

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

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

Rev. Krueger: "In the name of the Father, the Son, and the Holy Ghost. Amen. O Lord, bless this House to Thy service this day. We're asked today to remember the Governor of this State who is in the hospital awaiting an operation and also, Representative J. David Jones, who has had an operation. Let us pray. O almighty God, who art the giver of all health and the aid of them that turn to Thee for 'succor' we entreat Thy strength and goodness in behalf of Thy servant, Daniel and J. David, that their weakness being banished, they may be healed of their infirmities to Thine honor and glory through Jesus Christ, Our Lord. Amen. In 1818, John Adams said, 'This radical change in the principles, opinions, sentiments, and affection of the American people is the real American Revolution'. Let us pray. Almighty God, as we approach the great observance of the liberty struggle that affected these great United States and in particular, our own State of Illinois, may we as Thy servants never lose sight of Thy guiding principles. May the labors of this House of Representatives be tuned to the times so that their work will always represent the opinions and sentiments, affections of the people of this state for the good of all persons and to the glory of Thy holy name, through Jesus Christ, Our Lord. Amen."

Speaker Redmond: "Roll Call for attendance. Introduction and First Reading."

Clerk O'Brien: "House Bill 3977, Catania-Simms. A Bill for an Act making an appropriation to the Commission on the Status of Women. First Reading of the Bill."

Speaker Redmond: "Representative Madigan."

Madigan: "Mr. Speaker, would the record show that Representative Williams is excused for official business?"



Speaker Redmond: "Any objections? May the Journal so show.
Representative Washburn."

Washburn: "Thank you, Mr. Speaker. I'd like to have the record show that, as the Chaplain pointed out, Representative Jones is hospitalized. Representative Peters was finally discharged from the hospital yesterday but is home recuperating. And Representative Campbell is absent due to the death of his mother. Thank you."

Speaker Redmond: "Any objections to record indicating the excused absences of the three Members? Hearing none, the Journal will so show. House Bills, Second Reading. House Bills, Second Reading appears House Bill 3322."

Clerk O'Brien: "House Bill 3322. A Bill for an Act to amend the Nursing Home, Shelter Care Homes, and Homes for the Aged Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3594."

Clerk O'Brien: "House Bill 3594. A Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3602."

Clerk O'Brien: "House Bill 3602. A Bill for an Act to amend an Act to create the Township Government Laws Commission. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3... 3648."

Clerk O'Brien: "House Bill 3648. A Bill for an Act to amend the Unemployment Insurance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3759."



Clerk O'Brien: "House Bill 3759. A Bill for an Act directing the Director of the Department of Corrections to convey real owned, state owned real property in Livingston County. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. I guess we're a little light on that one. 3857."

Clerk O'Brien: "House Bill 3857. A Bill for an Act to enlarge corporate loans to metropolitan sanitary district of Greater Chicago. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3918."

Clerk O'Brien: "House Bill 3918. A Bill for an Act to amend the Park District Code. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3925."

Clerk O'Brien: "House Bill 3925. A Bill for an Act to amend Sections of an Act to... in relation to the Jury Commission. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3935. Oh, okay. We'll take that one out. 3955."

Clerk O'Brien: "House Bill 3955. A Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Representative Madigan. Representative Madigan."

Madigan: "Mr. Speaker, would you hold that Bill on Second Reading. I know of an Amendment that someone wishes to offer."

Speaker Redmond: "Take it out of the record. 3976."



Clerk O'Brien: "House Bill 3976. A Bill for an Act to authorize counties to issue bonds for the construction, reconstruction, or remodeling of court houses. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. Senate Bills, Second Reading. Senate Bills, Second Reading appears Senate Bill 1593."

Clerk O'Brien: "Senate Bill 1593. A Bill for an Act making an appropriation to the State Employees' Group Insurance Advisory Commission. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1868."

Clerk O'Brien: "Senate Bill 1868. A Bill for an Act to provide for the ordinary and contingent expense of the General Assembly. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. Senate Bills, First Reading. Do we have a Sponsor on 1572? Representative ~~Tingsword~~. Representative Dunn. 1572, it's on Senate Bills, First Reading. It's an easement in Macon County. Do we show Representative Dunn on that one, Mr. Clerk?"

Clerk O'Brien: "Senate Bill 1572, John Dunn. A Bill for an Act to vacate an easement in Macon County. First Reading of the Bill."

Speaker Redmond: "House Bills, Second Reading. House Bill 3192."

Clerk O'Brien: "House Bill 3192. A Bill for an Act to amend the Uniform Disposition of Unclaimed Property Act. Second Reading of the Bill. Two Committee Amendments. Amendment #1 amends House Bill 3192 on page 1, in line 1 and 6 and so forth."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, Amendment #1 goes to Section 2 and it deals with the abandoned property by a financial or banking institution and



I would move by its... move for its adoption."

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

Clerk O'Brien: "Committee Amendment #2. Amends House Bill 3192 on page 1, line 16 and so forth."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, in the original draft of the Bill, I had changed the value of the property from \$100 to 25... er... from \$25 to \$100. But after talking to the department and various groups, I think that ought to be left at \$25 and this Amendment gets it back to that figure and I would so move for the adoption."

Speaker Redmond: "Any questions? The question's on the adoption of Amendment #2. All in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3367, Representative Collins. Out of the record. There's an error in the Calender. 3420 which appears on the order of Second Reading, should appear in the order of Third Reading. I see it's on the Supplemental Calendar, so we'll take that one out of the Second Reading. 3533."

Clerk O'Brien: "House Bill 3533. A Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. Two Committee Amendments. Amendment #1 amends House Bill 3533 on page 1 by deleting line 1 and 2 and so forth."

Speaker Redmond: "Representative Younge."

Younge: "Mr. Speaker, could you take that out of the record temporarily and also 3534."

Speaker Redmond: "Out of the record and also 3534 out of the record. 3603. Representative McMasters on the floor? Out of the record. 3612. Whose Amendment is that on 3612? Representative Nardulli, do you want to proceed with the Amendments to 3612? Out of the record? 3645. Who's handling the Amendment on that? Representative Rayson on the floor? Out of the record. 3652."



Clerk O'Brien: "House Bill 3652, C.M. Stiehl. A Bill for an Act to require certain classifications in relation to state vouchers. Second Reading of the Bill. One Committee Amendment amends House Bill 3652 on page 1, line 27 and so forth."

Speaker Redmond: "Representative Stiehl."

C.M. Stiehl: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Committee Amendment #2... Oh, Committee Amendment #1 is a Committee Amendment and it reduces the penalty from a Class A misdemeanor to a business offense. I would move for its approval."

Speaker Redmond: "Any discussion? The question's on the adoption of Amendment #1 to House Bill 3652. All in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3704."

Clerk O'Brien: "House Bill 3704, C.M. Stiehl. A Bill for an Act in relation to exemptions from liability of certain persons providing emergency medical care. Second Reading of the Bill. Amendments 1, 2, and 3 were tabled in Committee. Amendment #4 amends House Bill 3704 by deleting everything after the enacting clause and so forth."

Speaker Redmond: "Representative Stiehl."

C.M. Stiehl: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #4 provides for immunity from civil liability for emergency medical technicians as long as they are volunteers. This Amendment was put on with the approval of the Committee and I would move for its adoption."

Speaker Redmond: "Representative Shea."

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

C.M. Stiehl: "Yes, I will."

Shea: "I think I'm a Bill too late. I was talking when I should of been listening, but 3652 was the second or middle Bill of the series of three Bills you put in and the Amendment you just adopted was with regards to Class I felony or a misdemeanor on that Bill?"



C.M. Stiehl: "Yes, sir. Yes, it was."

Shea: "That was the Berman Amendment?"

C.M. Stiehl: "We have... No, we have two Amendments. I was just going down to talk to them about it. The one Amendment provides... reduces the penalty from a Class A misdemeanor and the other one... removes the automatic dismissal from office."

Shea: "All right, now that's on 3652?"

C.M. Stiehl: "That's right."

Shea: "Did that move?"

C.M. Stiehl: "No, it didn't"

Shea: "Okay, that's..."

C.M. Stiehl: "But I'd like to go back to it and move it."

Shea: "Okay, but I'm sorry I was talking when I should of been listening and I wanted to ask you about that Bill."

Speaker Redmond: "Where are we on 3704? 3652 has been moved to the order of Third Reading, Representative Shea. 3652 has been moved to the order Third Reading. Where are we on 3704? We're discussing Amendment 4. The Lady has moved the adoption of Amendment #4. Representative Hart."

Hart: "Would the Sponsor of the Amendment explain what it does again, please?"

C.M. Stiehl: "Yes, the Amendment strikes everything after the enacting clause and it provides for immunity from civil liabilities for emergency medical technicians who have taken to course that is approved by the Illinois Department of Public Health who have passed the examination and who are currently certified with the Illinois Department of Public Health. It allows immunity only to volunteers. It is strictly a good samaritan, it was put in because of the difficulty in Southern Illinois that communities and areas have in reaching hospitals or obtaining proper emergency treatment. These people have been trained in just very basic emergency medical techniques."

Hart: "What are they immune from liability for? I mean for... for acts while they're driving the vehicle?"

C.M. Stiehl: "No, there is nothing... it's only in providing the basic medical care for emergency procedures for which they have



been trained. And only when they do that as a volunteer with no remunerations."

Hart: "What if there is an insurance coverage of their acts?"

C.M. Stiehl: "There is no insurance available to these people."

Hart: "Well, what if there would be some would become available in the future. I think that if we're going to give them immunity, that the courts in Illinois at least have gone trending toward the situation where they're immune if they're not insured, but if there is insurance available, either if... maybe it's not available now, but we're making a statute here which is going to be the statute until it's changed. And I would..."

C.M. Stiehl: "Representative Hart, this same statute... the policemen have this, firemen have this, doctors have this, nurses have it, dentists have it presently. It is in the statutes, but the problem is that there are so many areas in Southern Illinois and in downstate Illinois that the only means of care or treatment, emergency care or treatment they have is from these trained E.M.P.'s and all we're doing is saying that if they volunteer their services, not... as a paid employee of any organization, they will be immune from civil liability in providing these care procedures."

Hart: "Well, we can't cure all the bad statutes on the books, but I certainly don't think we need to add another one. And if... I would be against this Amendment unless there would be a provision in there which would provide for those of these persons who are insured because we're getting away from and not going toward giving immunity for governmental actions or agents if they're not insured, but if they are insured, I think that the immunity should not prevail. And I would..."

C.M. Stiehl: "Could I take it out of the record and talk to you about it?"

Hart: "Yes, certainly."

C.M. Stiehl: "Thank you."

Speaker Redmond: "Representative... out of the record. Now 3652.

Representative Shea, do you have any inquiry about that one?"

Shea: "If I might, might I ask Ms. Stiehl a question?"



Speaker Redmond: "You may."

Shea: "All right now, on 3592, were both Amendments adopted prior to the time it moved to Third Reading?"

C.M. Stiehl: "3652, yes, both of them were."

Shea: "3652."

C.M. Stiehl: "Yes, Amendment #1 was adopted last Wednesday. Amendment #2 was submitted by Representative McPartlin and it was adopted last Thursday. What I'd like to check on is I think perhaps Representative McPartlin had of had Amendment #1 tabled and Amendment #2 adopted because Amendment #2 also reduces the penalty from a Class A misdemeanor to a business offense. Then it eliminates the automatic dismissal from a job."

Shea: "All right, so that you think it's in shape but would you..."

C.M. Stiehl: "I just was going down to check with the Clerk when they called my next Bill."

Shea: "Thank you."

Speaker Redmond: "It's on Third now. Representative Stiehl, would you have any objection to moving 3652 back to the order of Second Reading so that everybody can take a look at the Bill and the Amendments and so forth? Okay. Return it to the order of Second Reading. That's 3652. 3721. Representative Miller on the floor? Out of the record. Representative Washburn, do you want recognition? I understand that sick bay is... Representative Choate."

Choate: "Did I understand that 3652 was returned to the order of Second Reading?"

Speaker Redmond: "That's correct."

Choate: "Thank you."

Speaker Redmond: "Representative Washburn, do you have..."

Washburn: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to have the record show that Representative Fleck and Representative Ron Hoffman are absent due to illness. And Representative Betty Lou Reed is absent due to official business. Thank you."

Speaker Redmond: "Any objections? The Journal will so show. 3787."

