you. Take the record please."

Geo-Karis: "Thank you."

Shea: "Take the record, Mr. Clerk. Mr. Duff, I have called on you before sir and you were off the floor. Now I'm going to call....I called on you before and you were off the floor sir. Pardon me?"

Duff: "I'd like to be recognized Mr. Speaker."

Shea: "Proceed."

Duff: "Mr. Speaker, the procedure that is being followed here, as I understand it, is that anybody that wants, any five to seven people that want to kill any of these bills may, by taking their names off it. Many people did not want bills on it. They didn't want the list at all. That clarification was not made by the Chair until after the motion was put with the understanding of the motion and



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

87.

the understanding of the clarification. At this time, I would like to have the prerogative that has never been refused to any member of this House in the memory of almost anybody here. And I would like to ask that 2776 be put on postponed consideration."

Shea: "Does the Gentleman have leave? Leave is granted. Just a moment please, ladies. The Gentleman from...the Gentleman from LaSalle, Mr. Anderson, has requested a verified roll call. Would you please call the affirmative votes? On this question there are 94 ayes, 3 nays, and 43 present. Mr. Jaffe votes aye. Proceed with the verification sir."

Jack O'Brien: "E. M. Barnes. Beatty. Berman. Birchler. Boyle. Bradley. Brinkmeier. Brummet. Byers. Caldwell. Calvo. Capparelli. Chapman. Craig. Darrow. Davis. DiPrima. Downs. John Dunn. Ewell. Farley. Fary. Fennessey. Flinn. Garmisa. Geo-Karis. Getty. Giglio. Georgi. Greiman. Hanahan. Hill. Holewinski. Dan Houlihan. Jim Houlihan. Huff. Jacobs. Jaffe. Emil Jones. Katz. Keller. Kelly. Kosinski. Kozubowski. Laurino. Lechowicz. Lechowicz. Leon. Leverenz. Londrigan. Lucco. Luft. Lundy. Madigan. Mann. Maragos. Marovitz. Matijevich. Mautino. McClain. McGrew. McLendon. McPartlin. Merlo. Mudd. Mugalian. Mulcahey. Nardulli. O'Daniel. Patrick. Pierce. Pouncey. Rayson. Richmond. Sangmeister. Satterthwaite. Schisler. Schneider. Schraeder. Sharp. Shea. Stone. Stubblefield. Taylor. Terzich. Tipsword. VanDuyne. VonBoeckman. Washington. White. Willer. Williams. Younge. Yourell. Mr. Speaker."

Shea: "The Gentleman from LaSalle, Mr. Anderson, do you have any questions of the affirmative roll call sir?"

Anderson: "Yes sir. Mr. Byers?"

Shea: "Mr. Madigan?"

Madigan: "Mr. Speaker, could I be verified now?"

Shea: "Mr. Madigan is here. Mr. Byers is in his chair sir."

Anderson: "Darrow?"

Shea: "Mr. Darrow is in his chair sir."

Anderson: "Downs?"

Shea: "Mr. Downs...Mr. Downs is in the Republican side, sir."



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1916

88.

Anderson: "Fennessey?"

Shea: "Mr. Fennessey? Is Mr. Fennessey on the floor? In the back."

Anderson: "Garmisa?"

Shea: "Mr. Garmisa is in his seat."

Anderson: "Hanahan?"

Shea: "Mr. Hanahan is in his seat."

Anderson: "J. Houlihan?"

Shea: "Mr. J. Houlihan is in his seat."

Anderson: "Katz?"

Shea: "Mr. Katz is right there on the side, sir, by Mr. Peters."

Anderson: "Lechowicz?"

Shea: "Mr. Lechowicz is by his seat sir."

Anderson: "Mann?"

Shea: "Mr. Mann? Is Mr. Robert Mann on the floor? Alright, in his seat sir."

Anderson: "And Geo-Karis?"

Shea: "Ms. Geo-Karis is right in her seat. What is the number now?"

Anderson: "Thank you very much."

Shea: "On this question there are 95 ayes...95 ayes, 3 nays, 43 voting present, these bills having received the constitutional majority are declared passed subject to the removal of names no later than two hours in the next legislative day."

867



Shea: "On the order of House Bills, Third Reading . . . on the order of House Bills, Third Reading, now this was my committment to the Republican Leadership that once these Bills had passed, we would again start and we are starting at House Bills 1444, we will go through the list one time on each Bill. If a Member is not present we will skip over his Bill, we cannot go back. On the order of House Bills, Third Reading, appears House Bill 1444, the Gentleman from Cook, Mr. Getty."

Jack O'Brien: "House Bill 1444, a Bill for an Act to amend the Code of Criminal Procedures. Third Reading of the Bill."

Getty: "Mr. Get . . . Mr. Speaker, . . . ah . . . Ladies and Gentlemen of the House . . . ah . . . House Bill 1444 is what might be best described as a straight option . . . ah . . . in the indictment or information system in the Grand Jury. It is an Amendment . . . ah . . . to the present act which provides that . . . ah . . . where there has been a preliminary hearing the States Attorney may go directly . . . ah . . . by way of filing an information . . . ah . . . and trying the felony by information rather than going through the time consuming costly and delaying . . . ah . . . procedure of a Grand Jury indictment . . . ah . . . The Bill has been amended and refined in the Judiciary . . . ah . . . II Committee to provide . . . ah . . . and I might add with the help of input from Representative Palmer and Representative Dan Houlihan . . . ah . . . to provide that where prosecution of a felony is by information or complaint after a preliminary hit . . . hearing that that prosecution may include all offenses arising from the same transaction or conduct of a defendant even though the complainor complaints filed at the preliminary hearing charged only one or some of the offenses arising out of that transaction or conduct. In other words, this would . . . ah . . . obviate the necessity of going back and having another preliminary hearing where one wanted to add an additional count . . . ah . . . to the charge. Ah . . . I think that this is a Bill that . . . ah . . . has very strong support from the States Attorneys Association and I would certainly appreciate a very favorable Roll Call on this very important piece of legislation."



## GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1975

90.

Shea: "The Gentleman moves for the passage of House Bill 1444. On the question, the Gentleman from Cook, Mr. Duff."

Duff: "Well, Mr. Speaker, Ladies and Gentlemen of the House, before Amendment #2 was added to this Bill, it was in my opinion an excellent Bill. As a matter of fact, I have to give it total applause as far as I'm concerned because it's identical to a Bill that I passed out of the House three weeks ago. Some two years ago, Representative Getty joined in with Bernard Cary, myself and Representative Telcser in effecting a compromise so that in the area of modifying the Grand Jury we could have a Bill which would move forward without opposition to effect a major change in the modification of the Grand Jury. One of the problems we tried to avoid in that compromise two years ago was the inevitable struggle between the defense and the prosecution who if they chose to could break that compromise and make it very difficult to accomplish all of the good that we would like to do. Now, unfortunately, Amendment #2 which has been put on this Bill does breach that compromise in a very, very serious way. The Amendment, and I would draw to your attention, has very serious problems. First of all, not only does it breach the compromise that was reached and in which Representative Getty participated in a very significant way, but it does provide, and I would like the attention of the House to this, please, Mr. Speaker, . . ."

Bradley: "Could we give the Gentleman some order, please."

Duff: "Now, this Amendment says where the prosecution of a felony is by information or complaint after the preliminary hearing the prosecution may be for all offenses arising out of the same transaction. Now, the word transaction is a very broad word in the law. It is not the same in its significance as the word 'act'. Transaction can be read by many to include a large number of possibilities. The reason that becomes very significant and is I refer you to the Constitution of the State of Illinois, Article 1, Section 7, which says very clearly and unequivocally, 'no person shall be held to answer for a crime punishable by death or imprisonment in the penitentiary unless either the initial charge has been brought by indictment of a Grand Jury', which in this case we're not talking about, 'or the person has been



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

91.

given a prompt preliminary hearing to establish probable cause'. Now, what this Amendment does is that it says the prosecutor can add charges subsequent to one preliminary hearing which were not a part of the decision there, and can then be taken to trial on it'. It is in strict, clear, unequivocal violation of Section 7 of Article 1 of the Illinois Constitution. There is no question about that. Now, in addition to that it is a breach of the compromise which will make it possible for this Legislature in this year have a true significant forward step in modifying the Grand Jury. This Amendment, Ladies and Gentleman, believe me, will cause serious concern on the part of some people as to what we can accomplish in modifying the Grand Jury."

Bradley: "Could the . . . could the Gentleman bring his remarks to a close, please."

Duff: "I know that the Sponsor . . . I know that the Sponsor has the very best of intentions, he always has had in this area, but I think that the fact that this Amendment was put on by the prosecution interests has seriously damaged the balance that we need. Now, those of you who want to modify the Grand Jury should not take a chance on voting for this Bill and letting it destroy the work that has been accomplished up to this moment."

Bradley: "The . . . ah . . . Gentleman from Will, Mr. Sangmeister."

Sangmeister: "Well, Mr. Speaker and Members of the House of Representatives, I have never been advocate of any change at all in the Grand Jury system, but if you're going to make any changes, this is a fine Bill and a Bill that does it in a manner which everybody can live with. I would just like to address my remarks to the last Speaker, and I would say that . . . ah . . . he is way off base in his position that there is any serious consequences on behalf of the defendant. Ah . . . Anyone who has been involved in this process knows that on many occasions when a person is arrested he may be charged with a criminal complaint and have a preliminary hearing on that alone. We would then take that person to the Grand Jury and we may come out with an indictment with at least seven or eight counts in it. So this procedure has been used time and time again and it is in no respect ever prejudiced the rights of the defendant. This is a good Bill."



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES



MAY 23 1975

92.

This is a logical change in the Grand Jury system, and I, wholeheartedly, support an 'aye' vote on this Bill."

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

Stearney: "Mr. Speaker, and Ladies and Gentlemen of the House, most respectfully I disagree with the Sponsor of this measure, and I will give the fo . . . the reasons; and I say now to Mr. Sangmeister, that he is absolutely wrong. Right now as it stands the Grand Jury is supposed to stand as some protection between . . ."

Bradley: "Will . . . and we'll try to get you some order. Give the Gentleman some order, please."

Stearney: ". . . The Grand Jury as it stands now is supposed to stand as bulwark between the prosecutor and the named individual. This here Bill of Mr. Getty's would change that. It would allow the State's Attorney, mind you, to charge you with one crime, aggravated battery, give you a preliminary hearing and, nevertheless, the next month find yourself on trial for aggravated battery, attempted ro . . . attempted murder and per . . . perhaps armed robbery. Right now the individual is accorded some protection. If he is charged with one crime, it . . . it necessitates the Grand Jury to charge him with two or more other crimes. This here Bill would give the State's Attorney alone the unsettled authority to charge you with two or more crimes upon which you have not had the opportunity to have a hearing. Now, I say to you aside from the question of constitutionality, this Bill is fundamentally unfair and I say that it is only . . . that we should be concerned with protecting the rights of the individuals because, mind you, some day you, too, may want some protection and this here Bill would take that protection away and make the law altogether unfair and I would ask that you oppose this particular Bill. Thank you."

Bradley: "The Gentleman from Cook, Mr. Houlihan, and could we have some order, please. Mr. Houlihan."

Houlihan: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, I rise to support . . . ah . . . Representative Getty's Bill. This is a very reasonable Bill and a very reasonable Amendment to the Bill, and I would draw the attention of the Membership to the



first part of the Bill which provides that prosecution for an offense must follow a finding of probable cause that the defendant has committed an offense. All that the Amendment does is require that there only be one preliminary hearing where this same conduct of a defendant may establish more than one criminal offense. Now, where we have the same conduct of a defendant presently, we do not have to take him before the Grand Jury and return an indictment as to each separate count; and that's all that Mr. Getty is doing here with this Bill. He is making very, very clear the fact that we are not going to get into what is really a foolish situation with . . . ah . . . a preliminary hearing per each separate count out of conduct which constitutes more than one offense; and I would urge your support of this good Bill."

Bradley: "The Gentleman from Kane, Mr. Friedland."

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

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

Getty: "Well, Mr. . . . Mr. Speaker, Ladies and Gentlemen of the House, I assure you that the Amendment #2 is not an unconstitutional provision. It does as Mr. Houlihan so aptly pointed out provides for no more than is already provided under the law. If we did not have that Amendment on it, we would be in a ludicrous position where after having held the preliminary hearing on a complaint and having that charge . . . ah . . . bound to be probable cause, the information filed at the State's Attorney wanted to add the additional charge, he would then have to go back and have another preliminary hearing, or he'd have to use the Grand Jury anyway. This limits it . . . this limits it specifically to those things as provided in 3.3 of the Criminal Code that would arise out of those same transactions or conduct to the defendant. In other words, a rape of a 15 year old girl would also be the normal charge, it also indicts on a charge of rape and indecent liberties and contributing to the sexual delinquency of a minor, but typically the only charge that's only initially



brought, the only complaint that's initially filed by the police is the rape charge. This is just to bring into line normal practice. I could read to you from the statements from the State's Attorney's office where they explain to us, where they say that this is necessary in order for them to properly function and to do the job that this was intended to do, to speed up the procedure of criminal justice, to provide all ample protections for the defendants if he would have a full and fair hearing and a preliminary hearing and I would certainly ask for your favorable Roll Call on this very important piece of legislation. Thank you."

Bradley: "The question is, shall House Bill 1444 pass? All those in favor will signify by voting 'aye', and those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this there are 118 'aye', 4 'nays', 4 voting 'present'; this Bill having received the constitutional majority is, hereby, declared passed. For the information of the House we have approximately 175 Bills to deal with. House Bill 1457. Collins 'aye' on the 1444."

Fredric Selcke: "House Bill 14 . . ."

Bradley: "Greiman . . . Greiman 'aye', Peters 'aye'. 1457. At the same time, if the Members would come down to the Clerk's desk and be recovered, I think we'll move along a little faster."

Fredric Selcke: "House Bill 1457, a Bill for an Act to amend an Act to create Sanitary Districts. Third Reading of the Bill."

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

Deavers: "Mr. Speaker, I think for your information, I tabled that twice."

Bradley: "House Bill 1467. 1457 is tabled. 1467. Mr. Simms."

Fredric Selcke: "House Bill . . ."

Bradley: ". . . have one . . . wait a minute, was that one of the Bills that you had . . . taken off the list? Do you want to call it now, Mr. Simms? Read House Bill 1467."

Fredric Selcke: "House Bill 1467, a Bill for an Act to amend the Code of Criminal . . . the Criminal Code of 1961. Third Reading of the Bill."



MAY 23 1975

95.

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

Simms: "Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 1467 enacts a state-wide odometer law which prohibits a person from rolling back the mileage on a . . . ah . . . odometer on an automobile. It's in essence . . . ah . . . is what . . . ah . . . 38 other states have indicted and have enacted . . . ah . . . legislation for this purpose. I feel it's a bill that serves the consumers of the State of Illinois and I would move for its adoption."

Bradley: "The Gentleman from Champaign, Mr. Hirschfeld."

Hirschfeld: "Would the . . . would the Sponsor yield, please?"

Simms: "Yes."

Bradley: "He indicates that he will."

Hirschfeld: "Would you refresh me as to what the penalty is for a Class A Misdemeanor?"

Simms: "It's a \$1,000 fine and up to one year in jail."

Hirschfeld: "For tampering with a speedometer?"

Simms: "Yes."

Bradley: "The Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, I'd like to speak in favor of this Bill."

Bradley: "Proceed."

Geo-Karis: "That many accidents happening because of a car reputedly having only 20,000 miles and maybe have 60,000 miles, and it was in bad shape, and many people have been hurt or killed that damage . . . or damaged by the perfidy of someone who wants to lie about an odometer. I think if this Bill is passed it will discourage dishonesty in trading un . . . on cars by changing the speedometers."

Bradley: "The Gentleman from . . . Mr. . . . from Winnebago, Mr. Simms, I'm sorry, the Gentleman from Franklin, Mr. Hart."

Hart: "Ah . . . Could I ask the Sponsor a question?"

Simms: "Yes."

Bradley: "He indicates he'll yield."

Hart: "Isn't . . . isn't a Federal law already . . . ah . . . that this cannot be done?"

Simms: "Ah . . . Representative Hart, there is a Fed . . . the exact leng



. . . language in the Federal statutes. The problem is the Illinois State Police and the Secretary of State cannot enforce the Federal statutes. It's being virtually unenforced. So it happens now when someone has violated the law what they have to do is they have to file a petition in the Federal District Court, and . . . ah . . . there is a great reluctance for . . . ah . . . any type of enforcement along these lines; and this is the reason that many of the states have enacted their own legislation . . . ah . . . similar to the Federal Act in order to let the State Police or the Secretary of State enforce it."

Hart: "What is the penalty under the Federal Act?"

Simms: "I don't . . . ah . . . have that information, Representative Hart."

Hart: "Well, I . . . I don't, I mean, I don't see it a necessity of this particular Bill, and I'm not going to vote for it."

Bradley: "The Gentleman from Kankakee, Mr. Beaupre."

Beaupre: "Mr. Speak . . . Mr. Speaker, and Ladies and Gentlemen of the House, . . . ah . . . this isn't one of the most significant pieces of legislation that have come before this House, but . . . ah . . . it's the kind of . . . it's the sample of the kind of legislation that we may very well be passing out of here on wholesale. Any principle of justice dictates that the . . . the penalty must be commensurate with the seriousness of the offense. Ah . . . There are laws now that . . . ah . . . deal with this offense . . . ah . . . the problem as it was admitted by the Sponsor is a matter of enforcement, and it seems to me that it'd be foolhearted for us to pass a Bill that would require \$1,000 fine and a year in jail . . . ah . . . for . . . ah . . . for this offense; and I would urge a 'no' vote."

Bradley: "The Gentleman from Winnebago, Mr. Simms, to close."

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, this isn't . . ."

Bradley: "Pardon . . . pardon . . . pardon me . . ."

Simms: "I'm sorry."

Bradley: "The Gentleman from McHenry, Mr. Skinner."

Skinner: "I would certainly be willing to explain my vote."



Bradley: "There is no explanation of vote, Mr. Skinner."

Skinner: "Oh, in that case, I rise . . . in that case I rise to support this Bill. I don't know whether any of you people know that there are these little speedometer tinkerers that regularly go from automobile dealer to automobile dealer in northern Illinois between Rockford and Chicago; and some come from Chicago and some come from Rockford; and if you're not dealing with the . . . a super reputable dealer, you've got no idea whatsoever how many miles are on your car. Ah . . . Personally, I think if we can ever get these guys, and there may be only one or two of them in all of northern Illinois, if we can ever get 'em a year in jail, it's probably a lot too lit . . . ah . . . a lot too light a sentence."

Bradley: "The . . . the Gentleman from Winnebago, Mr. Simms, to close."

Simms: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, this Bill is important because we have serious enforcements problems in the State of Illinois. As Representative . . . ah . . . from McHenry has indicated there are serious problems with large wholesale volumes of automobiles . . . used automobiles that the speedometer is rolled back in mileage. Ah . . . Many of the cars that are on the used car lots in the State of Illinois today may show 30,000, in essence, they show well over 90 or 100,000 miles. There's virtually no enforcement in the Federal level because the Federal Government doesn't have anybody that's out enforcing this law and inspecting it; and the Secretary of State or the State Police or another law enforcement agency . . . ah . . . has to a violation of this nature, it's . . . ah . . . almost virtually impossible at the present time to get any enforcement. They have to go to the Federal District Court, and it's my understanding that the Federal officials have other cases and things and they have addressed themselves necessarily to this problem. This is good consumer legislation; and I think it will prevent a lot of people from buying automobiles that think they have low miles on their car, instead have well over 100,000 miles and buying junkers. I would urge for a positive vote on this Bill."

Bradley: "The question is, shall House Bill 1467 pass? All those in favor will signify by voting 'aya', those oppose by voting 'nay'."



Have all voted who wish? The Clerk will take the Record. On this question there are 43 'ayes', 35 'nos', 17 voting 'present'; this Bill having failed to receive the constitutional majority is, hereby, declared pass . . . or lost. House Bill 1493. For what . . ."

Fredric Selcke: "House Bill 1493, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

Bradley: "The Gentleman from Perry, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, I just want to thank everyone for this vote. It's a kind of vote of confidence for the automobile dealers of Illinois. I resent a little bit of the implication made that automobile dealers are all crooked. Ah . . . Not . . . not of Representative from Winnebago but the Representative from McHenry County inferred that maybe they're a bunch of crooked car dealers. Thank you very much. I like that vote. Thank you."

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

McPartlin: "Mr. Speaker and Members of the House, House Bill 1493 . . ."

Bradley: "Mr. . . . Mr. McPartlin, just a minute please. The Gentleman from McHenry, for what purpose do you arise? Mr. Skinner."

Skinner: "Point of personal privilege, Mr. Che . . . Speaker."

Bradley: "State your point."

Skinner: "I certainly did not mean to condemn all car dealers in the State of Illinois, but it so happens that the information that I related to this floor, the Members of this floor, came from a Ch . . . a very reputable Chevrolet dealer in Belvidere."

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

McPartlin: "Ah . . . Mr. Speaker and Members of the House, House Bill 1493 amends the Income Tax Act to provide that the Auditor General shall have access to income tax data relevant to the conduct of any audit investigation or of special studies. This is a recommendation of the Legislative Audit Commission; and I would urge your support."

Bradley: "Discussion? The Gentleman from Cook, Mr. Schlickman."

Schlickman: "Would the Sponsor yield?"

Bradley: "He indicates that he will."

Schlickman: "What interest in or business does the Auditor General have with my personal income tax return?"



McPartlin: "This does not . . . er . . . your personal income tax at all.

It has to do . . ."

Schlickman: "Well, . . ."

McPartlin: ". . . mostly with Department and agency audits."

Schlickman: "May I ask another question, Mr. Speaker?"

Bradley: "Proceed."

Schlickman: "What do you mean by income tax data?"

McPartlin: "Ah . . . The State Income Tax returns that are on file with the Department of Revenue."

Schlickman: "We're talking about my income tax return?"

McPartlin: "Well, no, I don't believe it effects you, Gene, . . . ah . . . I am sure that it would go for an agency . . . any agency in the state."

Bradley: "Mr. Schlickman."

Schlickman: "Well, I don't understand the Bill and I'm going to vote 'present'."

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

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

Bradley: "He indicates that he will."

Lechowicz: "What other . . . ah . . . people in this state have access to the income tax file with the Department of Revenue?"

McPartlin: "I don't . . . I don't believe there is anybody at the present time."

Lechowicz: "Could you justify the request for this Bill?"

McPartlin: "Well, the request was made by the Legislative Audit Commission. This is where it stems from."

Lechowicz: "It says . . . ah . . . 'under the special study on the Illinois Auditing Act'. What does that Act cover?"

McPartlin: "Well, . . . ah . . . the Auditing Act covers . . . ah . . . an audit of every agency in the state within a biennial."

Lechowicz: "That's enough for me, I recommend a 'no' vote."

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

Duff: "Well, Mr. Speaker, . . . ah . . . this is . . . really Representative

McPartlin has a very good Bill here that's necessary for the process of determining that the Department of Revenue is in fact able to





MAY 23 1975

100.

properly . . . ah . . . conduct its activities in terms of making sure we get the proper amounts of revenue and the Auditor General has to . . . as an officer of the Legislature . . . ah . . . review all of the agencies of State Government. Now, when we on the Audit Commission get a report back from the Auditor General on the Department of Revenue, one of the biggest problems that they were always . . . always have to mention to us is that they are not able to take a random sampling, and they're not looking into the guts of every return, they're taking a random sampling, they're looking at bottom lines, dollars which are . . . they're not reviewing the income tax returns, they're looking at bottom lines which . . . ah . . . will say how many dollars was supposed to be returned, and they're looking at the checks to see if it matches the bottom lines, and there is no encouraging. Now, I will tell you all that I am the member of the Audit Commission who was most concerned when this recommendation was made. I went to the Auditor General, to Representative McPartlin, made several serious protests in the meetings. Ah . . . Representative McPartlin and the Auditor General came back and solved all the objections. They added a final Amendment which would . . . ah . . . make this in to a tight decent piece of auditing procedure. I strongly recommend that we support the Bill."

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

Choate: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I certainly hate to disagree with my good friend, Representative McPartlin. I, too, have been a member of the Legislative Audit Commission for very many years as he well knows, and it just strikes me as odd that we would be opening up the files in our Department of Revenue for any state officer to be going in even on a spot check basis or any basis that you might want to look at the individual income tax returns. I think there's enough people that looks at them today without opening it up any further."

Bradley: "The Lady from St. Clair, Mrs. Stiehl."

Stiehl: "Thank you, Mr. Speaker, would the Sponsor yield for a few questions?"

Bradley: "He indicates that he will."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Stiehl: "Representative McPartlin, is this not the . . . is this the only method by which the Auditor General can responsively audit the Department of Revenue?"

McPartlin: "Yes, it is."

Stiehl: "Well, now, these returns are going to be picked at random?"

McPartlin: "Yes, they will be."

Stiehl: "Uh huh, and there's no access whatsoever to the Federal returns?"

McPartlin: "Positively not, that's one of the restrictions in the Bill."

Stiehl: "Then, Mr. Speaker, I would say if we have charged the Auditor General with specific responsibilities, I believe that it's our duty to see that this Bill is passed."

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

Maragos: "Mr. Speaker and Members of the House, the same question and doubts that have been expressed in this floor were expressed by me at the time this Bill came before the Executive Committee, and I cross-examined at that time the Auditor General as to the necessity of having this legislation; and his answer to me and to the Committee was that there is no way without this statute that he can go in and audit the books of the Department of Revenue. The only method by which he can do that is to be able to take a persons figure and were to come in certain group . . . say . . . say the thurs . . . say the amount of million dollars, he'll take a certain stack, what is in that group, and audit them. All he wants to be able to . . . he will not in any way audit the return, all he's going to do primarily is see if the checks arrived and that they . . . and that the figures on the return that have been paid in are . . . are . . . correspond to the figures that are shown on the auditor . . . on the Department of Revenues report to him. He has no way . . . neither he or his accountants have any way other than this to proceed and audit the books of the Department of Revenue. That is the only . . . Department he cannot audit because the Department has refused to give him the books to audit or any of the records to audit unless they have statutory authority by this method . . . by this statute in order to do so. So he has testified before our Committee that unless he has this method he has no way of knowing whether the reports of the . . . of the



Department of Revenue are correct or not and that way ask for the statutory authority to be able to review those records."

Bradley: "The Gentleman from Dupage, Mr. LaFluer."

LaFluer: "Mr. . . . Mr. Speaker and Members of the House, I'm also on the Legislative Audit Commission, and we're giving the task of reviewing the work of the Auditor General, and it becomes very apparent when the audit comes back that it is the audit of the Revenue Department. One of the largest single revenue sources of the state is always accepted from the certification of the Audit Firm; and on examination and request of why is this accepted, they are prevented on a test basis of going in and examining to see that the amount of money that is paid to the Department of Revenue by the individuals of the State of Illinois was received, was deposited and is credited to the account of the State of Illinois. This is no . . . there is no reason to fear this. Most of this is done under a computer basis where there is a comparison of tapes, of the receipts, of tax returns, and the amount of money that was paid and then the tape of the deposit of the tax money that it went into the bank. I don't see how anyone here can reasonably expect to be assured, nor expect the Auditor General to fill his . . . to fill his . . . fulfill his role unless you would allow him to examine. Otherwise no one . . . no one is going to know, no one can be assured and it would only lead if we are to fail to pass this, that the people who are handling this great sums of money know by legislative intention that no one can look at their work. I don't know how I can urge, I don't know how strongly I can urge that this is not only necessary and needed, but it is the common way of doing bus . . ."

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

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

Bradley: "The previous question has been moved. The question is, shall the main question be put? All those in favor will signify by saying 'aye', those opposed by saying 'no'; the 'ayes' have it, the question is . . . or pardon me, the Gentleman from Cook, Mr. McPartlin, do you want to close?"

Hill: "Mr. Speaker."



MAY 23 1975

103.

Bradley: "Gentleman . . . for what purpose does the Gentleman from Kane, Mr. Hill, arise?"

Hill: "This is such a bad Bill, I'd like to say just one thing. The . . . . . that is . . . ."

Bradley: ". . . question . . ."

Hill: ". . . if this Bill passes, you're going to jeopardize the information coming from the Federal people to the state and vice versa. It's a real bad piece of legislation. It was in Executive Committee. I'm on that Committee and that's what part of the testimony was all about; and that person that's in charge regardless of who it is can pick those taxes by name. It says at random, but he has the choice; and it's a real bad piece of legislation and should be defeated."

Bradley: "The Gentleman from Cook, Mr. McPartlin, to close."

McPartlin: "Mr. Speaker, I'll ask for a favorable Roll Call."

Bradley: "For what purpose does the Gentleman from Kankakee arise?"

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

Bradley: "State your point."

Beaupre: "Mr. Speaker, there are people who when they want to be recognized in this House they stand up and shout at you. Now, I presume that you would rather follow an orderly process for those of us who want to speak, stand up and raise their hand and put our light on, but if you're going to stand up there and ignore us and allow those to speak ahead of time who stand up and shout, then we're not going to follow an orderly process."

Bradley: "You're out of order, Sir."

Beaupre: "I want . . . well, I wanted to explain, Mr. Speaker, the position of the Department of Revenue. I think that's rather important and yet because you accepted a motion to end debate, that point of view will not be heard on the floor; and I think that's unfortunate."

Bradley: "If you think that the Chair is out of order, . . . ah . . . Sir, you go ahead and you expect the time of the House, we've got 176 Bills to try to deal with tonight. Ten men were recognized on that question to talk on the question. So you go ahead and take your two minutes, Sir."

Beaupre: "My point to the Chair is that you saw my hand up a long time ago,



MAY 23 1975

104.

you recognized the number of people who stood up and shouted at you and you completely ignored me."

Bradley: "Your point is not well taken, Mr. LaFluer did not shout at me, Mrs. Stiehl did not shout at me. The question is, shall House Bill 1493 pass? All those in favor will signify by voting 'aye', those opposed by voting 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there are 32 'ayes', 93 'nos', 3 voting 'present'; and this Bill having failed to receive the constitutional majority is, hereby, declared lost. House Bill 1520."

Fredric Selcke: "House Bill 1520, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of the Bill."

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

Walsh: "I . . . I didn't seek recognition, Mr. Speaker."

Bradley: "It's your Bill, Mr. Walsh."

Walsh: "Oh, . . . take it right out of the Record, will you, Mr. Speaker?"

Bradley: "Take it out of the Record. House Bill 1521."

Fredric Selcke: "House Bill 1521 . . ."

Bradley: "Mr. Craig."

Fredric Selcke: ". . . an Act to create the Auctioneer's Licensing Act.  
Third Reading of the Bill."

Bradley: "The Gentleman from Vermillion, Mr. Craig, on 1521."

Craig: "Mr. Speaker, I'd like to ask leave for 1521 and --22 . . . well, no, all right, I'll take 1521."

Bradley: "All right."

Craig: "1521 is a . . . the Auctioneer's Licensing Bill. It has two Amendments on it. It has one for the home-rule units, and it also has an Amendment to take care of the grandfather clause to not to legislate anyone out of business. It's actually . . . actively engaged in its business of auctioneering now; and the grandfather clause takes care of these people that have been in the business for over a year. They will not have to take the examination, or if there's someone who's been in less than a year, and they get the three active auctioneers to sign a statement that they have been . . . that they're worthy of the business and been in practicing and they feel that they are legitimately



able to the job, they do not have to be . . . ah . . . subject themselves to the test. After the . . . January 1st of 1976, anyone from that time on will have to have an examination; and I'd like to urge the support that I think these two Amendments have taken care of most of the complaints of the auctioneers and the home-rule unit. I'd appreciate your support."

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

Palmer: "Ah . . . If the Sponsor will yield to a question?"

Bradley: "He indicates that he will."

Palmer: "Mr. Craig, I understand you're an auctioneer, are you not?"

Craig: "Yes, . . ."

Palmer: "Do you feel . . . do you feel that anybody that would like to . . . ah . . . should vote for this . . . should hear a little bit of sample of your art?"

Craig: "I'll give you one a little later."

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

Choate: "Well, Mr. Speaker, I just kind of like Representative Palmer . . . I would yield 30 seconds of my time and let him give me a sample of his . . . the art of his business, and then I'll vote for his Bill."

Bradley: "Leave."

Craig: "All right, how about a big vote on the \$5, \$7½, anyone want to bet \$10, \$10 for the woman, \$10 to the mornin', here \$10, \$12½ and the \$15, in or out, all the bettin' \$20, 2 to 5, 7½ and 32 to . . ."

Bradley: "Hey, hey . . ."

Craig: ". . . \$37½ and \$40, and sold it to the Speaker, thank you."

Bradley: "Now, the question is, the question is, the Gentleman from . . . ah . . . Perry, Mr. Dunn."

Dunn: "Thank you, Sir, that was . . . ah . . . good display of auctioneering I'd say, Mr. Speaker and Members of the House, but still a bad Bill; and I'd urge you to vote against it."

Bradley: "The Gentleman from Champaign, Mr. Hirschfeld."

Hirschfeld: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I . . . that's a difficult Act to follow, but I would like to point out to the Members of this Body that a year ago we fought here for 15 hours on the preemption Bills and we made sure that in all these



MAY 23 1975

licensing Acts there were no home-rule Amendments; and somehow someone has prevailed upon the Sponsor of this Bill to put a home-rule Amendment on it which flies in the face of those preemption Bills that we spent so many hours passing with support from both sides of the aisle. I would have supported the Bill had we kept the home-rule Amendment off, but I think the Bill should be defeated with the home-rule Amendment on it."

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

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

Ryan: "He indicates that he will."

Ryan: "Representative Craig, is this . . . are these Bills endorsed by the . . . your association . . . your state association?"

Craig: "The story I feel . . . I feel that the State Association two years ago they did endorse these Bills and I've heard conflicting remarks now, but I feel that the Association has endorsed them."

Ryan: "Well, that . . . that was my impression, I just wanted to clear it up. Thank you."

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

Hudson: "Thank you, Mr. Speaker, would the Sponsor yield?"

Bradley: "He indicates that he will."

Hudson: "Representative Craig, I don't a great . . . I don't know anything about auctioneering, but from what I can hear, you are an awful good auctioneer, are you licensed?"

Craig: "There is no licensing Act right now."

Hudson: "Well, that's what I thought, how'd you get so good?"

Craig: "Well . . ."

Bradley: "The Gentleman from Livingston . . ."

Hudson: "No, . . . no, no, I'm just . . ."

Bradley: "Oh, I'm sorry, Mr. Hudson, proceed."

Hudson: ". . . no, Representative Craig, I'm not trying to be funny, I really am trying to seek out the need for this. I . . . as far as I know you do a heck of a good job in your business. Now, I think before we get into the licensing field, it would seem to me there should be demonstrated need. My question is, what is the demonstrated need for licensing in . . ."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

107.

Craig: "I'll try to make a one quick example. I happen to live near the Indiana line, and it happens around in the parts of the state. Indiana has a licensed auctioneering law today. If I go over to Indiana, I have to go to Indianapolis, I have to take their examination . . ."

Hudson: "Ohhhh . . ."

Craig: ". . . I have to give them the money for their examinations in order to auction over there, and I live within about eight or ten miles from the border. Now, if we're going to do this, I think we just as well do it here and give our state the money for our Act and have a reciprocity agreement to work with the other neighboring states that have licensing laws, because I don't think we should be giving our money to them to go over there and help them out, when they can come over here vice versa. I think it'd be a working agreement, we can keep some of the money here in our own state."

Bradley: "The Gentleman from Kane, Mr. Friedland."

Friedland: "Mr. Speaker, thank you, I move the previous question."

Bradley: "The Gentleman has moved the previous question. The question is, shall the main question be put? All those in favor say 'aye', opposed say 'no'; the 'ayes' have it. The Gentleman from Vermilion, Mr. Craig, to close."

Craig: "Mr. Speaker and Members of the House, I'd appreciate your support."

Bradley: "The question is, shall House Bill 1521 . . . the Gentleman from Cook, for what purpose do you arise, Mr. Schlickman?"

Schlickman: "On a point of personal privilege, Mr. Speaker."

Bradley: "State your point, Sir."

Schlickman: "Now, I am the Cosponsor . . . was the Cosponsor of that motion to suspend the rules with respect to no explanation of votes; but when the Gentleman from . . . ah . . . from Anna, yesterday, posed and inquiry to the Chair, it wasn't you, it was another . . . temporary Speaker, that temporary Speaker responded by saying that he would not recognize anyone purposely for moving the previous question. Now, the Gentleman who moved the previous question has been doing that a number of times; and it would seem to me that you sitting there would know for what purpose he wanted to arise, and you're cutting off debate on a very important matter."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



MAY 23 1975

108.

Bradley: "From now on if Mr. Friedland would hollar instead of turning on his light, I'd know when you . . . ah . . . want to talk to the issue. The motion has been passed and the question is, shall House Bill 1521 pass? All those in favor will signify by voting 'aye', and those opposed by voting 'no'; for an announcement, there are by the permission of the Chair, there will be U.A.W. Illinois report distributed on your desks. Have everybody voted who wish? Have all voted who wish? Have all voted who wish? Take the Record. On this question there are 94 'ayes', 33 'nos', 16 voting 'present'; and this Bill having received the constitutional majority is, hereby, declared passed. House Bill 1557."

Fredric Selcke: "House Bill 1557, . . ."

Bradley: "Is Mr. Jaffe on the floor?"

Fredric Selcke: "1557 . . . ah . . ."

Bradley: ". . . Mr. Jaffe on over at Mr. Greiman's desk."

Jaffe: "Ah . . . Mr. Speaker, 1557 went out on the Agreed List about four days ago."

Bradley: "Thank you, thank you, Sir. House Bill 1859."

Fredric Selcke: "Ah . . ."

Bradley: "Mr. Dunn."

Fredric Selcke: "We did that already."

Bradley: "Is it gone? 186 . . . 18 . . . House Bill 1880. The Gentleman from Cook, Mr. Duff, for what purpose do you arise?"

Duff: "Well, Mr. Speaker, I . . . for the benefit of the House, I'd like to suggest that as fast as possible since the Speaker and the Clerk are the only people that know exactly what Bills we have left if we could have some kind of list made up so that everybody will know the order of call and know the Bills that are left and we can conduct ourselves more accurately. I imagine it'll take a little time and I'd just like him to suggest it."

Bradley: "We'll have . . . we'll have a list on your desk very shortly, Sir."

Duff: "Thank you."

Bradley: "House Bill 1880."

Fredric Selcke: "House Bill 1880, a . . ."



Bradley: "For what purpose does the Gentleman from Cook, Mr. Kelly, arise?"

Kelly: "Yes, Mr. Speaker, . . . ah . . . last night you left on 1851, and . . . ah . . . this was a Bill you left off on and it was our understanding that you would begin on this. However, you did get into some other business, and I think that . . . ah . . . this is well in line to be considered at this point."

Bradley: "Correct, we passed over that list. We'll go back and . . . to House Bill 1851."

Fredric Selcke: "House Bill 1851, an Act in relation to abortions. Third Reading of the Bill."

Bradley: "The . . . for what purpose does the Gentleman from Cook, Mr. Duff, arise?"

Duff: "Well, Mr. Speaker, . . . ah . . . no offense to Representative Kelly, but we have reached a point of complication. The order of call that the Chair was on was the order of call of the Bills that were on the Agreed List and taken off. Ah . . . Representative Kelly's Bill was when we were on the order of call of the Calendar going straight down it. Now, if we're going to continue on the Agreed List Call, then we can't . . . we have reached the point where the two lists have overlapped in points and numbers, but we'd like to know which we're doing."

Bradley: "We're going right straight through from 14 . . . 1440 on the list. Mr. Kelly."

Kelly: "Hou . . . Thank you, Mr. Speaker and Members of the House. House Bill 1851 . . . ah . . . in its amended form repeals the 1973 Illinois Abortion Law, and replaces it with what I consider to be a much more restrictive . . . ah . . . much more pro-life approach to this subject matter. Ah . . . 1851 has many more aspects . . . ah . . . that I'd like to point out to you and some of them are that this Bill would be a self-destructing Bill if the Supreme Court ever changes their mind or if a Constitutional Amendment is ever adopted. It also requires some other . . . requirements such as the father signature approving the abortion if . . . if there is a father which is known. Also it requires a parent of one of the . . . of 18 . . . of a child under 18 years old . . . it requires the signature and approval of one parent."



before a child can have an abortion. I feel this is a good Bill; and I'd appreciate those of you that . . . ah . . . and I also have the complete support and I did work up the . . . ah . . . drafting of this legislation with the Illinois . . . ah . . . Right to Life Society and Illinois Citizens Concern for Life, and it has their . . . ah . . . full support."