Clerk O'Brien: "House Bill 3787, D'Prima. A Bill for an Act to provide for veterans employment representative in each full service



office of the Illinois State Employment Service. Second Reading of the Bill. This Bill has been read a Second time previously and Amendment #1 adopted and held on Second."

Speaker Redmond: "Representative DiPrima, 3787. What's your pleasure, sir? Are there any more Amendments? There's been a request for a fiscal note which has not yet been filed, so it will have to stay on the order of Second Reading. 3803."

Clerk O'Brien: "House Bill 3803, Porter. A Bill for an Act to amend an Act in relation to vocational rehabilitation of disabled persons. Second Reading of the Bill. One Committee Amendment. Amends House Bill 3803 by deleting line 11 through 15 and so forth."

Speaker Redmond: "Representative Porter."

Porter: "Mr. Speaker and Ladies and Gentlemen of the House, Committee Amendment #1 improves the Bill by allowing the Governor appointment of the Director of Vocational Rehabilitation from a list of three names provided by the Board of Vocational Rehabilitation. And then requires the Governor... the approval of the Governor's choice by confirmation by the Illinois Senate and I would move adoption of Amendment #1."

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

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3811."

Clerk O'Brien: "House Bill 3811, Stearney. A Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. One Committee Amendment. Amends House Bill 3811 on page 1 by deleting lines 30, 31, and 32 and so forth."

Speaker Redmond: "Representative Stearney. Who's Amendment is this, Representative? Out of the record. 3816 will be taken tomorrow. 3841. Representative Londrigan."

Clerk O'Brien: "House Bill 3841. A Bill for an Act to amend the Springfield Metropolitan Exhibition and Auditorium Authority Act. Second Reading of the Bill. One Committee Amendment."



Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "One Committee Amendment. Amends House Bill 3841 on page 1, line 29 and so forth."

Speaker Redmond: "Representative Londrigan."

Londrigan: "Mr. Speaker, this Amendment just puts back in a line that the Reference Bureau inadvertently left out. I would ask that this Amendment #1 be approved."

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

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Just a second now, 36... we moved it back. 3652? 3935."

Clerk O'Brien: "House Bill 3935. A Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Jaffe. Amends House Bill 3935 on page 3, line 32 by inserting the word 'the' following 'average of the' and so forth."

Speaker Redmond: "Representative Schneider. Hold it. Out of the record. 3954, Representative Katz. Out of the record. 3957, Representative Washington on the floor? Senate Bills, Second Reading. J.M. Houlihan here? Representative Richmond here? 1869, Representative Lechowicz."

Clerk O'Brien: "Senate Bill 1869. A Bill for an Act making an appropriations for furnishings of legislative staff, secretarial service. Second Reading of the Bill. One Committee Amendment. Amends Senate Bill 1869 on line 23 by deleting \$12,000 and so forth."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. Committee Amendment #1 was a corrective Amendment that changed the... in the wording of the Bill, it was the 80th General Assembly for the protection of the Membership. It should be the 79th. We can only spend \$6,000 of the \$12,000. You never know what's going to transpire in



November, so I move for the adoption of Committee Amendment #1."

Speaker Redmond: "Any discussion? The question's on the adoption of Amendment #1. All in favor say 'aye', opposed 'no'. The 'ayes' have it. Amendment 1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. House Bills, Third Reading. On House Bills, Third Reading appears House Bill 129. Out of the record. 2115, Representative Kane."

Clerk O'Brien: "House Bill 2115, Kane."

Speaker Redmond: "Representative Kane, 2115. Third Reading. Out of the record. 3138."

Clerk O'Brien: "House Bill 3138, Palmer."

Speaker Redmond: "Representative Kosinski."

Clerk O'Brien: "Palmer-Kosinski."

Speaker Redmond: "Representative Palmer on the floor? 3225."

Clerk O'Brien: "House Bill 3225, McClain."

Speaker Redmond: "Representative McClain. 3225. Representative McClain, are you ready?"

McClain: "Sir, I'm ready, but I don't think we have enough people here although there's no controversy with it, so..."

Speaker Redmond: "157 people here."

McClain: "157? Okay, let's run with it then."

Clerk O'Brien: "House Bill 3225. A Bill for an Act in relation to the Illinois Veteran's Home at Quincy. Third Reading of the Bill."

McClain: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 3225 transfers the jurisdiction of the Illinois Veteran's Home to the Department of Illinois Veteran's Affairs. If I can explain that to you, we have the only State Veteran's Institution in Quincy, Illinois. It's sort of bantered around between departments for the last few years. The last several years, it's been in the Department of Children and Family Services. Now, Mary Lee Leahy has done an acceptable job that last couple of years, but the problem is that the Department is child-oriented and many times... although we'll appropriate money for the Illinois Veteran's Home, the Department will take



monies away from them and spend it on other programs and other facilities, so it's our feeling when we made the Department of Veteran's Affairs that some day we would move over the Illinois Veteran's Home into that Department. The Illinois Veteran's Home has about \$6.1 million. It's an institutional that could really run on itself, has it's own personnel department, six doctors, and their own business department and really does not need the Department of Children and Family Services. And in fact, it's probably sometimes ripped off by the Department of Children and Family Services. So, we decided to move it over to the Illinois Veteran's Affairs, which indeed is veteran-oriented and not senior citizen oriented and the veterans there, about 700 strong, will receive the quality of care and concern that I believe they deserve. There is no controversy whatsoever with this Bill. No one opposes it and in fact, Ladies and Gentlemen, as you can see when I passed out the material last Thursday and Friday, all the major veteran's organizations of the state, some 15 strong, have all endorsed this House Bill. And I would urge you to vote 'aye' on this Bill."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I would like to concur in the speaker's... recommendations. I think that the Illinois Veteran's Home at Quincy would be better served if the Illinois Department of Veteran's Affairs would jurisdiction of it because it's just as the Sponsor said. I'm sure the Department of Children and Family Services has probably been doing a fairly good job, but... in this one, it's not enough. And I do feel that it would be the best interest of the veterans if this particular home, the Illinois Veteran's Home at Quincy were transferred from the Department of Children and Family Services to the Illinois Department of Veteran's Affairs because it concerns veteran's affairs. And I urge your approval."

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



Hanahan 'aye'. Have all voted who wished? The Clerk will take the record. On this question 104 'aye' and 1 'no' and the Bill having received the Constitutional majority is hereby declared passed. 3335, Representative Skinner. Out of the record. 3420, Representative Duff."

Clerk O'Brien: "House Bill 3420. A Bill for an Act to amend Sections of the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Redmond: "Representative Duff."

Duff: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3420 responds to a statutory remedy required and requested by the Illinois Supreme Court for the failure to provide a preliminary hearing as is required by Article I, Section 7 of the 1970 Constitution. In *people vs. Howe* in 1975, the Illinois Supreme Court state that a remedy was required for such a failure, but that the court would not fashion one. Instead, it would wait for the General Assembly first. It attempts to meet two problems created by this failure. First, where a person is held in custody without bail for 30 days after he requests a preliminary hearing, he released on recognizance pending the hearing. No charges are dropped with or without prejudice, but the state is still encouraged to proceed as fast as possible. Secondly, in order to meet other... well, that is the essence of the Bill, Mr. Speaker. And after having accepted Amendment #1, the Bill came out of Judiciary Committee unanimously. I request a favorable Roll Call."

Speaker Redmond: "Any discussion? The question is shall this Bill pass. All in favor vote 'aye', opposed vote 'no'. Have all voted who wished? All voted who wished? Clerk will take the record. On this question there's 96 'aye', no 'nay'. The Bill having received the Constitutional majority is hereby declared passed. 3518. Representative Jaffe on the floor? Take that out of the record. 3522, out of the record. 3565."

Clerk O'Brien: "House Bill 3565, Choate."

Speaker Redmond: "Representative Choate, out of the record. I can't see around... 3609, Representative Barnes on the floor? Out of



the record. 3611, out of the record. 3651, Representative Stiehl. Representative Stiehl has changed her spot. Will you turn on Representative Berman."

Clerk O'Brien: "House Bill 3651. A Bill for an Act to amend the State Comptroller's Act. Third Reading of the Bill."

Speaker Redmond: "Representative Stiehl."

C.M. Stiehl: "Could I have this taken out of the record, please?"

Speaker Redmond: "May she have it taken out of the record. Hearing no objection, we'll take it out of the record. How about 3653? Out of the record? 3830, Representative Maragos. Out of the record. 3835, Representative Chapman. Out of the record. 3840, Representative DiPrima. First time he's ever been off the floor. I didn't think he was off the floor."

Clerk O'Brien: "House Bill 3840. A Bill for an Act to provide courtesy transportation to certain guests of patriotic organization gatherings in Illinois. Third Reading of the Bill."

Speaker Redmond: "Representative DiPrima."

DiPrima: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill was introduced at the request of the Secretary of State, Mike Howlett. Ever since World War I, the veteran organizations whenever they have their state conventions, it's been a policy to have the transportation department affiliated with the distinguished guest committee and whenever a distinguished guest... like two years ago, the V.F.W. had their national convention in Chicago... President Ford was picked up and taken to the convention and we've also in the past had like the Secretary of War, Secretary of State, various Congressmen, and the Secretary of State provides the transportation to pick these distinguished guests up from the airport and bring 'em over to where the... convention is being held. And that's about all the Bill does and I would appreciate an affirmative vote."

Speaker Redmond: "Any discussion? Representative Greiman."

Greiman: "Yes, thank you. Will the Gentleman yield for a question?"

Speaker Redmond: "He will."

Greiman: "Thank you. I'm somewhat concerned about the status of our insurance under this Bill. Now the Bill provides that we will



turn over motor vehicles. Who will do the driving of those vehicles?"

DiPrima: "The cars are all insured. They're from the Secretary of State's office and the drivers will be provided by the Secretary of State's office to drive the darn cars."

Greiman: "Well, under that Act as it's drawn, I'm not sure that they can do that. I think you're saying in the Bill itself, says motor vehicles. It doesn't say anything at all about the drivers being provided for them. So I think you... we would... we're trying to solve a problem here, as I understand it, and I'm not sure that this Bill will solve the problem unless we have the... some statement as to the drivers. If we turn over vehicles, don't you think we might have our... our insurance impaired if we have nonstate employees driving state vehicles. Mightn't that impair our insurability?"

DiPrima: "You aren't going to have nonstate employees driving. I told you that drivers are going to be supplied by the Secretary of State's office."

Greiman: "That's not what the Bill says though, Mr. DiPrima. The Bill says will provide motor vehicles."

DiPrima: "Well, vote this out and I'll get it in the Senate and have Senator Phil Rock scrutinize it and then we'll put the Amendment on it if we need it."

Greiman: "Well, you know, I don't like to see something get out of the House that we're going to amend."

DiPrima: "Have no fear, we'll work it out."

Greiman: "Yes, thank you for allaying my fears."

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

Mugalian: "Will the Sponsor yield?"

Speaker Redmond: "He will."

Mugalian: "Representative DiPrima, I don't have the full Bill but I have the synopsis which refers to certain guests. You gave us an example of President of the United States or the Secretary of Defense, but how is the phrase 'certain guests' defined in the statutes? What limitations are there on what guests may be transported?"



DiPrima: "Well, usually whoever's going to be the principle speaker or various dignitaries from the veteran's administration, anything that's affiliated with veteran's legislation or what have you, anything pertaining to the veterans."

Mugalian: "I wonder if you can quote the Section of the Statutes so that we can all know exactly what it says?"

DiPrima: "You want me to read the Bill to you?"

Mugalian: "No, I just want the Section as to what certain guests include."

DiPrima: "Well, it says here, it says upon request, the Governor, the Secretary of the State may provide the use of any state motor vehicle within their control to distinguished guests and officers attending conventions or gatherings of federally chartered, patriotic organizations in this state."

Mugalian: "I see. Then apparently, the person making the request would pretty much be able to determine who a certain guest is."

DiPrima: "Well, the convention knows in advance what distinguished guests are coming in for the convention."

Mugalian: "Well, it could be probably be every official of every post of every legion and the V.F.W. and other veteran's organizations in the country couldn't it?"

DiPrima: "The Commander of the V.F.W. attends the American Legion Convention, certainly they'll provide transportation for him or if there's National Commander of the Amvets or the Disabled American Veterans."

Mugalian: "All right, one more question, maybe Mr. Lechowicz would help with this. What are the fiscal implications of this? What's this Bill include?"

DiPrima: "Implications."

Mugalian: "Well, I think it takes money to drive..."

DiPrima: "That's ludicrous."

Mugalian: "I appreciate your answer, thank you."

Speaker Redmond: "Any further discussion? The question is shall this Bill pass. Those in favor and have no fears, vote 'aye', opposed vote 'no'. Have all... all voted who wished? Have all voted who wished? Representative Choate, do you seek recognition?"



Choate: "Larry, I really am in sympathy with what you're trying to do as you well know, but I've just been told that there's a possibility that a federally chartered communist veteran's organization might appear and want a car."

DiPrima: "Well, we'll take care of him. We'll put a little bomb in the car and then let him go out and meet his maker."

Speaker Redmond: "Have no fears."

Choate: "If you bomb the car, you're destroying state property."

Speaker Redmond: "Have all voted who wished? Representative DiPrima, do you seek recognition? Representative Shea is seeking recognition. Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, I think this is a good piece of legislation. What it does is provide that either the Governor's office or the Secretary of State's office may supply vehicles when the veterans have their convention in the State of Illinois. Now we've been doing it... it's my understanding for a number of years. The last time it was done, somebody raised the question if whether the Governor and the Secretary of State's office had the statutory authority. All this does is insure that they do have that authority. I think the Bill should pass."

Speaker Redmond: "Representative Friedland, you seeking recognition? Representative Schraeder."

Schraeder: "Mr. Speaker, I think it's a good Bill, but it could be tightened just a little bit and I think an Amendment to covering this situation about who guests are would be appropriate and we'll probably have 177 votes then."

Speaker Redmond: "Have all voted... Representative Mudd."

Mudd: "Mr. Speaker, we heard this Bill in Committee and I think that most of these things were brought up in discussion and where Representative Shea mentioned about it being a flaw that someone raised because the Secretary of State was furnishing vehicles for a dignitary that was in the State of Illinois to represent one of our veteran's organizations that felt that... and they indicated that they scrutinized these representatives very carefully but they wanted to go one step



further and make it legal so that they could do it even further. It's a good Bill and it deserves our vote because it makes something legal that may be of question sometime to the State of Illinois or one of its departments. So I would... I would ask everyone to vote for it so that we can have a good piece of legislation on the books that could be amended in any form we want to. I mean, later if it proves to be unusable, so I think we should adopt this one and..."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I have to agree with Representative Mudd. It's a... it's part and parcel what transpired in this state for a good number of years. Normally, the request would come to the Governor's office and, in turn, he would assign one of his people to pick up a dignitary and take him to the convention. There's a self-protection clause both for the Governor and the Secretary of State because as was pointed out by, I believe, Representative Mugalian, as far as the person who was traveling in the state automobile, should be an employee. And in turn, that's covered under the self-insurance program of the State of Illinois. This would cover the individual who would be riding in the car. As far as any additional costs, I am sure it's strictly minimum because in turn you're providing a... the vehicle is there, you're providing the gas and the time of the employee..."

Speaker Redmond: "Clerk will take the record. On this question, there's 94 'ayes', 14 'no' and the Bill having received the Constitutional majority is hereby declared passed. 3851. Representative Friedrich."

Friedrich: "Mr. Speaker, I'd like to interrupt. We're going to be considering Resolution 872 and I understand there's 11 or more Amendments. I have 7 and I can't find any more. I wonder if someone could see if those other Amendments are put on our desks."

Speaker Redmond: "Mr. Clerk. 15 Amendments. We will see that they're distributed."

Clerk Selcke: "House Bill 3851."



Speaker Redmond: "Representative Pierce. Out of the record.

3856, 53 rather. Representative Chapman not here? Take it out of the record. 3856, 3878, 3881, 3883, 3901."

Clerk Selcke: "House Bill 3901, Matijevich."

Speaker Redmond: "Out of the record. 3902, Representative Berman."

Clerk Selcke: "House Bill 3902. A Bill for an Act to amend Section 10 of and to add Section 10.13 to the Capitol Development Board Act. Third Reading of the Bill."

Speaker Redmond: "Representative Berman."

Berman: "Well, thank you, Mr. Speaker. House Bill 3902 addresses a problem that has arisen regarding employees of the Capitol Development Board. Last year, a lawsuit was filed under the Structural Work Act and one of the employees of the Capitol Development Board was named as a party defendant. The Attorney General refused to defend him in this action and said that there was no authority to do so under the statutes. There is authority, of course, to defend the Capitol Development Board if they are a party defendant, but this appears to be a gap where an individual employee or an individual member of the board would be named. Similar legislation to House Bill 3902 has been passed for the Community College Board and I know of no opposition to this. It merely extends the authority for defense and indemnification to employees and members of the board of C.D.B. I would appreciate an affirmative Roll Call."

Speaker Madigan: "The Chair recognizes the Gentlemen from Cook, Mr. Kosinski."

Kosinski: "Mr. Speaker, will the Sponsor yield to a question?"

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

Kosinski: "Art, is this essentially... permit them to give insurance on their members?"

Berman: "It has two parts. One is to indemnify and protect board members and employees who are acting within the scope of their employment and the other is to allow them to take out insurance to cover them."

Kosinski: "What is the cost therein, do you know?"

Berman: "There's no definite quote, but the figure similar to what



was taken out by the Community College Board, I think they're talking about maybe \$1,000 a year."

Kosinski: "Thank you."

Speaker Madigan: "The Chair recognizes the Gentlemen from Adams, Mr. McClain."

McClain: "Thank you, Mr. Speaker. Art, what would cause..."

Speaker Madigan: "You wish to ask questions of the Sponsor?"

McClain: "Yes, sir. Thank you."

Speaker Madigan: "Indicates he will yield."

McClain: "Art, what would cause us to need this legislation?

You're talking about the Structural Work Act."

Berman: "Yes, you know, Capitol Development Board is in the position of a supervisor, an architect, etc. that would fall under the provisions of possible defendants under the Structural Work Act. Now there's no problem and usually, the Capitol Development Board is sued in these kind of cases as the board and the Attorney General steps in and defends them. The gap appeared and the reason for this Bill is that if they named an individual defendant, an employee of the board or a member of the board as a defendant, the Attorney General said he doesn't now have the authority to defend them and this Bill would plug that gap."

McClain: "So, in other words, we're not giving them any immunity from suit at all."

Berman: "No, whatsoever."

McClain: "Okay, thank you."

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

Walsh: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill has two parts. The part where the board member and any board member working in good faith for the state ought to be protected against civil liability. However, I don't think that it is proper for the state which is another part of this Bill, to purchase insurance for this person. The state would be required to purchase from insurance companies that are considerably... have considerably fewer assets than the state



insurance to cover these situations. I would hope that this Bill would be taken back to Second Reading and the point or the... in the Bill which would permit, in this case, the Capitol Development Board, to purchase liability insurance, be deleted and leave the rest of it in there and provide for the payment of claims against board members from the Court of Claims or from some other appropriation. So I would urge that at this time, we vote 'no' on this Bill."

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

Greiman: "Will the Gentleman yield for a question?"

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

Greiman: "All right, Representative Berman, the Act... the Bill seems to indicate that it covers negligent acts and wrongful acts which are two separate things. Negligence, I can understand; but wrongful acts would be some willful, possibly willful acts of an employee. Is that right?"

Berman: "No."

Greiman: "Well, what are wrongful acts then, Art. Isn't that a willful act?"

Berman: "This language is the same language that has been taken from the Bill that was passed for the Community College Boards. I'm sure that you recognize that a willful act in the technical sense where there is malice or a criminal type of act would certainly not come under respondeat superior and the board would not be responsible. We're only talking about..."

Greiman: "Well, but you don't fix liability, the board's liability. You fix the individual's liability. You don't bring in the doctrine of respondeat superior. No one suggests in this Bill that the board has to be held liable before the employee is indemnified. So it is instead the employees act... irrespective of the act of the... of the board as a collective corporate entity, I think. I'm not sure what the meaning of the word, 'wrongful acts', how it differs from negligence anyhow."

Berman: "I'm not sure it does and I refer you to lines 18 and 19 of the Bill where it talks about that whatever acts we are talking



about is our act within the scope of employment or under the direction of the board. And that is what outlines the scope of indemnification for these Bills... for these acts."

Greiman: "Well, I'm not sure that that would... that still gets away from willful conduct which truly can be done by an employee mistakenly, certainly, but none the less, within the framework of his employment and I have some doubts as to whether that word should be in there. Maybe it shouldn't of been in there for the Community College Board. Maybe we should go back and amend that act and again pass a Bill which would be subject to scrutiny by courts in a different way than we intend."

Berman: "Well, do you have a suggestion for the..."

Greiman: "Well, perhaps they got the word wrongful act unless we get a better definition of what wrongful acts mean."

Berman: "All right. Well, Mr. Speaker, based upon the questions raised by Mr. Greiman and Mr. Walsh, I'd ask that this be taken out of the record at this time."

Speaker Madigan: "Take it out of the record. On the order of House Bills, Third Reading appears House Bills 3908. The Chair recognizes the Gentleman from Cook, Mr. Taylor."

Taylor: "Mr. Speaker, will you take that out of the record, please?"

Speaker Madigan: "Mr. Taylor, do you intend to call that Bill today?"

Taylor: "No."

Speaker Madigan: "3908?"

Taylor: "No, not today. And also House Bill 3930. Take that out of the record."

Speaker Madigan: "On the order of House Bills, Third Reading appears House Bill 3937. Mr. Maragos in the chambers? On the order of House Bills, Third Reading appears House Bill 3948. The Chair recognizes the Gentleman from Union, Mr. Choate."

Clerk Selcke: "House Bill 3948."

Speaker Madigan: "Take that out of the record. Mr. Skinner in the chamber? Mr. Terzich. On the order of House Bills, Third Reading appears House Bill 3971. The Chair recognizes the Gentleman from Cook, Mr. Terzich."

Clerk Selcke: "House Bill 3971. A Bill for an Act to amend the Illinois



Pension Code. Third Reading of the Bill."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, a couple of years ago we passed a Bill allowing for the state employees' deferred compensation plan which required that this plan be submitted to the I.R.S. for tax determination. After it was submitted to the I.R.S. for their approval, they suggested that the Act be amended to exclude the employee from fiduciary responsibility. And therefore, the reason for this Bill is simply will take the participant away from the fiduciary responsibility and transfer it to the trustees in compliance with the I.R.S. ruling. I'd appreciate your favorable support."

Speaker Madigan: "The Gentleman moves that House Bill 3971 pass. Is there any discussion? There being no discussion, the question is shall House Bill 3971 pass. All those in favor signify by voting 'aye'. All those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 101 'ayes', no 'noes', no voting 'present'. And House Bill 3971 having received a Constitutional majority is hereby declared passed. On the order of House Bills, Second Reading, is Mr. Collins in the chamber? On the order of House Bills, Second Reading, is Mrs. Younge in the chamber? Is Mr. McMaster in the chamber? Mrs. Younge, do you wish to call House Bills 3533 and 3534?"

Younge: "Not at this time."

Speaker Madigan: "Not at this time. Mr. McMaster, do you wish to call House Bill 3603? On the order of House Bills, Second Reading appears House Bill 3603."

Clerk Selcke: "House Bill 3603. A Bill for an Act making an appropriation to the Township Government Laws Commission. Second Reading of the Bill. One Committee Amendment."

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

McMaster: "Mr. Speaker, are we moving 3602 and 3603? Has 3602 been moved?"

Speaker Madigan: "It's my understanding that 3602 is already on the



order of Third Reading."

McMaster: "Thank you, Mr. Speaker. 3603 is the appropriation Bill that is a companion Bill to 3602. As introduced, it provided \$15,000 for the expenses of the Township Government Laws Commission. As amended in Committee with my consent, it was amended to \$10,000 for the expenses of that Commission. I accept the Amendment and recommend the adoption of it."

Speaker Madigan: "The question is shall Amendment #1 to House Bill 3603 be adopted. Mr. Clerk, we're on House Bill 3603. The question is shall Amendment #1 be adopted. Is there any discussion? There being no discussion, the question is shall Amendment #1 to House Bill 3603 be adopted. All those in favor signify by saying 'aye', opposed. The 'ayes' have it and the Amendment is adopted. Are there further Amendments? No further Amendments, Third Reading. On the order of House Bills, Second Reading appears House Bill 3645. Mr. Jones. Mr. Walsh, is there anyone on your side of the aisle who will handle House Bill 3645 for Mr. Jones? Would you wish to check on that? Maybe we could move the Bill to Third Reading. Mrs. Stiehl, do you wish to move House Bill 3704? Mrs. Stiehl."

C.M. Stiehl: "Could we hold that for a while?"