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

Greiman: "Thank you, Mr. Speaker, and Ladies and Gentlemen. I have . . . ah . . . read . . . ah . . . House Bill 1851, which is . . . ah . . . actually it's Amendment 1 contains the entire Bill, and this Bill crosses in an area where this often . . . often too much insensitivity to the other side, and there are two sides, and they are . . . I think they each have . . . ah . . . a duty and an obligation to have feelings for each other and to have sensitivity towards each other. 1851 as it is presently drawn is just patently unconstitutional, the self-destruct provision that Mr. Kelly alludes to is the very first unconstitutional notion. This is a criminal statute, a criminal statute, and there is no way whether . . . that a person could tell whether it was modified, and that's the word that this used, reversed or modified. As a matter of fact, the Supreme Court made a more liberal abortion law that would by the terms of this statute literally abolish all of our abortion statutes. No one could determine their own conduct under this criminal statute. Turning to another part, the consent aspects have been dealt with by six Federal courts, they have uniformly been held unconstitutional. We would be passing, therefore, an unconstitutional measure, and clearly so. We would be in terms of Section 3 or Section 6, which deals with abortion methods, this, too, has been held unconstitutional. Now, Ladies and Gentlemen, we come here with differing economic philosophies, we come here from different geographic areas, we come here with different ethnic backgrounds, we come with different religious beliefs, but we do have one thing in common and that is the oath we took on the 8th day of January, 1975, it is an oath to uphold the Constitution and to do those things which are constitutional. When such a Bill comes which is so patently unconstitutional, whether you are a Right to Life or and Freedom of Choice, or whatever you like to label yourself. I would



MAY 23 1975

111.

I would recommend that the vote here is to vote 'present' if you . . . if you have strong feelings about abortion because I have to believe that people who are Right to Life people . . ."

Bradley: "The Gentleman from Will, Mr. Leinenweber. We're using the automatic timer."

Leinenweber: "Ah . . . Thank you, Mr. Speaker, I . . ."

Greiman: "Turn the timer on . . ."

Leinenweber: "Turn the Gentleman back on, Mr. Greiman."

Greiman: "Well, I was in . . . in just in concluding, that it is . . . if you can be a Right to Life believer and you can be a . . ."

Bradley: "Would you bring your . . . would you bring your remarks to a close, Sir?"

Greiman: ". . . yes, . . . yes, I am, as well, Mr. Speaker. Thank you very much. I . . . I guess you were 'presert' on this matter."

Bradley: "The Gentleman from Will, Mr. Leinenweber, and I call the attention of the Members that you can see when the yellow light comes on, you're coming near the end of your time."

Leinenweber: "Thank you, Mr. Speaker, I'd like to speak on behalf of House Bill 1851, which as the Sponsor indicated is a comprehensive recodification of the Illinois Abortion Law. Now, one of the more important features of this good Bill and one, I think, that probably many of you got nailed on is the fact that in this Bill it bans the so called saline Abortion. Now, the saline abortion involves the procedure whereby . . . ah . . . it effects salt water is inserted into the amniotic sac and burns the fetus to death. There's ample evidence through the burned skin and the agonized facial expressions of aborted fetuses to show that this is an extraordinarily painful method whereby your fetus is exterminated. Now, we have in this House introduced legislation to ban the use of steel jaw traps because of the pain inflicted on raccoons, possums and other wildlife. It would seem to me to be consistent that the least we can do if we're going to continue to exterminate fetuses and kill animals that we do so by using humane manners. Therefore, I think that this Bill in so far that it bans the saline abortion and the Bill which bans the use of the steel jaw trap ought to be supported. So I urge an 'aye' vote."



Bradley: "Usury List #97, Mr. Duff, is now being distributed. A synopsis list of the Calendar we're working from right now. The Lady from Cook, Mrs. Willer."

Willer: "Mr. Speaker and Members of the House, this is probably one of most . . ."

Bradley: "Excuse me, Miss Willer, we'd also like to point out is . . . it is not an Agreed Bill List, but if anybody wants to make a motion . . . ah . . . the Lady from Cook, Mrs. Willer."

Willer: "Yes, Mr. Speaker, this is probably going to be the most painful vote I'm going to cast this Session and I'm going to vote for this Bill. I'm sorry the Sponsor introduced it, I think he has played a cruel hoax upon our constituency. I support a human life Amendment to the United States Constitution. I did take an oath to support the Constitution of this State. I have a strong suspicion, although I cannot prove it and I hope to be proven wrong, but I feel I am violating that oath. I will, therefore, will cast my vote in a symbolic way as a protest against abortion, but I really wish we were not doing this."

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

Pierce: "Ah . . . Will the Sponsor yield to a question?"

Bradley: "He indicates that he will."

Pierce: "Ah . . . Last . . . last year, Sir, when the Bill that you're repealing was passed rather two years ago, I know the National . . . of the Illinois Catholic Conference and Catholic Bishops were in support of that Bill. They felt that the Bill . . . ah . . . brought us into line . . . ah . . . with restrictions as far we could go and be constitutional. Now, I didn't mention . . . I didn't hear you mention that the organizations that you spoke about endorsing your Bill. I did not hear you mention the Illinois Catholic Bishops or the Illinois Catholic Conference. Are they opposed to this Bill? Or are they in support of the Bill or are they neutral?"

Bradley: "Is Mr. Kelly on?"

Unknown: "Press your button."

Bradley: "Turn Mr. Kelly on."

Kelly: "In answer to the . . . ah . . . Gentleman's question, I'm not sure what they're position is. I know that last year they did endorse the



. . . ah . . . abortion implementation Bill which was passed. However, there was a great amount of . . . of emotion and a mixture of opinions . . . ah . . . expounded by members of the Illinois Right to Life Society and the Illinois Citizens Concern for Life."

Pierce: "All right, I think you've answered my question. You have a chance to vote."

Kelly: "And I voted against the Bill last time."

Pierce: "I know you did, but . . . ah . . . I'm asking about the position of someone else, I know your position. Now, how about the Illinois Catholic Hospital Association. Are they in support of this Bill, you didn't mention them."

Kelly: "The only organizations I know that have taken a . . . ah . . . public position were the two that I mentioned."

Pierce: "Well, I think you know well . . . know well . . ."

Bradley: "Pardon me . . . Mr. . . . just a minute, Mr. Pierce. For what reason does the Gentleman from Cook, Mr. Duff, arise?"

Duff: "Well, a point of order, Mr. Speaker."

Bradley: "State your point, Sir."

Duff: "The Gentleman who's making the inquiries is raising all kinds of inferences about particular organizations which the Sponsor hasn't mentioned in any way, shape or form, and every single one of the organizations that the Gentleman has chosen to bring to the attention of the Sponsor and to the Body is a religious affiliation; and I think he's out of order and improper in his procedure."

Bradley: "Your point is not well taken. Mr. Pierce, continue with the question."

Pierce: "Mr. Speaker, I was surprised we're getting these points of order before dinner from Mr. Duff, usually they come after the long dinner break. Ah . . . I'm going to oppose this Bill . . . ah . . . for this reason, two years ago we . . . we worked with . . . ah . . . people . . . ah . . . Henry Hyde supported the Bill that you're repealing . . . ah . . . the Illinois Catholic Conference supported it, Dave Hardigan supported it. It was a . . . it was a restriction as far as the best minds in the state felt we could go to restrict abortion within the . . . ah . . . first trimester, second trimester and



MAY 23 1975

114.

and third trimester and not violate the Supreme Court's opinion, whether we like the Supreme Court's opinion or not. That was carefully worked out legislation and it passed both Houses and it was signed by the Governor and everyone felt at the time that was as far as you could go and remain constitutional. I think the danger of your Bill, Sir, is that if it passes, you may have gone so far, and I think you have gone so far in restricting that you have violated the Supreme Court decision and may have the Bill struck and then have no restrictions whatsoever, which is a real possibility here; and, therefore, I would say let's stick with what we have there, the one we agreed to two years ago. It's not working out that badly at all, and . . . ah . . . let's not . . . let's not take the risk, let's not take the risk that your Bill which repeals the 1973 Act will be struck down by the courts and will have no restrictions on the books whatsoever. So I intend to vote 'no' on this Bill."

Bradley: "The Lady from Lake, Mrs. Geo-Karis."

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

Bradley: "He indicates that he will."

Geo-Karis: "You mentioned something about steel jaw traps and saline abortions, now, what are we talking about? I . . . I'm asking for a copy of the Bill and it's coming, but will you please explain what this Bill does as far as the . . . ah . . . Supreme Court decision of the United States is concerned. I don't quite follow you and that's why I'm asking you this. Is this Bill allowing abortions or what?"

Kelly: "This Bill is an abortion implementation Bill, but it's completely the opposite of the one that was adopted here two years ago. The . . . ah . . . effect of this is to make abortion more restrictive. In other words, it's against abortion, there's no question about it, and it makes it much more difficult for a woman to have an abortion."

Geo-Karis: "Well, what are the limitations, Sir?"

Kelly: "Pardon me."

Geo-Karis: "Mr. Speaker, may I ask him that other question?"

Bradley: "Proceed."

Geo-Karis: "What limitations does your Bill have that the law that we passed



two years ago did not have?"

Kelly: "Well, I . . . I had hoped that I had pointed out some of the . . . ah . . . some of the aspects which were different about this Bill than the last one. I believe I mentioned, I guess I'm going to be repetitive with you, but I did mention that this Bill would be a self-destructing. It . . . the Bill specifically states that if the Supreme Court ever changes their mind or . . . or if a constitutional Amendment is ever adopted . . . ah . . . outlawing abortion, that this law would be repealed and we would revert back to the earlier law which said that a woman can only have an abortion if her life is in danger. That's just one of the aspects. I pointed out a few more in the opening remarks; and I . . . ah . . . I don't know if I should go into detail on each one of them again?"

Geo-Karis: "Thank you."

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

Rayson: "Well, thank you, Mr. Speaker, I'll be brief. First of all, I understand Representative Willer's dilemma. It's been a dilemma of mine for ten years . . . ah . . . many of us perhaps in the Minority would like to be on the side of morality but sometimes we just can't do that because as she said we did take an oath of office. I might say two things; one, a very esteemed constitutional lawyer who reviewed this Bill, and it has 15 Sections, said that there are 38 unconstitutional provisions in this particular Bill. It's rather amazing there . . . there's so many and that each one of them is fatal. Now, since this . . . ah . . . Act has 15 Sections, I suggest we get on, move it out, move it in the Senate and have the Governor sign it because the first 13 Acts . . . ah . . . would be declared unconstitutional . . . ah . . . Section 14 is the applicability of severability and the 15th Section is the repeal of the existing abortion law, and this might be one way to repeal that abortion law which is unconstitutional now in our statutes."

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

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

Bradley: "The previous question has been moved. The question is, shall the main question be put? All those in favor will say 'aye', oppose





MAY 23 1975

'no'; the 'ayes' have it. The Gentleman from Cook, Mr. Kelly, to close."

Kelly: "Just a short closing. I'd like to point out the . . . ah . . . distribution sheet that was placed by the American Civil Liberties Union and it did point out some aspects that they thought were unconstitutional, but one point they made that a Missouri law, and believe it or not this law that we're . . . that we're trying to pass here has many . . . ah . . . similarities that a Missouri law was upheld by the Missouri Supreme Court. It is of course . . . ah . . . being . . . ah . . . it is being reviewed by the Supreme Court of the United States. I'd ask for your favorable support for those of you that are in favor of this . . . ah . . . this Bill."

Bradley: "The question is, shall House Bill 1851 pass? All those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the Record. On this question there are 108 'aye', 30 'nos', 10 voting 'present'. This Bill having received the constitutional majority is, hereby, declared passed. House Bill 1859."

Fredric Selcke: "House Bill 18 . . . ah . . . that's gone. Mr. Speaker, the next one is 1880."

Bradley: "1880, 1880."

Fredric Selcke: "House Bill 1880, you got the Bill, Chockey, a Bill for an Act in relation to consumer protection creating the office of Consumer Advocate and Consumer Protection Agency. Third Reading of the Bill."

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

Marovitz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1880 proposes to create a statutory office of Consumer Advocate and a statutory agency to be called the Consumer Protection Agency effective January 1, 1976. As you know the state now has a Consumer Advocate as part of the Governor's office, but this is not by statute. The Bill would not only formalize both carefully define the duties and responsibilities of the Consumer Advocate and of the Consumer Protection Agency which would appoint the advocate. Ah . . . For the information of the House, this Bill was introduced last year by Representative John Matijevich, and passed this House and met with



MAY 23 1975

117.

opposition in the Senate. First let me briefly . . . ah . . . go over the responsibilities of the Consumer Advocate under the Bill. The Bill takes a somewhat of a middle ground between those who want a Consumer Advocate with broad legal powers to bring class action suits and those who would limit the Consumer Advocate to an essentially decorative role without any real ability to help the consumers in Illinois. The Consumer Advocate under this Bill is given the authority to represent the general interests of Illinois consumers in legislative, administrative and executive rule making and in State administrative proceedings as well as Federal administrative proceedings. This would allow the Consumer Advocate to enter a proceeding as a friend of the court. I would emphasize that the Advocate may not . . . may not represent individual parties in administrative or judicial litigation. The concept is for the Advocate to be able to present testimony and evidence concerning the effects of rules and regulations on consumers in Illinois. I think we've had a lot of discussion on this Bill and without going into an awful lot of detail, I would just ask for a favorable Roll Call on this very, very important consumer Bill."

Bradley: "The . . . I wouldn't dare call . . . the Gentleman from McHenry, Mr. Skinner."

Skinner: "Would it be possible to recognize somebody else first?"

Bradley: "All right, would the Gentleman from Dupage, Mr. Hudson."

Hudson: "Well, Mr. Speaker, I'm going right to the heart of this Bill as best I can, ask no questions, speak to the issue, if I may? This Bill which creates the offer . . . office of Consumer Advocate transfers from the Attorney General to the agency the power to promulgate rules and regulations which shall . . . shall have the force of law. I think my basic quarrel would be . . . would be this. Here we have proposed, it seems to me with all due respect of the Sponsor, another layer of bureaucracy that is entirely unnecessary, another layer of government that will tell us what is good for us, will try to advise us in every . . . every area of our consumer activity; and I don't know, I can't possibly say why state money should be constantly spent in greater and greater quantities in this way? How can any Consumer Advocate represent general consumer interests? How will he be able or his



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

office to accurately ascertain or fuse on complex issues such as fuel costs, gasoline rationing, farm price supports, labelling of food, clothing and other goods? It would seem to me that here's a magnificent chance for us to leave these decisions, these likes and dislikes in the hands of the people that are doing the consuming. We can react negatively or positively to what is being offered to us without establishing another gigantic governmental bureau. It's going to . . . it's going to start out small, but it'll grow like 'Topsy', by leaps and bounds, cost our taxpayers money that they can ill-afford; and I would really urge a 'no' vote on what could be an expensive and really useless adjunct to the bureauracy."

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

Yourell: "Yes, would the . . . the . . . ah . . . Sponsor respond to a question or two?"

Bradley: "He indicates that he will."

Yourell: "Ah . . . Bill, . . . ah . . . was this Bill heard in Exective Committee?"

Marovitz: "Yes, it was."

Yourell: "And then maybe I've got it right and maybe I haven't. Is there a level of . . . ah . . . money that where the Attorney General becomes involved in a . . . judicating a consumer fraud such as \$25 or . . ."

Marovitz: "Ah . . . Could you repeat that question, Bud?"

Yourell: "Yes, is there a money level . . . ah . . . before the Attorney General and his agents can become involved in . . . ah . . . in this area?"

Marovitz: "Ah . . . I don't think this effects the Attorney General's power at all in that area."

Yourell: "Well, who's going to enforce it?"

Marovitz: "This is . . . this is not under enforcement of law. I . . . I don't believe it . . . that the Bill speaks to that at all."

Yourell: "Oh, well, I'm sorry, I'm sorry, I'm speaking of the wrong Bill, I guess."

Marovitz: "I think . . ."

Bradley: "The Gentleman from Dupage, Mr. Daniels."

Daniels: "Would the Sponsor yield?"



Bradley: "He indicates that he will."

Daniels: "Well, Mr. Speaker, I'd like to ask the Sponsor of this Bill in line with the previous answer that he gave referring to page 5, lines 17 through 34, if in fact that does not delete some of the responsibility of the Attorney General under the existing law?"

Marovitz: "That . . . that only pertains to rules and regulations, and if I might call . . . ah . . . the Representative's attention to Amendment #3, Committee Amendment #3 provides that the Attorney General may initiate proposals for rules and regulations to the agency. The agency is then required to schedule a hearing on the Attorney General's proposal and must take final action within 90 days on those proposals; and if the agency does not take final action within that time, the Attorney General's regulation then become effective. So we're . . . the Attorney General has full impact, input under this . . . ah . . . piece of legislation."

Daniels: "Following that line of thinking, under lines 25 through 27 on page 5, does that not delete some of the responsibility that he currently has under the Consumer Fraud Act?"

Marovitz: "Only for making rules and regulations, that's why we've added . . ."

Daniels: "Thank you."

Marovitz: ". . . ah . . . Amendment #3 to give him input in . . . under this piece of legislation."

Daniels: "Mr. Speaker, I'd like to speak . . ."

Marovitz: "The deletion refers to the rules and regulation powers that he has."

Daniels: ". . . I'd like to speak to the Bill."

Bradley: "Proceed."

Daniels: "Ladies and Gentlemen of the House, relating to House Bill 1880, I stand in opposition to this Bill. The Sponsor of this Bill has answered your question or questions put to him that some of the responsibilities, authorities and duties which have previously been delegated by this House have not been changed. I submit to you that the opposite is true. Under the current law, which took some debate and after passed by this House in its good wisdom to protect the consumer, the Attorney



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

120.

General has the force of passing rules and regulations which will have the force of law. Now, I submit to you in line with what a previous Speaker said that many things have been proposed in the name of the consumer. I submit to you that we must in fact protect consumer when dealing with businesses throughout this state, but I further submit to you that there are certain things that have a backward effect that are not a step forward, and a Speaker earlier in this Session today said that legislation breeds other legislation. Ladies and Gentlemen of the House, such is the case that we have before you right now. I submit that the package . . . passage of House Bill 1880 will not have a good effect for the consumers of our state; and I urge your 'no' vote on this Bill."

Shea: "The Gentleman from Lake, Mr. Matijeovich."

Matijeovich: "Mr. Speaker, and Ladies and Gentlemen of the Aisle . . . ah . . . of the House, and the reason I said aisle, I guess, I wanted to remind the Members on this side of the aisle that we . . . that we voted . . . we've used our . . . our Democratic Majority to vote some Bills on an Agreed List, and our . . . our party, both national and state, has taken the platform position on consumer legislation. We've taken the position that the consumer needs help in the marketplace, we've taken the position as a party that big business is dominating consumer, big business is telling consumers what they're going to buy, how long it's going to last, what it's going to cost, and not only the consumers have a choice in the matter, but small businessmen don't have a choice in the matter. This Bill passed the House last year, and it went in the Senate Committee last year . . . er . . . last Session, and you know I've heard a lot of talk about the deliberations in what we did just a little while, let me tell you I was a House Sponsor of that Bill and I didn't get a notice that that Bill was heard in Committee, and you're talking about the Attorney General . . . the Attorney General killed that Bill in Committee last Session without the Sponsor of the House Sponsor even getting a notice of that, and that happened to me on a couple of Bills, three Bills to be exact; and I want to tell the Members on this side of the aisle that this Bill can be one of the most important Bills of this Session."



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

We ought to use our Democratic Majority . . . Majority to help the people in the marketplace. This is a good Bill; and I say to the Attorney General that he's failed, he's failed, he's not the Consumer Advocate. We need a Consumer Advocate for the people in the marketplace and this Bill provides that vehicle. We on this side of the aisle should vote for this Bill unanimously, and leave those on the other side of the aisle who feel for the person on the marketplace to vote for it, too."

Shea: "The Gentleman from Cook, Mr. Marovitz, do you seek recognition for something, Sir?"

Marovitz: "I'd like . . . I'd like to answer . . . answer the . . . ah . . . clarify something that was said by my friend from the other side of the aisle."

Shea: "Well, I think you're entitled to close, are you not, Sir?"

Marovitz: "Fine."

Shea: "The Gentleman . . . the Gentleman from Cook, Mr. Gaines."

Gaines: "As a recent part of the Attorney General of Consumer Fraud office, I take issue with the Gentleman . . . ah . . . from Lake. We have been a consumer advocate. We've closed grocery stores . . . Mr. Speaker, we have closed grocery store in the ghetto, we've forced all kind of things to happen and if the Attorney General needs more authority, give it to him, don't put up a competing agency, then the people won't know where to go. On the south side of Chicago, we've saved over \$1,000,000 for the consumer an office under my direction. So I know it can be done through the Attorney General's office. You don't need this, it'd be a competing agency that'll make the businessmen laugh at you. So I'm saying that if the Consumer Fraud Division of the Attorney General that needs strengthening, strengthen it, don't have two or three agencies trying to do the same thing. That's just a waste of money, so I'm 'no' on this vote."

Shea: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker and Members of the House, we've never had a better educated or better informed public. Whatever happend to caveat emptor?"

Shea: "The Gentleman from Kane, Mr. Waddell."

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



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

Shea: "The Gentleman has moved the previous question. All those in . . . Waddell . . . all those in favor will say 'aye', those opposed 'nay'. The Gentleman from Cook, Mr. Marovitz, to close."

Marovitz: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I would just like to clarify something in closing. We've heard a lot of talk about the power of the Attorney General being usurp. The Attorney General has had the power to pass rules and regulations since 1968, and has never, not once promulgated a rule or regulation under his power under the Consumer Act. He has never once promulgated a rule or regulation under this power. We're not taking anything away. The Amendment allows the Attorney General input into the rules and regulation power of the Consumer Advocate. I would emphasize in closing that this Bill represents a middle ground where the Consumer Advocate in a responsible and supervised role can fulfill consumer functions which cannot and will not be fulfilled if we don't make a public commitment now for an office of this nature. I think it's about time that the consumers of the State of Illinois have a statutory representative and I certainly ask a favorable Roll on this very important consumer Bill."

Shea: "The question is, shall House Bill 1880 pass? All those in favor vote 'aye', those opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish. Mr Marovitz you have the right to explain your vote."

Marovitz: "I've been asked many times . . . ah . . . during this Session, I've introduced a lot of consumer legislation, why it is that it seems that a lot of consumer legislation is being overlooked, and I really don't think it's being overlooked, but as I look upon the board there with only 80 or 81 votes, I begin to wonder, I really do think it's time that the consumer especially in view of today's economy is represented, represented by statute. He doesn't have a representative by statute today and he needs one. So watch out over the rules and regulations that will effect the consumers throughout the State of Illinois. Those are the people that elect us. That's why we're here, and I think I'd like to see some more green votes up there for the people, for the consumers. We've passed a lot of legislation here, a lot of money for



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1975

123.

a lot of different projects, but this is a Bill for the people, all the people of the State of Illinois, not certain groups, but all the people, we're all consumers, and I'd like to see some more green lights up there and I'd like to see this Bill passed. Please give the consumer of Illinois some help and vote green on this."

Shea: "Have all voted who wish? Have all voted who wish? Take the Record, Mr. Clerk. The Gentleman from Winnebago, Mr. Simms."

Simms: "Mr. Speaker, I'd ask for a verification of the affirmative Roll Call."

Shea: "The Gentleman asks for a verification of the affirmative Roll Call. The Gentleman from Union, Mr. Choate votes 'aye'. Mr. Kane votes 'aye'. Mr. Hart 'aye'. Mr. Beatty 'aye'. Mr. Giglio 'aye'. Mr. Ewell 'aye'. Shall I take another Roll Call? All those in favor will vote 'aye', those opposed will vote 'nay'. Have all voted who wish? Have all voted who wish? Have . . . have all voted who wish? Take the Record, Mr. Clerk. On this question there are 100 'ayes', 52 'nays', 4 voting 'present'; Mr. Simms."

Simms: "Mr. Speaker, I'd ask for a verification of the affirmative Roll Call."

Shea: "Mr. Simms, you're entitled to it, . . ."

Simms: "I . . ."

Shea: ". . . but I would just like to tell you that's been done twice out here. There are all the Members here that are on this board, they've been here all day."

Simms: "Well, fine, then we'll just verify it. There's a similar Bill that was killed today, it did not have enough votes to pass; and I question the affirmative Roll Call."

Shea: "Mr. Griesheimer."

Griesheimer: "Thank you, Mr. Speaker, . . . ah . . . in all deference to what you just said and I agree with you there's been many attempts to . . . ah . . . avoid verfications today, but there is some sanctity to our elected process down here, and I did see one of the Governor's liaisons pushing buttons. Now, we all ask one another to push buttons, but let's not have the Governor's liaisons going around pushing buttons."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



MAY 23 1975

124.

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

Madigan: "Mr. Speaker, I believe the Gentleman is referring to the Madigan switch, the Beatty switch and the Leverenz switch; and they were all here sitting in the back of their chair and they asked the Gentleman to push the switch for them, Mr. Griesheimer."

Shea: "All right, now, the Gentleman from Cook, Mr. Marovitz, asked for poll of the absentees."

Fredric Selcke: "Brandt. Carroll. Coffey. Collins. D'Arco. Dyer. Epton. Fleck. Friedland. Ron Hoffman. Klosak. LaFluer. McAvoy. McPartlin. Meyer. Peters. Shuneman. Sevcik. Wall. Williams. Mr. Speaker."

Shea: "Call the affirmative vote. Mr. Kane wishes to be recorded 'aye'."

Fredric Selcke: "Wait a minute. Kane from 'no' to 'aye'. Yeah, I got Collins. Collins 'no'. Collins 'no'."

Shea: "Collins is 'no'."

Fredric Selcke: "O.K."

Shea: "We start with 101 votes."

Fredric Selcke: "E. M. Barnes. Beatty. Beaupre. Berman. Birchler. Boyle. Bradley. Brinkmeier. Brummet. Byers. Caldwell. Calvo. Capparelli. Capuzi. Chapman. Choate. Craig. Darrow. Davis. DiPrima. Downs. John Dunn. Ewell. Farley. Fary. Fennessey. Flinn. Garmisa. Getty. Giglio. Giorgi. Greiman. Hanahan. Hart. Hill. Holewinski. Dan Houlihan. Jim Houlihan."

Shea: "Mr. . . . Mr. Houlihan, Dan, did you wish recognition?"

Houlihan: "Will you verify me now please?"

Fredric Selcke: "Huff. Jacobs. Jaffe. Emil Jones. Kane. Katz. Kelly. Kosinski. Kozubowski. Kucharski. Laurino. Lechowicz. Kornowicz. Leon. Leverenz. Londrigan. Lucco. Luft. Lundy. Madigan. Madison. Mann. Maragos. Marovitz. Matijevich. Mautino. McClain. McGrew. McLendon. Merlo. Malloy. Mudd. Mugalian. Mulcahey. Nardulli. O'Daniel. Patrick. Pierce. Porter. Pouncey. Rayson. Richmond. Sangmeister. Satterthwaite. Schisler. Schneider. Schraeder. Sharp. Shea. E. G. Steele. Stone. Stubblefield. Taylor. Telser. Terzich. Tipword. VanDuyne. VonBoeckman. Washington. White. Willer. Younge. Yourell; and Mr. Speaker."



MAY 23 1975

125.

Shea: "Mr. Simms, do you have any question of the affirmative Roll Call?  
Mr. . . ."

Simms: "Ah . . . Yes, Representative Beaupre?"

Shea: "Mr. Beaupre is in his chair."

Simms: "Representative Birchler?"

Shea: "Representative Birchler is in his chair."

Simms: "Representative Boyle?"

Shea: "Representative Boyle is right here."

Simms: "Representative Capparelli?"

Shea: "Representative Capparelli is right here."

Simms: "Representative . . . ah . . . Ewell?"

Shea: "Representative Ewell is in his chair."

Simms: "Ah . . . Representative Farley?"

Shea: "Representative Farley? Representative Farley, how is he recorded?"

Fredric Selcke: "The . . . ah . . . Gentleman is recorded as voting 'aye'."

Shea: "Take him off the Roll Call."

Simms: "Representative Fary?"

Shea: "Representative Fary? How is he recorded?"

Fredric Selcke: "The Gentleman is recorded as voting 'aye'."

Shea: "Take him off the Roll Call."

Simms: "Representative Flinn?"

Shea: "Representative Flinn is in his chair."

Simms: "Representative Garmisa?"

Shea: "Representative Garmisa? How is he recorded?"

Fredric Selcke: "The Gentleman is recorded as voting 'aye'."

Shea: "Take him off the Roll Call."

Simms: "Representative Giglio?"

Shea: "He's in his chair."

Simms: "Representative Giorgi?"

Shea: "He's in his seat."

Simms: "Representative Hanahan."

Shea: "He's in his chair."

Simms: "Representative Huff?"

Huff: "Mr. Huff is in his chair."

Simms: "Representative Kosinski?"



MAY 29 1975

Shea: "He's in . . . where . . . is Representative Roman Kosinski on the floor? Mr. Kosinski here? How is he recorded?"

Fredric Selcke: "Gentleman is recorded as voting 'aye'."

Shea: "Take him off the Roll."

Simms: "Representative Laurino?"

Shea: "Representative Laurino on the floor? How is he recorded?"

Fredric Selcke: "Gentleman is recorded as voting 'aye'."

Shea: "Take him off the Roll."

Simms: "Representative Luft?"

Shea: "Luft? He's back by Mr. McClain back there."

Simms: "O.K., Representative Porter?"

Shea: "Representative Porter? Representative Porter, I don't see him . . ."

Fredric Selcke: "There he is."

Shea: ". . . oh, there he is, he's on the floor of the House."

Simms: "O.K., Representative . . . ah . . . Schisler?"

Shea: "Representative Who?"

Simms: "Schisler?"

Shea: "Schisler, you've called twice, Sir."

Simms: "No, I called Birchler before."

Shea: "All right, Mc . . . Farley and Kosinski are here, and McPartlin wishes to be recorded as 'aye'."

Simms: "Representative Jacobs?"

Shea: "Representative Jacobs? Representative Jacobs here? How is he recorded?"

Fredric Selcke: "The . . . ah . . . Gentleman is recorded as voting 'aye'."

Shea: "Take him off the Roll Call."

Simms: "Ah . . . Representative Brinkmeier."

Shea: "Representative Brinkmeier is in his chair."

Simms: "Representative Telcser?"

Shea: "Representative Telcser is right there in front."

Simms: "Ah . . . Representative Younger?"

Shea: "Representative Younger, the Lady is in her chair."

Simms: "Representative Kozubowski?"

Shea: "Representative Kozubowski is in his seat. Do you have any further



MAY 23 1975 127.

question of the . . ."

Simms: "Ah . . ."

Shea: ". . . Roll Call?"

Simms: ". . . Representative Willer?"

Shea: "Representative Willer? Is Mrs. Willer here? She's right there."

Simms: "Representative Kelly?"

Shea: "Representative Kelly is right here near the Well."

Simms: "Ah . . ."

Shea: "Give me the Roll Call, Mr. Clerk."

Simms: "Ah . . . we're . . . we earlier asked for Representative Hanahan and . . . ah . . ."

Shea: "Is Mr. Hanahan here? He was verified one time."

Simms: "Well, we never saw him, we're . . . he understands he wasn't there then."

Shea: "Mr. Bradley?"

Bradley: "Mr. Speaker, I was sitting in Representative Hanahan's chair. I'm sorry if he were verified even if he was not there."

Shea: "Take him off the Roll. Do you have any further questions?"

Simms: "Ah . . . Representative . . . ah . . . VonBoeckman?"

Shea: "Representative VonBoeckman is he here, there he is right in the aisle."

Simms: "Representative Kornowicz?"

Fredric Selcke: "Right there."

Shea: "Mr. Kornowicz is in his chair, Sir."

Simms: "Representative . . . ah . . . Kane?"

Shea: "Representative Kane. Is Representative Kane on the floor? He's up there . . . constituent problems."

Simms: "Ah . . ."

Shea: "Give me the Roll Call, Mr. Clerk. On this question there are 99 'ayes', 53 'nays', 4 voting 'present'. House Bill 1880 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 1912. The Gentleman from Peoria, Mr. Tuerk, you wish to call that?"

Fredric Selcke: "House Bill 1912, a Bill for an Act to amend Section 5 of an Act in relation to county zoning. Third Reading of the Bill."



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

Shea: "Let me interrupt the proceedings for a minute. The Democratic Members have been invited to a buffet in the Speaker's office from 7 to 8 o'clock and I think the Minority Leader would like to make an announcement."

Washburn: "Thank you, Mr. Speaker, the Republican Members and the Republican Staff are invited into the Minority Leader's office at 7 o'clock for a buffet; and if you'd care to join us, Mr. Shea, you're most welcome."

Shea: "Will Walsh fix my plate? The Gentleman from Peoria, Mr. Tuerk, do you wish to proceed with 1912? Turn him on."

Tuerk: "Mr. Speaker and Members of the House, House Bill 1912 amends the County Zoning Act to provide that county zoning regulations may where a protest is made be amended and what this Amendment calls for the present law requires three fourths of the entire County Board voting on the matter. The Amendment to the Act requires three fourths of those present; and in no way does it go below the Majority vote. There was an Amendment put on to the Bill which would require at least the majority of the Board, but it does away with the extraordinary majority of three fourths of the entire board but stipulates three fourths of those voting. Now, the reason for this is that in many cases there are conflicts of interests, people are present, but because of a conflict they don't wish to vote; and, therefore, it requires an extraordinary majority to pass these or to act on these; and I would ask for your favorable support."

Shea: "The question is, shall House Bill 1912 pass? On the question, the Gentleman from McClain, Mr. Bradley."

Bradley: "Thank you, Mr. Speaker, I wonder if the Gentleman might yield for just one question?"

Shea: "He indicates he will."

Bradley: "If . . . ah . . . would there have to be a quorum of the Committee, at least have a quorum of the Committee there, and then it would take three quarters of that quorum, you just couldn't have three quarters of the . . ."

Tuerk: "Right, I just . . ."

Bradley: ". . . members that were there."



Tuerk: "I just mentioned that one of the Amendments tagged on to the Bill stipulates that no fewer than the majority of the board . . ."

Bradley: "Thank you."

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

Skinner: "Mr. Speaker, I rise to oppose this Bill. The gravel pit interests have been doing pretty well in this Session, they're not going to have to cover their trucks, they're gonna' have perpetual work on the Fox Valley Tollway. Now, they're going to be able to build their pits right next to my towns. I'm not sure . . . well, I am sure, as a matter of fact, that everybody in this Legislature can get a local interest Bill passed; and the way you get it passed is by trading it off for something else. Can you imagine what is going to happen on a County Board when a petition comes in to zone a farm into a gravel pit and the gravel pit is only in one district of the County Board? Now, even in a county such as mine where there are three eight-man districts some of the members of that County Board in that County Board District will not care whether the gravel pit goes in or not; and I am just as positive as I'm sure I'm standing here today that my county that now looks like the armpit of the world will look worse if this Bill is enacted. I would ask for opposition."

Shea: "The Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Will the Sponsor yield for a question?"

Shea: "He indicates he will."

Dunn: "Does the three-fourths' requirement arise from the objection to zoning by adjacent landowners or by an adjacent or contiguous unit of Local Government?"

Tuerk: "I'm sorry, I didn't catch the last part of that."

Dunn: "Why did . . . why the . . . did the three fourths come up in the first place? Is that because . . . ah . . . there may have been an objection to the zoning filed by another unit of Local Government?"

Tuerk: "Well, yes, there has been cases where objections are filed. Why the three-fourths vote, why that was ever put into the statute I can't answer the question be . . ."

Dunn: "Well, . . ."



Tuerk: ". . . before my time."

Dunn: ". . . thank you . . . thank you, my question is answered."

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

Schlickman: "Thank you, Mr. Speaker and Members of the House. I arise to object and oppose this Bill. The law presently provides that 20 percent of the property owners adjoining a parcel that is subject to rezoning or a municipality within one and a half miles of the subject property can file a petition or an objection, excuse me, to a proposed rezoning; and if the Zoning Board of Appeals recommends that rezoning to the County Board of Appeals, the County . . . the County Board . . . the County Board . . . the County Board to sustain the action of the Zoning Board of Appeals must come up with three fourths of the members elected to that board. By this Bill we would be reducing the extraordinary majority required by the County Board to overcome the objection of those persons and those units of Local Government that are most vitally effected with regards to rezoning. I think it's a bad Bill. I think it works against the interests of people, property owners; and I think the Bill should be defeated."

Shea: "The question is, shall House Bill 1912 pass? The Gentleman from Peoria, Mr. Tuerk, to close . . . to . . . ah . . . seek passage of this Bill. All in favor will vote 'aye', those oppose will vote 'nay'. Have all voted who wish? Mr. Tuerk, you may explain your vote, if you want. Mr. Richmond votes 'aye'."

Tuerk: "Well, Mr. Speaker, just very briefly, this extraordinary majority is the only such case that I know of . . . ah . . . we can pass constitutional amendments here with three-fifths majority. This requires three-quarters majority or 75 percent. Now, in the case of a 27-man board, it requires 21 votes. Now, if only 20 are present at a meeting, there's no way they can act on it. I'm saying that his Amendment is fair it requires . . . ah . . . the majority of the board to vote on the issue, and it just reduces the three-quarters stipulation to, rather than three fourths of the entire board, three fourths of those present and voting. I would ask for your favorable vote."

Shea: "Have all voted who wish? Take the Record. Do you wish to make a motion, Mr. Tuerk? On this question there are 44 'ayes', 36 'nays', 17



voting 'present'. House Bill 1912 having failed to receive the constitutional majority is, hereby, declared lost. On the order of House Bills, Third Reading, appears House Bill 1913. The Gentleman from Sangamon, Mr. Jones, J. David."

Jack O'Brien: "House Bill 1913, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Jones: "Mr. Chairman, Mr. Speaker and Members of the House. 1913 authorizes the States Attorney's investigator to carry a gun while conducting duties of his office. There's a void in the statute, 1913 . . . ah . . . corrects this matter."

Shea: "The question is, shall House Bill 1913 pass? All 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 126 'ayes', 1 'nay', 1 voting 'present'. House Bill 1913 having received the constitutional majority is, hereby, declared passed. The Gentleman from Cook, Mr. Berman. Do you have that list or . . . on the order of House Bills, Third Reading, appears House Bill 191 . . . 1928. Mr. Lundy, did we take that Bill earlier? All right, House Bill 1935, Mr. Hoffman, did we dispose of that earlier? House Bill 1938, Mr. Deavers, we disposed of that earlier. House Bill what?"

Jack O'Brien: "1944."

Shea: "House Bill 1944, Mr. . . . ah . . . Brinkmeier."

Jack O'Brien: "House Bill 1944, Brinkmeier, a Bill for an Act to provide for training of probation personnel in the Circuit Courts of Illinois. Third Reading of the Bill."

Shea: "The Gentleman from . . . ah . . . Stephenson, Mr. Brinkmeier."

Brinkmeier: "Yes, Mr. Speaker and Members of the House, the Digest . . . the Synopsis and Digest is absolutely correct. What it does is places the responsibility for training probation officers within the administrative offices of the Illinois courts for direct training services or designation of an authorized training organization; and I would solicit your support."

Shea: "The Gentleman moves for the passage of House Bill 1944. On the question, the Gentleman from Cook, Mr. Kornowicz. Oh, on the question,





the Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "What do you want?"

Shea: "Well, I guess the flashing lights . . . there is no discussion.

All those in favor will vote 'aye', the Gentleman from Cook, Mr. Berman."

Berman: "Will the Sponsor yield?"

Shea: "He indicates he will."

Berman: "What will this do to the . . . ah . . . probation system as . . . ah . . . in Cook County?"

Brinkmeier: "Well, it's my understanding that this deals primarily with the downstate . . . ah . . . counties, Representative. I would say that the seed money which was allotted to these counties, I believe, in 1972 administered by the Illinois Law Enforcement . . . ah . . . Commission, this money expires; and this, incidently is . . . is a backup to the Bills that have been presented by both Representative Duff and Representative Getty. They are Cosponsors and it's . . . in the event that we need it for the training program, why then this was a backup."

Berman: "Well, . . . ah . . . again my question, does it . . . does it take away from or change the present system of the probation system in Cook County?"

Brinkmeier: "Not to my knowledge and I would hope that either Representative Duff or Representative Getty would correct me if I'm wrong."

Berman: "All right, well, the Speaker indicates that it does not. Thank you."

Shea: "On this question, all those in favor will vote 'aye', those oppose vote 'nay'. Have all voted who wish? Hurry, Geo'. Have all voted who wish? Wake the Record, Mr. Clerk. On this question there are 133 'ayes', 1 'nay', 1 'present'. House Bill 1944 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 1946. Mr. Brinkmeier."

Jack O'Brien: "House Bill 1 . . . House Bill 1946, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Brinkmeier: "Mr. Speaker, I'd ask leave of the House to return House Bill 1946 to the order of Second Reading for the purpose of an Amendment."



Shea: "Does the Gentleman have leave? Leave is granted. Second Reading. Yes, Mr. Schlickman?"

Schlickman: "Well, Mr. Speaker, I'm just wondering if he returns it to the order of Second Reading, by the ruling of the permanent Speaker of this House the Bill will be dead, because he will not be able to bring it back to the order of Third Reading."

Shea: "As you . . . as you know, the only thing that's required is that the Bill be in enrolled and engrossed form, and I think that the even the permanent Speaker of the House might have a little sympathy for a Member trying to get a Bill out in the last day. So why don't we let him try it and if we get back to this order of business again . . ."

Schlickman: "Well, just one more fractioning of the rules."

Jack O'Brien: "Amendment #2, Brinkmeier, amends House Bill 1946 on page 1 and so forth."

Brinkmeier: "Well, Mr. Speaker and Mem . . ."

Shea: "I'm sorry, Mr. Brinkmeier, that was my . . ."

Brinkmeier: ". . . This Amendment is really the . . . ah . . . health examination Bill as the Members of this House wanted it with a three years provision stricken. This is germane. This initially was . . . is dealing with the school nurses; and I would move for its adoption."

Shea: "The Gentleman moves for the adoption of Amendment #2. All in favor say 'aye', those opposed 'nay'. The Amendment is adopted. The Gentleman from Cook, Mr. Palmer, on a question."

Palmer: "I had a question on the . . . the certification. I think it has to do with this Amendment. The question is, whether or not the nurses that have graduated from some of the hospitals that do not have a B.A. degrees, can they be certificated?"

Brinkmeier: "I'm not absolutely sure I can answer that . . . ah . . . Representative Palmer. It's my understanding that we . . . to be certified and to administer these exams and I think this should probably be discussed maybe on Third Reading, but . . . ah . . . it's my understanding if they have a college degree, then they are certified. If not, they do not get certified."

Shea: "Are there any further Amendments? Third Reading. On the order of House Bills, Third Reading, appears House Bill 1968. Mr. Keller."



Keller: "Ah . . . Mr. Speaker, . . . ah . . . House Bill 1955 was not on the . . . I pulled it from the Agreed List and it's supposed to be on Call."

Shea: "Well, that's my fault because the List I'm working from does not have it on it, and I know you're absolutely right. Now, Mr. Katz, turn Mr. Katz on."

Katz: "Yeah, Mr. Speaker, I also pulled 1964 off, so when you finish with Mr. Keller, call that one, would you . . ."

Shea: "All right, on the order of House Bills, Third Reading, appears House Bill 1955."

Jack O'Brien: "House Bill 1955, a Bill for an Act to amend the Illinois Banking Act. Third Reading of the Bill."

Shea: "The Gentleman from Effingham, Mr. Keller."

Keller: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, . . . ah . . . this . . . ah . . . Bill . . . what it does is increase the distance where you can have a facility at a bank from the 1,500 feet to 3,000 feet. Ah . . . I move for the passage of House Bill . . . ah . . . 1955. I know of no other objection from it because . . . ah . . ."

Shea: "The question is, shall House Bill 1955 pass? Is there discussion? The Gentleman from Winnebago, Mr. Simms."

Simms: "Ah . . . Just one question, Mr. Speaker, . . . ah . . . of the Sponsor. Does this apply both to Federal and State banks or just to State banks?"

Shea: "It's applicable."

Keller: "It's applicable to both that are operating here in the State."

Simms: "O.K., thank you."

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

McGrew: "Thank you very much, Mr. Speaker, . . . ah . . . would the Gentleman yield?"

Shea: "He indicates he will."

McGrew: "What is the rationale or justification for this type of change?"

Keller: "Well, what . . . what has happened, and especially in our down-state areas, Sam, is . . . ah . . . some of our communities who . . . which do have . . . ah . . . enough banks or have two or three banks



in our small towns, they can go out to a shopping center and put a facility where they can . . . ah . . . help bring something closer to the customer where they can make deposits and withdrawals from."

McGrew: "Well, if that's the case, why did we have many other Bills killed in the Committee that would have allowed everything . . ."

Keller: "A lot of it . . ."

McGrew: ". . . from unlimited branching to partial branching to . . . ah . . . subsidiary branches and so on and so forth?"

Keller: "A lot of them were . . . ah . . . totally branching Bills which . . . ah . . . most of the banking associations in Illinois were against. This is a facility Bill which the facilities are allowed now. All it does is just increase the . . . the footage difference, and . . . ah . . . right . . . ah . . . at this particular point at 3,000 feet, I know of no banking association today that's against it."

McGrew: "Would this still include that it has to be closer to its home office than to another?"

Keller: "Ah . . . It has a 600 foot provision in it. It cannot lie within 600 feet of another bank."

McGrew: "O.K., thank you."

Shea: "On this question, Mr. Dunn, Ralph."

Tunn: "Thank . . . thank you, thank you, Mr. Speaker. I wondered if this was a branch banking Bill that takes an extraordinary majority. I'd like a ruling of the Chair, if you notice in the new Constitution it says that 'any legislation concerning branch banking will require an extraordinary majority'."

Shea: "As I understand the Bill, Mr. . . . Mr. Dunn, at the present time, this is what is called the facility Bill and a bank either national or state may locate a facility within 1,500 feet of its present location."

Dunn: "That's not . . ."

Shea: "This Bill is merely extending that to 3,000 feet, and it in no way from what I have read is a branch banking Bill, Sir."

Keller: "This is not a branch banking Bill, that's the reason that it got out of Committee."

Dunn: "Thank you, thank you, Mr. Chair . . ."

Shea: "The question is, shall House Bill 1955 pass? All those in favor will



MAY 23 1975

136.

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 121 'ayes', 5 'nays', 6 'present'. House Bill 1955 having received the constitutional majority is, hereby, declared passed. Grotberg 'aye'. This is one of the Bills that was on the Agreed List. It was knocked off. On the order of House Bills, Third Reading, is somebody flashing Mr. Washburn's light back there? On the order of House Bills, Third Reading, appears House Bill 1964."

Jack O'Brien: "House Bill 1964, a Bill for an Act to amend the Medical Practice Act. Third Reading of the Bill."

Katz: "House Bill 1964 directs the Examining Committee of the Department of Registration and Education to promulgate standards for continuing education for physicians in Illinois. I think that all of us recognize that tremendous developments have been going on in the medical field and in the drug field that make it very important from the point of view of the health and welfare of patients that the physicians be aware of what is going on in the field. This Bill is supported by the Illinois Medical Society and will for the first time result in some requirement that the physicians continue to pursue their education after they leave the medical school. Since it is supported by the physicians and since this House previously passed out a Bill requiring continuing education for optometrists, I would very strongly urge the support of this Bill."

Shea: "The question is, shall House Bill 1964 pass? All 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 137 'ayes', 1 'nay', 1 'present'. House Bill 1964 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 1968."

Jack O'Brien: "House Bill 1968, a Bill for an Act to amend the Insurance Code. Third Reading of the Bill."

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

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

Ah . . . House Bill 1968 is a Bill that . . . ah . . . we hope will adjust itself to the crisis that we have been talking about and reading about in the malpractice . . . ah . . . insurance area. This Bill does



MAY 23 1975

137.

two things; #1, it sets up a Commission . . . turn Katz off . . . turn Katz . . . turn Katz off."

Unknown: "Turn Katz off."

Berman. "Right, It set up a Commission made up of Legislators, physicians, attorneys, insurers and the general public to survey the entire questions and problems of the medical malpractice field and to report back . . . ah . . . to the General Assembly and to the Governor . . . ah . . . before January 1 of 1976, approximately seven months from now. But in addition this Bill, and I think it's the only vehicle that . . . ah . . . and Bill that does this . . . ah . . . is to assure physicians and hospitals and providers of medical services a vehicle whereby they will continue to have medical malpractice insurance available to . . . to them. House Bill 1968 sets up a Joint Underwriting Association which will be . . . ah . . . established under certain circumstances by the Director of the Department of Insurance in case that the medical . . . the present medical malpractice insurance companies . . . ah . . . refuse to write in Illinois and this Joint Underwriting Association would step in and write malpractice coverage for the medical providers in the State of Illinois."

Shea: "The question is, shall House Bill 1968 pass? All those in favor will vote 'aye', those opposed will vote 'nay' on the question. The Gentleman from Kane, Mr. Waddell."

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

Shea: "He indicates he will."

Waddell: "As I read the Digest it says, 'which will underwrite medical malpractice insurance', now by what rationale and who's going to back it up?"

Berman: "The . . . well, the . . . ah . . . the process on which this Joint Underwriting Association comes into play is upon a . . . is on page 6 . . ."

Shea: "Mr. Berman, Mr. Berman, please, would the Members please be in their seat and could we have some order in the Chambers?"

Berman: ". . . the Joint Underwriting Association, the J.U.A., is going to be put in through effect upon a finding by the Director of Insurance that malpractice insurance is not substantially available to



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

physicians or to hospitals or to other providers of health care . . . ah . . . services . . . ah . . . and that . . . upon that finding then this Joint Underwriting Association will come into play, it will be made up of a pool type of a . . . of . . . ah . . . operation in which the . . . the risk for the malpractice coverage is spread out over all casualty insurance carriers throughout the State of Illinois."

Waddell: "In other words, it's mandatory that if you do business in the insurance field in the State of Illinois regardless of the amount that they set on the top that these people will have to participate?"

Berman: "Yes, but the degree of their participation is in relation to their . . . ah . . . premiums."

Waddell: "To what premiums? They can't get the insurance, where are the premiums?"

Berman: "I don't think that we're talking about the same thing. If . . . the . . ."

Waddell: "Well, what premiums?"

Berman: "Let's back up a little."

Waddell: "O.K."

Berman: "If there is . . . if one of the major medical malpractice companies in Illinois that presently writes for doctors, for example, decides on August 1st that they are not going to write in Illinois anymore, the Director of the Department of Insurance under this Bill is empowered to create the Joint Underwriting Association. That Joint Underwriting Association will cre . . . will be the company . . . will be the carrier for doctor's malpractice insurance. The participants in the Joint Underwriting Association will be made up of and contribute to all of the casualty insurance writers in the State of Illinois."

Waddell: "Thank you."

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

Miller: "Thank you, Mr. Speaker, would the Sponsor yield to one question?"

Berman: "Yes."

Miller: "Ah . . . Representative Berman, if the Joint Underwriting Association is created by the Director of the Department of Insurance, what happens to the voluntary market in the Illinois for medical malpractice?"



Berman: "Well, first of all, the requirements before the Joint Underwriting Association can be set up, is that there is a finding that there . . . that there is not available . . . is not substantially available . . . ah . . . the malpractice coverage. In that event, the . . . ah . . . the voluntary coverage . . . ah . . . would be in competition with the J.U. . . . with the Joint Underwriting Association."

Miller: "Representative, as I understand the Bill, correct me if I'm wrong, once the Director of the Department of Insurance activates the J.U.A. no longer can a doctor or a hospital buy voluntary . . . or buy medical malpractice insurance in the voluntary market. They must go to the J.U.A."

Berman: "All right, you're right. It . . . it does become the exclusive agent. I'm sorry."

Miller: "All right, on that basis, . . . ah . . . could you explain briefly the rationale for that approach?"

Berman: "Well, I don't think I can explain it as eloquently as the Director of Insurance did in front of the Committee, but the rationale was that in order to set this Underwriting Association up and to make sure that the risk is spread out over the entire industry and that there is a . . . an available market that when there is a substantial absence of . . . ah . . . available insurance that the Department would have to step in with this Joint Underwriting Association to guarantee that we don't have ourselves a medical crisis in Illinois."

Miller: "Now, the J.U.A. is a temporary arrangement as I recall it has a cut-off date about a year and a half from now or something like that."

Berman: "Two . . . two years."

Miller: "Two years."

Berman: "It cannot extend more than that."

Miller: "If we abolish the voluntary market, Art', totally during that two-year period . . . ah . . . I think I'm addressing myself to the Bill now, Mr. Speaker, rather than in the form of a question."

Shea: "Proceed, Sir."

Miller: "Ah . . . I . . . it's difficult to understand the rationale of literally wiping out a voluntary market with the intent that it will be recreated again . . . ah . . . two years from now."





Berman: "This is part, Representative Miller, of what the Commission . . ."

Shea: "Mr. Berman, he's not asking questions anymore, he's addressing himself to the Bill."

Berman: "Oh, I thought he . . . Oh, I'm sorry, O.K."

Shea: "On the question, the Gentleman from Cook, Mr. Terzich."

Terzich: "Ah . . . Art', does this Commission . . . will they establish the premium rates to be charged for this insurance, or will the individual companies use their own underwriting . . . ah . . . premiums?"

Berman: "Joint Underwriting Association wi . . . ah . . . sets forth in the Bill that they are to set forth actuarially solemn premiums, the Joint Underwriting Association . . . ah . . . will. Now, I might point out that both State Farm and All State who don't presently write malpractice but would be under the purview of this Joint Underwriting Association is in support of this Bill I might add."

Terzich: "Well, what happens if a . . . company that does underwrite this type of insurance incurs substantial losses. Do you mean to say that under this Bill that they could not adjust their rates accordingly to, you know, offset their loss, they would still have to use the same premium rates?"

Berman: "No, no, let . . . let me back up. Ah . . . If the . . . when the Joint Underwriting Association steps in all other malpractice companies go out."

Terzich: "All right, thank you."

Shea: "The Gentleman from Whiteside, Mr. Schuneman."

Schuneman: "Will the Sponsor yield?"

Shea: "He indicates he will, Sir."

Schuneman: "Representative Berman, if this Bill is passed, does it necessarily mean that the Joint Underwriting Association . . . ah . . . will be established?"

Berman: "No, Sir."

Schuneman: "And at what point would that association be established?"

Berman: "Under the wording of the Bill, again, it states 'the . . . ah . . . Joint Underwriting Asso . . . 'the Association shall not commence underwriting operations for physicians until the Director after due hearing and investigation has determined that medical malpractice insurance



MAY 23 1975  
MAY 23 1975

141.

cannot be made substantially available for physicians in the voluntary market'."

Schuneman: "All right, thank you. Ah . . . A couple more questions, how many insurance companies are presently writing malpractice insurance in Illinois?"

Berman: "I think the number was eight or nine."

Schuneman: "So it's a very, very small part of the insurance industry that is presently writing the coverage?"

Berman: "That is correct."

Schuneman: "Ah . . . Do I understand your Bill correctly in that if the Joint Underwriting Association is established, that the losses, if any, would be participated in by all the insurance companies writing business in the State of Illinois, that is all fire and casualty companies?"

Berman: "Yes."

Schuneman: "Ah . . . One other question, will your Bill self destruct, will the Joint Underwriting Association self destruct at some time in the future?"

Berman: "Yes, it has a life of two years."

Schuneman: "All right, Mr. Bill . . . Mr. Speaker, if I may, I would like to address myself to the Bill."

Shea: "Proceed, Sir."

Schuneman: "I think that we have some provisions in this Bill which are ordinarily repugnant to the insurance industry in that there only a very few insurance companies in the state who are presently engaged in the writing of malpractice insurance. But the industry apparently realizes that society does have a problem in this instance and . . . ah . . . I serve on the Insurance Committee where there was no opposition from the industry to the establishment of this plan. Frankly, I think we have little choice at this time . . . ah . . . other than to pass out this Bill which will very possibly add to the expenses of all insurance companies doing business in the state . . . ah . . . but which do not participate in the writing of this particular coverage, I would urge a 'yes' vote on this Bill."

Shea: "Is there further debate? The Gentleman from Effingham, Mr. Keller."



GENERAL ASSEMBLY  
STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

Keller: "Thank you, Mr. Speaker, . . . ah . . . Art', may I ask you a question? Ah . . . I have a rural hospital in southern Illinois. They called me this afternoon and their insurance . . . ah . . . had been . . . it's a 47-bed hospital . . . had been around \$12,000 per year; and . . . ah . . . today they received their new . . . ah . . . bid, and it was \$96,000. Now, is . . . will this Bill in some way do something to correct those inequities or help them or try to . . . what comes out of this."

Berman: "This Bill, hopefully, . . . ah . . . will be able to come back in January and . . . and make recommendations for legislative action that will address itself to this hospital's problem. Ah . . . The Bill itself now doesn't do anything today upon its enactment for example that would really help them. It doesn't make any substantive changes in the way malpractice claims are processed or hospital claims are processed or the . . . ah . . . underwriting provisions. It does set up the underwriting associations so they could get insurance and it sets up a Commission to report back with hopefully some solutions, but the Bill really won't help your hospital between now and the time they have to pay their premium."

Keller: "Yeah, I understand that part. I think it's a good Bill and I hope that we can have a favorable vote on it."

Shea: "Are there any further discussion? The Gentleman from Cook, Mr. Schlickman."

Schlickman: "Mr. Speaker, would the Sponsor yield for one question?"

Shea: "Yes."

Schlickman: "How will this Commission be funded?"

Berman: "Be funded, was that your request? I believe it will be funded through the . . . ah . . . the Department of Insurance."

Schlickman: "Is there a provision in the . . . may I continue, Mr. Speaker?"

Shea: "Proceed, Sir."

Schlickman: "Is there a provision in the Bill with respect to funding?"

Berman: ". . . advised by the Assistant Director that the . . . ah . . . that the cost of the Commission will . . . ah . . . be funded also by the industry."



Schlickman: "Mr. Speaker, may I address myself to the Bill."

Shea: "Proceed, Sir."

Schlickman: "Mr. Speaker and Members of the House, H.B. 1968 comes as a very pleasant surprise. I've sat on the Judiciary I Committee exposed to a number of Bills directed to the crisis, if you will, of medical malpractice, and I've been very concerned and disturbed by the approaches that were presented to us. What I find attractive and appealing in this Bill is that it concerns itself, not only with the results of mal . . . of the malpractice crisis, but also concerns itself with the cause. We have a Commission here that will sit down, will have all of the interested parties, not just the doctors and lawyers, but the doctors, the lawyers, and Representatives of the insurance industry and most importantly members of the general public. They'll sit down, they'll analyze the matter, they'll come up with recommendations to us; and then we have in the creation of this temporary Joint Underwriting Association a device for taking care of them on a temporary basis of the results; and what I find most appealing and attractive to this measure that it in no way tampers with the common law constitutional rights of the citizens of this state, the patients of the doctors; and I enthusiastically solicit on behalf of the Sponsor in this Bill your 'aye' votes."

Shea: "Have all voted . . . er . . . have all . . . the Gentleman moves for the adoption of House Bill 1968. 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 142 'ayes', 1 'nay', 6 voting 'present'. House Bill 1968 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 1974."

Jack O'Brien: "House Bill 1974, Washington, a Bill for an Act to amend the Illinois Industrial Development Authority Act. Third Reading of the Bill."

Shea: "Excuse me for a minute, the Gentleman from Moultrie, Mr. Stone."

Stone: "Mr. Speaker, I have got my calculator out again and it's working very fine, including this Bill there are only 100 Bills left to



be heard on this Calendar. Ah . . . The last Bill received 142 votes. I believe that we could have gotten along a little better maybe if we hadn't asked quite so many questions had we gotten up and . . . and spoken on the Bill and . . . ah . . . got it over with. Now, there . . . the fact that we only have 100 Bills means that we can be out of here this evening if we will use just a little restrain . . . ah . . . we're doing very fine. I . . . I feel good about it. But I think we could definitely speed things up a little. It would not change the outcome on any one Bill, and I certainly recommend it to the Membership."

Shea: "The Gentleman from Cook, Mr. Washington, on 1974."

Washington: "Mr. Speaker and Members of the House, . . . ah . . . hope springs eternal as you know so I ask leave to return House Bill 1974 to the order of Second Reading for the purpose of an Amendment."

Shea: "Is there objection? Leave is granted. Second Reading. Read the Amendment."

Jack O'Brien: "Amendment . . . ah . . . #1 amends House Bill 1974 and so forth."

Shea: "The Gentleman moves for the adoption of Amendment #1. Is there objection? All in favor say 'aye', those oppose 'nay', the 'ayes' have it. The Amendment's adopted. Is there further Amendments?"

Jack O'Brien: "No further Amendments."

Shea: "Third Reading. On the order of House Bills, Third Reading, appears House Bill 1976."

Jack O'Brien: "House Bill 1976, Washington, a Bill for an Act in relation to the Employment Development Corporations. Third Reading of the Bill."

Washington: "I also ask leave to return this to Second for an Amendment."

Shea: "The Gentleman has leave, hearing no objections, Second Reading. Is there an Amendment? Read the Amendment."

Jack O'Brien: "Amendment #1 amends House Bill 1976 on page 1 by deleting lines 9 . . . and so forth."

Shea: "The Gentleman moves for the adoption of Amendment #1. All in favor say 'aye', those opposed . . . the 'ayes' have it. The Amendment's adopted. Third Reading. The Gentleman from Cook, Mr. Berman, for the



purposes of a request being the Chairman of the Democratic Caucus.

Mr. Berman."

Berman: "Thank you, Mr. Speaker, . . . ah . . . there has been distributed on the floor a list on . . . ah . . . letter size white paper with a listing of about 43 or so Bills. Ah . . . These Bills . . . ah . . . represent the requests by the individual Sponsors of these Bills to remove them from the current Calendar and to . . . ah . . . commit them to the Interim Study Calendar. Ah . . . There have been a couple of additions and a couple of deletions. Ah . . . So with the leave of the House, I will read the numbers of the Bills. If you want to follow them on your . . . ah . . . Usury Report to #97, that's the 65-page . . . ah . . . printout of the synopsis of Bills, you can mark your Calendars accordingly to . . . so that you'll have . . . ah . . . so that you'll know what Bills are coming . . . ah . . . and I'll go down the list, at the conclusion of the list, I'll make a motion that all of the Bills that I will read will be placed on Interim Study Calendar. Ah . . ."

Shea: "Now, wait a minute, you seem to have all kinds of questions here. Mr. Maragos."

Maragos: "Ah . . . Parliamentary inquiry, Mr. Speaker. I'd like to know if this list that is being recited by Mr. Berman is the list that is since last night because many of us had requested the Chair last night to take our Bills off before we went into the Agreed Bill list. Is this subsequent to the Agreed Bill list that this is taken off?"

Shea: "This isn't being taken off any Agreed Bill list. This is the list of Bills requested by the Sponsor that these Bills taken off the order of Third Reading and be placed on Interim Study."

Maragos: "Mr. Speaker, you misunderstood me. I . . . Mr. Choate . . . and nine others had asked before to take our Bills and put it in Interim Study. Now, is this . . ."

Shea: "This is a list as of today."

Maragos: "Thank you."

Berman: "Well, let me further comment. If you're not sure where your Bill is, look on your Usury Report #97. If your Bill is not in there, then it's not on Third Reading. Now, I think that that's a fair statement. There might be one or two exception, but I



think generally speaking that's it. Now, what we're doing is deleting from this Usury Report #97, taking off from Third Reading the following list of Bills that will be committed on my motion to the Interim Study Calendar."

Shea: "The reason for Mr. Berman's motion is we thought we could do it easier if each of the Sponsors went to him and he did it for all instead of recognizing 15 or 16 people. Mr. Williams."

Williams: "Mr. Speaker, I'd like some counsel from the Chair here. At the time that I agreed to put this to Interim Study, which I have no objection to, but it was with the idea that it would not be referred to the . . . ah . . . Committee . . ."

Shea: "Whatever Committee you gave Mr. Berman is the Committee we're going to make the motion."

Williams: "Well, as this motion stands, it says the Committee which previously heard them on the basis of the fact we discharged that Committee yesterday on the floor of the House . . ."

Shea: "I . . . I understand, it's going to be . . . I'll take care of that."

Williams: "All right, thank you, Sir."

Shea: "Mr. Meyer."

Meyer: "Mr. Speaker, would you . . . what's the distinction between the Interim Study Calendar and the procedure that some people have . . . have gone as to refer their Bills to Committee?"

Shea: "Well, the difference between the two of them would be, as I understand it, Interim Study, the Bill was in the Committee and it's in a position to have hearings because it's not bound by the 45-day rule, and it can come out as a Committee Bill."

Meyer: "Thank you."

Shea: "Mr. Deuster."

Deuster: "Mr. . . . Mr. Speaker, there were a few Bills on the order of . . . I'm thinking of one, House Bill 14 on the order of Consideration Postponed, were they to be . . . ah . . . taken up some time or . . ."

Shea: "If we get through this Calendar tonight, Sir, then I'll go to Consideration Postponed."

Deuster: "Thank you, Sir."



MAY 23 1975

147.

Shea: "I think we have an obligation and the Speaker has promised that every Member will get his Bill heard. Now, Mr. Berman, will go give us the numbers . . ."

Deuster: "I agree. Thank you."

Shea: ". . . of the Bills, please. Mr. Berman, just read the Bill numbers."

Berman: "All right. Ah . . . 95, 954, 1013, 1218, 1235, 1243, 1325, 1356  
1694, 1895, 1928, 1982, 2102, 2212, 2214, 2250, that's 2250, 2254,  
2248, 2251, 2265, 2276, 2348, 2399, 2418, 2451, 2488, 2539, 2540,  
2589, 2637, 2766, 2767, 2835, 2851, 2866, 2941, 2956, 2961, 2962,  
1798, 1221 and 1989."

Shea: "All right, the Gentleman asks leave on behalf of the appropriate Sponsors to take the Bills from the order of Third Reading or Postponed Consideration and return to the appropriate Committee and put it in Interim Study; and hearing no objection, that will be the order. On the order of House Bills, Third Reading, appears House Bill 1987. The Gentleman from Marion, Mr. Friedrich."

Jack O'Brien: "House Bill 1987, a Bill for an Act to amend the Illinois Governmental Ethics Act. Third Reading of the Bill."

Shea: "Mr. Friedrich."

Friedrich: "Mr. Speaker and Members of the House, this Bill is very simple to understand. You all know about the filing of the statement of Economic Interests. It has covered the waterfront, and this Bill merely attempts to accept those whose compensation for service in office exclusive of reimbursement for expenses of less than \$1,000. Now, this will eliminate the necessity of filing for School Board members, Township Auditors and all these people who are non-salaried who we are fortunate to have engaged in the public and do their work for free in most cases. It's going to eliminate reams of paper, it's going to eliminate thousands of dollars worth of work in the County Clerk's office, and I think that this . . . I can't believe in any way this will endanger . . . ah . . . or encourage malfeasance in any way. We have lots of laws now against bribery or conflict of interest in which these people can be punished if they do. But nine times out of ten they fill out a form and say none, none, none and file it with the County Clerk, and frankly I don't feel a bit safer;



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES



MAY 23 1975

and I think this is an effort on my part and can be on your part to eliminate some government red tape; and I urge your favorable vote."

Shea: "The question is, shall House Bill 1987 pass? On the question, the Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, may I speak to the Bill?"

Shea: "Proceed. Proceed, Sir."

Dunn: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, I respectfully arise to oppose this Bill. I believe that Local Government affects most of us . . . ah . . . despite what we think here in Springfield as much, maybe more than . . . ah . . . we do, and those who serve on Local Government Boards . . . ah . . . whether there is compensation or not quite often are exposed to positions of conflict of interests and I think the Governmental Ethics Act should apply to those people regardless of the salary they receive. Thank you."

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

Skinner: "Mr. Speaker, I join Mr. Dunn in his opposition to this Bill.

It's not that I don't sympathize and empathize with those people who have to file forms and say none, none, none, that's what I do every year, it's just that I'm afraid that some local governmental officials that are not paid a salary may work so hard that they are the very ones that feel that are owed something. For that reason I am going to vote 'no'."

Shea: "The Gentleman from Cook, Mr. Lundy, on the question."

Lundy: "No, Mr. Speaker, I'd like to address myself to the Bill."

Shea: "Proceed, Sir."

Lundy: "Thank you. Ah . . . I would also oppose this Bill. I think it's based on two erroneous assumptions. Number 1 is the assumption that . . . ah . . . a conflict of interest doesn't exist if a public official occupies a position of trust that carries a small compensation with it. That's simply not the case. Members of School Boards, Park Boards and other public bodies . . . ah . . . may have enormous . . . ah . . . responsibilities in terms of the letting of public contracts, the way in which the monies for . . . ah . . . for their unit of government are spent, and they may have very substantial conflicts of



MAY 23 1975

149.

interests. They may be in the contracting business, they may be selling land or buying land . . . ah . . . in which they have a personal interest. The fact that they do not receive any compensation for their services has nothing to do with the potential conflict of interest they may have. Secondly, the other erroneous assumption in which this Bill is based is that . . . ah . . . the bribery laws are adequate protection. Well, they simply aren't. Ah . . . Bribery is a very difficult offense to prove. Not only do you have to prove that money was taken, you also have to prove that something was done in return for that money, and it's a very difficult offense to prove, and that is why you see many public officials being prosecuted not for bribery but for income tax evasion. Ah . . . It's easier to prove that something has not been reported than it is that . . . that money was accepted and a favor done in return. Ah . . . For those reasons I would urge a 'no' vote on this Bill."

Shea: "The Gentleman from Winnebago, Mr. Simms."

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this Bill. In my own particular School District, the School Board probably has a budget in excess of \$60,000,000 a year. Their responsibilities and dealing with the public trust are greater than many . . . units of County Government or Local Government; and these people . . . ah . . . we have been fortunate in our community by having high-class individuals that have sought this position and . . . ah . . . have been elected to it. But I feel that any individual that has this type of responsibility should fall under the Governmental Ethics Act. Now there are certain cases perhaps where individuals appointed to units of governments perhaps some Library Boards, et cetera . . . ah . . . might not have to file. But we're dealing with School Boards, and they, in essence, are setting budgets, they're . . . they are making a levy for taxation purposes, and I feel to exempt these people would be a terrific evasion of the intent of the General Assembly. If we have to file Ethics forms, then I think every other unit of government should follow the same prerogatives and the same requirements as we in the General Assembly as well as any other elected state official; and I think to pass this Bill would be to



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

150

change the intent of the . . . of the original Act; and I feel that this Bill should be defeated."

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

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

Shea: "The question is, shall the main question be put? All those in favor will say 'aye', those opposed 'nay'. The Gentleman from Marion, Mr. Friedrich, to close."

Friedrich: "Mr. Speaker and Members of the House, if I thought one . . . ah . . . crime would be prevented . . . ah . . . or would be caused by the passage of this Bill, I would not be a party to it. We have some unbelievable capable people who are willing to serve on these various boards . . . ah . . . we are unable to enlist talent . . . ah . . . for . . . without compensation. I . . . I can name you numerous instances where people said the heck with it if I had to hang out all my linen and take the chance on being arrested for perjury and convicted of perjury, I don't want any part of it and it isn't worth out of it . . . we're driving people away from the business of self government through this . . . ah . . . law and again it is not needed, and I can tell you again it's a good way to save a lot of government red tape and paper work; and I urge your vote. I think I'm talking to about a half an empty House and the timing is real bad, but I still urge your vote."

Shea: "The question is, shall House Bill 1987 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. On this question there are 35 'ayes', 79 'nays', 3 voting 'present'. House Bill 1987 having failed to receive a constitutional majority is, hereby, declared lost. Mr. Hart."

Hart: "Ah . . . Mr. Speaker, I've just kind of got the idea here that it . . . ah . . . the intention of the Chair for us to work through the dinner break. I object to it and . . ."

Shea: "Well, Mr. Hart, if you'd give me a minute, I was gonna' make an announcement after this, but go ahead you finish your statement."

Hart: "All right, well, . . . ah . . . I don't know what's happening here, but . . . and I've got a very important Bill which is coming up here,



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

and I wanted to do it in that light, but if it is the intention of the Chair for us to run back and forth to the Speaker's office and eat while we work through the dinner break, I want to object to it."

Shea: "Well, it wasn't the intention of the Chair, Mr. Hart."

Hart: "Wonderful."

Shea: "The House will be at ease for 45 minutes."

Hart: "Thank you very much."

Shea: ". . . been invited to the Minority Leader's office, Mr. Walsh is letting me use Sarunas as my taster. Clerk, while the House is at ease if you have some paper work please proceed."

Jack O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following Joint Resolution to wit'. House Joint Resolution #53 concurred in by the Senate May 23rd, 1975, Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed a Bill of the following title in the passage of which I'm instructed to ask concurrence of the House of Representatives to wit'. Senate Bill 1487 passed by the Senate May 23, 1975, Kenneth Wright, Secretary. Senate Bills, First Reading. Senate Bill 739, no, it doesn't seem like it, a Bill for an Act authorizing delegation of health task to physician assistants under supervision of a licensed physician. First Reading of the Bill. Senate Bill 1082, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1087, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1250, 1250, a Bill for an Act to redistrict the State of Illinois into Congressional Districts and repeal certain Acts named therein. First Reading of the Bill. 1325, a Bill for an Act to amend the Illinois Industrial Pollution Control Financing Act. First Reading of the Bill. 1493, a Bill for an Act to amend an Act to . . . a Bill for an Act to amend the School Code. Thir . . . First Reading of the Bill. Bill 1288, a Bill for an Act to amend the Election Code. First Reading of the Bill. g . . . ah . . . that . . . ah . . . the policy forms or additions to the policies could be sold; and



MAY 23 1975

153.

Giglio: "The House will come to order."

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

Giglio: "Mr. Beatty, do you seek recognition?"

Beatty: "Mr. Speaker, I move that we adjourn until Tuesday at noon."

Giglio: "That motion is out of order."

Shea: "It's about time one of your Bills got called, Mr. Beatty."

Beatty: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2269 is a Bill dealing with the Court of Claims. What the Bill does is provide that two additional judges be appointed to the court, one for a four-year term and one for a six-year term . . ."

Shea: "Jack, can we wait just a few minutes . . . Mr. Beaupre."

Beaupre: "Mr. Speaker, I would presume that most of the Members are within at least electronic earshot, so I rise for the purpose of an announcement. The No-fault Insurance Subcommittee, the House Insurance Committee, will meet Tuesday at 4:30 in Conference Room E1."

Shea: "Do you want to go through that one more time, Mr. Beaupre?"

Beaupre: "The No-fault Insurance Subcommittee of the House Insurance Committee will meet in Room E1 for . . . at 4:30 Tuesday afternoon."

Shea: "Thank you. The Majority Spokesman and Chairman of the House Educational and Secondary Committee, the Honorable Mr. Schneider, from Downers Grove."

Schneider: "Formerly of . . ."

Shea: "Berwyn."

Schneider: "That's it, the old Berwyn flash. The . . . ah . . . Calendar shows that the Elementary and Secondary Education Committee is scheduled for Monday, that is an error, it is Tuesday unless I have not been informed correctly. But it . . . regular meeting of our Committee is Tuesday, 2 o'clock and that is how it should be posted."

Shea: "The Gentleman from Cook, Mr. Maragos, for an announcement."

Maragos: "Mr. Speaker, the same announcement applies to the Revenue Committee. The . . . there's an error in the Calendar because it does not have a Tuesday date. This . . . the meeting of the Revenue Committee will be at 2 p.m. on May 27, Tuesday, at the Room 118. So please mark that, the Calendar is in error."

Shea: "The order of business is Clerk's errors in the Calendar. The



MAY 23 1975

154.

Gentleman from Cook and the great Democratic Leader in the 16th Ward,  
Jim Taylor."

Taylor: "Mr. . . . Mr. Speaker, on the Calendar on Monday's date appears  
a Cities and Villages Committee meeting at 2 p.m. That's another error  
it will be 2 p.m. on Tuesday, May 27, at 2 p. . . . at 2 p.m. in  
Room 118, I mean, Room B1."

Shea: "Thank you, Mr. Taylor. Errors and omissions. Proceed. Do you  
got any more errors and omissions? Katz, do you seek recognition?"

Katz: "Yes, Mr. Speaker, . . . ah . . . only to also mention that Judiciary  
II will be meeting on Tuesday instead of Monday as it appears . . .  
ah . . . on the Calendar, I just wanted everybody to be alerted."

Shea: "Maragos again."

Maragos: "While we're waiting, Mr. Speaker, just a point of inquiry. Is  
it possible to have a Supplemental Calendar mimeographed and given  
to all the Members so there'll be no question as to . . . ah . . .  
Committee Calendars?"

Shea: "Legal no . . . notices are out on the Board, Mr. Maragos."

Maragos: "O.K., thank you."

Shea: "The order . . . the order is House Bills, Third Reading, Consent  
Calendar, Consent Calendar, Third Reading, Third Day."

Jack O'Brien: "Consent Calendar, Third Reading, Third Day. Senate Bill  
58, a Bill for an Act to amend the Law Enforcement Officers and  
Fireman's Compensation Act. Third Reading of the Bill. Senate Bill  
96, a Bill for an Act to amend the Election Code. Third Reading of  
the Bill. Senate Bill 119, a Bill for an Act to amend the Illinois  
Municipal Code. Third Reading of the Bill. Senate Bill 144, a Bill  
for an Act to amend the Election Code. Third Reading of the Bill.  
Senate Bill 145, a Bill for an Act to amend the Election Code. Third  
Reading of the Bill. Senate Bill 146, a Bill for an Act to amend  
the Election Code. Third Reading of the Bill. Senate Bill 167, a  
Bill for an Act to amend the School Code. Third Reading of the Bill.  
Senate Bill 281, a Bill for an Act to amend an Act in relation to  
Agriculture Cooperative Association Societies. Third Reading of the  
Bill. Senate Bill 323, a Bill for an Act to amend the Civil Admini-  
strative Code. Third Reading of the Bill. Senate Bill 359, a Bill



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

155.

for an Act to amend the Timber Buyer's Licensing Act. Third Reading of the Bill. Senate Bill 361, a Bill for an Act to amend an Act concerning public utilities. Third Reading of the Bill. Senate Bill 363, a Bill for an Act to repeal Sections of an Act concerning public utilities. Third Reading of the Bill. Senate Bill 365, a Bill for an Act concerning public utilities. Third Reading of the Bill. Senate Bill 377, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 401, a Bill for an Act to amend the Highway Code. Third Reading of the Bill. Senate Bill 467, a Bill for an Act to amend the Illinois Horseracing Act. Third Reading of the Bill. Senate Bill 553, a Bill for an Act to amend the Pension Code. Third Reading of the Bill. Senate Bill 537, a Bill for an Act to amend the Pension Code. Third Reading of the Bill. Senate Bill 538, a Bill for an Act to amend the Pension Code. Third Reading of the Bill. Senate Bill 631, a Bill for an Act to restore access rights to Madison County. Third Reading of the Bill."

Shea: "Miss Geo-Karis."

Geo-Karis: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, in as much as we've had so much other reading material to digest, I wonder if you could hold the vote on the Consent Call until about toward the end of this . . . ah . . . day's Session? Well, . . . ah . . . Mr. Speaker, I'm only asking for it because I sincerely tell you that we haven't had a chance to look at them. At least we can read it while the rest of the business is going on. I would appreciate it very much or just at least a little later."

Shea: "Geo', we'll try to be nice to you. It's been on there for five days."

Geo-Karis: "Well, we haven't had much time to do much extra reading."

Shea: "Well, we'll hold it for a little bit . . . all red . . . we'll give Miss Geo-Karis just a little . . . little time. On the order of House Bills, Third Reading, appears House Bill 1993, Mr. Rigney."

Jack O'Brien: "House Bill 1993, a Bill for an Act to authorize the formation of property owners collective bargaining units. Third Reading of the Bill."

Rigney: "Mr. Speaker, House Bill 1993, the purpose of it is to give land-



MAY 23 1979

owners a chance to collectively bargain . . . ah . . . as a group when their land is to be taken by the state or another unit of government. It provides the necessary framework and spells out the steps in this procedure. In addition to that there were two Amendments that were placed on this Bill, one by Representative Hanahan . . . ah . . . amended to include a proper notice procedure, and also an excellent Amendment by Representative Brummet . . . ah . . . what it did was to also to include utilities in this procedure."

Shea: "The Gentleman moves for the adoption of House Bill 1993. On the question, the Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I just rise to oppose this Bill because I believe that the property owners can do all the things the Bill . . . ah . . . permits them to do on a voluntary basis. They don't need this legislation to do this. If they want to bind together to . . . ah . . . deal with the state when they come through to take property, I think they can do that on their own; and we don't need this type of legislation."

Shea: "The Gentleman from Madison . . . or from Chi . . . from Cook, Mr. Madison."

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

Shea: "He indicates he will."

Madison: "Representative Rigney, does this . . . ah . . . legislation have the right to strike . . . ah . . . provisions?"

Rigney: "That isn't necessary in this one, Mr. Madison."

Madison: "Thank you."

Shea: "The Gentleman from Will, Mr. Sangmeister."