Speaker Madigan: "Do you wish to move it sometime today?"

C.M. Stiehl: "No, I'd like to hold it over if I could."

Speaker Madigan: "Until tomorrow?"

C.M. Stiehl: "Right."

Speaker Madigan: "Thank you. Mrs. Stiehl, concerning House Bill 3704, you wish to hold that also?"

C.M. Stiehl: "Mr. Speaker, I'd like to hold that until Representative McPartlin arrives."

Speaker Madigan: "In other words, you may wish to move that sometime today."

C.M. Stiehl: "If possible, I'd like to, yes."

Speaker Madigan: "Thank you. Mr. Miller. Is Mr. Miller in the chambers? Representative Miller. Is Mr. DiPrima in the chamber? Mr. Stearney, is Mr. Stearney in the chamber? Mr. Berman, do you wish to move House Bill 3848? Mr. Schneider. Mr. Schneider



in the chamber? Do you wish to move House Bill 3935? Do you wish to hold that for all of today? The expiration is 7/3 according to the Calender. Your expiration date is 7/3/76. Maybe the Calendar... Just hold it all day? Is Mr. Katz in the chamber? Mr. Yourell. On the order of House Bills, Third Reading, Mr. Porter, do you wish to call House Bill 129? Do you wish to hold that all day? On the order of House Bills, Third Reading, Mr. Kane, do you wish to move House Bill 2115? Do you wish to hold that all day? On the order of House Bills, Third Reading, Mr. Palmer... is Mr. Palmer in the chamber or Mr. Kosinski? Wait until Mr. Palmer arrives? Mr. Skinner, do you wish to move House Bill 3335? It's an Amendment to the Revenue Act of 1939."

Clerk Selcke: "House Bill 3335. A Bill for an Act to amend the Revenue Act of 1939. Third Reading of the Bill."

Speaker Madigan: "The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Thank you, Mr. Speaker. Ladies and Gentlemen of the General Assembly, House Bill 3335 is the Bill to which Representative Mugalian attempted to place an Amendment which received four affirmative votes and approximately 120 negative votes on Friday. That's the Bill to exempt convents and monasteries from the real estate tax. Everybody clued in now? 'Geo' says she's not clued in yet. At the present time, in order for a convent or a monastery to be exempt from real estate taxes, they have to be attached to an education institution. That means hospitals such as St. Josephs in Elgin which has attached to it a nursing convent, is subject to real property taxation. This seems to be a perversion of the intent of the General Assembly in the past years. It has just turned up in one instance in which the Department of Local Government Affairs decided to pick on my convent and... that is a convent in my district... but if they decided to extend this ruling, if they decided to extend this ruling state-wide, every convent and every monastery has is not attached to an educational institution would find its tax exemption completely lost. Since I don't think we want that to



happen, I would ask for your approval of this remedial legislation."

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

Grotberg: "Yes, Mr. Speaker, will the Sponsor yield for a question?"

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

Grotberg: "Representative Skinner, this may or may not be germane to your case, but does this have anything to do with the strict interpretation of the word 'sovereignty' as it applies to the Exemption Act and the not for profits vs. the religious separation of church and state, etc."

Skinner: "Representative Grotberg, you've gone so far over my head, I'm thinking..."

Grotberg: "I'll ask it over. I'll ask it over again, Representative Skinner. You're suggesting that the exemption is being forbidden unless they're attached to an education organization?"

Skinner: "At the present time, that is correct. In the future, all convents and all monasteries would be exempt from real estate taxation regardless of whether or not they were attached to an education institution, as long as they were... the nuns and the brothers were involved in religious activities."

Grotberg: "But we have now a case before us where there are some educational organizations, Cal, in the... term of the word, 'sovereignty' that are not being allowed to... some state contributions on educational levels. I'm talking... I won't belabor the point. I'd like to talk to you after this Bill is over. It sounds like a great Bill to me and I'm going to vote for it and I would encourage everyone else to vote for it. But there's some interesting aspects to the whole situation. I vote 'aye'."

Speaker Madigan: "The question is shall House Bill 3335 pass. All those in favor signify by voting 'aye', all those opposed by voting 'no'. All voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 104 'ayes', 2 'noes', 3 voting 'present'. And House Bill 3335 having received a Constitutional majority is hereby declared passed."



On the order of House Bills, appears House Bill 3377. The Chair recognizes the Gentlemen from Madison, Mr. Byers."

Byers: "Thank you, Mr. Speaker."

Clerk Selcke: "House Bill 3377. A Bill for an Act to provide for the ordinary and contingent expense of the Department of Mental Health and Developmental Disabilities. Third Reading of the Bill."

Byers: "Thank you, Mr. Speaker. This is the annual appropriation for the Department of Mental Health. It had a long hearing in Appropriations II Committee and also we had a hearing on the House floor last week where various Amendments were attached or defeated. This proposal over last year calls for approximately \$9,000,000 being spent over what was spent last year and I would move for the passage of this appropriation."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is shall House Bill... The Chair recognizes the Gentleman from Kankakee, Mr. Ryan."

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

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

Ryan: "Representative Byers, how much additional money over last year's in this Bill?"

Byers: "Approximately \$9,000,000."

Ryan: "\$9,000,000 additional over last year?"

Byers: "There's... the regular appropriation is only \$3,000,000. It's about in the same shape as it left our Committee with the exception of the consumer Amendment for community mental health and that is the Amendment that shot the cost up."

Ryan: "Over the '76 appropriation is what I'm talking about."

Byers: "Yes, the total appropriation over '76 is approximately \$9,000,000."

Ryan: "...add in the House?"

Byers: "Pardon?"

Ryan: "How much did we add in the House, do you know?"

Byers: "We added in Appropriations Committee, Representative Dunn's Amendment, as I recall, was... \$6.8 million and the department asked for just about \$3,000,000 increase in their budget over



fiscal '75, '76 to fiscal '77."

Ryan: "Thank you."

Speaker Madigan: "Is there further discussion? There being no further discussion, the question is shall House Bill 3377 pass. All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 96 'ayes', 8 'noes', 5 voting 'present'. And House Bill 3377 having received a Constitutional majority is hereby declared passed. Is Mr. Boyle in the chamber? Mr. Craig. Mr. Choate. Mrs. Stiehl, do you wish to call House Bill 3651 and 53? Mrs. Stiehl. Would you recognize Mrs. Stiehl?"

C.M. Stiehl: "Mr. Speaker, could I have them taken out of the record today?"

Speaker Madigan: "Do you wish to hold those all day?"

C.M. Stiehl: "Yes."

Speaker Madigan: "Thank you. Mr. Maragos. Mrs. Chapman. Mr. Pierce in the chamber? Is Mr. Katz in the chamber? Mr. Matijevich. Mr. Taylor. On the order of House Bills, Third Reading appears House Bill 3908. The Chair recognizes the Gentleman from Cook, Mr. Taylor."

Clerk Selcke: "House Bill 3908. A Bill for an Act to provide for the designation of flood plains, regulation of construction thereon, penalties for violations thereof, etc. Third Reading of the Bill."

Taylor: "Mr. Speaker and Members of the House, House Bill 3908 is the Flood Plains Management Act. This Bill gives the Department of Transportation the power to designate flood plains areas and regulate construction on those flood plains. Flood plains are designated only after hearings and studies. Permits cannot be issued without approval of any local agency having jurisdiction over the area while the construction is proposed. This Bill was amended in Committee to exempt agricultural activity and structure from the provision of this Act. The intent of this Bill is to provide a careful review of all construction on



flood plains where there would be a potential or for property damage and loss of life from flooding. Mr. Speaker and Members of the House, I solicit your support for House Bill 3908."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is shall House Bill 3908 pass. All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Chair recognizes the Gentleman from Cook, Mr. Mahar."

Mahar: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in support of this Bill. I think it's something that has long been needed because actually what happens here is municipalities and counties who failed... who have failed in the past to enact a flood plain ordinance now will not be allowed to build in flood plains and thereby cause damage and cause a great expense to the state for assistance in the future. I think it's long overdue and I urge everybody to give it an 'aye' vote."

Speaker Madigan: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 100 'ayes', 13 'no', 4 voting 'present'. And House Bill 3908 having received a Constitutional majority is hereby declared passed. Mr. Skinner, do you wish to call House Bill 3949? On the order of House Bills, Third Reading appears House Bill 3949. The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Clerk Selcke: "House Bill 3949. An Act to amend Section 2 of an Act to provide the manner of proposing Amendments to the Constitution, etc. Third Reading of the Bill."

Skinner: "Mr. Speaker and Members of the General Assembly, as you know prior to every general election at which there are Constitutional conven... er... Constitutional Amendments on the ballot, every registered voter in the state is sent a first class mailing. Now, in the past, these mailings have been forwarded if the person has moved and left a forwarding address and if the forwarding address is still timely or the envelopes



have just been thrown away. It occurred to me that we might be able to assist the various city boards of elections and the County Clerks throughout the state by putting something on the envelope, putting the re... as the return address instead of the Secretary of State, putting the County Clerk or the board of election commissioners in question and then putting on the front of the envelope, quote, 'Post Office: do not forward. Return to send', unquote. Now this will not automatically wipe anybody off the registration rolls, but what it will do is give every election authority in the state an opportunity to have sort of a shopping list of those people they might want to look into further to see whether or not they should remain on the registration rolls. Now in my own precinct, I've been trying rather dilligently to get my County Clerk to take off about 45 names and he isn't convinced that they're either married and moved away or died or sort of just disappeared from the face of the earth. I'm hopeful that this will encourage him and other election boards to clean up the rolls so that we don't have maybe 10 to 20% deadwood per precinct. The only Amendment that was attached is one that the Reference Bureau forgot to put on, making it effective in time to refer to this fall's election."

Speaker Madigan: "The Chair recognizes the Gentlemen from Lake, Mr. Deuster."

Deuster: "If the Sponsor would yield for a question?"

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

Deuster: "This certainly seems like a very worthwhile improvement in the statute which will be of help to the County Clerks and the other election officials. I do have one question, Representative Skinner. And that is, I can't remember whether the post office charges an additional fee or something for returning these back to the sender. Is there any cost involved?"

Skinner: "No, there is not. The... with first class mail, if you ask it not to be forwarded, they do not forward it and they return it to the sender."

Deuster: "Thank you. Then if I might speak on the Bill. I think this



is an excellent suggestion that Representative Skinner has set forth to us. This, for all of us who are interested in making sure that we have honest and accurate lists of registered voters, this will be of tremendous assistance to the County Clerks and the election officials. Whether they want to use the information is up to them, but this will provide them the information and at no cost at the same time that the mailing is made. I commend all Members who vote 'yes' on House Bill 3949."

Speaker Madigan: "The Chair recognizes the Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Would the Sponsor yield for a question?"

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

Geo-Karis: "Cal, are you aware of the fact that now it's... if any communication by mail is sent to an address and it's the wrong address, they don't return it ever since they put in the stamp bills?"

Skinner: "That has not been the case with my mailings."

Geo-Karis: "Well, may I suggest that you take it out... this Bill out of the record and check with the post office, in Springfield, for example, and then see if you can't put an Amendment that might be a little more meaningful."

Skinner: "With all due respect, Representative Geo-Karis, there's no way we're going to change postal regulations between now and the end of Session. And if the regulations had been changed, I suspect that enough of the postal authorities, the post people will not have figured it out by the time the referendum is held and I'm sure that a great majority of the envelopes that are not... that are mailed to people who no longer live at an address will be returned."

Geo-Karis: "Well, all right. I'm not going to oppose the Bill. I'll take my chances and have the Senate Sponsor look into it because I know they will not forward it. Okay."

Speaker Madigan: "Is there any further discussion? There being no further discussion, the question is shall House Bill 3949 pass. All those in favor signify by voting 'aye', all those



opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 106 'ayes', no 'noes', 3 voting 'present' and House Bill 3949 having received a Constitutional majority is hereby declared passed. On the order of House Bills, Third Reading appears House Bill 3937. The Chair recognizes the Gentleman from Cook, Mr. Maragos."