Sangmeister: "Will the Sponsor yield?"

Shea: "He indicates he will."

Sangmeister: "Mr. Rigney, under that Amendment #2, does that mean now that if Commonwealth Edison or any other public utility is coming to a farm area that they're going to have to notify the farmer beforehand, before they lay out their right of way and have a hearing?"

Rigney: "Yes, that is exactly the intent of the Amendment . . . ah . . ."

Sangmeister: "I'd like to speak to the Bill then, if I may?"





MAY 23 1975

157.

Shea: "Proceed, Sir."

Sangmeister: "Ah . . . This is a Bill that I had thought of a long time ago; and I want to compliment the Sponsor for . . . for going forward on this and whoever put that Amendment #2 on; and I think that's one of the . . . be one of the finer Bills to come out of this House, and I heartily endorse it and would like to see this Bill pass and would ask for an 'aye' vote."

Shea: "The Gentleman from Macon, Mr. Borchers."

Borchers: "Ah. . . Mr. Speaker and fellow Members of the House, this is the first opportunity, and I'm only saying this in fun, to take the opposing view from my friend, John Dunn, from Macon County. But I can tell you two experiences. I'm hardly in favor of this Bill, I'm thinking of buying the land at Shelbyville, all right, now, we . . . ah . . . we are rather sparse in land, by holding off in the sale of land and being the later . . . the last ones to sell, we were able to get some \$200 perhaps an acre more than the . . . than the farmers and the people who didn't know how to hold on, what to do, got at the beginning of the purchasing by the Federal Government of the Shelbyville land. Those people really had the right the same as ourselves to get a fair price for their land. Well, they didn't in relation to what we got. Another thing in relation to gas lines coming through areas, the same story in . . . involved; and this is a very valuable Bill and should be voted passed."

Shea: "Is there further discussion? The Gentleman from Cook, Mr. Porter."

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

Shea: "He indicates he will."

Porter: "Ah . . . Harlan, does this have any effect whatsoever on the state's power of eminent domain?"

Rigney: "Mr. Porter, it does not in any way effect the eminent domain powers. Ah . . . They would bargain if all else fails and of course you will have to go on into court in an eminent domain procedure, but at least the landowners will have the chance to be organized and to deal as a unit in that proceeding and I think it's very important that they do have that kind of power because we know many times there are some landowners only have two or three in that project and . . . ah



MAR 23 1973

. . . they simply are not able to afford . . . ah . . . to hire an attorney and go through all that hassle, so the result is they usually just take the states . . . ah . . . offer and they really are not equipped to fight this thing."

Porter: "One more question. Can the state still acquire these properties one by one, rather than as a group?"

Rigney: "Ah . . . They can if the landowners do not wish to join into a bargaining association . . . ah . . . and I would assume that probably in most . . . many acquisitions and a plan of acquisition some will opt for the . . . for the unit approach, others will just simply prefer to bargain as individuals."

Porter: "Then the answer to my question was 'yes, it does effect the government's power of eminent domain since they must acquire the entire group rather than one by one."

Rigney: "No, first of all they will deal with those individuals that are not a part of the bargaining association. After they have completed their negotiation with these individuals then the final wrap-up is they will bargain with the unit."

Porter: "And . . . and they have to acquire the whole unit or at least have to file suit against the whole unit rather than one by one?"

Rigney: "Ah . . . As far as the unit is concerned that is correct."

Porter: "Well, it does effect the eminent domain power."

Rigney: "Well, they can proceed against the unit the same way as they would proceed against the individual."

Porter: "Thank you."

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

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

Shea: "He indicates he will."

Beatty: "Mr. Rigney, would this in any way effect the State of Illinois' right to immediately go into a quick take of the property?"

Rigney: "No, we're not addressing the problems of quick take under this Bill."

Beatty: "Then the state would . . . ah . . . in no way be effected by its right as to obtaining ownership of property where they say wanted to put a highway through or something?"



MAY 29 1975

159.

Rigney: "We're not addressing that problem."

Beatty: "Thank you."

Shea: "Is there any further discussion? The Gentleman from Stephenson, Mr. Rigney, to close."

Rigney: "Well, Mr. Speaker, I really believe we've said about all that's necessary on the Bill. We know that the times . . . that individuals have had some problems when they're attempting to deal with the state. This just gives them a chance to get together and deal together in a collective situation. I think if it's good for our working people, I think it's also good for our landowners. I ask for an 'aye' vote."

Shea: "The question is, shall House Bill 1993 pass? All those in favor vote 'aye', those oppose 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 111 'ayes', 7 'nays', 6 'present'. House Bill 1993 having received the constitutional majority is, hereby, declared passed. Mr. Marovitz."

Marovitz: "Mr. Speaker, I'd like leave of the House to table House Bill 2245."

Shea: "Hearing no objections, leave is granted to table House Bill 2245 and 224 . . ."

Marovitz: "No, no, no, no . . . excuse me, . . ."

Shea: "I thought you had two Bills on that request."

Marovitz: "I do, but I'm tabling 2245."

Shea: "Oh, I . . ."

Marovitz: "We'll hear the non-controversial one."

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

Maragos: "Mr. Speaker, there are a series of Bills that were instituted as a Committee on Revenue Bills but which have not been recommitted back to Committee and technically there are no longer Committee Revenue Bills on the floor of the House until the new ones come out. At this time I move on behalf of the Committee on Revenue to table House Bills 3008, 3009, 3010, 3011 and 3012."

Shea: "Is there . . . is there objection? Hav . . . hearing none, leave is granted. Those Bills will be tabled. On the order of House Bills,



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1975

160.

Third Reading, appears House Bill 2000. Is Mr. Hart here?"

Fredric Selcke: "House Bill 2000, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Shea: "We'll come back. House Bill 2018, Mr. Washburn, the Minority Leader."

Fredric Selcke: "House Bill 2018, a Bill for an Act to amend an Act in regard to Attorney Generals and State's Attorneys. Third Reading of the Bill."

Shea: "The Minority Leader, the Gentleman from Grundy."

Washburn: "Thank you, . . . ah . . . Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 2018 permits the Attorney General to go to County Grand Juries to prosecute offenses arising out of sale for purchase of goods or services by the state for the formation of the administration of public pension funds. This does not open the door for such action by the Attorney General as he already has exclusive jurisdiction of the Franchise Disclosure Act and the Anti-Trust Act. It provides only two additional areas in which he may participate or prosecute at his discretion. This Bill in no way is suggestive of irresponsibility on the part of States Attorneys, but there are two barriers to prosecution of complex financial crimes by State's Attorneys. Most counties lack . . . lack funds to finance expensive investigations and most cannot possibly acquire the specialized knowledge necessary to successfully prosecute financial crimes of this nature. The present Attorney General has already demonstrated his interest in and commitment to the prosecution of financial crimes and proven his confidence in this field. The Attorney General's office advises me that no additional funds will be needed if this additional authority is granted; and let me close by saying that the State's Attorneys Association is in favor of House Bill 2018; and I ask for your affirmative vote."

Shea: "The question is, shall House Bill 2018 pass. On the question, the Gentleman from Cook, Mr. Houlihan, D."

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

Shea: "He indicates he'll yield."

Houlihan: "Isn't it a fact, Mr. Washburn, that the Attorney General



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1975

presently has this authority if he has so requested to do so by the State's Attorney of the county in which . . . ah . . . the offense is being prosecuted?"

Washburn: "Yes, he does . . . ah . . . Representative Houlihan."

Houlihan: "So in this instance then we are going to give him what he already has at the request of the State's Attorney so that the net effect of this Bill then is to simply increase the prosecutorial authority of the Attorney General, isn't that correct?"

Washburn: "Well, . . . ah . . . in many counties, and I don't mean to . . . ah . . . in any way degrade State's Attorneys, they don't recognize crimes of this nature . . . ah . . . Representative Houlihan, because of their complexity and . . . ah . . . because they're not common in certain areas."

Shea: "Any further questions?"

Houlihan: "I have no further questions, but I would rise to speak against this Bill. If there is a problem in a particular county and the State's Attorney needs help as far as prosecutorial manpower or for experts in this particular type of a prosecution, our state statutes presently provide that he simply has to make this request of the Attorney General. This is an effort to bypass a local elected official as far as the authority to initiate and to prosecute offenses. I think it's a bad precedent to . . . ah . . . expand the authority of the Attorney General along these lines particularly in one . . . ah . . . the particular problem that can be addressed the . . . ah . . . mechanics of it are already there and I would urge a 'no' vote on the Bill."

Shea: "Is there further discussion? The Gentleman from Cook, Mr. Madison."

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

Shea: "He indicates he will."

Madison: "Representative Washburn, would your Bill effect home-rule counties?"

Washburn: "Yes, it would."

Madison: "I'd like a ruling from the Chair then, Mr. Speaker, to the number of votes that this Bill would take to pass."



MAY 23 1917

Shea: "Might I look at the Bill? The Gentleman from Cook, Mr. Duff."

Duff: "Well, Mr. Speaker, the powers of the State's Attorney are under the Judicial Article and not under any other, so constitutionally I don't believe the home-rule powers are at all involved in the prosecutorial discretion. That comes under the Judicial Article of the Constitution."

Shea: "Madison, would you state your reason or opinion why you think this might be an exclusive jurisdiction by home-rule . . . or against home-rule units? As I read the Bill . . ."

Madison: "Mr. Speaker, let me just say, I didn't have an opinion. I was asking a question."

Shea: "Oh, well, as I read the Bill, the additional power given to the State's . . . or to the Attorney General is that power to concurrently with the State's Attorney prosecute those offenses relating to certain crimes within his jurisdiction. The purchaser sale of goods by the state in the formation and administration of public pension funds."

Madison: "But it is with or without the State's Attorneys request."

Shea: "But it is concurrent, Sir, and it is not mutually exclusive, so I would say that it would take 89 votes to pass this Bill."

Madison: "Thank you."

Shea: "Is there further discussion? The Gentleman from Cook, Mr. Palmer."

Palmer: "Mr. Speaker, and Ladies and Gentlemen of the House, I stand in support of this Bill. If you read the Bill, it states that it gives to the Attorney General, when in his opinion the people of the State requires it . . . the authority to prosecute and this concurrent authority to prosecute complaints, information or indictments for offense arising in connection with the sale or purchase of goods or services by the state; and it also adds a little later public pension funds. Now, the local State's Attorney is not likely to know about these things, nor does if he does know about it would have the investi- . . . the funds for investigation that he could pursue it; and I think for this reason that the State's Attorneys Association wanted in this limited area to bring the Attorney General in; and that he has the vast resources of the state to investigate as well as prosecute these offenses. Now, there's one case in Chicago in which the State's



Attorney did investigate. The prosecution was done by the Attorney . . . by the State's Attorney of Cook County. There's another case arising out of the County of Cook when . . . ah . . . he with the Attorney . . . State's Attorney of Cook did prosecute or help prosecute and also investigate, but it's a massing of the funds that are necessary for these kinds of cases. That area is absolutely necessary if we're going to really prosecute these kinds of cases involving the people of the State of Illinois; and I would say to you this, that as long as Illinois holds its hands off of this kind of thing, the more the Federal jurisdiction, Hobb's Act, is going to be invoked resulting in prosecutions in Federal District Courts. I think the message has been . . . is loud and clear that perhaps Illinois should itself . . . itself should clean up its own affairs, and in this context this Bill was written. There's nobody better qualified than the Attorney General in these two limited areas to prosecute or to investigate, and it's not an exclusive jurisdiction, it is concurrent jurisdiction, it's been endorsed by the State's Attorney Association, it is a good Bill; and I would suggest if we're going to try to solve this problem, this problem that we have in the criminal justice system that we do give the State's Attorney this . . . ah . . . the Attorney General this power. Now, one further thing, Mr. Speaker, Ladies and Gentlemen."

Shea: "Bring your remarks to a close, Sir."

Palmer: "I will, Sir. Bill Clark was the former Attorney General down here and he was a good Attorney General, just as Bill Scott is. I don't know who the next Attorney General is going to be, but I do know one thing, that if history repeats itself as it has done time and . . . from time to time again, we're going to have good Attorney Generals who are going to enforce this Act. So the politics of the thing should be out, if that's the thing that's going to persuade your opinion. Let's get on it, let's give this power by passing this Bill. Vote 'aye'."

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

Madigan: "Ah . . . Mr. Speaker, Ladies and Gentlemen of the House, this Bill was presented to us as a rather innocuous piece of legislation. However as explained by Representative Houlihan, there really is no need for

GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES



the legislation because what the Bill proposes can be done today with the consent of your local State's Attorney. So what the Bill says it that once again we have another effort on the part of a state-wide agency to usurp the authority of your local elected officials. One more step toward removing from your home territory, from your town, your city, your county the authority to control your own destiny. Think long and hard before you once again give away, send away another piece of authority, another piece of power. I wish to vote 'no'."

Shea: "The Gentleman from Will, Mr. Sangmeister."

Sangmeister: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, if you recall last year we had a Bill which got considerable debate and lost by only one vote, thank goodness, last year, and that was the Attorney General's Bill also. Now, this Bill in no respect . . . ah . . . is all encompassing as that Bill was, but this is as adequately portrayed by Representative Houlihan and Representative Madigan just again a chipping away at the local authority. I, frankly, I'm rather surprised that the State's Attorney Association has taken . . . ah . . . the position that they have on the Bill, but you have to make your decision. If you think that the local State's Attorney can handle the job, then you ought to defeat this Bill; if you think you want the Attorney General to be poking his nose into this area, then you ought to support it. Frankly, I hope you vote 'no'."

Shea: "The Gentleman from Grundy to close."

Washburn: "Well, thank you, Mr. Speaker, and Ladies and Gentlemen. Apparently the local State's Attorney that are back in our own home counties can't be too concerned with the infringement upon his rights or loss of authority because . . . ah . . . as most of the Speakers before me pointed out the State's Attorneys Association is in favor of this Bill. Ah . . . As I pointed out in my opening remarks they just don't have the facilities nor the money to carry out the complex investigations in extensive court trials that are necessary. So I would ask for your 'aye' vote."

Shea: "The question is, shall House Bill 2018 pass? All those in favor will vote 'aye', those oppose 'nay'. The Lady from . . . forgot the rules. Have all voted who wish? Have all voted who wish? Have all





voted who wish? Ah . . . You . . . Mr. Washburn to explain his vote.  
Do you wish to yield to Miss Geo-Karis?"

Washburn: "Of course, these . . . the . . . as we pointed . . . tried to point out, Mr. Speaker, and Ladies and Gentlemen of the House, in our remarks that this is a complex issue. Not have the facilities or the money available in local counties, and particularly one point that I don't think was pointed out by me or any of the other Speakers that it does involve organized crime; and I'm certain that most of us from downstate and in smaller counties, at least, would agree that our State's Attorneys, and again no . . . no reflection upon them, just do not have the staff nor the facilities to fight this sort of . . . ah . . . financial crimes that are appearing so often now in the State of Illinois, and certainly the Attorney General has all the equipment and the facilities and the know-how, the expertise. If we're gonna' stop this sort of rape upon the pop . . . public's money, the Attorney General must have the authority to go in and stop it. Again I would ask for your 'aye' vote."

Shea: "Have all voted who wish? Take the Record. Mr. Clerk. On this question there are 73 'ayes', 66 'nays', 8 voting 'present'. House Bill 2018 having failed to receive a constitutional majority is, hereby declared lost. On the order of House Bills, Third Reading, appears House Bill 2021."

Fredric Selcke: "House Bill 2021, an Act in regard to Attorney General and State's Attorneys. Third Reading of the Bill."

Shea: "The Gentleman from Wash . . . from . . . from Grundy, the Mis . . . the Minority Leader."

Washburn: "I . . . I thank you, Mr. Speaker. I think I'd better announce that you weren't at my buffet . . . ah . . . that's not your problem up there in the loca . . . of my name. Ah . . . I hope that the Membership . . . ah . . . of the House will be more receptive of this Bill than they were the last because House Bill 2021 deals with a matter in which we all hold deep concern, and that is child abuse. It authorizes the Attorney General to attend and assist in prosecution of cases under the Juvenile Court Act to determine whether parents are fit to have custody of a minor or whether a minor is neglected. Now, Ladies and Gentlemen,



there were over 1,800 cases of child abuse or child neglect heard last year, with three quarters of the children involved five years old or under. Child abuse and child neglect cases have increased 61 . . . 61 percent over the year before: The Attorney General now handles such cases at the Appellate level, and this piece of legislation would permit him to participate at the trial level speeding up the handling of one of the most sickening and inexcusable acts of all, child abuse and child neglect; and I would plead with you to give me a green light on this necessary piece of legislation, House Bill 2021."

Shea: "The Gentleman moves for the adoption of House Bill 2021. On the question, the Gentleman from Champaign, Mr. Hirschfeld."

Hirschfeld: "Well, yes, Mr. Speaker, and Ladies and Gentlemen of the House, I think this is an extremely important Bill. All you got to do is think back to the Johnny Lindquist case in Chicago and you can see what happened when these matters are handled by local State's Attorneys who may not have the staff; and just last year, I know that Representative Tipword, and Representative Borchers, Representative Stone and myself were involved in a very troublesome and trying case involving a young child in the southern part of this state where the State's Attorney's office because of not having the proper staff did not serve the mother of the child properly and therefore even though she was unfit under all common standards to have this child, the court awarded the child back to her even though at that time she was underneath . . . ah . . . the Department of Children and Family Service had a homemaker in their home and everything else. Now, the only kind of solace we were able to get in that particular case was from the Attorney General's office who went back and completely reviewed the case from beginning to end and did everything they could to try and resolve the matter, not for one side or the other, but for the welfare of the child, which is what we are supposed to consider in juvenile matters. I would really hope that both sides of the aisle would not let politics enter into the argument of this particular Bill. I think the Attorney General's office is eminently qualified to handle this type of case as proved last year; and I would hope we would disregard politics and give this particular Bill a



MAY 28 1975 167.

favorable Roll Call."

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

Katz: "Ah . . . Mr. Speaker, Ladies and Gentlemen of the House, . . . ah . . . I do oppose this Bill, but my opposition has nothing at all to do with politics. Ah . . . I really believe that if the Gentleman from Champaign County believes that his State's Attorney is not confident to handle that kind of matter, I think he ought to go out and find a State's Attorney who can handle that kind of matter. I know that in the . . . in Chicago, in the Bear . . . Chicago Bear Field we do have the two-platoon system. It doesn't work very well in court. It doesn't work very well in courts to have two lawyers there who may be working at cross purposes, quite apart from the fact that it's expensive. It is a very destructive process to have two lawyers there, both representing the public who are working not together but working in some situations quite at cross purposes. It simply makes no sense to me to keep expanding the duties of the Attorney General into matters that have no legitimate interests to the State of Illinois. Ah . . . These are matters that are fundamentally local matters. I think the people . . ."

Shea: "Will you bring remarks to a close, Sir."

Katz: . . . do not like their Attor . . . their State's Attorneys, they ought to elect good State's Attorneys, the two-platoon system will be very costly and I would urge a 'no' vote."

Shea: "The Lady from Lake, Miss Geo-Karis."

Geo-Karis: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, I am in hi . . . in highly support of this Bill. There are cases where State's Attorney are too friendly with some of the so called defendants in child abuse cases, and this is where the Assistant Attorney General can come in and see . . . and save a life of a child. I have handled many a child abuse case, both as an Assistant State's Attorney and as a private Attorney, and I can tell you that this is a good Bill, and this is the only way we're going to insure that people should not have children around them because they treat 'em worse than animals and should be taken care of by responsible competent attorneys for the Attorney General's office when there is any question about it."



Shea: "The Gentle . . . the Gentleman from Cook, Mr. Houlihan."

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

This is a much worse Bill than the last one we just considered on behalf of the Attorney General; and don't be misled by a . . . ah . . . the very serious problems in this state about child abuse cases. This is an out and out patronage Bill for the Attorney General. Now, the local State's Attorney if he needs assistance under the statute has the right to request the assistance of the Attorney General. Now, what this does is avoid the necessity of requests from the local State's Attorney who is the local elected official and the proper prosecuting officer of the county. Additionally, as was emphasized by Representative Katz, instead of having one public attorney . . . ah . . . prosecuting these cases, the Attorney General would now ask for two. It's ridiculous and I ask for a 'no' vote on the Bill."

Shea: "The Gentleman from Cook, Mr. Hoffman. Hoffman, did you seek re . . . I guess not, the Gentleman from Cook, Mr. Gaines."

Gaines: "I rise, in support of this Bill. You know several years ago we had some tragic situations where children were warehoused in other states. We've had problems from child abuse in the City of Chicago and throughout the state, and as a Member of the Committee on Human Resources, I sat in on a briefing by Miss Libey and she said that they're going to concentrate much of their efforts on child abuse problems, and if she does a good job that she says she's going to do, that would generate a lot of cases and a lot of the counties won't be able to afford the cost of following up on these cases, and there are poor and neglected children, they're subject to be overlooked; and this concurrent jurisdiction would ease the financial burden on your counties. Everytime I turn around you're talking about it costs too much, we need more money on the local level. Well, this will help release the financial burden; and the Children and Family Services Department has had problems on Appellate jurisdiction because the volume of cases in many counties will say that the local State's Attorney was unable to get the proper thing in the record; and, therefore, when the state wanted to appeal, there was nothing to appeal on; and when you have the Assistant Attorney General there, when



MAY 23 1975

it becomes time to appeal he knows the record; and, therefore, the state saves money; and I think that we ought to think in terms of the children. These are our children, the children of the State of Illinois. Every one of us has children in our district that's going to be paneled by the Children and Family Services Department, and if we're going to hold them responsible, a state official should be responsible for following up on the legal rights of these children; and I think that we ought to put down our protestant politics for a while and think in terms of the little kids who are going to suffer because the local State's Attorney is not able to handle the volume of cases that are going to be generated by the new program to begin by these new programs that they have in the Children and Family Services Department. I see the light up there; and I'm going to use all of it. So . . . ah . . . all I'm saying is that we're not talking about giving the Attorney General power per say, we're talking about giving the little children protection so that the legal records would be proper. Thank you."

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

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

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

Washburn: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Let me emphasize that this Bill takes no authority away from the local State's Attorney. It merely authorizes the Attorney General to attend . . ."

Shea: "Sorry, I think this thing cut you off, can . . . please finish, Sir."

Washburn: "Yes, Sir, thank you . . . ah . . . Mr. Speaker. Ah . . . Let me emphasize again that this Bill, House Bill 2120, takes . . . 2021, takes no authority away from the local State's Attorney. It merely authorizes the Attorney General to attend and assist in prosecution of cases of the Juvenile Court Act to determine whether parents are fit to have custody of a minor child or whether a minor is neglected. Now, child abuse must be a concern of everyone of us, it's growing at the rate of



MAY 23 1975

170.

61 percent per year; and it behooves everyone of us, Ladies and Gentlemen, to do everything we possibly can to stop this fast growing tragic problem; and I plead with you for a green vote on this Bill."

Shea: "The question is, shall House Bill 2021 pass? All those in favor vote 'aye', those oppose vote 'nay'. Have all voted who wish? Have all voted who wish? Have all . . . Now, Mr. Borchers, you know I can't call on you, you can't explain your vote. Sir, there were 14 other people with their lights on. Have all voted who wish? Take the Record. On this question there are 77 'ayes', 69 'nays', 3 voting 'present'. The Gentleman from Grundy, the Minority Leader."

Washburn: "Yeah, Mr. Speaker, pardon, Mr. . . . Mr. Speaker, and . . . ah . . . Ladies and Gentlemen of the House, the board is locked I guess . . . ah . . . which I don't want to accuse the Speaker of doing, he didn't see me seeking recognition."

Shea: "Open up the board, and we'll take another Roll Call, Sir."

Washburn: "Oh . . ."

Shea: "All those in favor will vote 'aye', those oppose will vote 'nay'. Now, the Gentleman from Grundy, the Minority Leader, to explain his vote."

Washburn: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, . . . ah . . . this is really a serious, serious problem that I think perhaps we're taking this too lightly here and . . . ah . . . in checking some politics because we do have a Republican Attorney General, but this is a matter that encompasses the entire state, the City of Chicago put it on to Carroll and from one side of the states to the other. I . . . I just think that any child abuse case or a child neglect case is a sickening situation that the . . . all of us want to do everything we possibly can to see that it comes to a stop. I . . . I would hope that . . . ah . . . you would reconsider, you would look at the Bill, as I pointed out earlier, there were over 1,800 cases heard last year within this State of Illinois. Some 61 percent more than the year before. I don't know what the reason is for it, and I don't think anyone really does can pinpoint the reason. But we know that this would be one step in the right direction to protect these people, protect the poor parent, and perhaps cut down the



MAY 23 1975

171.

increase that we're experiencing every year. I would ask you, again, Ladies and Gentlemen that you would put 10 more green lights up so that we can pass this good piece of legislation, House Bill 2021, I plead my case for 9 more votes. Thank you, Mr. Speaker."

Shea: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the Record."

Washburn: "I go . . . is my light on up there this time or not?"

Shea: "I see it on now."

Washburn: "Is was on, Gerry, down here. Ah . . . I would like to poll the absentees, if I could."

Shea: "Well, let me take the Record first and then I'll do that. Take the Record. Washburn votes 'aye'. I may not have been at your party but you were. Turn, Mr. Washburn on."

Washburn: ". . . a rather trying day, Mr. Speaker."

Shea: "I can . . . I can well appreciate your feelings, Sir."

Washburn: "I'd feel much better if we had 89 votes on this Bill."

Shea: "Would the Clerk please call the absentees."

Fredric Selcke: "Brandt. Chapman. D'Arco. DiPrima. Downs. Dyer.

Fary. Fleck. Garmisa. Getty. Huff. Kosinski. Nardulli. Sevcik.

VonBoeckman. White. Yourell."

Shea: "On this question there are 85 'ayes', 53 'nays', 7 voting 'proferat'.

House Bill 2021 having failed to receive the constitutional majority is, hereby, declared lost. On the order of House Bills, Third Reading, appears House Bill 2035."

Fredric Selcke: "House Bill 2035, a Bill for an Act to amend Section 4 of an Act in regard to Attorney General and State's Attorneys. Third Reading of the Bill."

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

Calvo: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. It seems like we're in the same Session of the statute. I . . . ah . . . introduced this Bill last year and it did not get out of the Rules Committee. I explained to the Rules Committee at that time and I tell the Members of the House here and now this is not a political Bill; and I'm sure it'll be interpreted as such because the present Attorney General happens to be of the opposite party. All this Bill



MAY 23 1975 172.

does is provide that when the Attorney General represents the State of Illinois that he in the connection with the interests of the state . . . of the state officer that he advocate the interest of that state officer; and if such state officer determines that he has failed to provide proper representation, he shall notify the Attorney General that this is how he feels. We changed the Bill by adding that this determination shall relate only to a specific legal issue and not the merely political or personal. Five days at the beginning of such notice, which gives the Attorney General time to confer and to determine where the problems lie and to straighten it out, the officer may retain other counsel who shall be designated as special Assistant Attorney General to appear and represent him in the execution of the duties of that officer. Now, I think that any reasonable person would say that a five-day period in which time if there's a disagreement it can be disposed of as reasonable and should be able to take care of any problems to where no one will ever really have a necessity of employing someone to represent them other than the Attorney General's office. I think this is a reasonable Bill, this Bill was heard in Executive Committee and the present Attorney General sent a witness there . . . could I have a little order, Mr. Speaker, I don't know if anybody's listening or what's happening . . . the Attorney General sent a witness to the Committee and said 'well, Ladies and Gentlemen of the Committee, this is what we now do, just what this Bill says is the policy of the Attorney General's office follows', and the only thing I say if that's the policy, then why oppose it? Let's codify it, make it part of our statutes and so it is always the policy of the Attorney General's office of the State of Illinois. All we're really asking is that we codify the practice of the office. I think it's a reasonable Bill and would solicit your support."

Shea: "The Gentleman moves for the adoption of House Bill 2035. On the question, the Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker and Members of the House, this is a merely Bill. All it does is destroy the Attorney General's office. Now, if that's what you want to do, go ahead and vote for this Bill; but if you want the Attorney General to be the lawyer for this state, you vote against





it."

Shea: "The Gentleman from Macon, Mr. Borchers. The Gentleman from Cook, Mr. Peters. Pete, I knew you were tired but that creeky."

Peters: "Thank you, Mr. Speaker, Representative Washburn did provide us with dinner. Ah . . . Representative, will the Sponsor yield?"

Calvo: "Certainly."

Peters: "Representative Calvo, . . . ah . . . am I correct in understanding that the practice now between the Attorney General's office and the various executive offices of the state is that if the Attorney General does provide in a given instance legal representation that he has allowed the state officials to advise him as to who they think might handle this case best, is that now the practice?"

Calvo: "That's what we were told in the Committee hearing by the witness for the Attorney General's office, yes, Sir."

Peters: "Yes, and I agree with you that's what the witness said. Would you say, and again I'm not an attorney, but would you say that there is a difference in the constitutional authority of the Attorney General of this State of delegate his authority as opposed to a statute which allows one of the executive officers of the state to make the decision as to who is going to represent him? It seems to me your Bill here is just . . . is a shift in terms of where the authority comes from."

Calvo: "Well, what . . . what you're asking me is, is it all right for the Attorney General to decide to let the authority be shifted by the executive officer to some other attorney or could we do it by statute or should we do it by statute. All I say is if it's being done and has been done and that is the practice, then I think we should codify it. I don't see any particular reason to say well we'll just continue to handle it as a gentleman's agreement type of thing because I think it's the protection of the people of the State of Illinois that the constitutional officer have the representation it will probably represent them. Now, it's been fine under the current administration of the Attorney General's office, but I'm sure we will have other Attorney General's in the future and it might not work as well. Ah . . . If we could be assured that every Attorney General would carry out the



function as a present Attorney General does, then I would agree with you. But I don't know how we can assure the people of the State of Illinois of that."

Peters: "One more . . . ah . . . Mr. Speaker, if I might, one more question or one more statement, if I may?"

Shea: "Well, bring your remarks to a close, Sir."

Peters: "Right . . . ah . . . Representative Calvo, I was really concerned here about the constitutional . . ."

Shea: "Go ahead."

Peters: ". . . the constitutionality of a Bill which appears to strip the Attorney General of his powers; but I do see that the eminently fair Chairman of the Judiciary Committee is on his feet and perhaps he will supply . . . ah . . . proper rationale as to how this might be accomplished constitutionally."

Shea: "The Gentleman from Will, Mr. Sangmeister."

Sangmeister: "Well, Mr. Speaker and Members of the House, just briefly, I think and we should be somewhat fair here. On one hand we have this evening taken the position that we don't want the Attorney General invading the provinces of the State's Attorney; and on the other hand, I don't think we should be eroding from him the authority that he presently has; and I would . . . ah . . . ask for a 'no' vote."

Shea: "The Gentleman from Logan, Mr. Lauer."

Lauer: "Mr. Chairman, I move the previous question."

Shea: "The Gentleman has moved the previous question. All those in favor will say 'aye', those opposed 'nay'. Now, for the main question, shall House Bill 2035 pass? All those in favor will vote 'aye', those opposed vote 'nay': Have all voted who wish? Have all voted who wish? Take the Record. On this there are 37 'ayes', 83 'nays', 19 'present'. The Gentleman from Madison, Mr. Calvo, do you wish to make a statement or anything? House Bill 2035 is declared . . ."

Calvo: "No, I . . . I don't . . . ah . . . with the status of the board such as it is it isn't worth the time in which to make a statement, but I'm sure this Bill will be back . . . ah . . . but I won't Sponsor it in the future . . . ah . . . the Republicans will be sponsoring it,



the Republican side will be sponsoring it in about 18 months."

Unknown: "It's declared lost."

Shea: "On the order of House Bills, Third Reading, appears House Bill 2044. The Gentleman from Union, Mr. Choate."

Fredric Selcke: "House Bill 2044, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Shea: "The Gentleman from Union, Mr. Choate."

Choate: "Mr. Speaker, if I can . . . ah . . . wait just a second 'til I get my notes away from the flowers on my desk. That brought a couple of dirty chuckles too. Really what House Bill 2044 does is it gives the teachers of the State of Illinois the same right that other individuals in the State of Illinois enjoy as far as their pension system is concerned. If you will note under the present statutes the Illinois Teachers Retirement System is composed of nine members, four teachers and five others. Teachers do not under the present statutes control the grievance of their own . . . ah . . . governs, rather, of their own pension system; and I dare say that if you'll look at the downstate firemen system, police system, judicial system, legislative system or any other system that you want to see, you find the members of that particular occupation governing their own board. I would say, Mr. Speaker, that this is a step in the right direction, giving those who are knowledgeable in their own particular field the right to supervise and to direct the guidance of their own system; and I would ask for a favorable vote from the House."

Shea: "The question is, shall House Bill 2044 pass? On the question, the Gentleman from Cook, the Assistant Minority Leader, Mr. Walsh."

Walsh: "Mr. Speaker, and Ladies and Gentlemen of the House, I heard the comment 'bad Bill, good Sponsor'; and I'm very much afraid that's the case in . . . with House Bill 2044. The information I have is somewhat different than that explained. I understand that there are just two pension systems of the many, many public employee pension systems in the state that are controlled by the members, that is, the members of the board are a majority of those who are participants in the system, and those two are the judges and the General Assembly. I know one of those is a mistake, I think this would be a mistake because it would put



MAY 23 1975

176.

teachers in a position where they could determine pension policy and I'm afraid that that is a bad idea just as it would be a bad idea to put firemen, policemen and all of the many others in control of their pension system; and I would urge a 'no' vote."

Shea: "The Gentleman from Peoria, Mr. Tuerk."

Tuerk: "Well, Mr. Speaker and Members of the House, I too rise to oppose this Bill. Point #1, the Sponsor said all other pension plans give them the opportunity. To my knowledge there are only two pension plans in existence that would give the same opportunities that he espouses in his Bill, namely our pension plan and the judges pension plan. Now, there was a similar Bill . . . ah . . . in the Pensions Committee earlier in the Session which would have . . . ah . . . give the Chicago policemen an equal voice in the board with the City of Chicago by reducing the Mayor's appointment by two. Now, let me tell you what happened to that Bill. It got killed in Committee, and I submit to you that this Bill should've got killed in Committee, but I would presume there were other ramifications of it and that's how it got out of Committee. This to me would set a major precedent in giving employees control over their own pension plan and I would suggest to the Membership to vote this Bill down resoundingly."

Shea: "Have all vo . . . ah . . . the Gentleman from Lake, Mr. Deuster, on a question."

Deuster: "Ah . . . Mr. Speaker, would the Sponsor yield for a question?"

Shea: "He indicates he will."

Deuster: "Ah . . . I note . . . ah . . . Representative, that the Members would be elected by the teachers, I guess, . . . ah . . . would that be a state-wide election or how would that election be conducted?"

Choate: "It would be a state-wide election."

Deuster: "By . . . by all teachers who are certified in the state?"

Choate: "Right, teachers who are members of the retirement system."

Deuster: "Members of what, I didn't hear that?"

Choate: "Of the system."

Deuster: "I still didn't hear it."

Choate: "Of the system."

Deuster: "Oh, thank you, Sir."



Shea: "The question is, shall . . . Mr. Borchers."

Choate: "No, no, let me close."

Shea: "Well . . ."

Choate: "O.K."

Shea: ". . . Mr. Borchers on the question."

Borchers; "Ah . . . Mr. Speaker and Members of the House, . . . ah . . . notwithstanding my tremendous admiration for the Sponsor of this Bill . . ."

Choate: "Sit down."

Borchers: ". . . I would merely point out that to me . . . well I have admiration for you, Clyde, don't think I don't . . . ah . . . to me this is putting the fox in charge of the hen house, and I don't think it's a wise thing to do."

Shea: "Gentleman from Dupage, Mr. Schneider."

Schneider: "Thank you, Mr. Speaker and Members of the House. Ah . . . I've watched somewhat closely the development of the teachers pension in Illinois as a downstate member, and I've been teaching somewhere in the vicinity of ten years. I don't think that under the present construction that the system has necessarily endeared itself to sound fiscal policy . . . ah . . . relevant payments in regard to the nature of the support and needs, the kinds of programs it needs. I think what you're doing here is an important step, that is, the bulk of the membership does need to be aware and conscious of the intricacies of pensions systems, and I think you need to get it from a reliable source. Now, we again as I commented last night on another Bill . . . ah . . . need to be very much aware as Legislators our obligations and our duties. Teachers do not pass on the kinds of expenditures that relate to money. That's the question. Our job is to be as Legislators concerned about that. We make a final judgment, I don't think the Membership of a board is gonna' effect the financial . . . ah . . . relationship, but it is going to become a much more conscious body, a much more functioning board and I think, therefore, that Bill 2044 deserves your support, and I recommend an 'aye' vote."

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

Palmer: "Well, thank you, Mr. Speaker, and Ladies and Gentlemen of the



MAY 23 1915

House. This is an incredibly bad Bill and of course an I.E.A. power grab situation. Over the pension funds of the teachers of this state of which today there is in that fund about 53 percent public monies which they seem to remove an elected state official from its membership. Now, how silly can we really get. It's taxpayers money that you're talking about; and I know nothing of the politics of the Superintendent of Public Instruction and Office of Public Education, but at least he's a state official, and you would remove him . . . this Bill would remove him from any authority in this Bill. Now, if I.E.A. has its way about it, the educational empire in this state will be controlled by him and perhaps it's bad enough like it is, but we certainly don't want to make it worse by having these people control not only this aspect but as we will see in other Bills that are to be presented the other aspects of public education and . . ."

Shea: "Bring your remarks to a close, Sir."

Palmer: ". . . turn me on. I think it's time that we put . . . ah . . . an end to this nonsense and restore it to the dignity that it is . . . that it is due and at least let the people of this state through its elected Representative that are appointed . . . duly appointed Representative have the say in this matter; and I urge the defeat of this Bill. Thank you."

Shea: "The Gentleman from Union, Mr. Chaote, to close."

Chaote: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I didn't think that we was going to have this much problem with a real simple piece of legislation. Now, the charges made . . . the charges made by the last Speaker talking about an elected official being a part of this, he just doesn't know what he's talking about because the Superintendent is now appointed, and he just made the most common charge that is leveled at all pension boards that are completely dominated by contributors and annuitants in that the state should be represented because they contribute to the syst . . . to the system. Speaking only . . . speaking only to the case of the Illinois teachers, let me tell you all something, Webber, about the fox gettin' in the hen house, and let me tell you about closing the barn door after the horses got out, that teachers in the State of Illinois today lose more



MAY 23 1975

179.

interest money annually than the state contributes, and you check the record; and the sit . . . and this situation has existed at least for the last 20 years, you know it, I know it. There's an old Illinois saying down where I come from that 'if you pay then play', but the state don't pay and you know it. Then the state shouldn't play. I say make a vote in the interest of the teachers of this state and vote for 2044."

Shea: "The question is, shall this Bill pass? All those in favor will vote 'aye', those oppose will vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the Record. On . . . on this question there are 113 'ayes', 20 'nays', 5 'present'. House Bill 2044 having received the constitutional majority is, hereby, declared passed. With leave of the House, I'm going back to House Bill 2000. House Bill 2000, read the Bill, Mr. Clerk."

Fredric Selcke: "House Bill 2000, a Bill for an Act to amend the Revenue Act of 1939. Third Reading of the Bill."

Shea: "The Gentleman from Union for Mr. Hart."

Choate: "Wait 'til I find the right . . ."

Shea: "Clyde, you said you were ready this . . ."

Choate: "I was but then Webber got me in the hen house. What this Bill does, Mr. Speaker, and Ladies and Gentlemen of the House, in behalf of my colleague from the 59th District, Representative Hart and Representative Winchester and myself, and many others, it exempts from the real estate taxes property owned and occupied as a full residence, not rental property, but the sole residence of a person who is totally and permanently disabled or has been a . . . brought into this thing as a result of war, now I'm not talking about little skirmishes and getting hurt on the grounds of a camp or things of this nature, but I'm talking about people who are totally and permanently disabled because of war. It provides for the state to be quite frank with you to reimburse the tax revenues lost by granting of these exemption, and I'll be honest with you again it's gonna' cost the state probably about 1.6 million dollars a year as estimated by the Bureau of the Budget and the Department of Revenue, but I'll say to you that in the State of Illinois today that these totally disabled veterans from wars fought to



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1975

protect not only Illinois but our United States of America, I think they're deserving of this tax relief and I encourage the Membership to vote totally 'aye' on this Bill."

Shea: "The question is, shall House Bill 2000 pass? All 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 128 'ayes', 8 'nays', 12 'present'. House Bill 2000 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 2047, the Gentleman from Winnebago, Mr. Mulcahey."

Fredric Selcke: "House Bill 2047, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Mulcahey: "Mr. Speaker . . . ah . . . Ladies and Gentlemen of the House, House Bill 2047 provides for the certification of school business officials. An individual, according to this Amendment, an individual who holds a General Administrative Certificate, may be endorsed as an Assistant Superintendent for Business if he's completed 12 semester hours of graduate credit in a program established by the State Superintendent of Education and has two years of administrative experience in School Business Management. Number 2, an individual may be issued a Chief School Business Administrative Certificate if he has a Master's Degree, 20 semester hours of graduate credit in a program established by the Superintendent of Education and two years of administrative experience in . . . ah . . . School Business Management; and #3, this does have a grandfather clause, it does not become effective until January . . . July 1st, 1977. I ask for your 'aye' vote."

Shea: "The question is, shall House Bill 2047 pass? All those in favor will vote 'aye', all those opposed will vote 'nay'. On the question, the Gentleman from Cook, Mr. McCourt."

McCourt: "Mr. Speaker, and Ladies and Gentlemen of the House, this Bill . . . ah . . . just . . . ah . . . squeaked through the Elementary and Secondary Education Committee; and I'll tell you just a little what it does. This is locking the door of the little red school house. It's





MAY 28 1975

locking everyone out from employment as a Chief School Administrator unless they happen to have a Master's Degree, if . . . also they must have two years of . . . ah . . . experience in a school system, and thirdly, they must have . . . ah . . . 12 . . . let's see, a minimum of 20 semester hours of graduate credit as approved by the State Superintendent. Now, this would mean that if a person happened to be the Comptroller of General Motors who happened to be a C.P.A., he would not qualify for this position because he might not have a Master's Degree in Business Administration and he might not have worked in any school for two years. Now, if this isn't a discriminatory piece of legislation, I've never seen it. In fact, this legislation reminds me a little bit of a Christmas present I got last Christmas. It was in a very fancy box, very fancy, and I opened it up and there was a lot of red and green paper in there and all kinds of nice little goodies, there was some . . . there was some very nice jellies, and there was wine, and then there was a little package and I didn't exactly know what it was until I opened it, and low and behold it was Limburger cheese, and it smelled about like that Bill smells."

Shea: "Is there any further discussion? The Gentleman from Cook, Mr. Porter."

Porter: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, the previous Speaker just misrepresented the Bill. This Bill provides for two means of certification not one, and it's my understanding that there can be certification as an Assistant Superintendent for business simply by pro . . . by completion of 12 semester hours of graduate credit in a program established by the State Superintendent of Education in consultation with the State Teachers Certification Board and two years of administrative experience in School Business Management. It's the second alternative to which the previous Speaker addressed himself and there are actually two; and I don't see any reason why he would conclude from that that this is going to hurt the little red school house. It certainly won't. It will insure high qualifications for school business officials for the future throughout this State. It won't effect anyone who's presently a school business official and it will in fact not effect anyone at all until July 1, 1977. I think



MAY 23 1975

this is an excellent Bill. It will upgrade our school business officials; and I would urge an 'aye' vote."

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

Chapman: "Mr. Speaker and Members of the House, . . . ah . . . I hope you were all listening to the excellent discussion Mr. Porter just provided for this Bill. Ah . . . I have some sympathy with what Representative McCourt said because I asked the same question to the Business Managers when they came to me with this Bill. Ah . . . I was concerned about them locking in small schools so that it would be a financial problem and I've discovered that they have thought this through very carefully. So this would actually be permissive on School Districts. You merely could not be called a School Business Official if you did not meet these requirements, but there's no reason why a small school shouldn't have a superintendent also acting as the Business Manager, or an Assistant Superintendent who had duties that would include finance as well as . . . as other matters. This has been carefully thought out by the Illinois Association of Business Managers. They have done their homework . . . ah . . . I urge you to vote 'yes' on this good Bill."

Shea: "The Gentleman from McLean, Mr. Deavers."

Deavers: "Mr. Speaker, we all know how poor School Administrators are in business, I move the previous question."

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

Mulcahey: "I would just like to emphasize one more thing, and that is #3 that I . . . that I mentioned earlier. This does not become effective until after January 1st, 1977. The Grandfather clause is there. This Bill, I think, is a good Bill. I've been sitting here for the last two weeks, three weeks, listening to all the various aspects of legislation that it was going to upgrade various phases throughout our state. This is another, this is going to upgrade our School Business Officials. I ask for your 'aye' vote."

Shea: "The question is, shall this Bill pass? All those in favor will vote 'aye', those oppose will vote 'nay'. Have all voted who wish?"



MAY 23 1975 183.

Mr. Porter wishes to be recorded as 'aye'. We've got him on the Roll Call. Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 114 'ayes', 28 'nays', 12 'present'. House Bill 2047 having received the constitutional majority is, hereby, declared passed. On the order of Third Reading, appears House Bill 2050."

Jack O'Brien: "House Bill 2050, Collins, a Bill for an Act to amend the Currency Exchange Act. Third Reading of the Bill."

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

Collins: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I heard some reaction as you announced the Bill as being an Amendment to the Currency Exchange Act; and I'd like to say it right at this time that this Bill does not effect the community or stationery currency exchanges at all."

Shea: "Mr. . . . Mr. Collins, could you hold on for a minute, please? Could we have some order please? Would the Members be in their seats? Could we have some order and would the Members be in their seats? Proceed, Mr. Collins."

Collins: "Thank you very much, Mr. Speaker, for that courtesy. As I did say this does not effect the currency exchanges one iota, it only deals with ambulatory currency exchanges; and what the Bill does would provide that these currency exchanges, these ambulatory currency exchanges, would furnish arm guards as deemed necessary by the exchange for the protection of its customers and the public. I think that the Bill if anything belabors the obvious. The money that is being transported in the . . . these vans, these trucks or what have you is the money of the ambulatory currency exchange. Certainly, they are going to provide guards to protect our own money. All this Bill will do will put them on the same basis as other transporters of money such as banks, armoured express, et cetera and of course as . . . as the stationery currency exchanges themselves. I think the record of safety in this area is well known, I think the Bill is a simple one. It's a one . . . ah . . . it's a Bill that . . . of equity that will put them on the same basis as other people in the same type of business; and I would ask for the favorable consideration of this House."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

184.

MAY 23 1975  
Shea: "The question is, shall House Bill 2050 pass? The Gentleman from Cook, Mr. Berman, on the question."

Berman: "Will the Sponsor yield?"

Shea: "He indicates he will."

Berman: "Phil, Phil, how does this Bill change the existing law?"

Collins: "The . . . the existing law says that they must have at least one-armed guard at any place or station in addition to the person . . . ah . . . cashing checks. This is at any place where they have a license, they must take along another guard in addition to the person who is . . . who is driving and cashing the checks."

Berman: "Thank you."

Collins: "Obvi . . . obviously, the need here is in the event of a small stop where they can go with one person and cash one or two checks. It seems an unnecessary burden for the . . . the guard to be taken along."

Taylor: "The Gentleman from Cook, Mr. Washington."

Washington: "Well, thank you, Mr. Temporary Speaker. You look good there, Jim, now here this. Mr. Speaker and Members of the House, the only excuse for the existence for ambulatory or community currency exchanges is to provide swift, sure economic service for the poor people and the working people who need them. There is no other reason for their being. If in their wisdom . . . if in their wisdom they need guards at given spots, fine; if they don't, fine. We should not encumber them with a lot of extraneous problems. What we have to do is clean up the statutes so that people in our community can get the kind of services that they're entitled to. Anything else is incidental, extraneous and a drag on that particular industry. I think it's a good Bill and I think we should support it."

Taylor: "The Gentleman from Cook, Mr. Daniels. The Gentleman from St. Clair, Mr. Flinn."

Flinn: "Ah . . . Would the Sponsor yield for a question, please?"

Taylor: "He indicates that he will."

Flinn: "Ah . . . Mr. Collins, . . . ah . . . does this have anything to do with the Goor Bill?"

Collins: "Absolutely not, the Temporary Speaker knows my position on that."

Taylor: "The Gentleman from Sangamon, Mr. Londrigan. The Gentleman from



MAY 23 1975

185.

Cook, Mr. Giglio."

Giglio: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, it's O.K. Ah . . . I . . . ah . . . just don't understand that some of the same individuals that are talking for this Bill were talking for the Bill about mobile currency exchanges and . . . ah . . . providing service for the people in the high-rated areas in the City of Chicago and so forth so the people wouldn't have to come out and get their money taken . . . taken away from them, and here we come back with a Bill now where they want to take the guards away from these . . . ah . . . mobile currency exchanges. I just . . . ah . . . don't see the reasoning. I think it's a bad Bill, I think it should be defeated; and I think they should have these people protected in these currency exchange mobile units."

Taylor: "The Gentleman from Cook, Mr. Randolph."

Randolph: "Mr. Speaker, J. C. Taylor, I believe this is a good Bill, I move the previous question."

Taylor: "All in favor of the question? Mr. Collins to close."

Collins: "Yes, Mr. Speaker, I'll be very brief. I think Representative Washington said it so much better than I could, but I just want to emphasize the . . . in reply to the last Speaker, this is not an effort to remove guards, it's an effort to put guards where they are needed, and they will always be there when they are needed, but it is an effort to put one member of an industry out of power with another, and I would ask for your favorable support."

Taylor: "The question is, shall House Bill 2050 pass? Have all voted who wish? Have all voted who wish? Take the Record. The Gentleman from Cook, Mr. Collins, to explain his vote."

Collins: "Well, Mr. Speaker, if anything, there may be some misunderstanding here and I can understand it. On a Bill that looks like you're trying to reduce protection. I can . . . ah . . . I can understand some reticence but nothing could be further from the truth. The record of the ambulatory currency exchanges is outstanding in the area of protection which is protection of their own funds, needless to say, but also a high regard for the . . . the well being of their customers. The guards that are on these armored trucks will be there anywhere



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

where they need them, but where . . . where they are not needed in small stops obviously . . . well, I stop right there."

Taylor: "Take the Record, Mr. Clerk." On this question there are 94 'ayes', 12 'yeas'; the Bill having received the constitutional majority is, hereby, declared passed."

Shea: "On the order of House Bills, Third Reading, appears House Bill 2054."

Fredric Selcke: "House Bill 2054, a Bill for an act to create a state council on nutrition. Third Reading of the Bill."

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

Peters: "Mr. . . . Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 2054 has been introduced at the bequest of a number of organizations throughout the state who are very much concerned about the nutritional . . . ah . . . as they see it in the state. The Bill as information you may have on your desk will indicate has been put together and drafted by the Illinois State Medical Society in cooperation and in conjunction with the advice and consent of a number of organizations again throughout the state. There is a great concern that on the part of the state we do not have set up a coordinating agency . . . ah . . . which to which various information from rural, inter-city areas can come . . . ah . . . regarding various lunch programs for the poor, various school lunch programs and if the House is ready I might just indicate that . . . ah . . . it's the Illinois State Medical Society favors it, Nutrition Association OUT; I request your assistance in passing this Bill."

Shea: "The question is, shall House Bill 2054 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 143 'ayes', 4 'nays'. House Bill 2054 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 2057. The Gentleman from Cook, Mr. Leon."

Fredric Selcke: "House Bill 2057, a Bill for an Act to add Section 58.2 and amend Section 59 of an Act concerning public utilities. Third Reading of the Bill."

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



Leon: "Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 2057 has been introduced to provide an equitable and efficient means for public utilities to re . . . assumed to suitability of potential sites for their facilities. In order to determine whether a given location is suitable as a site, a public utility must often perform a soil test, surveys and environmental studies. The Bill empowers the Illinois Power Commerce Commission to authorize and regulate utility that's beyond property for the purpose of carrying out these activities. The property owner will be entitled to appear before the Commission and will be paid any damages suffered as a result of the utilities action. I would appreciate your support."

Shea: "The question is, shall House Bill 2057 pass? All those in favor will say 'aye', those opposed will say 'nay'. Will vote 'aye', and 'any'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Gentleman from Cook, Mr. Leon, to explain his vote."

Leon: "Mr. Speaker, and Ladies and Gentlemen of the House, . . . ah . . . this vote is up to 80, I believe it is necessary to help reduce the cost of performing energy for . . . providing energy for the people of Illinois, unless we have a Bill which will enable the utility to ascertain whether or not the property they wish to apply are suitable for the purposes needed, they will undergo a tremendous extent. Last year, the Edison Company of Chicago purchased 600 acres of land . . . ah . . . in . . . near Joliet. After acquiring the land, they fought it was not suitable for the purposes and the land is going to . . . it cost the utility a couple of a million . . . a couple of million dollars. I think that we in order to promote the energy for the people of Illinois it is necessary to adopt this Bill; I would appreciate your support."

Shea: "Have all voted who wish? Have all voted who wish? Mr. Ryan, I'd like to let you explain your vote, but you can't. Have all voted who wish? Take the Record. Totten 'aye'. The Gentleman requests a poll of the absentees. Mr. Washington 'aye'. Mr. Hirschfeld."

Hirschfeld: "A point of information."

Shea: "Yes, Sir."

Hirschfeld: "I'd like to know how . . . for what period of time this . . ."



ah . . . about non-explanation of votes is in effect."

Shea: "Until the end of tonight, 'til the end of the House, you know."

Hirschfeld: "Is that 12 p.m., Mr. Speaker?"

Shea: "It's when the last House Bill is called."

Fredric Selcke: "Brandt. Carroll. Choate. Collins. D'Arco. Dyer.  
Fary. Fennessey. Fleck. Gaines. Garmisa. Hart. Emil Jones.  
Lechowicz."

Shea: "Jones, hold on, Sir. Emil Jones 'aye'."

Fredric Selcke: "Miller. Porter."

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

Fredric Selcke: "Rayson. Rose. Sevcik. Telcser. Williams. 82 'aye'."

Shea: "Mr. Leinenweber goes 'aye'."

Fredric Selcke: "Wait a minute."

Shea: "Mr. Collins goes 'aye'. Mr. Simms goes 'aye'. Wait let me take  
a new Roll Call. There must be 15 people out here. The question is,  
shall House Bill 2057 pass? All those in favor will vote 'aye', those  
opposed will vote 'no'. Have all voted who wish? Have all voted who  
wish? Take the Record, Mr. Clerk. On this question there are  
74 'ayes', Randolph 'aye', on this question there are 75 'ayes', 44  
'nays', 35 'present'. House Bill 2057 . . . yes, Mr. Leon."

Lea: "Have it Postponed Consideration."

Shea: "Postponed Consideration. On the order of House Bills, Third Reading,  
appears House Bill 2073."

Fredric Selcke: "House Bill 2073, a Bill for an Act to amend the Election  
Code. Third Reading of the Bill."

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

Hart: "Ah . . . Thank you very much, Mr. Speaker, and Ladies and Gentlemen  
of the House. This Bill would provide that when there are vacancies in  
the Judiciary where they run for initial elections that they would run  
in a field election. That is the ones who get the most votes would  
be elected. Under the present situation in the Illinois law when there  
are vacancies in the Judiciary such as there were in our district last  
year in two Appellate Court Districts you ran head against head and  
. . . ah . . . so this Bill would provide that if there are vacancies,  
the ones who get the most votes would win. The . . . ah . . . Illinois





MAY 23 1975 189.

Supreme Court in its report to the Speaker and to the President of the Senate, Mr. Partee, on January 31st, 19 . . . "

Shea: "Mr. Hart, Mr. Leinenweber has got some . . . or Kempiners, yes."

Kempiners: "Mr. Speaker, is he . . . ah . . . describing House Bill 2073 or another Bill? Ah . . . According to the information I have, this is the one regarding the filing for Appellate and . . ."

Shea: "He just had the wrong Bill, it was the same explanation. Go ahead, Dick."

Hart: "All right. This Bill . . . ah . . . provides that when there is a vaca . . . or when judges are going to run for retention, they would . . . they would have to file . . . ah . . . for retention by December 1st, prior to the election the following November. The Illinois Supreme Court, I mean, the Illinois Constitution provides that when judges file for retention, they must do so not less than six months before the General Election. The problem that that creates is that our Primary is over prior to that time. So if a judge doesn't make up his mind to file for retention . . . ah . . . until that six-month period comes up . . . ah . . . you have no ability to have an election that year. So . . . ah . . . the Bill would . . . would require that anyone who runs for Judiciary . . . ah . . . would have to refile for retention before December the 1st, that way if they do not seek to re . . . to be retained, then there could be a Primary Election and there would be no vacancy which would be required to be filled by the Supreme Court until the next election. I think it's a very good Bill . . . ah . . . it was . . . ah . . . prepared and filed here; and I would appreciate the support of the House in the . . . ah . . . adoption of this Bill."

Shea: "On this question, shall House Bill 2073 pass? On the question, the Gentleman from Cook, Mr. Duff."

Duff: "Would the Sponsor yield?"

Shea: "Yes."

Duff: "Ah . . . Representative Hart, there was a little bit of noise going on, I didn't hear everything you said, I'd just like to ask two questions. Ah . . . Did the Judicial Advisory Council support this Bill?"

Hart: "I don't really know whether the Judiciary Advisory Council supported



this Bill. I'm not a member of it and . . . ah . . . well, I . . . but I . . . I can . . . I can give you a summary of the Bill from Judge Gulley if you'd like to take about 30 seconds to hear it . . ."

Duff: "Well, if he gave it to you, I presume they did."

Hart: "Ah . . . I don't . . . he testified for it in Committee, but that may not have been, you know, on behalf of the Judiciary Advisory Council."

Duff: "Right. Ah . . . Second question, did the Chief Judges Association make any comment on it at all that you know of?"

Hart: "No, I don't know that they did."

Duff: "Thank you."

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

Lechowicz: "Thank you, Mr. Speaker, will the Sponsor yield for a question?"

Hart: "You bet."

Lechowicz: "Dick, what are the present requirements for the Supreme Appellate and Circuit Court judges seeking retention?"

Hart: "Well, the Constitution requires that they . . . if they . . . if they're going to file for retention when their terms come up that they must do it not less than six months before the . . . the election. The problem with that is that when that time comes around the Primary is over, and so if they do not seek to retain, you know, run for retention, then there is no way of having an election that year, and so you have a vacancy for the next two years which if filled at all is filled by the Supreme Court and . . . ah . . . I think it would be better to have an election."

Lechowicz: "Well, didn't we experience that this past year where the Supreme Court did fill a vacancy that were required?"

Hart: "Well, they can fill the vacancies, but I think it would be better to have the vacancies filled by election than by appointment."

Lechowicz: "And who absorbs the cost of the election?"

Hart: "Well, . . . ah . . . it's . . . it's on the ballot on the . . . in November."

Lechowicz: "O.K., thank you."

Hart: "There's no special elections."

Lechowicz: "O.K., thank you."



Shea: "The Gentleman from Lake, Mr. Pierce."

Pierce: "Ah . . . Mr. Hart, I take it your December 1st filing date advancing to date to December 1st to declare for retention is tied in with the Primary filing date which . . . which at present with . . . ah . . . third Tuesday of . . ."

Shea: "Could we have some order please?"

Pierce: ". . . with our third Tuesday of March Primary is early in December, is that how you picked the December 1st date?"

Hart: "That is correct."

Pierce: "Now, if it appears later this Session that we're going to a May Primary . . . ah . . . would you be willing to amend this Bill in the Senate to make it say February 1st, which would be about the time of the filing for a May Primary?"

Hart: "Well, I think your point is well taken, Representative Pierce, it could very well be tied to a certain day, a number of days before the Primary, but . . . ah . . . the uncertainty of that is that December the 1st which in all events put it before that. But, yes, I would be open to suggestions in that regard."

Pierce: "Well, fine, then I would consider if I were you in the Senate, I see nothing wrong with this tonight, but in the Senate tying in the so many days before the Primary Election, or on the other hand if we affirm on a first or second Tuesday a May Primary make it around February 1st, whatever that filing day would be for the May Primary."

Hart: "I . . . I'll certainly take that up with the people that are interested in it and we'll give it some consideration."

Pierce: "Fine, thank you."

Shea: "The question is, shall House Bill 2073 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. Shea 'aye'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the Record. On this question there are 144 'ayes', 1 'nay', 2 'present'. House Bill 2073 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 2074. The Gentleman from Kane, Mr. Hill."

Fredric Selcke: "House Bill 2074, a Bill for an Act to establish the right of public school employees to organize and bargain collectively and so



MAY 23 1975 192.

forth. Third Reading of the Bill."

Shea: "The Gentleman moves for the adoption of House Bill 2074."

Hill: "I certainly do, Mr. Speaker."

Shea: "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 120 'ayes', 11 'nays', 7 'present'. House Bill 2074 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, Downs 'aye', Mann 'aye', Grei . . ."

Unknown: "Tell them to come up here."

Shea: ". . . will they come up and get on up here, please, just come up to the well and get on . . . on the order of House Bills 20 . . . on the order of House Bills, Third Reading, appears House Bill 2075. The Gentleman from Cook, Mr. Pouncey."

Fredric Selcke: "House Bill 2075, a Act in relation to specialized living centers for developmentally disabled. Third Reading of the Bill."

Shea: "The Gentleman moves for the adoption of House Bill 2075. All those in flavor will vote 'aye', those opposed will vote 'no'. The Gentleman from Cook, Mr. Walsh, on the question."

Walsh: "Well, this is a very serious subject, Mr. Speaker, and I would like to know more about it and would . . . ah . . . request that the Sponsor yield to a question."

Shea: "All right, I'll dump the Roll Call then, Sir. Why don't we let the Sponsor open up; Mr. Pouncey, would you explain your Bill, Sir?"

Pouncey: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2075 provides for the establishment of specialized living centers for the development disabled. The Department of Mental Health and the Capital Development Board have administrated this authority. This provision is for five retardation centers for not less than 50 or not more than 100 beds; and I wish for your favorable support on this piece of legislation."

Shea: "Is there any further discussion? The Gentleman from Cook, the Assistant Minority Leader."

Walsh: "All right, Mr. Speaker, and Ladies and Gentlemen of the House, I rise to oppose this Bill because the Bill goes to something that I think should not be happening that is happening very definitely and that



MAY 23 1955 193.

is that the state is abdicating its responsibility with respect to the mentally ill and the developmentally disabled. This provides that the Capital Development Board may convey facilities to private agencies for the care of the developmentally disabled. I submit to you that there is much that has been happening in private agencies, some that we have no idea about. I learned, for example, that last week that a facility in Chicago that has the care of some 100 to 150 mentally retarded has let those children and young adults be cared for in such a way that they were underfed, they had not been bathed for a long period of time, their personal belongings had been stolen by venal staff. I suggest to you that this might be a good time for us, Mr. Speaker and the General Assembly, to take a good long hard look at what has been happening for perhaps ten years during which time we have abdicated the responsibility we have to the mentally ill and to the developmentally disabled, mostly the mentally retarded. So I would hope, Mr. Speaker, and after this terrible day I would hope that we'd look at this Bill on its merits and that we vote 'no' as a protest to what has been happening."

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

Madigan: "Mr. Speaker and Members of the House, I rise in support of House Bill 2075. The Bill proposes a new approach to an old problem, a new approach which has been developed and endorsed by the recognized associations and organizations in the field of mental retardation. Certainly there has been failings in this area, possibly the state has been at fault, possibly the private agencies have been at fault, possibly individuals have been at fault; but because there have been failings in the past doesn't mean that we shouldn't try something new, that we shouldn't listen to the people who work in these areas everyday and who have devoted their entire life to helping the mentally retarded. They appear before the Committee, they have worked on behalf of Representative Pouncey's Bill, they feel it's a good Bill, and many of us feel it's a good Bill; and I would recommend an 'aye' vote."

Shea: "Is there further discussion? The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker and Members of the House, this is indeed a new approach. Ah . . . Testimony in the Appropriation's Committee indicated that this is going to cost the State of Illinois \$60,000 a bed and it's



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

going to be owned by . . . not owned by the state after it's over with. I say to you that the state now has empty beds which can be used for this purpose. This is a real rip off; and I urge you to vote 'no'."

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

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In response to the last Speaker, the appropriation on House Bill 2076 was really not under consideration now. It was reduced in the Appropriation's Committee from 40,000,000 to 15,000,000; and the Sponsor's response as far as the cost per bed was based on a 50-bed facility; and in turn, after the question was raised, a . . . the break-even point in every facility in the United States has been at 85 and when he made his introduction this evening, he said that the facilities would be from 50 to 100-bed units. I have to agree with Representative Madigan as far as the importance of this . . . ah . . . piece of legislation. To correct a serious problem throughout this state and I was surprised to hear the Minority Leader speak against this Bill and then he brought in the fact that we shouldn't vote on this Bill because of what had transpired this afternoon. I would hope that any piece of legislation that appears before this General Assembly is voted on its merits, how it's presented and what it does for the people of Illinois. I think this is a good piece of legislation and should be voted accordingly. I recommend an 'aye' vote."

Shea: "The Gentleman from Macon, Mr. Borchers."

Borchers: "Well, Mr. Speaker and fellow Members of the House, I have here some of the criticisms that have evolved in relation to these sayings. First of all, the population reduction from our institutions have become more important than the proper care and safety of the retarded or the patients if you want to call 'em that. Some mentally ill persons have been discharged and readmitted numerous times, and they're . . . since they have the policy of the state has allowed them to go free in our community we've had those already that have committed arson, murder, burglary, and that burglary many, many times. There's doubtful innovations that are being . . . that are being promoted by this program."

Shea: "Mr. . . . Mr. Borchers, Mr. Mann is raising on a point of order."



Mann: "Mr. Speaker, the Gentleman's not speaking to the Bill, he's talking about the mentally ill, this deals with the mentally retarded. He's not speaking . . ."

Shea: "Would you confine your remarks, Mr. Borchers, to . . ."

Borchers: ". . . Mr. Speaker and Representative Mann, but the mentally retarded. They have various degrees of mental retardation, and some of the things that I've mentioned are those not so mentally retarded, it's true, but they've committed those very acts in our community. I might point out in Lincoln, Illinois there is a facility, millions and millions of dollars, and in other parts of our state we have facilities worth millions and millions of dollars that part of them, a great part of them, 3/4's of them on the average are now standing vacant because of the state policy. Instead of doing as is being proposed here, I think we should begin to reutilize some of the buildings and the money we already have invested in these buildings; and now at Lincoln they have reduced the population approximately 2/3's . . ."

Shea: "And Mr. Stone on a point of order."

Stone: "Mr. Speaker, the Gentleman is not talking on the Bill or anything that pertains to the Bill."

Shea: "Well, he'll . . . he's gonna, would you turn Mr. Borchers on, will you?"

Borchers: "I'm speaking specific examples of this right here in Lincoln, Illinois, I assure you, . . ."

Shea: "Please, confine yourself to the Bill."

Borchers: ". . . 2/3's of that installation are vacant and they haven't reduced 1/4 of the appropriation. I think that . . . ah . . . it's very obvious that we should re . . . begin to lead them in that position and use the facilities we already have."

Shea: "The Gentleman from Kane, Mr. Friedland."

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

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

Pouncey: "Yeah, Mr. Speaker and Ladies and Gentlemen again. The Bill was explained very well amply by Representative Madigan, but the Bill, I'm also



in closing, we're getting away from warehouses and getting into the new fundamentals of mental retardation and health centers. Thank you, give me your favorable vote, please."

Shea: "The question is, shall House Bill 2075 pass? All those in favor vote 'aye', those opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Randolph votes 'aye'. Have all voted who wish? Take the Record. On this question there are 111 'ayes', 28 'nays', 19 'present'. House Bill 2075 having received the constitutional majority is, hereby, declared passed. Ladies and Gentlemen of the House, could I have a little order please? I have a rather sad job but I think that rather than have me tell you perhaps I'll let Mr. Huff, the Representative, tell you."

Huff: "Thank you, Mr. Speaker, I rise at this time to . . . ah . . . announce rather sadly that one of our Members, Representative Richard Carter, former colleague and Representative of the 20th District, passed away today this afternoon in St. Joseph's Hospital, and I'm gonna . . . ah . . . at this time . . . ah . . . ask leave of the Chair to read into the Record the House . . . the Death Resolution for our former colleague and esteemed friend, Representative Carter. I'm also gonna' have a Page come up and pass out for those of you who request it the information relative to the invitation and the funeral. Thank you very much."

Shea: "Would you read the Resolution?"

Jack O'Brien: "House Resolution 304, whereas, the House has learned with regret the dead of a . . . the death of our former Member the Honorable Richard A. Carter, who represented the 20th Legislative District in the 77th and 78th General Assemblies; and, whereas, a native of Chicago, Mr. Carter was educated at Richard T. Kane Junior College and at Moorhouse College at Atlanta, Georgia; and, whereas, in World War II he served with honor and distinction as a member of the famous 761st Tank Battalion and was awarded five battle stars; and, whereas, he was active in many fraternal, patriotic and civic organizations; and, whereas, his general disposition in conscientious devotion to duty won him the respect and affection of those of us who were privileged to know and work with him; therefore, be it resolved by the House of Repre-





MAY 23 1975 197.

sentatives of the 79th General Assembly of the State of Illinois that we express our profound sorrow at the death of our friend and former colleague, the Honorable Richard A. Carter, and that to his bereaved widow and family we extend our heartfelt sympathy; and be it further resolved that a suitable copy of this Preamble and Resolution be forwarded to Mrs. Richard A. Carter."

Shea: "I wonder if we all might bow our heads and have a . . . on House Bills, Third Readings, appears House Bill 2089."

Jack O'Brien: "House Bill 2089, Taylor, a Bill for an Act to amend an Act relating to probation systems. Third Reading of the Bill."

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

Taylor: "Mr. Speaker and Members of the House, House Bill 2089 is an Act related to the probation system. It eliminates the maximum probation officer who may be appointed in counties and leaves the County Board to determine. It eliminates the age requirement for probation officers to make this Act consistent with the pro . . . the provision of the Juvenile Court Act in relation to probation officers. This eliminates the requirement or records concerning probations kept in one office under the supervision of the Chief Probation officer. It provides that the reimbursement paid to probat . . . to probation officers shall be . . . be determined by the Board of Commissions and paid on authorities of the Chief Judge of the Circuit. Mr. Speaker and Members of this House, I solicit your support for House Bill 2089."

Shea: "The question is, shall House Bill 2089 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 126 'ayes', 3 'nays', 7 'present'. House Bill 2089 having received the constitutional majority is, hereby, declared passed. The Gentleman from McClain, Mr. Bradley."

Bradley: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. There's been some concern in . . . back here about concerning the Resolution that was just read and many . . . many of the re . . . the Members of the House have requested that their names be added to the Resolution. So I suggest that all the Members ask leave of the House that all the Members of the House's names be added to the Resolution."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Shea: "We have leave. Leave is granted. The Gentleman from Cook, Mr. Stearney, on a motion."

Stearney: ". . . er, I would ask leave to have House Bill 374 referred back to Committee and placed on the Interim Study Calendar."

Shea: "The Gentleman's motion is to take House Bill 374 off the Calendar on the order of Third Reading and returned to Judiciary in the order of Interim Study. All those in . . . does the Gentleman have leave? Hearing no objection, leave is granted. On the order of House Bills, Third Reading, appears House Bill 2093. The Gentleman from Cook, Mr. Downs."

Jack O'Brien: "House Bill 2093, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Downs: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2093 is the Bill which requires the pricing of standards for the determination of allowances to be made on an annual rather than periodic basis as contained in the present Code and whatever adjustments may flow from that taking into account the appropriation to be made at a specific date each year, that date October 1st, there was concern about the Bill in its original form and the form in which there were 96 Cosponsors . . . ah . . . about a possible retroactive effect and about a possible automatic effect. I want to stress that the major concern with regard to the retroactive effect has been worked out with a compromise Amendment which makes the operation of the Bill take place October 1st, 1976 for all changes in cost standards from October 1st, 1975. So it will have no effect whatever on the allowances on the current year."

Shea: "The question is, shall House Bill 2093 pass? On the question, the Gentleman from Vermilion, Mr. Campbell."

Campbell: "Mr. Speaker, and Ladies and Gentlemen of the House, I rise in support of House Bill 2093; and I do want this Membership to know that I'm speaking from a personal standpoint, not from the standpoint of the Legislative Advisory Committee. When this Bill was in Committee, I was one of the most vocal opponents that they had. One of the reasons was because of the language of the Bill and there was some question about whether it might cost as much as 30 percent. Nevertheless, the



Sponsor has agreed to Amendments which places this simply on an annual basis and the Department has no objection to . . . ah . . . placing the surveys on an annual basis, however, I must say that they are not in favor of adjusting the allowances on an annual basis. But I, nevertheless, do rise in support of the Bill and wanted the Membership to know that."

Shea: "On the question the Gentleman from St. Clair, Mr. Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker, and Ladies and Gentlemen of the House, I rise in opposition to this Bill. I'm a Member of the Legislative Advisory Committee on Public Aid, and we have . . . ah . . . meetings at least once a month and very often more often. We have . . . are continually on top of the problem of this sort. This Bill was not presented to the Advisory Committee, I refused to sign the Bill as its Cosponsor in spite of the fact that I agree that the . . . ah . . . cost of living should be kept up to date. But I believe the Advisory Committee is being bypassed in this case. I think that we should continually go to the Advisory Committee which spends a lot of time and a lot of effort in this direction; and for that reason, I oppose this Bill."

Shea: "Is there any further discussion? The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House, I'd like to point out that last year this General Assembly mandated a 10 percent cost of increase . . . ah . . . living increase for the Members of the . . . of public aid. Now, that brought them to the . . . to the level of 1973, September of 1973. They are now some 16 months behind in . . . in their standard of living . . . ah . . . costs; and I might say that this does not mandate an increase, as I understand the Bill, it's strictly a review. Now, had we had a review like this last Session maybe we could have gotten by for less than 10 percent, and I think that's why this Bill is important. Ah . . . We don't have to . . . at least have a good idea of what kind of a percentage increase should be given to these people so they can . . . ah . . . maintain a standard of living that's at least comparable with the poor people. Thank you very much."



Shea: "The Gentleman from Adams, Lawyer McClain."

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

I promised . . . ah . . . Bob Downs I wouldn't try to present a real Donny Brook here but I think . . . ah . . . Representative Ryan, you ought to address yourself to House Amendment #1. This requires for the adjustment to be made annually. There is no longer any discretion, and there's no longer any review; and I'm going to vote 'no'."

Shea: "The Gentleman from Champaign, Attorney Hirschfeld."

Hirschfeld: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I think the Legislature needs to review what happened two years ago when Representative Mann introduced a Bill calling for a 10 percent cost-of-living increase for public aid; and I, for one, stood up and voted for that Bill, the Governor vetoed it and removed it down to 5 percent and we overrode the veto. Now, the problem with this Bill is not that it provides an annual review, which I agree with, I think we should review it each year as Representative Ryan said, but as pointed out by Representative Flinn and Representative McClain this Bill as it's now drafted in its amended form mandates an increase each year based upon what the review shows; and the problem with that quite simply is this, this General Assembly never knows how many . . . how much revenue we're going to have available for public aid, and that's a matter that should go before the Appropriation's Committee properly. It should not be automatic. It well may be, for example, that the cost of living will go up at such a rate, let's say 12 or 14 percent that we cannot afford a 12 or 14 percent cost-of-living increase. We may not want to give . . . we may want to give it to the people on public aid, but we may not be able to afford it. On the other hand, the cost-of-living may go down 2 or 3 percent, and this would automatically decrease half of the people on public aid and I believe that's unconstitutional under prior court decision of the State of Illinois. I think, unfortunately, the Bill goes too far and it presumes that the Legislature is not sensitive to the needs of people on public aid. My experience down here, although I've never served on the Appropriation's Committee and have generally opposed public aid in the past if I thought it was too large, but my experience has led me to believe that both the majority



MAY 23 1975

201.

and the minority on Appropriation's Committee are extremely sensitive to the needs of people on public aid that we should have a yearly review but we do not need an automatically mandated increase; and I suggest very strongly we oppose this Bill."

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

Mann: "Well, Mr. Speaker and Members of the House, as you know I've been a Member of the Legislative Advisory Committee since 1965, and for the first four years or I'd say six years of my membership on that Committee, periodic increases would be granted by the Committee. Ah . . . Suddenly under the . . . ah . . . current administration those increases were halted and the result is that we got way behind in terms of cost-of-living increases, and it's not true that the 10 percent which was voted and then . . . ah . . . adjusted to 5 percent took us back to 1973 at all. As a matter of fact, we are not operating at a 1969 level. If you combine that with the fact that according to our own admission, we are \$2,000 below a need in terms of our stipends for persons on public assistance you will readily need . . . you will readily see that it would be a long time before cost-of-living increases would catch us here in the State of Illinois. But this Bill would not become operative until 1976. It would not be retroactive in nature due to the Amendment that was worked out with Representative Campbell; and I would say to you that in terms of the cost of hospitalizing people who do not have adequate . . . ah . . . funds and adequate nutrition to buy meals which will keep them in a minimally healthy condition that out of a fiscal consideration you ought to vote for this Bill. Nor is it untrue that these increases will have to go before Appropriations merely before the . . . because the increase would be mandated does not mean that the Appropriations Committee would not have to appropriate it. The Appropriations Committee might very well deduct from some . . . ah . . . of the administrative costs to the Department of Public Aid, which might not be a bad idea. But let's not penalize those who are in need, who are living way, way below the cost-of-living standards now. This is a good measure, it's a humane measure. It will bring us into line with what many other states are doing and what's being done at the Federal level; and I urge your support."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

202.

Shea: "The Gentleman from Logan, Mr. Deavers . . . er . . . from McClain."

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

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

Downs: "Ladies and Gentlemen of the House, the Amendment was the compromise Amendment worked out with the originally substantial opposition. It absolutely changed nothing from the original Bill other than to make clear that it was not retroactive in effect, so there was . . . the Amendment certainly made it a better Bill from the standpoint of any opposition. There was no meeting or opportunity to present this Bill to the Legislative Advisory Commission. There's nothing about this Bill that changes the current Public Aid Code with regard to the . . . to the involvement of the Legislative Advisory Commission. Nor does it change anything with regard to the current Code involving the appropriation process. This just carries out the original legislative intent of the Code which was to look at the standard . . . ah . . . at one time they said periodically, now we're saying annually because it ha . . . they have not been looked at sufficiently and sets a date certain when any adjustments that might flow from that annual review are to take place. I urge your favorable consideration of this matter and call upon all of the original Sponsors of the Bill to vote 'aye'. Thank you."

Shea: "The question is, shall this Bill 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. Mr. Downs."

Downs: "Mr. Speaker, Ladies and Gentlemen of the House, I would like to explain that there were and still are over 90 Cosponsors of this Bill. The Bill has not been changed one bit from the point of that original time. This Bill was amended on the basis of some concern . . ."

Shea: "Well, wait a minute, yes, Mr. Schlickman."

Schlickman: "Isn't the Gentleman explaining his vote?"

Shea: "He absolutely is."

Schlickman: "Didn't we adopt a motion?"



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

Shea: "Yes, Sir, and it allowed the Sponsor to explain his vote. He's the Sponsor."

Schlickman: "Oh, I'm sorry, Mr. Mann was speaking, I thought he was. I apologize."

Shea: "Can I proceed now."

Schlickman: "I guess so."

Shea: "Mr. Madison."

Madison: "Mr. Speaker, is . . . is it ludicrous to have the Sponsor explain his vote when the board has been closed? I think the board ought to be open."

Shea: "Well, let's take a new Roll Call. Mr. Schlickman got me all nervous. All those in favor will vote 'aye', those opposed will vote 'nay'; and on the question Mr. Downs will explain his vote."

Downs: "Well, I certainly want to make clear that I will . . . I am voting 'aye' for . . . ah . . . my Bill because the Amendment . . . ah . . . certainly made it an even better Bill . . . ah . . . from the standpoint clarifying concern that . . . ah . . . existed in the . . . ah . . . original form when there were 96 Cosponsors. The whole point of this Bill is to remove substantially this question from the political fighting that . . . ah . . . those of you that have been here previous to this Session know only too fully well is going on. I think that we are dealing with a segment of our society which most certainly . . . ah . . . deserves something other than being tossed around as a political football; and I urge very much that those of you keep your commitments to this issue and vote 'aye' on this Bill. Thank you."

Shea: "Have all voted who wish? Have all voted who wish? Take the Record, Mr. Clerk. On this issue there are 68 'ayes', 62 'nays'. House Bill 2093 having failed to receive a constitutional majority . . . the Sponsor requests Postponed Consideration. The Gentleman from Cook, Mr. Bluthardt."

Bluthardt: "Mr. Speaker and Members of the House, and I wish you would listen to me, is my mic' on?"

Shea: "Yes, Sir."