Clerk Selcke: "House Bill 3937. A Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Maragos: "Mr. Speaker and Members of the House, House Bill 3937 is a Committee Bill which is similar to many prior Bills that were introduced in the past Sessions and it has to do with the transfer rather of the... tax deed procedures in the State of Illinois. I have Mr. Ebbesen here. I have Mr. Lechowicz who was a former Sponsor of a similar piece of legislation. Mr. Skinner's aware of it as well as Mr. Charles Gaines and these are procedures by which we try to insure any home owner whose property is being taken away by the foreclosure procedures of a tax deed that he be given additional time and notice. And that... this has been discussed many times on the floor of the House and in the Revenue Committee and it's passed many times but has failed in the Senate in the past and we hope that this time it will pass and we ask for your favorable support."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is shall House Bill 3937 pass. All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 113 'ayes', no 'no', 1 voting 'present' and House Bill 3937 having received a Constitutional majority is hereby declared passed. Is Mr. Palmer in the chamber? Mr. Boyle. On the order of House Bills, Third Reading appears House Bill 3518. The Chair recognizes the Gentleman from Cook, Mr. Jaffe."

Clerk Selcke: "House Bill 3518. A Bill for an Act to amend the School Code. Third Reading of the Bill."



Jaffe: "Mr. Speaker, at this time, I would ask leave to return House Bill 3518 to Second Reading for the purpose of Amendment."

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

Walsh: "I object, Mr. Speaker, to the Gentleman's motion and suggest that went all through this for a couple of hours the other day."

Speaker Madigan: "Your objection has been registered, Mr. Walsh."

Jaffe: "Yes, I'm going to move that House Bill 3518 be returned to the order of Second Reading for the purpose of an Amendment under Rule 35(d)."

Speaker Madigan: "Mr. Jaffe moves that House Bill 3518 be moved to the order of Second Reading for purposes of an Amendment. All those in favor signify by voting... for what purpose does the Gentleman from Cook, Mr. Walsh, arise?"

Walsh: "Well, it's customary, Mr. Speaker, to let the objector be heard in matters like this. Did you intend to do that?"

Speaker Madigan: "Do you wish to be heard, Mr. Walsh?"

Walsh: "If you would."

Speaker Madigan: "Please proceed."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, we... the Gentleman made this motion two days ago, ~~just~~ Friday. It was almost the last order of business that, that this House took up and I think it's pretty presumptuous of him to make the motion again today. Now, there's considerable disagreement as to what the Gentleman is attempting to do and I would hope, Mr. Speaker, that the Gentleman would withdraw this motion and would discuss with some of us who have very serious, serious reservations about what he's attempting to do. Maybe we could hammer something out so that we'd have some kind of agreement. This probably will take a great deal of time. There was a verification the other day. There is... if we don't have the verification, there'll be considerable debate on the Amendment that he's attempting to put on and I just think that he ought to withdraw the motion that he's making. Speaker... Mr. Sponsor, did you submit this motion in writing?"



Speaker Madigan: "Mr. Walsh, the motion has been submitted to the Clerk in writing and Mr. Selcke is holding it in his hand."

Walsh: "Did he do it again today or was that for last week?"

Speaker Madigan: "It was done today, Mr. Walsh. The Chair recognizes the Gentleman from Lake, Mr. Deuster."

Deuster: "Well, Mr. Speaker and Ladies and Gentlemen of the House, there's a little confusion on the floor and I wanted by way of parliamentary inquiry to make sure I understood what was going on. As I understand Rule 35(b) says that a Member may bring a Bill back from Third Reading to Second Reading with leave of the House and I understand Mr. Walsh objected to that and now, do we have a motion from Representative Jaffe to suspend this rule?"

Speaker Madigan: "He's moving pursuant to the rule, Mr. Deuster."

Deuster: "Well, that's what I'm inquiring, pursuant to the rule.

The rule says with leave of the House, he doesn't have leave of the House, does he?"

Speaker Madigan: "If you'd read on, I believe you'll see language which would cover this situation."

Deuster: "Well, what is the language? That's what I don't see.

I'm leading up to the question of how many votes are we going to need to..."

Speaker Madigan: "The motion requires 89 votes."

Deuster: "And what rule is that? Is that (d)?"

Speaker Madigan: "Yes, Mr. Deuster."

Deuster: "Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Jaffe has moved that House Bill 3518 be moved to the order of Second Reading for purposes of an Amendment. All those in favor of that motion signify by voting 'aye', all those opposed by voting 'no'. The Clerk will take the record. The Chair recognizes the Gentleman from Grundy, Mr. Washburn."

Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I ask leave that the Republicans, we recess so that the Republicans can hold a conference in Room 118 right now and we will try and be back by 3:30. Room 118, Republican conference



in Room 118 now. We'll try and return about 3:30."

Speaker Madigan: "Mr. Washburn. Mr. Washburn, you're going to be returning to the floor at what time?"

Washburn: "3:30."

Speaker Madigan: "3:30. So that this matter will be taken out of the record. The Republicans have scheduled a conference until 3:30 and the House will be at ease until 3:30. The House will be in recess until 3:30."

House in recess.

Doorkeeper: "All are not entitled to this House floor. Will you please retire to the gallery. Thank you."

Speaker Madigan: "The House will come to order. Committee Reports. Message from the Senate."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House in the passage of Bill of the following title, to wit. House Bill 3427. Passed by the Senate June 7, 1976. Kenneth Wright, Secretary."

Speaker Madigan: "Agreed Resolutions. The Chair recognizes the Gentleman from Lake, Mr. Matijeich."

Clerk O'Brien: "House Resolution 876, Kozubowski. House Resolution 877, Molloy. House Resolution 878, Younge. And House Resolution 879, VonBoeckman."

Matijeich: "Mr. Speaker, Ladies and Gentlemen of the House, 876, Kozubowski, congratulates Pat O'Malley on a recent recognition to him. 877, Molloy-Leon, congratulates Austin Montgomery on her recent appointment by the President. 878, Wyvetter Younge, congratulates the people of East St. Louis for making the Mary E. Brown Center a reality. And 879, VonBoeckman, congratulates the Putnam County High School winning the 1976 Class A Track and Field Championship. Mr. Speaker and Ladies and Gentlemen, I move the adoption of the Agreed Resolutions."

Speaker Madigan: "The Gentleman has moved the adoption of the Agreed Resolutions. All those in favor of the motion signify by saying 'aye', all those opposed by saying 'no'. The 'ayes' have it and



the Agreed Resolutions are adopted. On the order of House Bills, Third Reading appears House Bill 3138. Mr. Kosinski. Is Mr. Kosinski in the chamber? On the order of House Bills, Third Reading appears House Bill 3403. Is Mr. Boyle in the chamber? On the order of House Bills, Third Reading appears House Bill 3518. The Chair recognizes the Gentleman from Cook, Mr. Jaffe."

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

Jaffe: "Mr. Speaker, when we were last in Session prior to the request by the Minority Leader for a conference, we were in the middle of a Roll Call, I believe, on my motion to return House Bill 3518 to Second Reading in accordance with Rule 35(d) and I think that's the order of business at the present time, sir."

Speaker Madigan: "Would the Parliamentarian come to the podium?"

(con't on next page)



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

Walsh: "Well, that was taken out of the record, as the Gentleman knows and in the time that we've been away I have had an opportunity to search Robert's Rules and to consider what happens when a Member would attempt to make motion after motion, having the same effect. Clearly, you can not do that. It would not be proper for Mr. Jaffe to make the motion that he made Friday and lost and make it in the next succeeding motion. Nor is it any more proper for him to make that motion today or tomorrow or any other time. Robert's Rules very nicely covers the question in Article X, Section V and for the Parliamentarians identification, that's on page 49 and it's to consider a question a second time. So, the Gentleman, Mr. Jaffe, it seems to me and it's very clear in this Rule and not clear at all in our Rules, incidentally, that the only thing he can do is have someone who voted on the prevailing side move to reconsider the motion that he duly filed in writing on Friday and so I would ask him...ah... to do that and that that is the course that we should be following."

Speaker Madigan: "Mr. Walsh, would you explain to us which edition of Robert's you are citing from and then give us the cite again?"

Walsh: "This, Mr. Speaker, is Robert's Rules of Order Revised, Sarunas Valeukenas, 1975. Hold on, I..."

Speaker Madigan: "While you're fumbling around, Mr. Walsh."

Walsh: "I'm not fumbling, not fumbling. Definitely turning..."

Speaker Madigan: "The Chair will recognize a young man, who's very well organized. The Gentleman from Cook, Mr. Shea."

Shea: "Well, Mr. Speaker, if Mr. Walsh would get in the proper set of Rules, it's not the Revised Robert's but the Revised... Newly Revised Robert's and if Mr. Sarunas hasn't got a copy, we'll get him a couple."



Walsh: "Record, until you can get it for him. Okay, Mr. Majority Leader?"

Shea: "He can pick one up in my office, if he'd like. But..."

Walsh: "Well..."

Shea: "Your idea here, Mr. Walsh, is that we must scrupulously follow Robert's, is this correct?"

Walsh: "No, my...my thought and I'm very serious in making it and I, this has not been done lightly at all..."

Shea: "I'm very serious with my question, Mr. Walsh..."

Walsh: "The Gentleman has made a motion of the same substance a second time. That can not be done. He must move to reconsider the first motion. That is the course that we must follow, according to that Robert's. Now, if you can point out an edition of Robert's that doesn't say that, that hasn't been erased, well then I'll stand corrected."

Shea: "Mr. Speaker, might I inquire if Mr. Walsh, if he says we must scrupulously follow Robert's and I would like an answer for my question from the Majority Leader on that one. The former Majority Leader."

Walsh: "Oh, well now...now the Rules..."

Shea: "Well, I'm asking you, Mr. Walsh and it's a 'yes' or 'no' question."

Walsh: "I thought you were asking the Majority Leader. That's not me."

Shea: "I was asking you as the former Majority Leader and your statement is..."

Walsh: "Well then repeat the question."

Shea: "That Robert's states that you can not call it twice and I'm asking you if we must scrupulously follow Robert's, because if it's not covered in our Rules, 71 says we follow Robert's and I'd like you..."

Walsh: "That's correct."

Shea: "So then, we must follow Robert's, is that right?"

Walsh: "In this instance, certainly we must follow Robert's because our Rules do not touch this particular subject. Now, when Bills



are called..."

Shea: "No, that's fine you made the statement..."

Walsh: "...and they fail we have a Rule that says that we, it may be put on Postponed Consideration. Rule and tradition and there has been no difficulty there, whatever. Now I..."

Shea: "Mr. Walsh... Mr. Walsh, I might just want to bring to your attention that he did not call it twice on the same day for the same reason. But, if you remember, he called it Friday. You objected at that time, we had a Roll Call, there were 88 votes to bring it back, not 89."

Walsh: "No, there were 87."

Shea: "87 on a verified Roll Call. We are on a different Legislative Day now..."

Walsh: "That, sir, has nothing to do with it. Neither Robert's nor our Rules refer to Legislative Days in connection with any of these matters. What Robert's says is when a matter is called a second time, then the procedure is for someone who has changed their mind to make a motion to reconsider that vote and that is simply all I'm asking the Gentleman to do."

Shea: "But then your interpretation of Robert's and our Rules and our Rules is that we must scrupulously follow Robert's. Is that correct sir?"

Walsh: "Sir, I have made a request of the Chair. The Parliamentarian seems to be interested in the question because he has the book open and I would ask the Chair to give us a ruling on my question and frankly, Chair, I don't see how it can be other than the way I have stated it."

Speaker Madigan: "Mr. Walsh, would you restate your objection."

Walsh: "My objection, Mr. Speaker... Did you just want time, Mr. Speaker, to look this over or are you serious about me restating it? My objection is that it had occurred to me that there is a Rule and there is certainly solid reason for not permitting a Member of any organized body to make the same motion over and



over and over again. We do not, from my quick perusal of our Rules, touch on that subject but Robert's does touch it and right to the point. They say, if a motion is stated a second time, in Article X, Section V-B, that if it has been adopted or rejected or postponed indefinitely and afterwards, one or more Members have changed their views from the prevailing to the losing side and it is thought that by further discussion, the Assembly may modify or reverse it's action, the proper course is for one who voted with the prevailing side to move to reconsider the vote on the question."

Speaker Madigan: "Mr. Walsh, thank you for restating your objection and in light of the complexity of this question and the need for the Parliamentarian to..."

Walsh: "Not complex at all."

Speaker Madigan: "Contemplate on this, we will take this matter out of the record for five minutes or ten minutes or however long it takes the Parliamentarian to put his thoughts together. Thank you, Mr. Walsh."



Speaker Madigan: "On the order of House Bills, Third Reading appears House Bill 3522. Is Mr. Craig in the chamber? For what purpose does the Gentleman from Cook, Mr. Shea, arise?"

Shea: "On Friday, Mr. Craig was going to take this back for the purposes of an Amendment. I made that statement that I would hold that up until Mr. Griesheimer was on the floor. He is on today and I would at this time ask leave of the House to bring it back to the order of Second Reading for the purposes of an Amendment."

Speaker Madigan: "The Chair recognizes the Gentleman from Cook, Mr. Walsh, relative to this request to move a Bill back to the order of Second Reading,"

Walsh: "That's House Bill 3522?"

Speaker Madigan: "House Bill 3522, Mr. Walsh. Does the Gentleman have leave? The Gentleman has leave in this instance, Mr. Walsh? Mr. Walsh has granted leave, Mr. Shea."

Shea: "Thank you,"

Speaker Madigan: "So that House Bill 3522 shall be placed on the order of Second Reading,"

Shea: "I have an Amendment up there."

Speaker Madigan: "Are there any Amendments, Mr. Clerk?"

Clerk O'Brien: "Amendment #1, Shea. Amends House Bill 3522 on page 1 by deleting lines 1 through 3 and so forth,"

Shea: "Mr. Speaker, the Amendment that I will attempt to put on this has been requested by the Secretary of State and it is a plan to issue plates for a period of five years. And I would move for the adoption of the Amendment."

Speaker Madigan: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 3522. Is there any discussion? The Chair recognizes the Gentleman from DuPage, Mr. Daniels."

Daniels: "Now, Mr. Speaker, Ladies and Gentlemen of the House, in addressing the proposed Amendment #1, I'd like to advise you that I oppose the adoption of Amendment #1 for the following purposes. Number one, you'll have before you shortly Amendments #2 and Amendments #3 which propose the adoption of multi-year license plates. The current Amendment that you have before you



now was brought before you on the House floor in an effort by the Sponsor of this Amendment, in my opinion, to bypass the legitimate Committee hearing when there was an attempt to have this matter heard in the Motor Vehicles Committee. Now this particular Amendment, in my opinion, does not go far enough in the question of multi-year plates. Historically, you'll find out that last Session Representative Griesheimer introduced legislation before the Motor Vehicles Committee to accomplish the goals of multi-year plates. Presently, you have before you an extremely comprehensive Amendment and I would invite you to look over here and to see that the proposed Amendment is several pages amounting to approximately 30. You are being asked without any debate or question whatsoever to adopt that Amendment. You are being asked to adopt the concept of multi-year plates. I would urge you to oppose this present Amendment and to go on and adopt Amendment #2 which is being proposed by Representatives Griesheimer and myself. I think that at that time we'd be happy to answer all questions you have on that, but I would encourage you to listen carefully to this debate because this is one of the major issues that'll be facing you on the House floor during this Session."

Speaker Madigan: "Is there any further discussion? For what purpose does the Gentleman from Cook, Mr. Davis, arise?"

Davis: "Mr. Speaker, for the purpose of an introduction. We have here on the floor next to our colleague, Representative Jesse Madison, the Democratic nominee for State Senator of the 21st District, Mrs. Erlene Collins. She's the wife of Otis Collins who served in this House for many years with us. Mrs. Collins."

Speaker Madigan: "Is there any further discussion? The Chair recognizes the Gentleman from Cook, Mr. Duff."

Duff: "Well, Mr. Speaker and Ladies and Gentlemen of the House, only because I think sometimes that when we interrupt the debate for gallery introductions, that sometimes takes a little bit of the edge of attention off. I would preface my remarks by bringing to the attention of the House that in 1968, I used



state-wide license plates as... five-year license plates as part of a program of a state-wide campaign which was unsuccessful and in 1971, introduced a Bill to accomplish it. I've been more than pleased with the work that Representative Griesheimer and Daniels and particularly Representative Griesheimer have done on this subject for the last couple of years because I think they have brought forward the subject to the point where it can become a reality. Both the candidates for Secretary of State two years ago indicated to me at the time that they would support this idea. I think the Amendment before us, however, has a fatal flaw in it that has been brought to your attention. It takes the Bill that Representative Griesheimer drafted, practically in its entirety after, for some reason, that Bill has not proceeded... been allowed to proceed to Third Reading stage. It takes that Bill, but it leaves out one key factor, It leaves the very important reduction in job. It is an election year to be sure, but I'm absolutely positive that were the Secretary of State and candidate for Governor present with us, he would absolutely agree with the necessity for the reduction in jobs."

Speaker Madigan: "The Chair recognizes the Gentleman from Lake, Mr. Griesheimer."

Griesheimer: "Will the Sponsor of the Amendment yield for a few questions?"

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

Griesheimer: "Mr. Shea, on whose behalf is this Amendment being tendered?"

Shea: "The Secretary of State, Michael J. Howlett."

Griesheimer: "On April 11, 1975, his office testified in Motor Vehicles Committee that the adoption of a five year plate would cost a loss in revenue to the people of the State of Illinois \$30,000,000 over a five year period. Has he changed his position on that?"

Shea: "Since September of 1975, there was a feasibility study conducted in how to do this. At the present time, the Secretary's position is that it is now feasible to go to a five year plan



and that if we did, it would save the state over a period of the five year period of time, better than \$21,000,000. And in order to facilitate and save the state \$21,000,000, they've figured out ways of doing it. And I'm sure that I thank you and everybody else thanks you for at least making people look in the direction of saving the state a substantial amount of revenue because you know that by saving that much revenue, it comes out of the road fund and we'll be able to build that many more roads."

Griesheimer: "I don't think you answered the question, but I'll go on to my second question anyway. Who conducted the feasibility tests and the reason I'm asking this question is that when Mr. Howlett's representatives appeared before the Motor Vehicles Committee in April, he presented to us at that time a feasibility study done at the University of Illinois which according to his representative, conclusively showed that this program would lose \$30,000,000 in a five year period."

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

Bradley: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I have a point of order, Mr. Speaker. I've sat here today and listened to people speaking on motions such as Mr. Walsh's motion determining or suggesting what might be in an Amendment which nobody... which we were not all aware of. We couldn't get to the Amendment. Then Mr. Duff gets up and talked about something about a five year plan or employees in the Secretary of State's Office and my point, Mr. Speaker, is this. The Gentleman now that's up is talking to the merits of the Bill that we should be discussing on Third Reading. I wish that he would bring his remarks and keep the remarks to the Amendment on Second Reading and not be talking about what's going to be taking place. We can debate it on Third Reading. If he has questions on the Amendment, let's keep to the Amendment so we can go ahead and the other tactics, sir, I'm suggesting, are dilatory."

Speaker Madigan: "Your point is well taken, Mr. Bradley. And the



Chair recognizes the Gentleman from Lake, Mr. Griesheimer."

Griesheimer: "Well, Mr. Speaker, I have to take issue with that ruling. If Mr. Bradley will read this particular Bill, you will find that the only questions that Mr. Shea and I are answering and exchanging on now apply only to the Amendment and I can't really even tell you what's in Mr. Bradley's original Bill. I know it applies to licensing of vehicles, but this Amendment that Mr. Shea has introduced is a very, very comprehensive Amendment and does deal with the licensing of vehicles on a five year basis and those are the only questions I've asked."

Speaker Madigan: "Thank you, Mr. Griesheimer. The Chair recognizes the Gentleman from Cook, Mr. Duff. Do you seek recognition, Mr. Duff?"

Duff: "Not at this time."

Speaker Madigan: "Thank you, Mr. Shea, do you wish to close the debate? The Chair recognizes the Gentleman from Macon, Mr. Dunn."

J.F. Dunn: "Will the Sponsor yield for a question?"

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

J.F. Dunn: "I think on page 11 of the Amendment there is a statement that the... under some circumstances, the plates are issued for two years and I thought this was a five year program. Would the Sponsor please explain this?"

Speaker Madigan: "Mr. Shea."

Shea: "Are you talking about Representative's plates?"

J.F. Dunn: "I really don't know what I'm talking about 'cause I don't have a copy of the Amendment in front of me."

Shea: "The Representative's plates will only be issued two years at a time for Congressmen."

J.F. Dunn: "All right, those are for us, huh?"

Shea: "Yes, unless you can figure out how to get us elected for five years at a whack."

J.F. Dunn: "Okay, and would you explain also what the divisions in this Amendment to cover the situation where a person buys five year plates and then sells his car after two years?"



Shea: "Well, the plates are for a five year period, but they're renewed annually so that if a person sold his car, he would then not renew those plates."

J.F. Dunn: "And then will a tag be put on the plates each year?"

Shea: "Yes. Well, Mr. Speaker, Ladies and Gentlemen of the House, I would ask my colleagues to adopt the Amendment. At the time this Bill gets to Third Reading, I would certainly answer any questions of anybody, but this has the potential of saving the people of the State of Illinois some \$20,000,000 over a five year period and that savings will be in the road fund which is very dear and near to so many of us. So I would move for the adoption of the Amendment."

Speaker Madigan: "The Gentleman has moved that Amendment #1 to House Bill 3522 be adopted. All those in favor signify by saying 'aye', opposed. In the opinion of the Chair, we will have a roll call. And all those in favor will signify by voting 'aye' and all those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 97 'ayes', 35 'nos', 1 voting 'present' and Amendment #1 to House Bill 3522 is adopted. Are there further Amendments?"

Clerk O'Brien: "Amendment #2, Griesheimer. Amends House Bill 3522 on page 1 by striking everything before the enacting clause and so forth."

Speaker Madigan: "The Chair recognizes the Gentleman from Lake, Mr. Griesheimer,"

Griesheimer: "Mr. Speaker, I move to table Amendment #2. It is no longer properly drafted since Amendment 1 has been adopted. And would request leave to proceed on with Amendment 3."

Speaker Madigan: "The Gentleman has moved that Amendment #2 be tabled. All those in favor signify by saying 'aye', opposed. The 'ayes' have it and Amendment #2 is tabled. Are there further Amendments?"

Clerk O'Brien: "Amendment #3, Griesheimer. Amends House Bill 3522 as amended on page 1 by striking everything before the enacting clause and so forth."



Speaker Madigan: "The Chair ~~recognizes~~ the Gentleman from Cook, Mr. Shea, on Amendment #2 ~~as the~~ Clerk."

Shea: "Well, Mr. Speaker, I ~~don't~~ know about where we're trying to get."

Speaker Madigan: "Mr. Shea, ~~are you~~ the Sponsor of the Amendment?"

Shea: "No, I'd like to make a ~~comment~~, though. I'm the Sponsor of the Bill. At this point ~~in time~~ I'd like to ~~not~~ take the Bill out of the record now ~~and~~ discuss it with Mr. Griesheimer."

Speaker Madigan: "The Sponsor ~~has~~ requested that the Bill be taken out of the record. Does he ~~want~~ leave? For what purpose does the Gentleman from Lake, Mr. ~~Griesheimer~~, arise?"

Griesheimer: "Point of order, ~~Mr.~~ Speaker, I believe Mr. Shea is not the Sponsor of the Bill ~~is~~. Craig is. He ~~is~~ the Sponsor of Amendment #1."

Speaker Madigan: "Mr. Griesheimer ~~is~~'s my understanding that Mr. Shea is acting in Mr. Craig's ~~interest~~ today. Do you object to his request?"

Griesheimer: "Well, at this point ~~in time~~, I'm going to object because I was not contacted ~~until~~ to this time about this and there was ample time to discuss this and I think ~~that~~ there are points that are necessary ~~to~~ bring up at this point in time without the need of further ~~delay~~ on this matter. So I will object."

Speaker Madigan: "Mr. Shea,"

Shea: "Well, Mr. Speaker and ~~Ladies~~ and Gentlemen of the House, the reason I attempted to do ~~this~~ and discuss with my ~~friend~~ Mr. Griesheimer the next Amendment, I feel ~~that~~ rather than get this involved in partisan politics, I think ~~there's~~ a way of working it out and saving the state the ~~money~~ over a period of time. If he persists, I'll be happy to ~~go~~ ahead."

Speaker Madigan: "The Chair ~~recognizes~~ the Gentlemen from Lake, Mr. Griesheimer."

Griesheimer: "Mr. Speaker, as a ~~technical~~ matter, I'm always willing to speak with Mr. Shea and I ~~wouldn't~~ want him to ~~think~~ that we're in any way trying to ~~avoid~~ the impact of saving the taxpayers money. After all, ~~Mr.~~ ~~Speaker~~ has seen his ~~own~~ clear now



to do what the people want. I would like to have some idea how long we're going to discuss this, when it's going to be discussed and whether this Bill will be held on Second Reading."

Speaker Madigan: "Mr, Shea."