Bluthardt: "Well, yesterday . . . yesterday a Bill was called before the



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

House and received 99 votes. That Bill pro . . . provided for the sale of \$10,000,000 in bonds or the authorization for the sale of \$10,000,000 in bonds. The Constitution of the State of Illinois requires a 3/5's majority in order to sale . . . sell these bonds. Now, it's been brought to my attention, I have a Roll Call before me, that subsequent to the vote and after the vote was announced there were changes made upon that Roll Call to indicate that the vote now was 109 'yes' votes, which would . . . ah . . . reach the constitutional majority required and I say to you, Mr. Speaker, that this is in violation of the rules of the House, in my opinion, and I'd like a rule on it because our rules provides that there shall be . . . that the changes of those may be allowed provided that it does not change the outcome or result of that vote. This does change the outcome, this does change it from . . . ah . . . failure to pass of the required constitutional majority to a do pass, and that's how the Roll Call is . . . has indicated as do pass; and I would like a ruling, Mr. Speaker, as to whether or not those changes made after the Roll Call was announced are legal and valid and should be counted."

Shea: "Well, Mr. Bluthardt, I'm informed by the Clerk that the Bill is in the Senate. Now, I don't know when the votes were changed or added or whatever happened, but I know tonight on several occasions I have announced a Roll Call here and Members have sought recognition to get on and I have repeatedly said would you come to the Well and have the Clerk put them on here."

Bluthardt: "Mr. Speaker, the rule still is that a vote may not be accepted that would result in a change of the result of the original Roll Call."

Shea: "Well, I don't know . . ."

Bluthardt: "And, Mr. Speaker, if that's your ruling, I want to have recorded in the Journal for the benefit of Chapman and . . . or anybody else who may be interested that in my opinion the ruling is incorrect, that the vote was illegally and wrongfully changed after the Roll Call was announced; and I can verify that by 50 or 100 more Members of this Legislative Body because we were harassed by the Sponsor of that Bill when she found out and she should have known all along that she didn't have the constitutional re . . . required 107 votes. This is





just another indication of how this House is being run, it's completely a steamroller. Those who are in favor of the majority, in favor of the Leadership will get their way and those who are opposed of it sure in Hell won't."

Shea: "Well, Mr. Bluthardt, certainly your objection will be noted on the Journal and I see a number of Members who would like to join with you. The Gentleman from Cook, Mr. Collins."

Collins: "Well, Mr. Speaker, I heartily concur in what Representative Bluthardt has said. I remember the . . . the vote yesterday and I think I would doubt the transcript said that you invited anybody to come to the Well, I don't think there was anybody trying to get on that Roll Call at the end. As a matter of fact, it was a Bill that . . . that didn't get over with too much to spare. So nobody was invited to get to the Well, no one was clamoring to get on that Roll Call; and I think the transcript will bear . . . will bear that out. I think that the point raised by Mr. Bluthardt is . . . pertinent . . . ah . . . if the rules were violated in this instance. I think that rather than a dissent, I think that a ruling from you is required, Sir, and I think the Bill was passed illegally and I think that should be the case and it should be journalized."

Shea: "Well, like I said, Sir, I have no independent recollection of the transaction your talking about, I have said that on a number of occasions I have asked people to come to the Well and change their vote. The Bill and the records are no longer within the control of the House of Representatives, but the Bill is in the Senate. So perhaps it will be back here. The Gentleman from . . ."

Collins: "Well, Mr. Speaker, I think that then we should from here on instead of persisting in this reckless haste with which the House has been conducted to impose the rules of the House and stop going to the Well to be added and have people rise and be added to the Roll Call and do it properly. We have violated every rule of this House in our headlong pursuit of meeting an arbitrary deadline that was ridiculous from the very . . . from the very point of its inception."

Shea: "Well, Mr. . . ."

Collins: "And I . . . I would insist, Sir, that you . . . you follow the



MAY 23 1975

206.

rules and stop inviting people to come to the Well to be added to Roll Calls illegally and improperly and in violation of the rules of this House."

Shea: ". . . Mr. Collins . . . well, Mr. Collins, I think it's incumbent upon you as an elected Representative if this Chair make . . . made an honest error in declaring a Bill passed that didn't have sufficient votes that if at that time you would have called it to the attention of the Chair if you had knowledge of it. So I feel maybe perhaps . . . ah . . . if you had done that, we wouldn't be in this position now. The Assistant Minority Leader, Mr. Walsh."

Walsh: "Well, Mr. Speaker, for whatever effect it may have on the sale of bonds authorized in that Bill, I also dissent and I recall clearly because I was in . . . the Minority Leader's office at the time this Bill was called, it received 99 votes and was declared passed. I interviewed a few of the people who I found where had changed their votes, and the changes were made as much as two hours after the passage of this Bill. So I dissent and I would want the Record to show that."

Shea: "Mr. Walsh, perhaps you'd want to file a written dissent."

Walsh: "Whatever's necessary."

Shea: "Well, I . . . I just suggest that might be a way to certainly help your situation. The Gentleman from Cook . . . the Gentleman from Lake, Mr. Pierce."

Pierce: "Mr. Speaker, I resent Mr. Collins' remarks aimed at the Chair, but I will say this, the transcript will show, we keep a transcript here whether the acting Speaker announced the Bill passed by 3/5's constitutional majority or by a mere constitutional majority; and it will show what vote was declared at that time . . . ah . . . because I think the Chair does declare the vote at that time and will show whether it's to be a 3/5's constitutional majority or a mere constitutional majority, so let's go ahead with our business. We can look at the tapes overnight and we can determine . . . ah . . . what really happened. The Gentleman may be right, but the tapes will indicate exactly what happened and it will all be recorded there which shows one advantage of a 1970 Constitution in requiring of the tapes."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

207.

Shea: "On the order of House Bills, Third Reading, appears House Bill 2096."

Jack O'Brien: "House Bill 2096, a Bill for an Act in relation to a hotel operators occupation tax. Third Reading of the Bill."

Shea: "The Gentleman from Peoria, Mr. Mudd."

Mudd: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, . . . ah . . . House Bill 2096 is a permissive Bill to allow hotel . . . er . . . ah . . . municipalities of less than 500,000 to impose a hotel operators occupation tax, and the reason that . . . ah . . . this Bill was introduced was to allow municipalities . . . ah . . . they're outside of the home-rule jurisdiction to impose a hotel/motel tax; and I think it . . . ah . . . this particular piece of legislation allows hotels within the jurisdiction of home rules to be competitive with those outside, and when it passed the Revenue Committee, it passed with 18 votes. It was amended . . ."

Shea: "The question is, shall House Bill 2096 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? Have all voted who wish? Have . . . have all voted who wish?"

Mudd: "Mr. Chairman?"

Shea: "Mr. Mudd to explain his vote."

Mudd: "Yes, Mr. . . . Mr. . . ."

Shea: "Have all voted who wish?"

Mudd: "Thank you."

Shea: "Take the Record, Mr. Clerk. On this there are 100 'aye' votes, 25 'nay' votes, 12 voting 'present'. House Bill 2096 having received the constitutional majority is, hereby, declared passed. On the order of House Bills, Third Reading, appears House Bill 2100."

Jack O'Brien: "House Bill 2100, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Shea: "The Gentleman from Cook, Mr. Jaffe, on House Bill 2100."

Jaffe: "Ah . . . Mr. Speaker and Members of the House, House Bill 2100 . . . ah . . . provides that a teacher . . . that a tenured teacher may be dismissed for cause only upon the order of . . . by . . . of an impartial hearing officer following a hearing. Hearings presently



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

are held before the Board of Education following a request by the effected teacher. In . . . in other words, the person presently who has been fired, it's all . . . who does the firing is also the hearing officer. There's really no way that that person can receive a fair hearing. Ah . . . Under this Bill . . . ah . . . it's put under the direction of the State Board of Education, the State Board provides a list of five perspective impartial hearing officers. Each person must be credited by a national arbitration association. I think that this matter is a matter of simple procedural due process. There are few Bills that are passing out like this. This passed out of the Committee 17 to 1; and I would urge an 'aye' vote."

Shea: "The question is, shall House Bill 2100 pass? Is there any discussion. The Gentleman from Madison, Mr. Lucco."

Lucco: "Mr. Speaker, and Ladies and Gentlemen of the House, I rise in support of the Sponsor, Representative Jaffe's Bill. I know from past experiences, not personally but otherwise, that . . . ah . . . teachers who have not been rehired have of course the opportunity of a hearing but it must be in front of the Board of Education, and the Board of Education is a body which, of course, did not renew their contract. Therefore, you can hardly call that a fair and impartial hearing. So I think that the . . . this particular Bill will provide that the hearing at the request of the teacher must be in front or before an impartial hearing officer, and that hearing person must be designated by the State Office of Superintendent; and I think that this is a very, very fine Bill; and I encourage your support."

Shea: "The question is, shall this Bill pass? On the question, the Gentleman from Peoria, Mr. Tuerk."

Tuerk: "Well, Mr. Speaker and Members of the House, in my opinion, House Bill 2100 has a number of things confusing or at least objectionable about it. The change in the language in location of reference to reasons or causes for dismissal is certainly confusing rather than clarifying. Calling on a School Board to schedule a hearing seems inappropriate to me since all they have to do with this is send a copy of the dismissal notice anyway to the State Board of Education. Now, mandating that a Bill or particulars be sent with the dismissal notice



MAY 28 1975

209.

is not in the best interest in my judgment of the teachers. The State Board of Education assuming all costs for the reporter is questionable. I'd like the Bill . . . the Bill as drafted is certainly not in the best interest of the teachers. It's in poor form, it's confusing at best; and in many respects not to the best interests of the State of Illinois. I would urge a 'no' vote on this particular Bill."

Shea: "The question is, shall House Bill 2100 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. This Bill having received 121 'ayes', 15 'nays'; House Bill 2100 having received the constitutional majority is, hereby, declared passed. Ladies and Gentlemen, I'd just like to announce that we have about 60 Bills left to hear. If we could, I think everybody knows how they're going to vote on every Bill that's left on this Record; and I'm just hoping we can speed up the process a little bit without harming debate, without interfering with it so that every Member who has a Bill left on this Calendar may get heard. On the order of House Bills, Third Reading, appears House Bill 2102."

Jack O'Brien: "That went to Interim Study."

Shea: "He took it off, House Bill 21 . . ."

Jack O'Brien: "House Bill 2102, Chapman, a Bill for an Act to create the Illinois Health Finance Commission. Third Reading of the Bill."

Shea: "Yes, Mr. Anderson."

Anderson: "That Bill is on the list here that you passed out to go to Interim Study."

Shea: "Well, Miss Chapman, did you wish that out of Interim Study, is that it?"

Chapman: "Ah . . . This was on by mistake. This was an error and I wasn't . . . ah . . . didn't notice, I didn't wish it to be on Interim Study."

Shea: "Pardon me, Mr. Clerk. Well, I'm informed that it was taken off the motion, it was put on by mistake. Well, then let's . . . does the Lady have leave to take it from Interim Study and return it to the order of Third Reading on the Calendar where it was taken off today? The Gentleman from Cook, Mr. Berman."

Berman: "Mr. Speaker, when we were trying to gather that list . . . ah



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1975

210.

... Mrs. Chapman had a number of Bills and it was my mistake, I took the wrong designation next to the wrong Bill and I . . . ah . . . it was my mistake and I certainly don't think that she should be penalized because of a clerical error; and I would hope that she'd be allowed to proceed with this Bill."

Shea: "Objection? Miss Chapman."

Chapman: "Mr. Speaker, if there's objection, since the . . . the House Bill has a good many Bills to cover between now and midnight. Let's let it stay in Interim Study."

Shea: "All right, fine. On the order of House Bills, Third Reading, is House Bill 2109, Mr. Jones."

Jack O'Brien: "House Bill 2109, a Bill for an Act to amend an Act relating to real property mortgages. Third Reading of the Bill."

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

Jones: "Yeah, thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 2109 as amended is an Act to . . . to amend the Act . . . amend an Act relat . . . related to residential mortgages. House Bill 2109 provides for a regulation of prepaid utility, provides for procedures and limitations of late charges, provides for application of insurance proceeds, requires that the residential mortgage data be given notice of intent to accelerate payments, takes legal action and of his right to cure default and specify the form of some of the residential mortgage foreclosure action. This is a mortgage reform Bill that came out of the Blue Ribbon . . . Blue Ribbon Housing . . . Housing Act where persons throughout the State of Illinois met and tried to draft . . . ah . . . an act in order to, let's see, where persons throughout the State of Illinois met and tried to draft legislation that was . . . designed for closures of mortgage throughout the State of Illinois. Yesterday in Detroit, Mayors from throughout the City of Chicago, the state . . . throughout the United States met with . . ."

Shea: "Hold on, Mr. Jones. Mr. Jones, Mr. Ebbessen."

Ebbessen: "Yes, Mr. Speaker, could we get a little order please?"

Shea: "All right, would the Members please be in their seat."

Jones: "Yeah, thank you, Mr. Speaker. Yesterday in Detroit, Mayors from



MAY 23 1975

211.

throughout the United States met in Detroit to discuss this particular issue. They were led by Mayor Urban, the great Mayor of the City of Chicago, Mayor Daley, and they . . . they passed . . . ah . . . a Resolution asking for a . . . a moratorium or a . . . on a foreclosure on residential mortgages. So I ask for your approval of this Bill."

Shea: "The question is, shall House Bill 2109 pass? Leinenweber."

Leinenweber: "Question of the Sponsor. Repre . . ."

Shea: "Proceed."

Leinenweber: "Representative Jones, the . . . the Digest says that the Bill prohibits prepayment penalties and regulates prepayment penalties. How can it do both?"

Jones: "Yeah, thank you, Mr. Leinenweber. That was amended out on . . . ah . . . on the Amendment . . . on House Amendment #1, that proportion was amended out, what it does is it regulates prepayment penalties."

Leinenweber: "What is the regulation?"

Jones: "Huh, read the Bill, it's in the Bill."

Leinenweber: "I don't have the Amendment."

Jones: "Well, actually what it does is this, it was an area in the drafting of the legislation that had both of these Sections in the Bill. So what I did was amend out the Section that prohibits prepayment penalties."

Leinenweber: "All right, so now it regulates, what does it limit the amount that . . . ah . . . they can charge for . . ."

Jones: "It limits the amount that can be charged on . . . ah . . . where a prepayment is concerned."

Leinenweber: "To what extent is it limited?"

Jones: "For the first six months, for the first six months on a prepayment penalty there is no additional charge on any prepayment penalty."

Leinenweber: "All right, what about the late payment charges, how does it limit those?"

Jones: "Well, what it does for that is put a ceiling on . . . on . . . ah . . . late payment charges that no more than two percent can be charged."

Leinenweber: "All right, now you mentioned something about the Mayor of Chicago calling for a moratorium on foreclosures, does this Bill have anything to do with that?"

Jones: "Not really, but actually it . . . it addresses itself to that issue."



Leinenweber: "In what way?"

Jones: "It . . . actually what I would do at this time is that Amendment, which was Amendment #2 to the Bill, was . . . was presented by Representative Greiman, with leave of the House, I will yield to Representative Greiman on that Amendment."

Leinenweber: "Well, is there a moratorium now on the Bill?"

Jones: "No, it's not."

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

Ewell: "Point of order, that's the 9th question by one Member and I assure you there are other Members and we do not allow this type of colloquy and I suggest it's out of order."

Leinenweber: "Well, Mr. Speaker, I'm trying to find out what is in the Bill, and I've been told that there's an Amendment that somebody else knows about that the Sponsor doesn't . . . can't explain or doesn't want to explain."

Ewell: "The Amendment's been distributed and I think that all the Members are capable of reading them."

Shea: "The Gentleman from . . . well, the Gentleman's just about run out of time. I've punched the clock once. Mr. Leinenweber, one more question."

Leinenweber: "Well, I'm still trying to find out what if anything this has to do with the moratorium. Now, the Gentleman says and yielded apparently to someone who's the Sponsor of the Amendment."

Shea: "All right, would you turn on Mr. Greiman."

Greiman: "Mr. Speaker, Ladies and Gentlemen of the House, . . . ah . . . a lot of things have happened since Wednesday. On Wednesday afternoon we had a very spirited debate and a very thorough hearing of this matter. Ah . . . When we adopted this Amendment, which was Amendment #2, which as a matter of fact gives the court the authority for a period of no more than 12 months to reduce the mortgage payment during only as they said up to a period of one year based on unemployment, based on death . . . based on uninsured casual . . . casualty loss. Becau . . . this is specifically to address the current economic situation and . . . and this moratorium provision by its own terms expires in 1978. So that it would only be for a limited period of time,





MAY 23 1975

when we hope this current economic problem would have been over."

Leinenweber: "Well, Mr. Speaker, to address myself to the Bill, this Bill is a lot more than . . . ah . . . the Digest apparently shows it to do, and I would suggest that in an attempt to legislate changes in existing legal . . ."

Shea: "You've run out of time, Mr. Leinenweber. You know, everybody wants that extra minute, from now on when this clock goes off, that's the end. Go ahead, Mr. Leinenweber."

Leinenweber: "Thank you, Mr. Speaker, I . . . I don't see how we can constitutionally or rightfully legislate changes in legal documents, so I would urge a 'no' vote."

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

Beatty: "Would the Sponsor or Mr. Greiman yield for a question? Would you tell me whether or not in the case of a clearly abandoned residence whether or not the redemption . . . normal redemption period in a mortgage foreclosure of 12 months is reduced under this Bill?"

Jones: "I would yield to Mr. Greiman because that's his Amendment."

Greiman: "Mr. Speaker, . . . ah . . . in answer to that the Bill does not address itself to the problem of redemption. I would like it to and I would hope that some Amendment is offered to that effect in the Senate to adequately consider the problem of redemption. I think it's . . . ah . . . it's certainly germane. Ah . . . However, this Bill does not address itself to that . . . ah . . . John."

Beatty: "One more question, in the case of . . . ah . . . family illness or for the intercrisis of temporary unemployment, is there any forbearance on a mortgage foreclosure?"

Greiman: "There is no for . . . there is foreclosure only during the period of court supervision, during the period up to a year, but there's no forgiveness if that's what you mean. They're ultimately the piper must be paid, there is no forgiveness. It's just a change in how it's paid and no more than one year and the whole thing self destructs in three years."

Beatty: "Thank you."

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

Schlickman: "Thank you very much, Mr. Speaker. I think in looking at House



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

Bill 2109 we ought to call a spade a spade, in fact, 2109 as amended is identical to House Bill 2137, which was sponsored by the last Gentleman from Cook who address himself to this Bill. House Bill 2137 would have enacted the Illinois Residential Mortgage and Foreclosure Act. This Bill was heard in the Savings and Loan Committee and was defeated by a vote of 12 to 8, and that's exactly what should happen to this Bill on Third Reading. Now, addressing the merits of the Bill, the concern that the Sponsor or the substitute Sponsor has has already been met by latest statistics showing that mortgage delinquencies are going down and that the danger of massive foreclosures is disappearing. This Bill, Mr. Speaker and Members of the House, will cause substantial curtailment of home financing. Under this Bill, as amended, if a loan less than a year old is delinquent for 90 days or more, then it's going to be declared as flow asset. Once this occurs any interest on the loan can't be considered income and such earnings much be held in reserve, therefore, the earnings of the institution, the Lenny Institution, are gonna' be decreased. The Savings and Loan Associations are already exercising forbearance procedures with special approval of supervisory authorities, both Federal and State. The courts are ordering forbearance . . ."

Shea: "Bring your remarks to a close, Sir."

Schickmar: ". . . this law would be inflexible, would look in forbearance procedures. I suggest it's a good judgment of the Savings and Loan Committee with respect to House Bill 2137 which was defeated in Committee by a 12 to 8 vote ought to be extended to House Bill 2109, the alter ego of House Bill 2137, vote 'no'."

Shea: "The Gentleman from Cook, Mr. Davis, the Assitant Majority Leader."

Davis: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, if this Bill did no more than limit the amount of payment . . . ah . . . for late payment, this is really unconscionable, the amount of money that's being charged and I know it's being charged for late payments, and there's no regulation on what they can charge a person for a late payment. This is a racket, and nothing but a racket, the late payments are nothing but a racket, and if it did no more than this, then it would certainly do a service for poor people and help them to save



their homes, and another thing, one more thing, the insurance proceeds would have to be accounted for. They can make an application for some of the money, the high money they have to pay for insurance proceeds. I know some people who are paying as much \$5, \$6, \$700 insurance on thier homes, and under this Bill at least they could make application for some of those insurance proceeds; and I think the Bill ought to pass; and I solicit an 'aye' vote."

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

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

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

Jones: "Yeah, thank you, Mr. Speaker, and Ladies and Gentlemen of the House, we have the highest unemployment rate in this nation in almost 40 years. People throughout the City of Chicago and across the nation are losing their homes because they don't have jobs. This Bill addresses itself to that issue. It gives them the opportunity to keep their homes. In some sections of the City of Chicago it looks like we had a warfare where bombs come here and wipe people out away from their homes. It's a good Bill; and I ask for your favorable support."

Shea: "The question is, shall House Bill 2109 pass? All in favor will say . . . vote 'aye', those opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Jones to explain his vote."

Jones: "Mr. Speaker and Ladies and Gentlemen of the House, I see we're just about 11 eleven votes short, but as I 'forestated is . . . this is much needed legislation to help the people in the State of Illinois, especially in the City of Chicago. People who have mortgages . . . mortgages on homes who have lost their jobs, who can no longer make the monthly payment need some help. This Bill is designed to aid those people. As . . . as Representative Greiman pointed out . . . ah . . . persons . . . persons can go into court . . . go into court and have the monthly payments reduced. This particular provision of the Bill will expire in 1978. I would like to see a few more green lights on the board because it not only helps my area but it helps every area in the State



MAY 23 1975

216.

of Illinois."

Shea: "Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 89 'ayes', 48 'nays', 10 voting 'present'. Mr. Beaupre wishes to be voted 'aye'. - Mr. Lundy wishes to be voted 'aye'. Mr. Collins wishes to be voted 'no'. Mr. Bradley wishes to be voted 'aye'; and on the question there are 92 'aye' votes, 48 'nay' votes, 10 voting 'present'. Mr. Hoffman."

Hoffman: "Yes, Mr. Speaker. I've had my light on ever since this Bill was called because I think my position on the Committee that heard this would have some impact and disposition of this Bill. I'm not rising to explain my vote, Representative, on personal privilege. For all the Members that were recognized, I think I had a little more import in reference to the analysis on this; and I would appreciate the Chair giving me a few minutes to make a few comments. Would you yield, Mr. Speaker?"

Shea: "Does the Gentleman have leave?"

Hoffman: "Mr. Speaker."

Shea: "Well, now wait a minute, you know, the Chair can only do what the Chair can do. Mr. Barnes. Mr. Barnes, can I suggest that we give the Gentleman one minute to make his remark."

Barnes: "I want to make an inquiry, Mr. Speaker, and the only inquiry I want . . . want to make there were many people that were waiting to speak . . ."

Shea: "Mr. Hoffman had his light on."

Barnes: "I'm . . . I'm sure of that, I've had my light on on other Bills and was not called upon to speak because there is things happened . . . procedures happened and I couldn't be called to speak, but now the Gentleman said that he had some import on the Bill that was more important than other people were speaking, and I don't know what . . . what that could be."

Shea: "The Gentleman said that he was on the Committee that heard the Bill and I think he's one of the . . ."

Barnes: "So what, I'm on a lot of Committees but that don't make my import any more important that anyone elses. I . . . I would object to him speaking at this time."



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

Shea: "All right, there's objection. Mr. Meyer goes from 'aye' to 'nay'.

Mr. Schisler."

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

Shea: "How is the Gentleman recorded?"

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

Schisler: "Please record me as voting 'aye'."

Shea: "Would there be any objection if the Chair took a new Roll Call? Stay with this Roll Call. All right, the Chair will take one Roll Call; the question is, shall House Bill 2109 pass? All 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. Now, Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, as Minority Spokesman on that Committee

...

Shea: "I'm sorry I can't let you speak, Sir."

Hoffman: "I ask to verify the Roll."

Shea: "Thank you, Sir, I thought maybe you would. Mr. Jones. Mr. Jones."

Jones: "Yes, poll the absentees, please."

Shea: "The absentee's polled."

Jack O'Brien: "Berman. Brandt. Carroll. D'Arco. Deavers. Dyer. Epton. Ewing. Fary. Fleck. Hill. Kempiners. Klosak. LaFluer. Luer. Lechowicz. McAvoy. Meyer. Pierce. Polk. No, no, no . . . he get it up there now. Polk. Schoeberlein. Schraeder. Sevcik. Stone. Telcser."

Shea: "Mr. Stone. Mr. Stone 'aye'. Mr. Schraeder. Mr. Schraeder 'aye'."

Jack O'Brien: "Wall . . . that's it."

Shea: "Mahar."

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

Shea: "You're recorded 'aye', Sir."

Mahar: "Change my vote to 'no' please."

Shea: "Mr. Mahar goes from 'aye' to 'nay'. Mr. Palmer."

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

Shea: "You're recorded as 'aye', Sir."

Palmer: "Change my vote to 'no'."

Shea: "Change Mr. Palmer from 'aye' to 'nay'. Proceed to verify



MAY 28 1975

218.

what Mr. Kempiners? Mr. Kempiners you want to be recorded as 'present', fine. Mr. Hill 'aye'. Proceed to verify the affirmative Roll. Yes, Mr. Simms."

Simms: "For the purpose of verification, would you ask the Members please to be in the seats so we can expedite this."

Shea: "Certainly, Sir. Would the Members please be in their seat? Would the Members please be in their seats? Proceed to verify the affirmative Roll Call."

Jack O'Brien: "E. M. Barnes. Beatty. Beaupre. Birchler. Boyle. Bradley. Brinkmeier. Brummet. Byers. Caldwell. Calvo. Capparelli. Catania. Chapman. Choate. Craig. Darrow. Davis. DiPrima. Downs. John Dunn. Ewell. Farley. Fennessey. Flinn. Gaines. Garmisa. Geokaris. Giglio. Giorgi. Greiman. Hanahan. Hill. Holewinski. Dan Houlihan. Jim Houlihan. Huff. Jaffe. Emil Jones. Kane. Katz. Keller."

Shea: "Members please be in their seats."

Jack O'Brien: "Kelly."

Shea: "Just hold on, Mr. Clerk, the Gentleman from Cook, Mr. Jones."

Jones: "Mr. Speaker, I see there are many Members that are not on the floor and rather than take up any more time of the House I ask leave to have this Bill put on Postponed Consideration."

Shea: "Postponed Consideration. On the order of House Bills, Third Reading, appears House Bill 2119."

Jack O'Brien: "House Bill 2119, Totten, a Bill for an Act to create a Legislative Services Reorganization Act. Third Reading of the Bill."

Shea: "The Gentleman from Cook, Mr. Totten. Turn Mr. Totten on will you please."

Totten: "Thank you, Mr. Speaker and Members of the House. Most of you have had an opportunity to review the provisions of House Bill 2119. The Bill has been depicted as one that abolishes Commissions, but I think this if you carefully look at the fact sheet that's on your desk, you'll find that the Bill has some very . . . ah . . . important provisions to take over the functions of the Commission. House Bill 2119 creates a new agency, the Legislative Service Counsel which succeeds to the combined functions of the current Legislative Reference Bureau Counsel



and Information System; 20 Legislative Members are on that. House Bill 2119 establishes 12 joint select Committees to conduct the ongoing legislative studies and investigations that are now done by the Commission. The joint select Committees are composed of equal numbers of Representatives and Senators as well as Republicans and Democrats. The joint select Committees will be authorized to hire staffs and will be empowered to appoint advisory Committees to permit outstanding citizens before them for policy input into the legislative decision-making process. The list of the joint Committees is on your desk. The creation and proliferation of legislative Commissions had its origin in the limitations placed on the General Assembly in the 1870 Constitution. As a result of these interpretations, legislative Commissions were created to do the work of the legislative Committees during the Interim. However, there is no longer any constitutional or judicial limitations on the ability of Committees to meet continuously throughout the biennial. Mr. Speaker and Members of the General Assembly, I think if you'll look carefully at the provisions of House Bill 2119, you'll find that this is a legislative proposal worthy of your merit and your vote; and I would appreciate that."

Shea: "The question is, shall House Bill 2119 pass? On the question, the Gentleman from Dupage, Mr. Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, we like some experience on the School Problems Commission, which is one of the Commissions exempt. Ah . . . However, my experience on the School Problems Commission has led me to believe that one of the great contributions that Commissions make is that they bring public members in with legislative Members and create the type of relationship and create the type of . . . ah . . . bond and develop the type of attitude on the part of public members which is very beneficial not only to the ongoing process of the people's business in which we are involved, but also does a great deal to counter negative comments and criticisms of the . . . ah . . . General Assembly. I think most public members who have worked with legislative Commissions are some of the best advocates that we have with the public at large; and, therefore, I would encourage a negative vote on this Bill."



MAY 23 1975 220.

Shea: "The Gentleman from Kane, Mr. Waddell."

Waddell: "Mr. Speaker, on the Bill. I don't know how you could justify a Bill like this by saying you're going to get by less expensively than you do under the present system that we have. I can only tell you that the . . . Data Information Systems Commission currently has on its roster all of the main data of people in the State of Illinois, we also have international experts on this and for zero dollars. The only thing that they have been paid is their expenses to a trip to Chicago or down to Springfield, we could not afford to hire these people; and as such, I think this Bill is foolish and vote it down."

Shea: "Is there any further discussion? Is there any further discussion? Mr. Waddell . . . er . . . Mr. Deuster, do you seek recognition? Mr. Deuster."

Deuster: "Well, very quickly I just like to speak in support of this. I think we all have an opportunity to vote on behalf of government efficiency rather than the ego of individuals. I think we can accomplish the same kind of work, better work, under better control of the General Assembly without catering to the egos of those who might enjoy their special Commission. Unfortunately, you have to take care of the whole thing at one time or you can't accomplish it at all. I think if you read these twelve joint Committees that will be established, you'll see you're going to get a little better balance. Many people have been critical of the Commission on the Status of Women. One reason has been that Commission has concentrated on just one subject and gone off in a tangent. I think under here you'd have a joint Committee on Human Resources and that would be an improvement. I urge your . . ."

Shea: "The question is, shall House Bill 2119 pass? All in favor will vote 'aye', those opposed will vote 'nay', vote, vote. Have all voted who wish? Have all voted who wish? Mr. Totten to explain his vote. Mr. Totten on."

Totten: "Thank you, Mr. Speaker and Members of the House. I . . . I think you'll find if you look carefully at the provisions of the Bill that there are provisions for public members in this legislation. The Bill specifically allows the Speaker, and the President of the Senate,



GENERAL ASSEMBLY  
STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES



MAY 23 1975

221.

the Minority Leaders to provide for . . . ah . . . public members to continue that input . . . ah . . . that public members have put into the Commissions in that past. I think in addition you'll find that those things that Commissions have done in the past can still be done under the existing structure that is set up in the Amendment to . . . ah . . . House Bill 2119. In addition, in 19 . . . in the last fiscal year . . ."

Shea: "Mr. Totten, if you'll wait a minute. Will the Members please be in their seat, and could we have some quiet in the Chamber? Will the Members please be in their seat? Mr. Totten."

Totten: "Thank you, Mr. Speaker, in the last fiscal year we . . . we spent some 5.3 million dollars on Commissions, some of which I think many of us have questioned. In fact, many Members came to me when I put this Bill in indicating that . . . ah . . . they would be in support of this because of some of the Commissions that they have served on. Many Members of course indicated to me also that they would be in favor of it if their Commission was exempted. I think the arguments that were presented the other night on Second Reading for several of the Commissions were ones that I took very seriously . . . ah . . . and I think there may be some need for . . ."

Shea: "Will you bring your remarks to a close, Sir."

Totten: ". . . for when this Bill gets over to the Senate that . . . ah . . . these Commissions . . . ah . . . could be . . . ah . . . possibly included back into the Bill. I think on the most important part that this will make a stronger legislative branch of government, one of which the decision will be made by the same people who do the research rather than the situation that exists now where the research is done by many people and we on Committees are asked to make the decisions and have to start all over again on the process; and I plead with many of you who indicated you would like to support this legislation to give it a favorable vote so that we can take a good look at the process, which we're doing, and get this Bill passed, and I would appreciate that vote. Thank you, vote 'aye'."

Shea: "Have all voted who wished? Take the Record. On this question there are 86 'ayes', 52 'nays', . . . Mr. Totten."



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1915

222.

Totten: "Could I have a poll of the absentees, Mr. Speaker?"

Shea: "Call the absentees. Mr. Peters."

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

Shea: "You're recorded as voting 'aye'."

Peters: "It must have been a disastrous mistake on my part, Mr. Speaker."

Shea: "Change it to 'no'."

Peters: "Change it to 'no'."

Shea: "Call the absentees, will you, Mr. Clerk?"

Jack O'Brien: "Brandt. Carroll. D'Arco. Dyer. Fary. Fleck. Gaines.  
Hirschfeld. LaFluer. Lauer. Marovitz. McClain."

Shea: "Marovitz 'aye'."

Jack O'Brien: "McMaster. Rose. Sevcik. Shea. Stearney. E. G. Steele.  
Stone. Telcser. Walsh. Mr. Speaker."

Shea: "On this question there are 87 'ayes', 52 'nays', 17 Members  
'present'. House Bill 2119 . . . Caldwell is voting 'aye'. Now,  
that . . . what does that give us, Mr. Clerk?"

Jack O'Brien: "88 'ayes' . . ."

Shea: ". . . when I know where we're heading, we're heading for 88 or 89  
and then we're heading for a verification of a Roll Call. How many  
Members do we have right now, Mr. Clerk?"

Jack O'Brien: "88 'aye'."

Shea: "There are 88 'ayes'. Mr. Madison wishes to go 'aye', it's 89.  
Mr. Steele wishes to go 'aye'. Mr. LaFluer 'aye'. Mr. Beaupra 'aye'.  
Mr. Maragos . . . there's been a request for a verification. I think  
with the request of the verification, I'm going to take a new Roll  
Call. I wish all the Members would vote, we'll leave the voting open  
long enough to have every Member vote their switch, their switch. All  
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 76 'ayes', 46 'nays', 20 Members voting  
'present'. House Bill 2119 having failed to receive the constitutional  
majority is, hereby, declared lost."

Speaker Redmond: "House Bill 2121."

Jack O'Brien: "House Bill 2121, Giorgi, a Bill for an Act . . ."

Speaker Redmond: "Will you give the Gentleman order, please?"



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

May 23 1977

Jack O'Brien: ". . . a Bill for an Act to amend the School Code. Third Reading of the Bill. Speaker Redmond in the Chair."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, House Bill 2121 changes the membership of the Downstate Teachers Certification Board. It eliminates assumed . . . member of the board and changes the number of college, university faculty members from four to two and in their place, H.B. 2121 provides that two members of the State Board of Education are to be appointed to the Certification Board and it increases the number of teachers on a Certification Board from six to seven, makes it a fourteen-man board and I urge your . . . your support."

Speaker Redmond: "Any discussion? Representative Brinkmeier."

Brinkmeier: "Well, Mr. Speaker and Members of the House, . . . ah . . . it's with a great deal of reluctance that I rise in opposition to this Bill, but I think as a responsible educator, I have no alternative. I'd like to point to the Membership that what we're doing here, we're removing three very capable and needed people from the Board. I'm speaking of the . . . the Super . . . the State Superintendent of Public Instruction, I'm speaking of two faculty members, university faculty members who undoubtedly have a great input into what the . . . the courses are required in training our teachers. I just remind the Membership very briefly of some of the organizations that are in opposition . . . ah . . . to this legislation. The Illinois Office of Education, the Chicago Teachers Union, the Illinois Federation of Teachers, the Illinois . . . the Illinois Chamber of Commerce, the three Chicago newspapers and the Illinois School Board Association. I would say when all those organizations oppose the Bill, it must really be a bad Bill and this is just that; and I urge a 'no' vote."

Speaker Redmond: "Representative Palmer."

Palmer: "Well, thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I rise in opposition to the . . . to 2121 and in addition to what has been said. the people of this state in 1970 adopted the Constitution and set up the Department . . . the State Board of Education which obviously had to have some duties; and in 2121 you put teachers, I believe teachers would have a majority of that Board, I do not know



what they could add to the certification procedures of this state. I do know . . . not know what they have in mind by taking the Superintendent of Public Instruction out, the man that is in charge of the education in this state. It's a bad Bill; it's been editorialized by the three major Chicago newspapers in neat editorials. It should not be passed; and I urge a 'no' vote."

Speaker Redmond: "Any further discussion? The question is, shall this Bill pass? All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? Have all voted who wish? Representative Giorgi."

Giorgi: "Mr. Speaker, it's implied to this Board this . . . ah . . . Bill effects the Chicago teachers and it doesn't, this Board doesn't change the Board substantially at all, all it does is remove . . . reduce this from four to two, the administrator of faculty members. The two administrators are still on the Board. The reason those superintendants are still on the Board and the teachers have more to say about their own certification. This is a good Bill, the teachers deserve a better voice and a louder voice under certification; and the new Constitution said that the Board of . . . the State Superintendent of School should be out of politics and that's what this Bill does, . . . ask for your support."

Speaker Redmond: "Have all voted who wish? The Clerk will take the Record. On this question 48 'ayes', 73 'nays'; and the Bill having failed to receive the constitutional majority is, hereby, declared lost. 2122. Wait a minute, I understand that we have to change the tape or something like that there, so we have to wait a minute. I would like to call the attention of the Membership that the hour is now five minutes after eleven, it is the intention of the Chair not to go beyond midnight. I don't know how many Bills there are on the Calendar. I would assume 40 possibly, and about a week or so ago I suggested that it might be advisable for some Members to consider . . . ah . . . rereferring their Bills to the Committee from whence they came and ask that they be put on an Interim Study Calendar. If you're contemplating doing any such thing perhaps it would be a wise idea to do it now so we can shrink this list and perhaps . . . ah . . . finish our business. Representative Marovitz. Representative Marovitz, he's at . . . ah



. . . I don't know who's seat he's at, Lechowicz's seat."

Marovitz: "Mr. Speaker and Members of the House, I would ask leave to recommit House Bill 1167 back to the Human Resources Committee, Interim Study . . ."

Speaker Redmond: "Any objection? Leave to get rereferred. Representative Mann."

Mann: "Mr. Speaker, a parliamentary inquiry."

Speaker Redmond: "State your parli . . ."

Mann: "Do Bills . . . ah . . . automatically die or do they become tabled or they just can't be called? In other words, would the . . . would the motion to recommit be appropriate next week that's all I'm asking."

Speaker Redmond: "I would doubt it, we can't call them after March or May the 23rd."

Mann: "All right then, Mr. Speaker, . . . ah . . . I would ask then leave to have . . . ah . . . House Bill 361 and House Bill 1832 be recommitted to the Committee on Higher Education for the Interim Study Calendar."

Speaker Redmond: "Any objection, Leave granted. Representative Flinn."

Flinn: "Mr. Speaker, I would ask that . . . ah . . . House Bill 931 be recommitted to Committee for the purpose of being assigned to the Interim Study Commission."

Speaker Redmond: "Any objection? It's recommitted. Representative Hart. Representative Hart."

Hart: "The . . . the same for 2598 and 2762, back to the Committee where they came from on the Interim Calendar."

Speaker Redmond: "Any objection? It will be recommitted. Representative Leinenweber."

Leinenweber: "Ditto with . . . ah . . . House Bill 927 to Judiciary II, please, Study Committee."

Speaker Redmond: "Any objection? Recommended. Representative Geo-Karis."

Geo-Karis: "Ah . . . Mr. Speaker, and Ladies and Gentlemen of the House, I have House Bill 1658 on Postponed Consideration, may I ask leave of this Assembly to recommit it to the Cities and Villages Committee?"

Speaker Redmond: "Any objection? It's recommitted. Representative Simms."

Simms: "Mr. Speaker, I would lea . . . ah . . . ask leave to have House Bill 2711 and House Bill 2724 recommitted to the Committee on Elections"



Speaker Redmond: "Representative Malloy."

Malloy: "Mr. Speaker, I would ask that House Bill . . . I would ask leave of the House that House Bill 775 be recommitted to the Committee on Banks and Savings and Loans."

Speaker Redmond: "Any objections? Leave, it will be recommitted. Representative Ebbessen."

Ebbessen: "Ah . . . Yes, Mr. Speaker, I'd ask leave to have House Bill 1798 . . . ah . . . recommitted to Personnel and Pensions for purpose of . . . of . . . ah . . ."

Speaker Redmond: "Any objections? Leave granted. Representative Ma . . . 1798 was that? Representative White."

White: "Testing, oh, Mr. Speaker, I'd like to have leave to recommit House Bill 2349 to Human Resources Committee."

Speaker Redmond: "Any objections? Recommited. Representative Hoffman, R. L."

Hoffman: "Thank you, Mr. Speaker, I'd like to recommit to the Committee that they came, House Bill 721 and House Bill 967."