Shea: "I thought we could discuss it momentarily and it would be held on Second Reading,"

Speaker Madigan: "Take this matter out of the record. On the order of House Bills, Third Reading appears House Bill 3830. The Chair recognizes the Gentlemen from Cook, Mr. Maragos, on House Bill 3830."

Maragos: "Mr, Speaker, Members of the House, 3830 is a Bill that was adopted by the Committee on Revenue for about the third time. And since last year's inception, was a Bill, original Bill by Mr. Skinner has been amended many times. In due deference to the original Sponsor of this Bill, I will let him conduct the original question and answer, especially now that it's been amended to such a degree that he's about the only in the House that knows what we... the Bill's provide for. I think he's taken care of all the objections of the downstaters and therefore, at this time, I'll defer to Representative Skinner to proceed with the explanation,"

Speaker Madigan: "Proceed, Mr. Clerk."

Clerk O'Brien: "House Bill 3830. A Bill for an Act in relation to township and multi-township assessors. Third Reading of the Bill."

Speaker Madigan: "The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Thank you, Mr. Speaker. For starters, ignore everything before House Amendment #1. We did not gut the Bill in the Committee, but Representative Ewing's Amendment which is Amendment #1 is the agreed-upon compromise between, I guess, they would call me a radical reformer in this field of assessment reform and the township assessor themselves. I think we're to the point where there is virtually, well, extremely minimum disagreement within the membership of the township assessors in the State of Illinois and if the body would like, I would be



happy to briefly outline what the Bill is all about, but if you want to read House Amendment #1, that's going to virtually tell you everything that the Bill is about right now. In summary, this will set up minimum size township assessing districts of 1,000 people. Any township that has under 1,000 people, must combine with a contiguous township in the same county. Now we're not splitting townships, so the tax books won't get all messed up and we are leaving it to the discretion of the, what soon will be called, the township board of trustees. A primary advantage of this Bill is that it brings meaningful reform while retaining the elected assessor. Reformers throughout this country generally want to get rid of elected assessors and want to have appointive assessors. This Bill, however, recognizes that in the State of Illinois where we have both elected and appointed assessors of original jurisdiction, that the elected assessors are almost consistently superior to the appointed assessors if you hold the population of the assessment jurisdiction constant. Like I said, the township board of trustees continues in its traditional function as a township governing body. The township board will set the salary of the township assessor and will do other traditional duties, most of the other traditional duties that they have in the past. The multi-township districts that will result will be established by the pertinent township boards of trustees. Now in the 44 townships with more than 25,000 people outside of Cook County, the assessor must have one of the following three election qualifications prior to next spring's election. He must be a certified Illinois Assessing Officer as certified by the Illinois Property Assessment Institute or he must have one of three higher designations in the real estate field or in the assessor's field. In townships of under 25,000, the township assessors at their own initiative have brought forward a Bill which Representative McMaster successfully presented to the... to this House previously and we've incorporated in, those basic qualifications that they take a course... that they successfully complete a course of instruction offered by the Illinois Property Tax Institute which



is a private organization or the State Property Tax Commission or the State Department of Local Government Affairs, depending on which is still around by the end of this Session. Now one of the primary problems that township assessors have found is lack of adequate financing. Originally, we thought that we ought to guarantee at least \$6 per parcel to give the assessors sufficient budget to do the job that, the very important job which they are mandated by law to do. Recognizing, however, that smaller townships may have a much more difficult time raising that amount of money and maybe the job isn't as hard if it's in an entirely rural township or primarily a rural township, we have built in scales so that if it's under... if the township or multi-township jurisdiction is under 2,000 people, the minimum budget will be \$3 per parcel and we allow it to go up to \$6 per parcel at the discretion of the board of trustees. For townships of over 2,000, we set a minimum of 4 and a maximum of 6. I would stress that there are no minimum salaries specified by township assessors and I'm disappointed at this. I believe there should be minimum salaries. Vacancies in the office of township assessor will be filled by the board of trustees or the multi-township board of trustees as the case may be. Now beginning in 1980, township assessors will have to meet minimum assessing standards and these standards involve that difficult term to understand, the coefficient of dispersion which we discussed thoroughly while I was attempting to amend one of Representative McMasters Bills. It is their wording and I would yield to Representative Ewing if there are questions that anyone would want to specifically answer about that. In addition through one of my Amendments, we create an Assessing Standards Review Board which give the township assessors and the supervisors of assessments, including at least one supervisor of assessments from a commission county. The real ability to review regulations, basically the rules of the game that the Department of Local Government Affairs or the new State Property Tax Commission would promulgate. We also put in something which I find very difficult to understand does not exist now. We're



going to tell the assessors how well they're doing, based on the state's studies. At the present time, we do not even print enough of the results of the state's studies to go around to the 1,448 assessors, let alone the supervisor of assessments and tax district officials and local taxpayers. We have incorporated in this Bill a minimum salary schedule for the supervisor of assessments and we have permanent the Joint Property Tax Study Committee which is what this proposal sprang from. If there are any questions, I would be happy to attempt to answer them."

Speaker Madigan: "The Chair recognizes the Gentlemen from Lake, Mr. Deuster."

Deuster: "Well, Mr. Speaker and Ladies and Gentlemen of the House, will the Sponsor yield for a question or two?"

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

Deuster: "Representative Skinner, this is a very complex subject and I would like if we could, to make it as simple as possible. As I understand, correct me if I'm wrong. Originally, the Bill said that wherever there's a township of less than 10,000 people, the tax assessor would be sort of abolished and replaced with a multi-township assessor. Then as I understand, the Bill was amended to change that 10,000 down to 1,000. Now is that correct so far or am I wrong?"

Skinner: "You are absolutely correct, Representative Deuster, I completely capitulated to the township assessors compromise proposal."

Deuster: "Okay, now what this Bill means if we vote for this Bill, Representative Skinner, it means that if you live in a township with a population of less than 1,000, then you will as determined by the federal census, and then you will not any longer be electing your township assessor and the townships in such a situation can decide which way they're going to go to join in with some other township. Is that correct? Tell us, how many townships are there like this and what do they do in order to get their property assessed by somebody?"

Skinner: "The answer to your question is you are partly correct."



There will still be an elected assessor everywhere there is an elected assessor today. What we're saying is if you have, as we have in McHenry County, several townships that are just under a thousand people, for instance, I think Alden Township is one. Alden would have a choice of either joining with Chemung Township which is about 5,000 people or Greenwood Township which is about 8,000 people or Richmond Township which is about 2,000 people. So, they... what would occur would be that there would be an election for a multi-township assessor, probably just two townships and the winner would be the assessor for the entire jurisdiction."

Deuster: "Now, would this merger require the consent of the board, of the Trustees of both townships?"

Skinner: "Yes, it would. If there is any... if there is not a voluntary agreement as to which two townships or which two areas should go together, the Supervisor of Assessments is mandated by this Bill to sort of break the tie, if you will."

Deuster: "The County Supervisor of Assessments would be the one who's responsible for making sure every little township gets hooked up with somebody."

Skinner: "That is correct."

Deuster: "Now, do I also understand that the provision in the Bill as to the making the Supervisor of Assessments in all counties under 30,000 as the initial tax assessing official, has that been struck out?"

Skinner: "Really everything... yes, it... you are correct. It has been struck. As I said, I capitulated to their suggestions."

Deuster: "Thank you very much, Mr. Skinner."

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

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

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

McMaster: "Cal, will you tell me just how many township assessors this would be likely to cut out?"

Skinner: "Well, that's a good question, Representative McMasters. At the present time, there are approximately half of the townships



in the State of Illinois with populations of less than 1,000.

Now, if you assume..."

Speaker Madigan: "Mr. Skinner and Mr. McMaster, could I interrupt you and ask that the House give its attention to Mr. Skinner and Mr. McMaster. Several Members of the House have indicated that they are unable to hear the debate on this very important Bill. So, we would reduce the noise level and give our attention to Mr. Skinner and Mr. McMaster."

McMaster: "Cal, again you said approximately half the townships. Would you tell me... the number?"

Skinner: "All right, that was not the end of the answer. I said, approximately half of the townships have less than 1,000 people. Now, there are 1,400 and my figures say 1,448 and there are other people that have, you know, plus or minus twenty, but it's about somewhere between 1,400 and 1,500 townships. So, approximately 700 of them would have to join with some neighboring township. Now, if you assume that the average township might be 500 people, that would mean that of those townships, there would divide 700 by 2 and you would be losing 350 township assessors who would be from the very smallest townships in the State of Illinois, I would assume. So, I would assume the next loss would be about 300 to 400, somewhere in there."

McMaster: "Well, I would think probably a few more than that, Cal, but that's beside the point. We're doing away with a number of elected township officials. Second question, Cal, is there a minimum salary for these assessment officers?"

Skinner: "Unfortunately, there is not."

McMaster: "All right, a third question. In the Digest under House Amendment #4, you say you are creating an Assession Standards Review. What is an Assession Standard?"

Skinner: "I think that is a misprint. It is an Assessor's Standards Review Board."

McMaster: "Thank you, Cal. Cal, we are again... may I address the Bill; I believe now?"

Speaker Madigan: "Proceed, Mr. McMasters."

McMaster: "We have heard the Sponsor of this legislation and others perhaps



over the last several weeks and, in fact, probably over the last year. Talk about a coefficient of dispersion, I believe they call it and I think it's been pretty well recognized by some very authoritative tax people in the State of Illinois that this coefficient of dispersion is at this time, a very unworkable method of determining assessment standards. The people who are involved in assessing and know a little something about it, declare that it is almost impossible to have this be an effective means of determining qualifications of tax assessors. They say that this can vary from month to month and certainly can vary within a year. Yet, this is one of the methods by which a tax assessor is going to be determined whether he is or is not doing his job, by a standard that people recognize who are authoritative in the field that it's an impossibility to base standards upon this. I fully realize that the Sponsor of this Bill has been very gracious. He has accepted a number of Amendments that the Tax Assessors Association had presented to him and, Cal, I congratulate you for doing it, though I still cannot find it in my heart to vote in support of this Bill. For that reason, I cannot support it."

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

Ralph Dunn: "Thank you, Mr. Speaker. I wonder if the Sponsor would yield for a question?"

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

Ralph Dunn: "I think I heard the answer to some of the questions through the noise in here and I couldn't quite get the exchange between Representative McMasters and Representative Skinner but did you say that this would lose three to five or six hundred jobs in small counties for the township assessors, Cal?"

Skinner: "I can't see how it could possibly lose 600 jobs. There are approximately 700 townships that have less than a thousand people. Now, if you assume that you combine two townships together, you would cut the number from 700 to 350. In my county, the sparsely populated townships are right next to each other and in virtually every county I know except perhaps, no, even



in Winnebago County, that township has more than 1,000 people. There will be a choice for most townships as to where they want to go. And they probably will find a township this is fairly, just about the same size as they and... well, I can't speak for some of the townships, perhaps, in Representative McMaster's district that... or in areas where the strip mining has virtually, completely decimated the population. I really am... you'll have to speak for your own area as to what's going to happen. In my area, not too much will happen. There will be some that will not have jobs, but if you take a look at the turnover rate of township assessors especially in the smaller townships where the township's board of auditors have been parsimonious at best in their budgets, I suspect that if... I suspect that there will not be a number... there will not be a large number of people who want to run for reelection who will not have a spot where they will be virtually guaranteed election."

Ralph Dunn: "Thank you. I'd like to address the Bill briefly."

Speaker Madigan: "Proceed, Mr. Dunn."

Ralph Dunn: "Well, thank you, Mr. Speaker. I certainly think that this is a Bill that's designed to erode township government farther than it is now. And I think that ~~this is~~ a Bill that ought to be defeated. I think the township assessor is an integral part of township government and I... if it addressed the number of parcels instead of the number of population, it would make more sense, I think. So for that reason as well as others, why I certainly oppose the Bill and hope that others will not vote for it. Thank you."

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

Friedrich: "Mr. Speaker, Members of the House, if you're from an urban area, this won't have any effect on you one way or another, but if you're from a rural area, then you should be concerned about this because this does more than... if you listen to the explanation, it does quite a bit more than just consolidate some districts. It gives some additional power to the supervisor



of assessments who's an appointed person. It also gives considerably more power to the Department of Local Government to come down and tell you how to run your business. They're already doing too much of that as far as I'm concerned and they've really got Madison County fouled up right now to the point where some of the school districts are in trouble because they injected themselves into the assessment procedure. Now I just want to tell you that there's more to this than meets the eye and I think you ought to oppose it."