Speaker Redmond: "Any objections? Leave, they will be recommitted. Representative Houlihan, James."

Houlihan: "Mr. . . . Mr. Speaker, and Ladies and Gentlemen, I . . . ah . . . move to have 1829 put under the watchful eyes of Larry DiPrima."

Speaker Redmond: "What's the number?"

Houlihan: "18 . . . 1889."

Speaker Redmond: "Any objection? Leave granted, 1889. Representative Tipsword."

Tipsword: "Mr. Speaker, I request leave that House Bill 2484 be recommitted to Judiciary I Committee."

Speaker Redmond: "Any objections? It's recommitted to Judiciary I. Representative Hirschfeld."

Hirschfeld: "Mr. Speaker, I ask leave to have House Bill 2582 recommitted to Personnel and Pensions."

Speaker Redmond: "Any objections? Recommited. Representative Washington."

Washington: "Mr. Speaker, I ask leave to send House Bills 1974, 1975 and 1976 back to Labor and Commerce Committee."

Speaker Redmond: "Any objections? Recommited to the Labor and Commerce



. . . Representative Shea."

Shea: "Well, Mr. Speaker, I'm wondering if the Members that want to take their Bills off the Calendar may go down and put them on a list by the Clerk so . . . so that . . . ah . . . we can get on with trying to call at least a few Bills more."

Speaker Redmond: "Representative Kozubowski."

Kozubowski: "Mr. Speaker, I have House Bill 1091 on the order of Second Reading, which I would like to recommit with leave of the House to the House Executive Committee for reassignment . . . recon . . ."

Speaker Redmond: "Any objections? Recommitted. Representative Stone."

Stone: "I ask leave to have House Bill 2910 be rereferred to Personnel and Pensions."

Speaker Redmond: "2910 was that?"

Stone: "2910, yes, Sir."

Speaker Redmond: "Any objections? Recommitted. Representative Downs."

Downs: "Mr. Speaker, I ask leave to have House Bill 2993 recommitted to Human Resources and House Bill 2908 recommitted to Judiciary II."

Speaker Redmond: "Any objections? They will be recommitted. Representative Jaffe."

Jaffe: "Mr. Speaker, I'd ask leave to take House Bill 620 back to the Election Committee."

Speaker Redmond: "Representative Jaffe has asked leave to return House Bill 620 to the Election Committee. Any objections? It will be recommitted. Representative Schneider."

Schneider: "For my . . . ah . . . friends on the other side of the aisle . . . ah . . . House Bill 558 to the Committee of origin, I believe it was Elections."

Speaker Redmond: "The Gentleman has asked leave to recommit House Bill 558. Any objections? It's recommitted. Representative Leon."

Leon: "Mr. Speaker, . . . ah . . . Mr. Fleck has asked me to handle his Bill tonight, it's on Postponed Consideration, it's House Bill 921. I'd like it to be taken from that order of business and sent . . . ah . . . sent back to Bank Savings and Loans. Mr. Jones has requested me to take House Bill 2109 from Postponed Consideration and refer it back to Bank Savings and Loans; and I would like to <sup>(HAVE)</sup> House Bill 2057



MAY 23 1975

228.

taken from Postponed Consideration and place back in Public Utilities.

So that's . . ."

Speaker Redmond: "What was that last one, 20 . . ."

Leon: "2057."

Speaker Redmond: "Does the Gentleman have leave? Hearing no objections, they'll be recommitted. Representative Catania."

Catania: "Parliamentary inquiry, Mr. Speaker, are the Bills on Postponed Consideration in the same stage, that is, they cannot be heard after midnight tonight?"

Speaker Redmond: "That is correct."

Catania: "Then I ask leave to return House Bill 1437 to Human Resources and House Bill 2975 to Revenue."

Speaker Redmond: "Any objections? They will be re . . . recommitted. Any one else, Representative Merlo."

Merlo: "Mr. Speaker, I would like to recommit House Bill 790 to the Executive and placed on the Interim Study Committee . . ."

Speaker Redmond: "Any objection? It'll be recommitted. Representative Leverenz."

Leverenz: "Yeah, Mr. Speaker, I'd ask leave to recommit to Committee 2855, the Labor and Commerce."

Speaker Redmond: "Any objections? That's 2855, was that correct?"

Leverenz: "Correct."

Speaker Redmond: ". . . be recommitted. Representative Deuster."

Deuster: "Mr. Speaker, on the order of Consideration Postponed is House Bill 14. I would ask leave to return that to the Committee of its origin."

Speaker Redmond: "Any objection? It'll be recommitted. Representative Choate."

Choate: "Well, Mr. Speaker, just a point of parliamentary inquiry. You have stated to this House and to the public gathered in the Galleries that it's your intention to get out of here by midnight tonight. Ah . . . If that is so and I believe you, can't this . . . these things that you're doing at the present time be done in the Clerk's Well and let us be devoting our time to some Bills that remain on the Calendar that are very, very important to the people of the State of Illinois?"





MAY 23 1975

229.

Speaker Redmond: "Representative Choate, the reason that I followed this procedure is in order that we . . ."

Choate: "No, I just asked a question . . ."

Speaker Redmond: "... well, it could be, but the thing is that they would have to be called in their order, and if we're going to do it anyway, this way we may clear the deck a little bit and then . . ."

Choate: "The only thing I wanted to point out, Mr. Speaker, is that . . . is that there is some meaningful legislation on the House Calendar, meaningful not only to the Members of this House of Representatives, but to the entire general public of this state; and I'm sure that when they come, if they come, and hopefully they will come, I don't think there'll be any problem as far as passage is concerned."

Speaker Redmond: "On the order of House Bills, Third Reading, . . . Representative Walsh."

Walsh: "Just a point, Mr. Speaker, I think that we gave unanimous consent to refer House Bill 2093 back to Committee and it was defeated tonight and our records indicate that Postponed Consideration was not requested. So it looks like we're startin' all over again."

Speaker Redmond: ". . . that . . . if that is correct, if it was defeated, it's on Postponed Consideration, the Clerk advised me."

Walsh: "Thank you."

Speaker Redmond: ". . . 2121 having failed to receive the constitutional majority is, hereby, declared lost. 2122. Representative Caldwell, for what reason do you arise? 2122."

Jack O'Brien: "House Bill 2122, Giorgi, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Redmond: "Representative Williams, for what reason do you arise?"

Williams: "I have a question, Mr. Speaker."

Speaker Redmond: "State your question."

Williams: "If we were to go, you know, this route, we're hearing Bills now that have an expiration date of June. Now, we were given a priority of Call Calendar here and there are some of us that have Bills with a May expiration and I don't think it's fair to be hearing the June expiration Bills before the May expiration."

Speaker Redmond: "Representative Matijevich."



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

Matijevich: "A point of order. We all know that . . . that our expiration date as . . . ah . . . the joint rules is tonight at midnight."

Speaker Redmond: "If you'll let . . . ah . . . let us proceed here we may reach some of those Bills, Representative. 2122. Representative Giorgi."

Giorgi: "Mr. Speaker, . . ."

Speaker Redmond: "Please give the Gentleman attention."

Giorgi: ". . . 2122 reverses the rules of the State Certification Board and the State School Superintendant so that eligibility standards rule making another determinations are made by the Board in consultation with the State's Superintendant. I know of no objections to the Bill; and I urge a favorable Roll Call."

Speaker Redmond: "Any questions? The question is, shall this Bill pass? Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? . . . Will take the Record. Leon 'no'. On this question there's 51 'ayes', 69 'nos'; the Bill having failed to receive a constitutional majority is, hereby, declared lost. 2123."

Jack O'Brien: "House Bill 2123, a Bill for an Act to amend . . . ah . . . a Bill in the title of Organization of Court Services and Probation. Third Reading of the Bill."

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

Duff: "Well, Mr. . . . to save the House time and in accordance with Rule 37, I would like at this time to move that House Bill 900 be brought up and heard consecutively with 2123 since they are on similar almost identical subjects."

Speaker Redmond: "Representative Shea."

Shea: ". . . objection."

Speaker Redmond: "An objection has been heard, Representative Duff."

Duff: "Mr. Speaker, the House Rules 37 in this regard does not provide for objection, it's at the discretion of the Chair."

Speaker Redmond: "Representative Shea, do you want to take the Chair . . . your pleasure, Representative Getty, . . . Representative Getty, what's your pleasure about having them heard together."

Getty: "Ah . . . Mr. Speaker, . . . ah . . . it's my understanding that



MAY 23 1975

231.

that is up to the Chair, I am ready to proceed on 2123. I . . . I . . . I'm ready to go on it."

Speaker Redmond: "O.K., Representative Getty. Representative Walsh."

Walsh: "Well, could we have some indication from the Chair on whether or not they will call House Bill 900 after this Bill since they are identical subject matter and we've been . . ."

Speaker Redmond: ". . . they're already loose. Representative Duff."

Duff: "Well, Mr. Speaker, I think that we can save this House a whole lot of time on 21 and 2 . . . 2123 and 900 with this motion, to save a lot of time on both Bills. Representative Getty has indicated to me, well, I'll not refer to that comment, he's made his. Ah . . . If these two Bills are heard together, I think we're going to save a lot of time, in consecutive order, Mr. Chairman."

Speaker Redmond: "Well, Representative Getty indicates that he would like to proceed with his Bill, . . ."

Duff: "Well, Mr. Chairman, he did not say that he did not want to remove . . . to move to 900."

Speaker Redmond: "Well, let's take 2123 and we'll make that decision in a few minutes. Representative Getty. Well, right now, I'm deciding that Representative Getty will proceed with 2123. That's my decision now. Representative Madison."

Madison: "Mr. Speaker, if those Bills are not going to be heard concurrently, then I would suggest to the Chair that 900 cannot be heard at this time because the Chair would then go out of order."

Speaker Redmond: "Representative Getty."

Getty: "Mr. . . . Mr. Speaker, . . . ah . . . may I call to the Chair's attention the fact that . . . there's still a Roll Call up there . . ."

Speaker Redmond: "I've declared that lost."

Getty: "O.K. Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 2123 is a state-wide probation legislation Bill which establishes state-wide standards. The . . . ah . . . probation system would be under the Administrative offices of the Illinois courts, it's supported by the Administrative office of the Illinois courts, it's supported by the Illinois Probation Parole and Correction Association, the League of Women Voter's. I know of no oppositon for it, and I'd ask for a



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

favorable Roll Call."

MAY 23 1975

Speaker Redmond: "Representative Hirschfeld."

Hirschfeld: "I wonder if the Sponsor would yield, Mr. Speaker."

Speaker Redmond: "Indicates he will."

Hirschfeld: "Can you tell me, I realize that the other Bill that we're not discussing is fully funded by the state, and this is partially funded by the state, I believe, and partially funded by the counties, is that correct?"

Getty: "That's correct."

Hirschfeld: "And would you tell me what the downstate counties, what this would cost the downstate counties?"

Getty: "Well, as you know, Representative Hirschfeld, they're now paying the entire cost. Under this Bill they would be paying 50 percent of the cost. There . . . ah . . . there is a provision that would permit the downstate counties that would hardship in financing to obtain additional grants to maintain their 50 percent requirement."

Hirschfeld: "On the Bill, Mr. Speaker. Mr. Speaker."

Speaker Redmond: "The question is, shall this Bill pass? All in favor . . . who?"

Hirschfeld: "Mr. Speaker, I was not finished, I asked him a question and wanted . . ."

Speaker Redmond: "Oh, pardon me, Representative Hirschfeld."

Hirschfeld: "Thank you, Mr. Speaker. I . . . ah . . . I'm sorry we're not considering both Bills together, but we're not and that's the shape of things here at the moment, but the real problem with this Bill, I heard it in the Committee and the people that testified in favor of Representative Getty's Bill, including Judge Gulley, as I remembered it, stated that he was deeply concerned about this Bill. He said, 'I'm not going to oppose Representative Getty's Bill, but I'm deeply concerned about it because of the fact it imposes these . . . ah . . . these expenses on the counties and he was particularly concerned, and I think that downstaters should pay close attention to this because many of the downstate counties do not have adequate probation systems for the very reason that they cannot afford it; and so while Representative Getty is right in saying that they will only



MAY 23 1975

pay 50 percent of the cost, rather than 100 percent. Right now they're paying nothing because they don't have any probation system. They can't afford that and people in Polk and Alexander and Union and many of the counties of the far south of the State of Illinois will not be able to afford this program where they will be able to afford the other program. I think that we ought to defeat this Bill and I'm only sorry, Mr. Speaker, that we didn't give leave so that we could've passed both Bills and perhaps let the Senate or the Governor look at it, but since we didn't, I'm going to oppose this particular Bill because of the effect it will have on the downstate counties."

Speaker Redmond: "Representative Palmer."

Palmer: "Well, thank you, Mr. Speaker, and Ladies and Gentlemen of the House, not too long . . . too many nights ago we passed a . . . an appropriation Bill for some of those downstate counties in sad relief, and Mr. Hirschfeld has talked about that, but one thing more important than this, is that if we're going to have a meaningful probation system in this state, it's going to have to be uniform, and it should be vested in one control and that should be in the State Supreme Court or the administrative services of it. Now, Representative Duff has a meaningful Bill. Mr. Getty's Bill we went along with too, but in as much as you're not going to consider both of them tonight or pass them both out at once, I'm going to urge a 'no' vote on this Bill."

Speaker Redmond: "Representative Hart."

Hart: "Thank you, I move the previous question."

Speaker Redmond: "The Gentleman moves the previous question. The question is, shall the main question be put? All in favor indicate by voting 'aye', oppose 'no'. All in favor vote 'aye', oppose vote 'no'. Representative Walsh."

Walsh: "Well, Mr. Speaker, on that question. There were several Members that I saw on this side, Representative LaFluer among them, who wanted to speak on this issue. Now, you passed this rule that amended the provisions with respect to the explanation of vote while we were out. Now, the least you can do is respect the Republican Members a little bit and give them an opportunity to talk on the question. Now, I know that Representative LaFluer wanted to talk and there were



MAY 23 1975

234.

several others."

Speaker Redmond: "Have all voted who wish? On this question there's 83 'ayes', 58 'nays', 2 voting 'present'. Take the Record. On this question there's 88 'ayes', 58 'nos', 2 'present'. Rep . . . Representative Getty."

Getty: "Is this on the motion or the Bill, Mr. Speaker?"

Speaker Redmond: "This is . . . this is on the main . . . shall the main question be put? Representative Walsh."

Walsh: "Well."

Speaker Redmond: "I haven't announced it yet."

Walsh: "Well, O.K."

Speaker Redmond: "I'm having my . . . I'm having my mathematician tell me. The motion . . . the motion to put the main question loses. Representative Grotberg. Representative Grotberg. Representative Grotberg. Use . . . ah . . . Representative Winchester's mic' behind you. You blew a fuse there, John."

Grotberg: "Is that better?"

Speaker Redmond: "Yeah."

Grotberg: "Mr. Speaker, I have a parliamentary inquiry."

Speaker Redmond: "State your inquiry."

Grotberg: "We have hassled around a lot of mickey mouse Bills and all of us are guilty of having some in there. They're two major Bills dealing with the same subject matter. I speak only as a Member of this Minority Party, I think we could pass them both out of here with about 150 votes and do the decent thing. You . . . the subject matter is too precious to ignore the people of Illinois on it, to tune it into a partisan battle of who's Bill goes or stays should not be prerogative."

Speaker Redmond: "Representative Shea. Representative Shea."

Grotberg: "This is . . ."

Shea: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I'll try not to take up too much time. But I've seen every subject matter of importance that Mr. Duff has tried to tie a personal Bill, House Bill 900 on. When I called for special order of business with malpractice the other day because it had 17 or 18 amend . . . Amendments, Mr. Duff had to get 900 in the show. When Mr. Duff . . . when Mr. Getty's Bill



got called, Mr. Duff had to get 900 in the show again; and all I'll ask you, Mr. Duff, if I might, I told you I'd try to work with your Bill, but you have just tried to foul everybody up in order to make yourself look big for what problem I don't know, but I think you're wrong, Sir."

Speaker Redmond: "Representative Hirschfeld."

Hirschfeld: "Mr. Speaker, I . . . I beg to differ with the distinguished Majority Leader. Now, I sat on that Committee that this Bill was heard on, and Representative Duff called that Bill week after week and tried to get that Bill heard, and the Chairman of that Committee who happens to be a Democrat wouldn't let Representative Duff call the Bill until this Bill caught up with Representative Duff's Bill, and Representative Duff tried to extend the most courtesies he could to the Chairman of that Committee. He waited and he waited and he waited while the Democrats played around with an appropriation's Bill for one time, and they finally caught up with this Bill, which is an administration Bill, and I think that the Majority Leader owes Mr. Duff an apology."

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

Bradley: ". . . for what . . . Mr. Speaker, on what grounds is the Gentleman from Peo . . . ah . . . from Champaign speaking, he didn't ask on a point of personal privilege? No, he's not, he doesn't have any right to be on the floor speaking."

Speaker Redmond: "Representative Choate. Representative Choate."

Choate: "Well, Mr. Speaker, and Ladies and Gentlemen of this House, I'm getting a little bit sick and tired of what the hell is goin' on here. When the Speaker said we was gettin' out at 12 o'clock tonight, it was five minutes 'til 11. We've spent 35 minutes and we haven't done a damn thing; and as I've said earlier, there's some meaningful legislation on this Calendar and it's a little bit down the line because of nobody's fault, but if we don't get to it tonight, there's going to be a lot of people in the State of Illinois that's going to wonder why in the devil we didn't get to it. So we better get down to business, and we better start doing the things we was elected to do, and we better start devoting our attention to the things that's important, not only to this



MAY 23 1975

236.

legislative Session, to the Legislators themselves, but, yes, to the people of this state."

Speaker Redmond: "Representative Telcser."

Telcser: "Ah . . . Mr. Speaker and Members of the House, with respect to the dialogue that is going on now, I would simply like to point out to the Majority Leader that Representative Duff had offered on a number of occasions to remove himself as principle Sponsor of . . . ah . . . House Bill 900 so as . . . ah . . . to help solve the problem which the Bill deals with and not to use it as a personal thing, and Representative Shea, I think that when one views . . . ah . . . this question in that context, you can understand that Representative Duff is not making this a personal matter at all."

Speaker Redmond: "Representative Duff."

Duff: "Mr. Speaker, thank you very much."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Mr. Speaker, I make a point of order, we're going to back and forth here . . ."

Speaker Redmond: "State your point."

Matijevich: ". . . and I really think in a half hour we could . . . we could utilize the system, you know, we all know what these Bills are, I know how I'm going to vote on Representative Getty's Bill without any explanation, without any debate on it, and everybody here knows how they're gonna' vote, and I think that on every Bill left on the Calendar we can do that. If we let every Sponsor explain his vote and have a vote, we can get that whole Calendar cleared up, and I suggest that we do it and start it right now."

Speaker Redmond: "Representative Duff."

Duff: "Thank you, Mr. Speaker, I would like to let a little more order and calmness be restored if I might for a moment. Now, in the first place, briefly on the point of personal privilege . . . ah . . . four years I have worked on this subject with many others, it is . . . it is something I care about, but it is a fact I have repeatedly asked other to take over the principal sponsorship of my Bill so it wouldn't be personal. Now, also I've indicated and I was trying to make the gesture to Representative Getty tonight, so I would like to ask the Sponsor a question



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES



MAY 29 1975

and perhaps we can get this thing all put into good order so we don't lose . . . ah . . . decent consideration of his Bill or mine under the circumstances. Could I ask the Sponsor a question?"

Speaker Redmond: "Will you yield, Representative Getty?"

Getty: "Yes, I . . ."

Duff: "Representative Getty, I would like to have what is being a complicated situation for both Bills and for both of us and we both want state-wide probation to ask, Sir, if we could with cooperation and 'unanimity', in spite of whatever difficulties we might have on the merits or in any other way, if we could at this time for the sake of the remaining hours of the House, have the two Bills heard together on a single Roll Call."

Speaker Redmond: "Representative Palmer. Representative McPartlin."

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

Speaker Redmond: "Representative Washburn."

Washburn: "Yes, Mr. Speaker, there is a motion that . . . ah . . . Representative Duff presented earlier, and should be acted upon."

Speaker Redmond: "Well, I didn't . . . ah . . . I didn't allow the motion. Representative Duff. Representative Duff."

Duff: "Well, Mr. Speaker, I've been interrupted a couple of times, and I wish people wouldn't, because I am trying to help things here. I asked the Sponsor a question, and I wonder if we could get a reply."

Speaker Redmond: "Representative Getty."

Getty: "Mr. Speaker, I answered that question approximately 10 minutes ago. I said that that was not my business. That is in the sole province of this House and the Chair, I am ready to proceed on my Bill. I presented my Bill and I ask for a favorable Roll Call."

Speaker Redmond: "Are you ready for the question? Representative Matijevidch. The question is, shall this Bill pass? All in favor say 'aye', oppose 'no'. All in favor vote 'aye', oppose vote 'no'. State your point."

Unknown: ". . . er, Mr. Speaker, . . ."

Speaker Redmond: "Your voice is changing."

Unknown: "Yeah, my voice is changing. It's . . . it's the hour. A motion was made to move the previous question and that is the business before the House . . ."



MAY 22 1973

Speaker Redmond: "That lost."

Unknown: "That did not lose, there was no announcement, I . . ."

Speaker Redmond: "That lost. Well, I declared it lost, then, then I was wrong."

Unknown: "Well, we had no vote on it, how could it lose if there was no vote, Mr. Speaker?"

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Mr. Speaker, we're in the middle of a Roll Call, the man's out of order."

Speaker Redmond: "I've been advised we have a Roll Call on the previous question. Representative Mc . . . have all voted who wish? The Clerk will take the Record. On this question there are 95 'ayes', 13 'nays', and the Bill having received the constitutional majority is, hereby, declared passed. 2140."

Jack O'Brien: "House Bill 2140, . . ."

Speaker Redmond: "I'm trying to get here so we can read some peoples Bills and if you keep jumping up why there's no way you can do it. 21 . . ."

Jack O'Brien: "House Bill 21 . . ."

Speaker Redmond: "2140."

Jack O'Brien: "House Bill 21 . . . House Bill 2140, a Bill for an Act in relation to the Township share of State Income Tax receipts. Third Reading of the Bill."

Speaker Redmond: "Representative J. D. Jones, for what purpose do you arise?"

Duff: "Mr. Speaker, as far as I know you've been very fair in that Chair all year long, you said you were going to reserve a decision as to whether 900 would be heard next. It may be under . . . ah . . . at your discretion under Rule 37 in consecutive order, I'm asking you now, Mr. Speaker, will you hear 900, please?"

Speaker Redmond: "I'm trying to reach all of the Bills, if you'll be quiet. Representative Jones."

Duff: "Mr. Speaker."

Speaker Redmond: "There's no way I can reach any Bill if you keep popping up. Representative Jones on 2140."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

MAY 23 1975

Telcser: "Mr. . . ."

Speaker Redmond: "Representative Telcser."

Telcser: "Mr. Speaker, Mr. Speaker, a number of Members have risen to their feet a few moments ago, I'm sure to ask to ask for a verification of the Roll Call. Now, wait a second, I'm only asking the Speaker, Teddy, Mr. Speaker, you are bludgeoning every Member of this House in the closing minutes. I want to know if somebody wants a verification on a Bill, will you recognize them?"

Speaker Redmond: "If they'd . . . if they'd ask for it in time I would've recognized it, but I didn't hear it."

Telcser: "Mr. Speaker, a number of Members had asked for . . ."

Speaker Redmond: "Representative . . . Representative Jones on 2140."

Representative Jones is your colleague, he belongs to the Republican side of the House, I would suggest that we give him attention. House Bill 2140."

Unknown: "Mr. Speaker."

Speaker Redmond: "Is there further discussion? The question is, shall this Bill pass? All those in favor vote 'aye, and oppose 'no'. Have all voted who wish? Representative Beaupre, for what purpose do you arise?"

Beaupre: "Mr. Speaker, the coach is rapidly turning into a pumpkin, and I'd like to ask leave to return House Bill 2279 to the Interim Study Calendar in Executive Committee."

Speaker Redmond: "He has leave. The Clerk will take the Record. On this question there's 142 'aye', 5 'no'; and the Bill having received the constitutional majority is, hereby, declared passed. The following Bills have been requested to go to the Interim . . . to the Committee of the . . . ah . . . from whence they came and then the Interim Study Commission; 2567, 2854, 868, 6222, 622, 558, 945, 935, 2549, 2579, pardon me, 2974, 977, 1319, 153, 2265, 666, 931, 1628, 1339, 2167, 2243, 2318, 2414, 2363, 2362, 2373. Any objection? Hearing none, there's three more, there's two . . . we have three more, 2553, 2565, 2975. They'll be returned to the Committee of or . . . ah . . . and referred to the . . . Representative . . . Representative Collins has another one, 848? Any objection? O.K., House Bill 2142. Repre-



MAY 23 1975

240.

sentative Walsh."

Jack O'Brien: "House Bill 2142, Keller, a Bill for an Act to amend the Illinois Horse Racing Act. Third Reading of the Bill."

Speaker Redmond: "Representative Keller. Representative Walsh."

Walsh: "All right, now, Mr. Speaker, I objected to those Bills being returned to the Committee from whence they came, and I'll tell you why I object, because it further makes a farse of this operation under your Leadership, those Bills have . . ."

Speaker Redmond: "Representative Shea."

Walsh: ". . . then you can throw . . ."

Shea: "Mr. Speaker, I hate to take up even one minute of our precious time now, but I think your Leadership has been superb."

Speaker Redmond: "Representative dissents."

Walsh: "But I'd like to . . . to tell you, Mr. Speaker, that I do object and I seriously . . . seriously to your putting these Bills back in Committee and my reason for doing it, I'm not being frivolous, I object and with purpose, this is nonsense. We have no idea, no idea what the substance of the Bills you just read to us are. Now, why on earth should we send them back to Committee so that the Committee can do just what they did in the first place? Now, I suggest to you that those Bills should be tabled if they are going to persist in staying with these ridiculous rules, they should be tabled."

Shea: "Mr. Speaker, . . ."

Walsh: "And we shouldn't be recycling these doggone Bills."

Speaker Redmond: "Representative Shea."

Walsh: "Now, Mr. . . ."

Shea: "Mr. Speaker, the rules don't provide that any Bill on the order of Third Reading, Second Reading, Postponed Consideration is dead. All our rules say is they shall not be passed after May 23rd."

Speaker Redmond: "Gentleman is correct. Representative Keller on 2142."

Keller: "Mr. Speaker, and Ladies and Gentlemen of the House, I'm very sure I amended the objection that everybody had in the Department of Agriculture, now will administer the fund, I'd appreciate your favorable vote."

Speaker Redmond: "The question is, shall this Bill pass? Those in favor



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1975

241.

vote 'aye', oppose 'no'. Representative Washburn, for what purpose do you arise?"

Washburn: "Mr. Speaker, I know that the time is running out and moments are precious but I think you're overdoing it. I think we'd better just slow down and maintain a little bit of order and decorum. In this place, deliberate at least a little bit on each Bill."

Speaker Redmond: "Have all voted who wish? Take the Record. On this question there's 95 'ayes', 8 'nos'; the Bill having received the constitutional majority is, hereby, declared passed. 2144."

Jack O'Brien: "House Bill 2144, Calvo, a Bill for an Act in relation to the sale of residences. Third Reading of the Bill."

Speaker Redmond: "Representative Calvo."

Calvo: "Well, Mr. Speaker, . . . ah . . . I tried to get your attention once and I sent a number of the Bill up but I didn't hear you read it. I did ask . . . I did want to ask for permission to have House Bill 2760 recommitted to the Committee for which it came for the purpose of putting it in the Interim Study Calendar."

Speaker Redmond: "Any objections? Hearing none, the Bill will be recommitted and put on the Interim Study Calendar. How about 2144, Representative Calvo?"

Calvo: "Now, this Bill, Mr. Speaker, is good legislation, it's consumer protection legislation. It was amended at the request of the Minority Party in the Committee it was heard to provide including the disclosures that are made by people buying a residence fire protection. In other words, there is a statement to be made that the property is in a fire protection district or not and what type of fire protection there is, and I think it's . . . it's good consumer legislation. There isn't any reason this Bill should not be passed. It received a good vote in Committee and I would ask for your favorable consideration."

Speaker Redmond: "Representative Duester."

Duester: "Well, Mr. Speaker, I would like to ask the Sponsor a question. Would he yield?"

Calvo: "Sure."

Speaker Redmond: "He indicates he will."

Calvo: "Certainly."



MAY 23 1975

242.

Deuster: "Now, Mr. Calvo, you indicated this received a good vote in Committee. Ah . . . My synopsis indicates the vote was 11 to 9 with 2 'present'. Now, what was the problem in Committee and was it solved by an Amendment of any kind?"

Calvo: "I . . . I thought that was real good. Those were 11 Democratic votes, and I thought that was a good vote."

Deuster: "Well, if I might ask a question about the Bill. How does this Bill effect Lake County? I don't understand it."

Calvo: "Well, it effects Lake County the same as it does the rest of the counties in the state. When you go to buy a home, you have a right to have the questions answered concerning the disclosure as to flood . . . whether or not it's on a flood plain and whether or not it has fire protection, and you have a right to inspect the property before you close your deal."

Deuster: "Is there a home-rule Amendment on this, and who issues the Truth and Housing Certificate?"

Speaker Redmond: "Further questions? Representative Lauer."

Lauer: "A question of the Sponsor, Mr. Speaker."

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

Lauer: "Representative Calvo, this is . . . is a creation of a Truth and Housing Act, is that not so?"

Calvo: "That's correct."

Lauer: "Then we can believe the synopsis as . . . as it is in the . . . ah . . . synopsis and Digest?"

Speaker Redmond: "Further discussion?"

Lauer: "As your . . ."

Calvo: "Yes . . . ah . . . yes, I would say 'yes', Sir, I would say you can believe the synopsis."

Lauer: "Thank you, Mr. Calvo. Mr. Speaker . . ."

Speaker Redmond: "Any further discussion?"

Lauer: ". . . Mr. Speaker, if I may speak to the Bill?"

Speaker Redmond: "Proceed. Give the Gentleman order."

Lauer: "Mr. Speaker, we have in this synopsis of . . . of the Bill a reference to truth and housing, therefore, I think we're talking about truth in the House and I'm going to speak truth in the House and,



GENERAL ASSEMBLY

STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

MAY 23 1975

frankly, as compared to the . . . to today, Bob Blair looks benevolent.

Speaker Redmond: "Representative Maragos."

Maragos: "pre . . . Mr. Speaker, I move the previous question."

Speaker Redmond: "The Gentleman has moved the previous question. The question is, shall the main question be put? All in favor indicate by saying 'aye', oppose 'no'. All in favor vote 'aye', oppose vote 'no'. Representative Madison."

Madison: "Mr. Speaker, I ask leave to commit House Bill 2381 back to the graveyard."

Speaker Redmond: "Leave, hearing no objections, it's recommitted. 2381. Huh? The Clerk will take the Record. On this question there's 98 'yes', 41 'no', 6 'present'. The motion receive the necessary majority. The question is, shall this Bill pass? All in favor vote 'aye', oppose vote 'no'. Have all voted who wish? On this question there's 97 'aye', 32 'no', 14 'present'. The Bill having received the constitutional majority is, hereby, declared passed. 2145."

Jack O'Brien: "House Bill 2145, a Bill for an Act to amend an Act in relation to state monies. Third Reading of the Bill."

Speaker Redmond: "Representative Downs."

Downs: "Mr. Speaker, Ladies and Gentlemen of the House, this is one of the redlining package Bills from the Mortgages Practices Commission. It has an Amendment to it, the Committee Amendment, it applies to . . . ah . . . counties over a million. It . . . ah . . . the Amendment answers the objections that the Association from Modern Bank in Illinois had; and I move for a favorable vote on this Bill."

Speaker Redmond: "Representative Simms."

Simms: "Well, speaking briefly on the Bill, Mr. Speaker, . . . ah . . . this addresses itself to the deposits by the State of Illinois in these banks. Many of the funds that are deposited in banks in lending institutions are for short periods of times, some of . . . for 30 days, 60 days, 90 days and a year; and what you're asking in mandating to do is that they invest this money in . . . ah . . . home-type loans as long as 25 years, which places an undue restriction upon the financial institution involved, and I think, too, that this is an imposition on these institutions; and I think that we're causing some



MAY 23 1975

244.

serious problems for the banks and these other lending institutions; and I think this legislation needs additional consideration and at best should have a 'present' vote."

Speaker Redmond: "Representative Downs."

Downs: "Well, the . . . the . . . ah . . . absolutely does not do that at all, it just simply has to do with state deposits being limited to the . . . to institutions under the present despos . . . State Deposit Act, and it simply uses the same primary service area definition as the Aida Act, and it simply . . . ah . . . uses the state funds in encouragement to banks to . . . to . . . ah . . . to lend at least 25 percent of their money in . . . ah . . . areas from which they get 60 percent of their deposits, and it absolutely has nothing to do with what the state funds are used for."

Simms: "Well, Mr. Speaker, then why are we exempting . . . ah . . . making it applicable only to banks in the County of . . . ah . . . Cook and to not any other counties? We're setting up another classification of legislation that pertains only to one county that does not pertain to the State of Illinois and on the . . . if it's good enough for one county, I suppose it's good enough for all the counties involved, and this is discriminatory legislation."

Speaker Redmond: "The question is, shall this Bill pass? All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the Record. On this question there's 70 'aye', 54 'no'; the Bill having failed to receive the necessary majority is, hereby, declared lost. Representative Walsh, for what purpose do you arise?"

Walsh: "To request a poll of the absentees, Mr. Speaker."

Speaker Redmond: "No, the Bill is lost, Representative Walsh."

Walsh: "I requested . . . ah . . . that you recognize me before you declared the Bill lost, I don't see how you could fail . . ."

Speaker Redmond: "I don't see any point to that, the Bill is lost. 21 . . . Representative Downs, state your point."

Downs: "Mr. Speaker, I was seeking recognition to ask the Bill be put on Postponed Consideration."

Speaker Redmond: "Leave is granted. Postponed Consideration. 2147."





MAY 23 1975

Jack O'Brien: "House Bill 2147, McCourt, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Redmond: "Representative McCourt."

McCourt: "Mr. Speaker, Ladies and Gentlemen of the House, this same Bill passed the House last Session, but failed to be considered by the Senate, it permits a home-rule unit to adopt traffic I standards, less restrictive than those set forth in the State Manual, but only when the corporate authorities determine such action is necessary for the public safety. Most home-rule units have their own traffic engineers and their governing body being closer to the scene of potential dangerous intersections is in a better position to decide what traffic control devices are needed to protect their citizens. The State Manuals has two traffic devices as aimed at moving vehicles. This Act will give equal weight to being able to move pedestrians across streets in the safest possible way. This is a good Bill, I earnestly solicit your favorable support. Thank you."

Speaker Redmond: "The question is, shall this bill pass? All in favor vote 'yes', oppose vote 'no'. Have all voted who wish? The Clerk will take the Record. On this question 112 'aye', 11 'no'; the Bill having received the constitutional majority is, hereby, declared passed. The Chair recognizes Representative Choate."

Choate: "Mr. Speaker, and Ladies and Gentlemen of the House, I never thought that in my legislative tenure I would see myself rise on the floor of the House and make the motion I'm about to make. But I'm about to make a motion that I feel not only is going to be all inclusive as far as the rest of this Legislative Session is concerned, but I'm going to make a motion as I said I detest, but I'm going to make this motion simply because I feel that there's a couple of pieces of legislation that has had not only hours and days and weeks and months, but, yes, literally years of work . . . of work by Legislators, outside groups and plain interested John Doe citizens, and I feel that House Bill 1064 and 1111 are of sufficient importance to the people of the State of Illinois that regardless of what I consider horrendous deadlines, horrendous action by this legislative body, horrendous treatment of the people of this state by the Legislature,



I'm now going to move, Mr. Speaker, that the remaining Bills on the House Calendar be passed on Third Reading that have not been postponed be passed out with a passing vote and hopefully the same rules will apply that was applied to the so-called Consent Calendar today. That if enough of you want to kill a bad Bill, you can kill it by Tuesday next noon."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Well, Mr. Speak . . . Mr. Speaker and Members of the House, we all waited our turn, we have important legislation as well, and at the proper time, I'd like to make the motion that this lie on the table."

Speaker Redmond: "Representative Choate has moved that all Bills on Third Reading . . . Repe . . . all Bills on Third Reading be voted upon in passage in one Roll Call, and if anybody objects and wants to be recorded as voting 'no', if they will come to the Well and Representative Schraeder has moved that that Bill lie . . . that motion lie on the table. The question is on the motion to lie it on the table. All in favor, Representative Merlo."

Merlo: "I would like to ask a question . . . ah . . . on the Bills that we have placed in Interim . . . on Interim Study, would this be included in your motion, Representative Choate?"

Speaker Redmond: "The question is on the motion to table. All those in favor of the motion to table indicate by saying 'aye', oppose 'no'; the Chair cannot determine. All those in favor of tabling vote 'aye', oppose vote 'no'. Have all voted who wish? On this question . . . the Clerk will take the Record . . . on this question there's 99 'aye', 35 'no'; the motion to table prevails. Representative Meyer's."

Meyer: "Thank you, Mr. Speaker, I filed with the Clerk a motion, if the Clerk would please read these two motions."

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

Jones: "I rise to take House Bill 732 back to the Agriculture Committee on the Interim Study Calendar."

Speaker Redmond: "Any objection, it is so returned. Representative Gene Hoffman."



MAY 23 1975

247.

Hoffman: "I'd just like the next Bill called."

Speaker Redmond: "Representative Tipsword."

Tipsword: "Mr. Speaker, I'd like to move that House Bill 2404 be recommit-  
mitted to the Labor Committee."

Speaker Redmond: "Hearing no objection, it'll be returned. Representative  
Schneider. Mr. Meyer's motion will take care of these actually."

Schneider: "Let's hear Representative Meyer's motion, I think, Mr.  
Speaker."

Speaker Redmond: "Representative Meyer."

Meyer: "Mr. Speaker, I move that all House Bills, except appropriation  
Bills and Committee Bills remaining on the Calendar on the order  
of Third Reading be recommitted from the Committee from which they  
were initially re . . . reported and be placed on the Interim Study  
Cal . . . Calendar of those respective Committees."

Speaker Redmond: "Representative Walsh."

Walsh: "Well, I oppose the motion with respect to the two Bills that I  
have on the Calendar anyway, and I would remove them."

Speaker Redmond: "What are they?"

Walsh: "House Bill 1720 and House Bill 863."

Speaker Redmond: "Take 17 . . . the question is on the motion. Repre-  
sentative Hanahan."

Hanahan: "On behalf of a lot of people in the State of Illinois, I do not  
want House Bill 1136 considered in this motion. If the best the  
Democratic Party could give the minimum wage law is this kind of  
deal, I'll let it die with you."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Well, Mr. Speaker, there's . . . ah . . . there's a lot of  
bad Bills that the Sponsors apparently don't care about, and I think  
that's with dignity we argued about the other week on a prevail here.  
So I . . . I would oppose the motion, too."

Speaker Redmond: "Representative Friedrich."

Friedrich: "A point of inquiry. My watch says it's after 12 o'clock and  
I think any of these motions is out of order."

Speaker Redmond: "The question is on the motion. All those in favor of  
the motion indicate by saying 'aye', oppose 'no'; the 'ayes' . . . the



MAY 23 1975

'ayes' have it, the motion prevails. Representative Shea."

Shea: "Mr. Speaker, I move that the House do now stand adjourned until 10 a.m. Tuesday morning."

Speaker Redmond: "The question is on the motion to adjourn. Mr. Clerk, read the Adjournment Resolution."

Jack O'Brien: "House Resolution 54 resolved by the House of Representatives of the 79th General Assembly of the State of Illinois the Senate concurring herein that when the House of Representatives adjourns on Friday, May 23rd, 1975, it adjourns until Tuesday, May 27th, 1975 at 10:00 a.m. . . ."

Speaker Redmond: "Put 12 o'clock, Jack."

Jack O'Brien: ". . . from Friday, May 23rd, 1975 it stands adjourned until Tuesday, May 27th, 1975 at 12:00 noon."

Speaker Redmond: "The question . . . Representative Fennessey."

Fennessey: "Mr. Speaker and Members of the House, I would like to announce in behalf of the Chairman in the Subcommittee in the Election Contest in Legislative District 9 that the meeting will be postponed for a week. There will be no meeting Monday."

Speaker Redmond: "Representative Washburn."

Washburn: "Mr. Speaker, and Ladies and Gentlemen of the House, we've seen the height of folly here tonight. This is the worst scene that's been created in my nine years in this Legislature and probably the worst since the State of Illinois came into existence; and I want you to know, Mr. Speaker, that I personally and I'm sure I feel . . . express the feelings of a lot of people in this House, that the fault for the total and complete collapse of the legislative system here in the House of Representatives lies on your shoulders and the other hundred other people on that side of the aisle; and we're totally disgusted."

Speaker Redmond: "Representative Shea. Representative Shea."

Shea: "Mr. Speaker, I move for the adoption of the Adjournment Resolution."

Speaker Redmond: "Before I put that motion, Representative Downs."

Downs: "Mr. Speaker, . . . ah . . . as a freshman legislator I've seen a lot of interesting things, and I've seen scenes in this House that were moving and some that were distressing and some that were very,



INDEX

HOUSE OF REPRESENTATIVES

May 23, 1975



GENERAL ASSEMBLY  
STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

May 23, 1975

<u>TIME</u>	<u>SPEAKER</u>	<u>DESCRIPTION</u>
10:00	Speaker Redmond	House Come to Order
10:00	Reverend Krueger	Prayer
10:00	Speaker Redmond	Roll Call
	O'Brien	Messages from Senate
	Speaker Redmond	
	Hoffman	1361
	Speaker Redmond	Senate Bills First Reading
	O'Brien	Senate Bills First Reading
	Speaker Redmond	Resolutions
	O'Brien	Resolution #302
	Speaker Redmond	
	Giorgi	Explains Resolution
10:40	Speaker Redmond	Resolution adopted
	Berman	Recess for 45 minutes
11:45	Speaker Redmond	House Be In Order
	Fred Selcke	Senate Bills First Reading
	Shea in Chair	
11:47	Washburn	Republican conference
12:35	Speaker Redmond	House To Order
12:38	Speaker Redmond	House Bills Third Reading
12:38	Hirschfeld	Parliamentary Inquiry
	Speaker Redmond	
12:39	Fred Selcke	House Bill 1859, Third Reading



	Speaker Redmond	
12:40	Skinner	Sponsor
	Speaker Redmond	House Bill 1859
12:42	Schlickman	
	Speaker Redmond	
	Shea	
12:43	Schlickman	Personal Privilege
	Speaker Redmond	
12:43	Duester	
	Speaker Redmond	
12:45	Skinner	
	Speaker Redmond	House Bill 1859 Passed
12:45	Cunningham	Appoligizes for previous remarks
	Speaker Redmond	
12:48	Satterwaithe	
	Speaker Redmond	"Have no fear, Walsh was here."
	Totten	Point of order.
	Speaker Redmond	House Bill 1868
	Fred Selcke	Third Reading
	Speaker Redmond	
	Katz	Leave to refer to rules Committee
	Speaker Redmond	Leave Granted
	Walsh	Point of Order
	Speaker Redmond	
	Katz	Leave to table
	Speaker Redmond	Bill Tabled



	Fred Selcke	House Bill 1876, Third Reading
	Speaker Redmond	
	McCourt	Explains the Bill - Support
	Speaker Redmond	Any Questions?
	Frederick	Question
	Speaker Redmond	Recog. of Rep.
	McCourt	Response
	Speaker Redmond	
	Skinner	Question of sponsor
	McCourt	Response
	Skinner	Discussion
	Speaker Redmond	
12:55	Schlickman	
12:55	Stone	Point of Order
	Speaker Redmond	
	Drester	
	Speaker Redmond	
12:57	Friedland	
	Speaker Redmond	
12:57	Duff	
12:59	Speaker Redmond	House Bill 1876 Passed
	Fred Selcke	House Bill 1884, Third Reading
	Speaker Redmond	
1:00	Houlihan, J.	
	Speaker Redmond	
1:01	Schlickman	
	Speaker Redmond	





1:03	Ryan	House Bill 1884
	Speaker Redmond	
1:06	Geo-Karis	
	Speaker Redmond	
1:07	Houlihan	
	Speaker Redmond	
1:08	Hudson	
	Speaker Redmond	
1:09	Stone	
	Speaker Redmond	
1:10	Hudson	Speak on Motion
	Speaker Redmond	
1:10	Hill	
	Speaker Redmond	
1:10	Fleck	
1:12	Houlihan	
	Speaker Redmond	
1:13	Greisheimer	
	Speaker Redmond	
1:15	Catania	
	Speaker Redmond	
1:16	Leinenweber	
	Speaker Redmond	
1:16	Duff	
	Speaker Redmond	
1:17	Houlihan, J.	
	Speaker Redmond	House Bill 1884 Passed



Speaker Redmond

1:18 Hirschfeld

Fred Selcke 1886 House Bill, Third Reading

1:18 Jaffe

Speaker Redmond

1:20 Waddell Sponsor Yield?

Jaffe Discussion

Speaker Redmond

Duester Yield

1:21 Jaffe

Speaker Redmond

1:23 Holewinski

1:23 Speaker Redmond House Bill 1886 Passed

Houlihan, J.

1:25 Schlickman) Yield?

1:25 Houlihan)

1:28 Schlickman

Speaker Redmond

1:29 Hart

Speaker Redmond

1:31 Geo-Karis

Speaker Redmond

1:32 Beatty Moves Previous Question

Speaker Redmond

1:33 Skinner

Speaker Redmond

Lundy



1:34	Speaker Redmond	Motion Failed
	Leinenweber	
	Speaker Redmond	
1:35	Skinner	
1:40	Shea In Chair	Bring Remarks to a close.
	Skinner	
	Shea	
1:41	Fleck)	
	Skinner)	
	Shea)	
1:43	Houlihan	To Close
1:45	Shea	House Bill 1889
1:45	Holewinski	Explain Vote
	Shea	
1:46	Houlihan	
	Shea	House Bill 1889 Postponed Consideration
	O'Brien	House Bill 1890
1:48	Bradley	
	Shea	
1:50	Washburn)	
1:50	Shea)	Give 15 minutes to look over
	Bradley	Delete 2 more Bills
	Shea	
1:53	Washburn	
	Shea	
1:56	O'Brien	Reads Bills
2:01	Shea)	



	O'Brien	Continues Reading Bills
	Shea	
2:11	Bradley	
	O'Brien	
2:12	Shea	
2:13	Hill	
	Shea	Leave Granted
2:15	Washington	Leave to Pull 1975
	Shea	
2:15	Madison	
	Shea	House Bill 3000 come off
	Madison	
2:17	Kelly	House Bill 52 off
2:18	Shea	Leave
	Shea	House is in order
	Bradley	
	Hoffman	
2:19	Shea	Package of Bills
2:20	Washington	
	Shea	
2:22	Kane	
	Speaker Redmond	
2:23	Matijevich	
	Shea	
2:26	Houlihan, D.	
	Shea	
2:27	Calvo	



	Shea	
2:28	Hart	
	Shea	
2:33	Lundy	Explain Vote
	Shea	
2:36	Hoffman, R.	Verify Roll Call at Appropriate Time
2:36	Shea	Poll the Absentees
	O'Brien	
2:37	Washington	
	Shea	Proceed to verify affirmative votes
	O'Brien	"
	Shea	
2:43	Hoffman	Questions on Roll Call
2:46	Shea	Package Declared Passed
	Bradley	Report #96, removed 954 & 1964
	Shea	
	Berman	#2956 off the list
2:47	Lundy	
	Shea	
	O'Brien	House Bill 337
3:03	Shea	House Bill 2404, Back to Second for Amendment
	O'Brien	Amendment #1
3:03	Shea	Amendment #1 adopted, Third Reading
	Bradley	#1805, Did Clerk read?
	Shea	
	O'Brien	"Yes"



3:05	Shea	House Bill 1895
	Hoffman, G.	
	Shea	Motions
3:07	Stone	Concerning Explanation of Votes
	O'Brien	Suspension of Rules
	Shea	
3:08	Madison	
	Shea	Motion adopted
3:09	O'Brien	House Bill 1395
3:10	Houlihan, J.	
	Shea	Leave to return to Interim Study
3:10	Bradley	
3:10	Shea	House Bill 1900
3:12	Kucharski	Sponsor
3:13	Shea	
3:13	Barnes, C.	
	Shea	
3:13	Kane	
	Shea	
3:15	Beatty	
	Shea	
3:16	Shea	House Bill 1900 Passed
	Shea	House Bill 1912 out of the record
3:16	Totten	
	O'Brien	House Bill 1928, Third Reading
	Shea	
3:18	Walsh)	



	Shea)	
3:21	Choate	
	Walsh	
	Matijeovich	Point of Order
3:24	Walsh	
3:24	Barnes	Point of Order
	Walsh	
	Shea	
	Hill	Point of Order
3:27	O'Brien	
	Walsh)	Point of Personal Privilege
	Shea)	
	O'Brien	
	Washburn	
	Speaker Redmond	
	Lundy	Take #1928 to Interim Study
	Shea	
	Hoffman, G.	House Bill 1935
3:31	O'Brien	House Bill 1935, Third Reading
	Hoffman	
	Shea	House Bill 1935 Passed
3:35	O'Brien	House Bill 1938, Third Reading
	Shea	
3:35	Deavers	Explains the Bill - sponsor
	Shea	
	Berman	Will sponsor yield?
	Deavers	"yes"



Page 20

GENERAL ASSEMBLY  
STATE OF ILLINOIS  
HOUSE OF REPRESENTATIVES

	Berman)	Discussion on Bill
	Deavers)	"
	Shea	
	Deavers	To Close
	Shea	Take the Record - Passed
	O'Brien	House Bill 1939, Third Reading
	Shea	
	Deavers	Explains the Bill
	Shea	
	Calvo	Question of sponsor
	Shea	
	Deavers )	Discussion
	Calvo)	
	Shea)	
	Deavers	To Close
	Shea	Take the Record
	Deavers	Explain vote
	Shea	House Bill 1939 Passed
3:43	Davis	Presentation by Soul Group
	Speaker Redmond	
3:45	Capuzzi	Thanks, Donation to Welfare Fund
	Shea	
	O'Brien	House Bill 1942, Third Reading
3:47	McPartlin	Sponsor
	Shea	House Bill 1952
3:48	Schlickman)	Question
	McPartlin)	





	Shea	
3:49	Skinner	
	Shea	
3:50	Leinenweber)	Question
	McPartlin)	Discussion
	Shea	
3:51	Duester	
	Shea	
3:52	Hanahan	
	Shea	
	Van Dwyne)	Yield
	McPartlin)	
3:55	Shea	
3:55	Hart	
3:56	Schlickman	Point of Order
	McPartlin	To Close
3:58	Shea	House Bill 1942 - Passed
	Shea	User List
3:59	Walsh	Request #1520, #1720 Be Taken From List
	Shea	
4:00	Matijevich	
	Shea	
	Bradley	
	Shea	
4:01	Washburn	
	Shea	House At Ease
	Simms	Protest



	Shea	
4:04	Hirschfeld	Point of Order
	Shea	
4:05	Matijevich	
	Shea	Bradley moves for adoption of user list
4:05	Geo-Karis	
	Shea	
4:07	Madison	
	Shea	
4:10	Beaupre	
	Shea	
4:12	Ewell	
	Shea	
4:13	Anderson	
	Shea	
4:15	Kane	
	Shea	
4:17	Matijevich	
	Shea	
	Giorgi	
	Shea	
4:17	Beatty	
	Shea	
4:18	Friedland	
	Shea	
4:19	Satterwaithe	



	Shea	
4:20	Mahar	Point of Order
4:21	Borchers	
	Shea	
4:23	Hoffman	
	Shea	
4:25	Berman	
	Shea	
4:26	Greisheimer	
	Shea	
4:27	Geo-Karis	
	Shea)	
4:29	Duff)	HB 2776 - Postponed Consideration
	Shea	
	O'Brien	Verified Roll Call
	Shea	
	Anderson	
	Shea	
	Madigan	Verified NOW
	Shea)	Questions of Affirmative
	Anderson)	
	O'Brien)	
	Shea	House Bill 1444
	O'Brien	
	Shea	
	Getty	Explains the Bill
	Shea	



Duff

Shea

Sangmeister Support

Shea

Stearney Disagree

Bradley In Chair

Stearney

Bradley

Houlihan

Bradley

Friedland Moves Previous Question

Bradley So Moved

Getty To Close

Bradley Passed

Fred Selcke House Bill 1457

Bradley

Fred Selcke Third Reading

Bradley

Deavers Tabled it Twice

Bradley House Bill 1467

Fred Selcke House Bill 1467, Third Reading

Bradley

Simms Explains the Bill - Sponsor

Bradley

Hirschfeld

Bradley



Simms	"Yes"
Bradley	
Geo-Karis	Favors this Bill
Bradley	
Hart)	
Simms)	
Bradley	
Beaupre	
Bradley	
Simms	
Bradley	
Skinner	Support the Bill
Bradley	
Simms	
Bradley	Vote - The Bills #1467 Lost
Fred Selcke	House Bill 1493, Third Reading
Bradley	
Dunn	
Bradley	
McPartlin	
Bradley	
Skinner	Point of Personal Privilege
Bradley	
McPartlin	Explains the Bill
Bradley	
Schlickman	



Bradley	Discussion on HB #1493
Schlickman	"
McPartlin	"
Schlickman	"
Bradley	"
Schlickman	"
McPartlin	"
Schlickman	"
McPartlin	"
Schlickman	"
Bradley	"
Lecowicz	"
Bradley	"
Lecowicz	"
McPartlin	"
Lecowicz	"
McPartlin	"
Lecowicz	"
McPartlin	"
Lecowicz	"
Bradley	"
Duff	Supports the Bill
Bradley	"
Choate	"
Bradley	"
Ms. Stiehl	Question
Bradley	"



Ms. Stiehl	Question asked
McPartlin	Discussion on Bill
Bradley	
LaFleur	Speaks on the Bill
Bradley	
Laurino	Moves Previous Question
Bradley	So Moved
Hill	Bad Bill
Bradley	
McPartlin	To Close
Bradley	
Beaupre	Point of Order
Bradley	
Beaupre	
Bradley	
Beaupre	Ignored Me
Bradley	Point Not Well Taken, Vote, Bill Lost
Fred Selcke	House Bill 1520 Third Reading
Bradley	
Walsh	Take Out of Record
Bradley	House Bill 1521
Fred Selcke	House Bill 1521 Third Reading
Bradley	
Craig	Explains the Bill- Sponsor
Bradley	
Palmer	
Bradley	



Palmer	
Bradley	
Palmer	
Craig	
Palmer	
Craig	
Choate	Sample of Auctioneering
Bradley	
Craig	Call the auction
Bradley	
Dunn	Bad Bill
Bradley	
Hirschfeld	
Bradley	
Ryan	Question
Bradley	Yields
Ryan	Question Put
Craig	
Ryan	Thank you
Bradley	
Hudson	Question
Bradley	
Hudson	Question put
Craig	
Hudson	
Craig	
Bradley	





Friedland	Moves Previous Question	
Bradley	So Moved	
Craig	To Close	
Bradley		
Schlickman	Point of personal Privilege	
Bradley	Vote Passed	
Fred Selcke	House Bill 1557, Third Reading	
Bradley		
Jaffe	Agreed List	
Bradley	House Bill 1859	Already Gone
Duff	House Bill 1880, List Made Up of Bills Left ot Hear	
Bradley		
Duff	Thank you	
Bradley		
Fred Selcke		
Bradley		
Kelley	Go Back to #1851	
Bradley		
Fred Selcke	House Bill 1851 Third Reading	
Bradley		
Duff	Point of Complication	
Bradley		
Kelley	Explains the Bill	
Bradley		
Greiman		



Bradley

Leinenweber

Bradley

Greiman In Conclusion

Bradley

Greiman

Bradley

Leinenweber

Bradley Synopsis List, User List, #97 Distributed

Willer

Bradley

Willer Painful Vote

Bradley

Pierce Question

Bradley Yields

Pierce Question Put

Bradley

Pierce

Kelley

Pierce

Kelley

Pierce

Bradley

Duff Point of Order

Bradley State Your Point

Duff Pierce is out of order

Pierce



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Bradley	
Geo-Karis	Question
Bradley	Yields
Geo-Karis	Question Put
Kelley	Discussion on the Bill
Geo-Karis	
Kelley	
Geo-Karis	
Bradley	
Geo-Karis	
Kelley	
Bradley	
Rayson	Speaks to the Bill
Bradley	
Hanahan	Moves Previous Question
Bradley	So moved
Kelley	To Close
Bradley	Vote - Passed
Fred Selcke	House Bill 1880 Third Reading
Bradley	
Marovitz	Explains the Bill - sponsor
Bradley	
Skinner	
Bradley	
Hudson	Speaks to the Issue
Bradley	
Yourell	Question
Bradley	Yields



Yourell	Question Put
Marovitz	
Yourell	
Marovitz	Repeat Question?
Yourell	
Marovitz	
Yourell	Who's
Marovitz	
Yourell	
Bradley	
Daniels	
Bradley	
Daniels	
Marovitz	
Daniels	
Marovitz	
Daniels	
Bradley	Proceed
Daniels	Speaks to the Bill
<u>SHEA in the Chair</u>	
Matijevich	
Shea	
Marovitz	
Shea	Entitled to Close
Gaines	Takes Issue with Matijevich
Shea	
Frederick	



Shea	
Waddell	Moves Previous Question
Shea	So Moved
Marovitz	To Close
Shea	Vote
Marovitz :	Explain Vote
Shea	Take the Record
Simms	Verification
Shea	New Roll Call
Simms	Verification
Shea	
Simms	Persist
Shea	
Greisheimer	
Shea	
Madigan	
Shea	
Fred Selcke	Polls Absentees
Shea	Starts with 101 votes
Fred Selcke	Verify Affirmative
Shea	
D. Houlihan	Verify me now.
Fred Selcke	Continues verification
Shea)	Questions of Affirmative
Simms)	"
Fred Selcke)	"



Bradley	Sitting in Hanahan's chair
Shea)	Continues Questions of Affirmative
Simms)	"
Shea	Bill Passed
Fred Selcke	House Bill 1912 Third Reading
Shea	Interrupt for announcement
Washburn	Announcement
Shea	"Will Walsh fix my plate?"
RD. 97 Tuerk	Explains House Bill 1912
Shea	
Bradley	Question
Shea	Yields
Bradley	Question Put
Tuerk	Response
Bradley	Thank you.
Shea	
Skinner	Opposes this Bill
Shea	
Dunn	Question
Tuerk	
Dunn	
Shea	
Schlickman	Opposes the Bill
Shea	Vote
Tuerk	Explain Vote
Shea	Bill Lost
O'Brien	House Bill 1913 Third Reading



J.D. Jones	Explains the Bill
Shea	Passed
O'Brien	House Bill 1944 Third Reading
Shea	
Brinkmeier	Explains the Bill - sponsor
Shea	
Berman	
Shea	
Berman	
Brinkmeier	
Berman	
Shea	Take the record - Passed
O'Brien	House Bill 1946 Third Reading
Brinkmeier	Leave to go back to Second Reading For Amendment
Shea	Leave granted
Schlickman	Bill would be dead
Shea	
O'Brien	Amendment #2 read
Brinkmeier	
Shea	
Brinkmeier	Explains the amendment #2
Shea	Amendment #2 adopted
Palmer	
Shea	Third Reading
O'Brien	House Bill 1968



Keller	Call House Bill 1955 First before #1968
Shea	
Katz	Call HB #1964
Shea	House Bill #1955
O'Brien	
Shea	
Keller	
Shea	
Simms	
Shea	
Keller	
Shea	
McGrew	
Shea	
McGrew	
Keller	Discussion on Bill
McGrew	
Shea	
Dunn	
Shea	
Keller	
Dunn	
Shea	Take the Record - Passed
O'Brien	House Bill 1964 Third Reading
Kat	Explains the Bill
Shea	Vote - Passed





O'Brien	House Bill 1968 Third Reading
Shea	
Berman	Explains the Bill
Shea	Vote
Waddell	
Shea	
Waddell)	Discussion on Bill
Berman)	"
Shea	
Miller	Question
Berman	"Yes"
Miller	Question Put
Berman	Response
Miller	
Berman	
Miller	
Berman	
Miller	
Berman	
Miller	Speaks to the Bill
Berman	
Shea	
Terzich	Question
Berman	
Terzich	
Berman	
Shea	



Schuneman	
Shea	
Schuneman	
Berman	
Schuneman	
Berman	
Schuneman	
Berman	
Schuneman	
Berman	
Schuneman	
Berman	
Schuneman	
Berman	
Schuneman	
Shea	
Keller	Question of Sponsor
Berman	Response
Keller	Good Bill
Shea	
Schlickman	
Shea	
Schlickman	Funding?
Berman	Department of Insurance
Schlickman	
Shea	
Schlickman	



Berman	
Schlickman	
Shea	Proceed
Schlickman	Speaks to the Bill
Shea	Vote - Passed
O'Brien	House Bill 1974 Third Reading
Shea	
Stone	Only 100 Bills Left
Shea	
Washington	Return of Second
Shea	
O'Brien	Amendment #1 read
Shea	Amendment #1 adopted - Third Reading
O'Brien	House Bill 1976 Third Reading
Washington	Leave for Second Reading
Shea	
O'Brien	Amendment #1 read
Shea	Amendment #1 adopted - Third
Berman	Request - 43 Bills place on Interim Study
Shea	
Maragos	Parliamentary Inquiry
Shea	
Maragos	
Shea	
Berman	
Shea	
Williams	Council from Chair



Shea  
Meyer  
Shea  
Deuster  
Shea  
Berman Reads Bills  
Shea So Ordered  
  
O'Brien House Bill 1987 Third Reading  
Shea  
Frederick Explains the Bill - sponsor  
Shea  
Dunn Speaks to the Bill - opposes  
Shea  
Skinner Opposes the Bill  
Shea  
Lundy Speaks to the Bill - Opposes  
Shea  
Simms Opposes Bill  
Shea  
Marijevich Moves Previous Question  
Shea So Moved  
Frederick To Close  
Shea Vote - Lost  
Hart  
Shea  
Hart



Shea	House At Ease for 45 minutes
O'Brien	Messages from Senate
Giglio in Chair	House Come to Order
Beatty	Move to adjourn
Giglio	Motion out of order
Shea in Chair	
Beatty	House Bill 2269, Explains the Bill
Shea	Wait a few minutes
Beaupre	Electronic Earshot - announcement
Shea	One more Time
Beaupre	Re-States Announcement
Shea	
Shcneider	Announcement
Shea	
Maragos	Announcement
Shea	
Taylor	Announcement
Shea	
Katz	Announcement
Shea	
Maragos	Point of Inquiry
Shea	
Maragos	Thank you.
Shea	House Bills Third Reading
O'Brien	Reading of Bills
Shea	



Geo-Karis	Hold vote on consent calendar
Shea	
Geo-Karis	
Shea	House Bill 1993
O'Brien	House Bill 1993, Third Reading
Rigney	Explains the Bill - Sponsor
Shea	
Dunn	Opposes the Bill
Shea	
Madison	
Shea	
Madison	
Rigney	
Shea	
Sangmeister	
Shea	
Sangmeister	
Rigney	
Sangmeister	Speaks to the Bill - supports
Shea	
Borchers	Favors the Bill
Shea	
Porter	Question
Shea	Yields
Porter	Question Put
Rigney	Response
Porter	



Rigney	
Porter)	
)	
Rigney)	Discussion.
Shea	
Beatty	
Shea	
Beatty	1993.
Rigney	
Beatty	
Rigney	
Beatty	Thank you.
Shea	
Rigney	To close.
Shea	Vote-passed.
Marovitz	2245 Table it.
Shea	Leave granted.
Marovitz	
Shea	
Marovitz	
Shea	
Maragos	Committee on Revenue Bills 3312 recommitted. 3308, 3309, 3310, 3311
Shea	Bills tabled.
Fred	2000 Third Reading.
Shea	Come back to it.
Fred	2018 Third Reading.
Shea	
Washburn	Explains the bill. Sponsor.



Shea

Houlihan, D.)  
 Washburn ) Question.

Shea

Houlihan, D. Speaks against Bill.

Shea

Madison )  
 Washburn) Yield.

Madison Wants ruling of Chair.

Shea

Duff

Shea )  
 Madison) )

Shea

Palmer

Shea Bring remarks to a close.

Palmer "I will."

Shea

Madigan

Shea

Sangmeister

Shea

Washburn To close.

Shea

Washburn Explain vote.

Shea House Bill 2018 vote.

Fred House Bill 2021 Third Reading.

Shea





Washburn	Sponsor.
Shea	
Hirschfeld	Favors.
Shea	
Katz	Oppose.
Shea	
Geo-Karis	Supports.
Shea	
Houlihan, D.	Oppose.
Shea	
Gaines	Support.
Shea	
Lundy	Move previous question.
Shea	Ayes have it.
Washburn	To close.
Shea	"Sorry - cut off."
Washburn	Continues.
Shea	House Bill 2021.
Washburn	
Shea	
Washburn	To explain vote.
Shea )	
)	Poll absentees.
Washburn)	
Shea	Take the record.
Washburn	
Shea	Clerk please call absentees.
Selcke	
Shea	House Bill 2021 lost.



Selcke	House Bill 2035 Third Reading.
Shea	
Calvo	Sponsor.
Shea	
Friedrich	
Shea	
Peters )	Yield?
Calvo )	"Certainly."
Shea	Bring remarks to a close.
Peters	
Shea	"Go ahead."
Peters	
Shea	
Sangmeister	"No. vote."
Shea	
Lauer	Move previous question.
Snea	Ayes have it.
Shea	House Bill 2035
Calvo	
Shea	Bill lost.
Selcke	House Bill 2044 Third Reading.
Shea	
Choate	Sponsor.
Shea	
Walsh	Oppose.
Shea	
Tuerck	Oppose.



Shea	
Deuster)	Yield?
)	
Choate )	
Shea	
Borchers	
Shea	
Schneider	"Aye vote.
Shea	
Palmer	Oppose.
Shea	Bring remarks to a close.
Palmer	
Shea	
Choate	To close.
Shea	House Bill 2044 passed.
Selcke	House Bill 2000 Third Reading.
Shea	"Gent from Union for Mr. Hart."
Choate	
Shea	House Bill 2000 passed.
Selcke	House Bill 2047 Third Reading.
Mulcahey	Sponsor.
Shea	
McCourt	Against.
Shea	
Porter	Aye vote.
Shea	
Chapman	Urge yes vote.
Shea	
Deavers	Move previous question.



Shea	"Ayes have it."
Mulcahey	To close.
Shea	House Bill 2047 passed.
Jack O'Brien	House Bill 2050 Third Reading.
Shea	
Collins	Sponsor.
Shea	"Order."
Collins	
Shea	
Berman )	Yield.
)	
Collins )	
Taylor	In the Chair.
Washington	
Taylor	
Flinn )	Yield?
)	
Collins)	
Taylor	
Giglio	
Taylor	
Randolph	
Taylor	
Collins	To close.
Taylor	House Bill 2050.
Collins	Explains vote.
Taylor	House Bill 2050 passed.
Shea	House Bill 2054.
Selcke	House Bill 2054 Third Reading.
Shea	



Peters	Sponsor.
Shea	House Bill 2054 passed.
Selcke	House Bill 2057 Third Reading.
Shea	
Leon	Sponsor.
Shea	
Leon	Explains vote.
Shea	Gentleman requests poll absentees.
Hirschfeld )	Question
Shea )	
Selcke	Polls absentees.
Shea	"Emily Jones " aye.
Selcke)	Continues poll.
Shea )	
Shea	"Take a new roll call."
Shea	House Bill 2057.
Leon	Postponed consideration.
Shea	
Selcke	House Bill 2073 Third Reading.
Shea	
Hart	Sponsor
Kempiners	"What Bill?"
Shea	
Hart	
Shea	
Duff)	Yield?
Hart)	Yes.



Shea

Lechowicz ) Yield?  
 )  
 Hart )

Shea

Pierce Question.

Shea "Order please."

Pierce ) Continues questions.  
 )  
 Hart )

Shea House Bill 2073 passed.

Selcke House Bill 2074 Third Reading.

Shea

Hill

Shea House Bill 2074 passed.

Selcke House Bill 2075 Third Reading.

Shea

Walsh

Shea "I'll dump the roll call."

Pouncey Explains Bill.

Shea

Walsh "Rise to oppose."

Shea

Madigan "Rise in support."

Shea

Friedrich Urge no vote.

Shea

Lechowicz

Shea



Borchers	
Shea	
Mann	Point of order.
Shea	
Borchers	
Shea	
Stone	Point of order.
Shea	
Borchers	
Shea	"Please confine, etc."
Borchers	
Shea	
Friedland	Move previous question.
Shea	Ayes have it.
Pouncey	To close.
Shea	House Bill 2075 passed.
Shea	"Sad job."
Huff	Representative Carter former colleague.
Shea	"Read the Resolution."
Jack O'Brien	
Shea	
Jack O'Brien	House Bill 2089 Third Reading.
Shea	
Taylor	
Shea	House Bill 2089 passed.
Bradley	All names be added to previous motion.
Shea	



Stearney	House Bill 374 return to Committee.
Shea	Leave granted.
Jack O'Brien	House Bill 2093 Third Reading.
Downs	Sponsor.
Shea	
Campbell	Support.
Shea	
Flynn	Oppose.
Shea	House Bill 2093.
Ryan	
Shea	
McClain	Vote no.
Shea	
Hirschfeld	
Shea	
Mann	
Shea	
Deavers	Moves previous question.
Shea	So moved.
Downs	To close.
Shea	Vote-take the record.
Downs	Explains vote.
Shea	
Schlickman	
Shea	
Schlickman	
Shea	
Schlickman	2093.





Shea	
Schlickman	
Shea	
Madison	
Shea	New roll call. Vote.
Downs	Explain vote.
Shea	Take the record. Postponed consideration.
Bluthardt	
Shea	Yes, sir.
Bluthardt	
Shea	
Bluthardt	
Shea	
Collins	
Shea	No recollection.
Collins	
Shea	
Walsh	Dissent.
Shea	
Pierce	Resent remarks.
Shea	House Bill 2096. P. 207
Jack O'Brien	House Bill 2096 Third Reading.
Shea	
Mudd	Explains the Bill. Sponsor.
Shea	Vote.
Mudd	
Shea	Bill passed.



Jack O'Brien	House Bill 2100 Third Reading.
Shea	House Bill 2100.
Jaffe	House Bill 2100. Sponsor. Explains.
Shea	
Lucco	Discussion on Bill.
Shea	
Tuerk	Confusing & objectionable.
Shea	Vote. Take record. Bill passed.
Jack O'Brien	House Bill 2102. Third Reading.
Shea	2102.
Anderson	2102..
Shea	
Chapman	Error.
Shea	Pardon me, Mr. Clerk.
Berman	
Shea	
Chapman	Stay in Interim Study.
Jack O'Brien	House Bill 2109 Third Reading.
Jones	House Bill 2109 Explain. Sponsor.
Shea	
Ebbesen	
Shea	Order & be in seats.
Jones	Continues explanation.
Shea	
Leinenweber	Question of Sponsor.
Jones	Amended out on Amendment #1.
Leinenweber	
Jones	



Leinenweber	House Bill 2109 Does not have Amendments.
Jones	
Leinenweber	
Jones	
Leinenweber	
Jones	First 6 months.
Leinenweber	Late charges?
Jones	Response.
Leinenweber	Foreclosures.
Jones	
Leinenweber	In what way?
Jones	Yield to Greiman.
Leinenweber	
Shea	
Ewell	Point of order.
Leinenweber	
Ewell	Amendments distributed.
Shea	
Leinenweber	
Shea	House Bill 2109
Greiman	Responds to Leinenweber's question in regard to Amendment #2.
Leinenweber	Speaks to the Bill.
Shea	Run out of time.
Leinenweber	Continues no vote.
Shea	
Beatty	Question of Greiman.
Jones	Yields to Greiman.



Greiman	Responds to Beatty.
Beatty	
Greiman	Court supervision-no forgiveness.
Beatty	Thank you.
Shea	
Schlickman	Speaks to the Bill.
Shea	Bring remarks to a close.
Schlickman	Vote no.
Shea	
Davis	
Shea	
Deuster	2109 Previous question.
Shea	So moved.
Jones	To close.
Shea	Vote.
Jones	Explain vote.
Shea	Take the record.
Hoffman	
Shea	
Barnes	Inquiry.
Shea	
Barnes	
Shea	
Barnes	Objects.
Shea	Meyers changes vote.
Schisler	Recorded.
Shea	
Jack O'Brien	Not voting.



Schisler	Aye.
Shea	New roll call.
Shea	2109 Vote.
Hoffman	
Shea	
Hoffman	Verification.
Shea	
Jones	Poll the absentees.
Jack O'Brien	Polls the absentees.
Shea	
Jack O'Brien	
Mahar	
Shea	
Mahar	Yes.
Shea	
Palmer	
Shea	
Palmer	No.
Shea	Kempiners present, Hill aye.
Simms	Be in seats.
Shea	
Jack O'Brien	Verification.
Shea	
Jack O'Brien	
Jones	Postpone consideration.
Jack O'Brien	2119 Third Reading.
Shea	

Totten

Sponsor.

GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES



Shea	
Hoffman	
Shea	
Waddell	Oppose.
Shea	
Deuster	Supports.
Shea	Vote
Totten	Explains vote.
Shea	Order.
Totten	Continues explanation.
Shea	Take the record.
Totten	Poll absentees.
Shea	
Peters	
Shea	
Jack O'Brien	Calls the absentees.
Shea	Marovitz aye.
Jack O'Brien	
Shea	Request verification. Bill lost. New roll call.
Speaker Redmond	2121.
Jack O'Brien	2121 Third Reading.
Speaker Redmond	
Giorgi	Explains the Bill.
Speaker	
Brinkmeier	
Speaker Redmond	
Palmer	



Speaker Redmond    Vote.  
 Giorgi  
 Speaker Redmond    Bill lost.  
 Marovitz  
 Speaker Redmond  
 Mann                    Parliamentary inquiry.  
 Speaker Redmond  
 Mann  
 Speaker Redmond  
 Flinn                    931 re-referred.  
 Speaker Redmond  
 Hart  
 Speaker Redmond  
 Leinenweber  
 Speaker Redmond  
 Geo-Karis            1658 re-refer.  
 Speaker Redmond  
 Simms  
 Speaker Redmond  
 Malloy  
 Speaker Redmond  
 Ebbesen  
 Speaker Redmond  
 Speaker Redmond  
 Madison              1998.  
 Speaker Redmond  
 White                  2349.  
 Speaker Redmond

Tape IV



Hoffman, R. L.	House Bill 721, 967.
Speaker Redmond	Recommitted.
Houlihan, J.	1889.
Speaker Redmond	
Houlihan, J.	
Speaker Redmond	
Tipsword	2484.
Speaker Redmond	
Hirschfeld	2582.
Speaker Redmond	
Washington	1974, 1975, 1976.
Speaker Redmond	
Shea	List.
Speaker Redmond	
Kozubowski	
Speaker Redmond	
Stone	House Bill 2910.
Speaker Redmond	
Downs	House Bill 2093.
Speaker Redmond	
Jaffe	House Bill 620.
Speaker Redmond	
Schneider	House Bill 558.
Speaker Redmond	
Leon	House Bills 921, 2109, 2057.
Speaker Redmond	
Catania	Parliamentary inquiry.
Speaker Redmond	





Catania	House Bill 2975. & ?
Speaker Redmond	
Merlo	House Bill 790.
Speaker Redmond	
Leverenz	House Bill 2855.
Speaker Redmond	
Deuster	House Bill 14.
Speaker Redmond	
Choate	Parliamentary inquiry.
Speaker Redmond	
Choate	
Speaker Redmond	
Walsh	
Speaker Redmond	
Walsh	
Speaker Redmond	2121 lost.
Jack O'Brien	2122 Third Reading.
Speaker Redmond	
Williams	Question.
Speaker Redmond	
Williams	
Speaker Redmond	
Matijevich	Point of order.
Speaker Redmond	
Giorgi	2122 Explains the bill. Sponsor.
Speaker	Vote. Bill lost.
Jack O'Brien	2123 Third Reading.
Speaker Redmond	



Duff House Bill 900 heard at same time.

Speaker Redmond

Shea Objections.

Speaker Redmond

Duff

Speaker Redmond

Getty

Speaker Redmond

Walsh

Speaker Redmond

Duff

Speaker Redmond

Duff

Speaker Redmond

Madison

Speaker Redmond 2123.

Getty Roll call on board.

Speaker Redmond Declared it lost.

Getty Explain the Bill. Sponsor.

Speaker Redmond

Hirschfeld

Speaker Redmond

Hirschfeld

Getty

Hirschfeld

Getty

Hirschfeld Speaks on the Bill.

Speaker Redmond



Palmer

Speaker Redmond

Hart                      Moves previous question.

Speaker Redmond        Vote on previous question.

Walsh

Speaker Redmond

Getty

Speaker Redmond        Motion lost.

Grotberg                 Parliamentary inquiry.

Speaker Redmond

Grotberg

Speaker Redmond

Shea

Speaker Redmond

Hirschfeld

Speaker Redmond

Bradley

Speaker Redmond

Choate                    Sick & tired.

Speaker Redmond

Telscer

Speaker Redmond

Duff

Speaker Redmond

Matijeovich             Point of order.

Speaker Redmond        2123.

Duff

Speaker Redmond



Duff	Question of Sponsor.
Speaker Redmond	
McPartlin	
Speaker Redmond	
Washburn	
Speaker Redmond	
Duff	
Speaker Redmond	
Getty	
Speaker Redmond	Vote.
?	
Speaker Redmond	
Lechowicz	
Speaker Redmond	Bill passed.
Jack O'Brien	2140 Third Reading.
Speaker Redmond	
Telcser	
Speaker Redmond	Vote.
Beaupre	House Bill 2279 returned.
Speaker Redmond	Take the record. Passed.
Jack O'Brien	2142 Third Reading.
Speaker Redmond	2142.
Walsh	Objected to Bills being returned.
Speaker Redmond	
Shea	Leadership superb.
Speaker Redmond	
Walsh	Objects again.
Speaker Redmond	



Shea

Speaker Redmond

Keller Explains Bill.

Speaker Redmond Vote.

Washburn Overdoing it. Decorum.

Speaker Redmond Take the record. Passed.

Jack O'Brien 2144 Third Reading.

Speaker Redmond

Calvo 2760 recommitted.

Speaker Redmond

Calvo Explains the Bill.

Speaker Redmond

Desuter Question of Sponsor.

Speaker Redmond Yields.

Deuster Question put.

Calvo Responds and discussion.

Deuster

Calvo

Deuster Question.

Speaker Redmond

Lauer Question of Sponsor.

Speaker Redmond Yields.

Lauer Question put.

Calvo Discussion.

Lauer 2144.

Calvo

Speaker Redmond

Lauer Speaks to the Bill.



Speaker Redmond  
 Maragos Moves previous question.  
 Speaker Redmond Vote on motion.  
 Madison House Bill 2381.  
 Speaker Redmond Recommitted.  
 Speaker Redmond Take the record. Motion passed.  
 Speaker Redmond Vote. Passed.  
 Jack O'Brien 2145. Third Reading.  
 Speaker Redmond 2145.  
 Downs 2145 Explains the Bill. Sponsor.  
 Speaker Redmond  
 Simms Speaks on the Bill.  
 Speaker Redmond  
 Downs  
 Simms  
 Speaker Redmond 2145. Vote. Bill lost.  
 Walsh Request poll of absentees.  
 Speaker Redmond  
 Walsh  
 Speaker Redmond  
 Downs Point of order.  
 Speaker Redmond Postpone consideration.  
 Jack O'Brien 2147 Third Reading.  
 Speaker Redmond Recognition of Representative.  
 McCourt Explains Bill.  
 Speaker Redmond Vote. Bill passed.  
 Choate Motion to pass all Bills on one roll.  
 Speaker Redmond



Schraeder	Lie on the table.
Speaker Redmond	
Merlo	Vote on motion. Prevails.
Speaker Redmond	
Meyers	2 motions filed with Clerk.
Speaker Redmond	
Jones	
Speaker Redmond	
G. Hoffman	Call next Bill.
Speaker Redmond	
Tipsword	2404.
Speaker Redmond	
Schneider	Let's hear motions.
Speaker Redmond	
Meyers	
Speaker Redmond	
Walsh	Oppose the motion.
Speaker Redmond	
Walsh	1720, 863.
Speaker Redmond	
Hanahan	1136.
Speaker Redmond	
Leinenweber	Oppose motion.
Speaker Redmond	
Friedrich	
Speaker Redmond	Motion prevails.
Shea	Move to adjourn.
Speaker Redmond	



Jack O'Brien           Adjournment Resolution.

Speaker Redmond

Fennessey           Announcement.

Speaker Redmond

Washburn

Speaker Redmond

Shea               Move to adopt.

Speaker Redmond

Downs

Speaker Redmond   Resolution adopted.

Shea               Move to adjourn.

Speaker Redmond   House adjourned.