Speaker Madigan: "The Chair recognizes the Gentleman from Fayette, Mr. Brummet. Mr. Brummet."

Brummet: "Yes, Mr. Speaker. Would the Sponsor yield for a question?"

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

Brummet: "Cal, I don't know whether you figured out what this does to our little counties in the State of Illinois or not. You keep referring to combining two townships together. In my county, there aren't but two townships that have 1,000 population and this means that we're going to have two assessors for the entire county which has 20,700 in population. Is that correct?"

Skinner: "That is incorrect."

Brummet: "Okay."

Skinner: "You will be able to have any combination of townships that add up to 1,000 people. So it's... I don't know how many townships there are in your county."

Brummet: "There's 31 townships. We have 31 assessors at the present time, but we have a total population of only 20,000."

Skinner: "All right, it is conceivable that you could end up with 16 to 20 assessors, it would seem to me."

Brummet: "Okay, and then we're talking about..."

Skinner: "...a little bit of imagination on the parts of the township board."

Brummet: "And then we're talking about a salary of \$15,000 per year?"

Skinner: "No, sir. That is a salary schedule for supervisors of



assessments that is in this Bill."

Brummet: "Okay. Well, I still think it's a poor Bill for a little county. And I appreciate you've done a lot of work on it and I think we do need to have something done."

Skinner: "I would suggest that those who are from smaller counties, if they think that the assessments are adequate in their counties, that they get a copy of this book which has the assessments and assessments to sales ratio study findings on the coefficient of dispersion for... and the coefficient of dispersion if you'll remember, is a measure of uniformity for 1974. They are atrocious throughout the State of Illinois and if you'll remember back in the 50's and 60's and foreign policy people were suggesting preemptive nuclear strikes as a way perhaps to end the war. I would..."

Speaker Madigan: "Mr. Skinner."

Skinner: "Yes, sir."

Speaker Madigan: "Mr. Skinner, you've already addressed the Bill and there are many others who wish to address the Bill or ask questions. And the Chair recognizes the Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Mr. Speaker, Members of the House, I think perhaps one thing on this Bill, there's been too much for the Sponsor to answer the question and be heard, but I'll be very brief. The House-Senate Committee on Property Tax studied this Bill, a series of Bills for almost two years. May I have a little quiet please, Mr. Chairman, Mr. Speaker."

Speaker Madigan: "Would the House give it's attention to Mr. Schraeder."

Schraeder: "Thank you, Mr. Speaker. I'm only going to take a little bit of your time. These series of Bills and this one in particular was discussed and rehashed and redrafted many times over by the House Revenue Committee. It is the result of testimony taken throughout the state from many people, including supervisors of assessments and, yes, township assessors. And by and large, the great majority of townships assessors admitted to the Commission and recommended to the Commission that something be done to bring up the standards of assessments. Many of the



assessors admitted that they had no qualifications. One of my own township assessors admitted he took the job upon retirement because no one else would. He travelled 60 miles to go to a hearing to testify that we should eliminate some of the township assessors because they were not qualified. And we're talking about some 300 jobs. It seems to me that this is not the problem. These, for the most part, that we're talking about are part-time, if any-time at all. Most of the assessors on this field just copy figures from one set of books to the next year's books. And so there's really no work involved. The money involved sometimes might be as low as \$200 a year for an assessor, so this again is no loss of salary or anything in that case. And if there's any worry about the downstate Legislators losing their support from the tax assessors in these townships, believe me, you won't lose it. You'll be gaining it because they're in favor of this type of legislation. And all I can do is say that after two years of study, I think this Bill is in the proper shape to be passed out with a resounding vote."

Speaker Madigan: "The Chair recognizes the Gentlemen from Kankakee, Mr. Beaupre."

Beaupre: "I merely, Mr. Speaker and Ladies and Gentlemen of the House, want to echo what Representative Schraeder said and like to, as mentioned by some of the other speakers, there is indeed more than meets the eye in regard to this Bill. The real issue here is whether or not we're going to improve assessment practices in the State of Illinois. The truth of the matter is that if the taxpayers knew how bad a job we were doing in assessing property taxes, that we'd have a taxpayers revolt on our hands. The problem has been that there are many, many small townships that don't handle the job, where the assessor is not doing the job, where the assessor doesn't want to do the job. The truth of the matter is that in many of these counties, the job just isn't done except by the supervisor of assessments. Those of you who feel that your the guardian of the township officials in township government, let me suggest to you that this



Bill will strengthen township government and strengthen local government because it would give 'em the tools to do the job with. It'll give 'em an opportunity to do the kind of job that we expect out of our assessment practices in this state. Believe me, this is an excellent Bill. It has been studied by Committee after Committee after Committee. The assessors do, indeed, approve of it. After attending all our hearings throughout the state, they have, in conjunction with Representative Skinner and Representative Maragos and Representative Schraeder and a number of the other Members on the Joint House-Senate Revenue Committee on Property Tax Reform agreed to this Bill. It's a fine Bill, a good government Bill and I urge your approval."

Speaker Madigan: "The Chair recognizes the Gentlemen from St. Clair, Mr. Flinn."

Flinn: "Mr. Speaker, we've been the better part of an hour on this Bill and I think it's been amply discussed and I move the previous question."

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

Skinner: "Mr. Speaker, I would certainly concur with both proponents and opponents of this Bill who say it is an important Bill. If it is passed, it'll give us the best real estate assessment system in this nation within 10 years. I think that more is at stake here than township government in down-state Illinois, one whale of a lot more. What is at stake is local government. Right now, we have a real estate assessment system that provides as many tax dollars as both the state income tax and the state sales tax combined, over \$3,000,000,000 and none of us on this floor can defend that real estate tax system. In fact, if I were to introduce a Constitutional Amendment to abolish the real estate tax, I think I probably could get the necessary majority on this floor to pass it. Now what



if that were to happen? What if we don't move to improve the system while there is still time to save local government? I would suggest that if local government is left without a local tax base, local government will wither and die. We're not talking about township boards that meet once a month that get \$5 per person to have a town board meeting. We're talking about your local city and your local county and your local school board. Just imagine if you will, what would happen if we paid 100% of the cost of education out of state revenue. How much of a chance do you think your local school board members would have to determine any policy whatsoever? Don't you think that you and I and the other state politicians who all of us think that we know better than anyone else what to do at the local level? We'd get some bureaucrat to set the policy. I'm afraid that if we don't pass this Bill, about 20 years from now, people are going to be saying, now whatever happened to local government? They're still meeting there. They're still alive. But they're not making an critical decisions. We're already complaining decisions are being made in Springfield or Washington rather than on the local level. This gives the ability for the local level to make the decisions. One comment about the coefficient of dispersion. Anyone who suggests this is not a well-defined statistical measure hasn't been watching the field in the last 30 years over which it has been developed. At the present time to further refine the coefficient of dispersion, this measure of uniformity and other statistical measures, the Department of Local Government Affairs has two Ph.D's in mathematics. Now we don't have any Ph.D's in mathematics on this floor, but let me tell you. They know more about the statistics than I ever hope to understand and they will be able to get something that will hold up to scrutiny. And if they can't get something to hold up to scrutiny and I mean by scrutiny, a court in the home county of the township assessor who will not meet the standards upon which he has taken part in the development thereof, that won't make any



difference whatsoever that the standards are in the Bill. If the standards don't stand up to a court trial, no assessor's ever going to loose his job. I would ask your support in passing this Bill which I believe will give Illinois the first self-correcting real estate assessment system in the entire country."

Speaker Madigan: "The question is shall House Bill 3830 pass.

All those in favor signify by voting 'aye', all those opposed by voting 'no'. The Chair recognizes the Gentlemen from Will, Mr. Kempiners, to explain his vote."

Kempiners: "Thank you, Mr. Speaker. There have been several references made to what this will do to township government and I think that the Members of this House ought to know that I've only had two people really contact me on this legislation. Both of them were township assessors and both of them are concerned about two things. The first is maintaining a strong township government in the State of Illinois. They strongly believe in local people doing assessing. The other thing that they strongly believe in is professionalism within their particular field of endeavor. Both of them have told me in no uncertain terms that they strongly support the reforms being made in this particular legislation and have asked me to vote for it. I feel very strongly in agreement with what Representative Beaupre said during debate. That when the taxpayers realize government is acting efficiently and economically, they will support it. When they feel their tax dollars are being wasted, they will not support that form of government. I strongly believe in local township government and for that reason and for the reason that I believe people will support it if it is doing the best possible job for the least amount of money, that they will support it and I would urge everyone to vote 'yes' on this Bill."

Speaker Madigan: "The Chair recognizes the Gentlemen from Livingston, Mr. Ewing, to explain his vote,"

Ewing: "Yes, Mr. Speaker, my Amendment was put on this Bill in Committee at the request of the township officials and assessors in



this state. This Amendment made this Bill acceptable to this organization. It has in it a number of good provisions. One of which would take out the Department of Local Governmental Affairs and its control over township assessing practices. It would help set some standards that are needed greatly in township assessing. Last year, we had to reduce the assessment level from 50% to 33% and if we don't take some strong measures to make our assessment practices better, in a year or two, we'll have to reduce it to 25% or 20% or we'll have another big tax increase. I represent a number of rural counties. I think this is good legislation. I think it's needed. And if we don't pass it this time, we will be setting ourselves back at least two or three years because this has been jointly studied by the House and the Senate and this legislation contains many of their recommendations for improvements. And I suggest that if you're not sure, it's time to vote 'yes' because if you haven't examined the way our assessment is done by local assessing officials, you should of. There's a problem and this will help remedy it. And I would ask for your consideration and your 'yes' vote."

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

Wolf: "Mr. Speaker and Members of the House, to explain my vote, I rise in support of this Bill. Although it's a very much watered down version of the Bill that I would like to have seen pass, I would much preferred to have seen the 10,000 population stayed the way it was. With the Amendments, it has been watered down to an extent where it doesn't serve the purpose that I think it could have as originally devised. However, I am still in full support of this Bill because I think that this legislation together with that which has been introduced and passed by Representative McMasters is a long, big step towards professionalizing the art of assessments procedures and the state is long overdue for legislation of this kind. I would urge all of you to vote 'aye' on this particular Bill."



Speaker Madigan: "The Chair recognizes the Gentleman from DuPage, Mr. Gene Hoffman, to explain his vote."

G.L. Hoffman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise to explain my vote in support of this legislation to point out to you that this is a very integral part of equitable distribution of the largest amount of money that this state distributes to any single taxing body and that is to the school districts. Fair and equitable taxation, professional people with the proper kind of training and the proper type of supervision can bring the other half of equity to the equalization of resources for school boys and girls across this state. A vote in favor of this legislation will move it at least a short step in that direction. And for this reason, I urge your support of this legislation."

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

VanDuyne: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, really I wish you'd kind of pay attention to this legislation. I don't know what the people in Chicago or Cook County think about this but I urge everyone in this General Assembly who lives in a downstate area where you have township form of government as in Will County, our form of assessing. We have assessors in some of the smaller counties where they have very few people, parcels of property getting as low as three, four, and five hundred dollars. Now I want to submit to you that under these circumstances, you don't very qualified assessors. In 1972, we had an horrendous experience of having to remove our supervisor of assessments and we had all the township assessors in and testified before a Committee and I want to tell you that some of them didn't even know the proper procedure, much less how to assess a piece of property. Now, we've all heard about the school systems and how short they are of money. I just want to remind you in our territory, 80% of all the local real estate taxes paid to the county, go to the board of our schools, both elementary and high school. Now, Lord knows with the shortage of money that we have and all



the hue and cry that has been attached to the supplementary and all the budgets that we have before us, it sure should be sinking into our head that we need above all, an accurate assessment of our real estate. So we aren't going through it any further. I would plead with you to give this legislation some good, serious thought. Without accurate assessments, you cannot have an accurate levy and without an accurate levy, you cannot have an halfway accurate collection. So therefore, please give us an affirmative vote."

Speaker Madigan: "The Chair recognizes... Have all voted who wished? Have all voted who wished? The Chair recognizes the Gentlemen from DuPage, Mr. LaFleur, to explain his vote."

LaFleur: "Thank you, Mr. Speaker, Members of the House. After looking at the board and seeing how some of the downstate Members are voting, I think there has been some public relations that has gone astray. On the original examination by a Subcommittee on the means of assessments, we met with the assessors and the assessors explained to us they needed several things to make good assessments. Those things were met in the original Bill. There were some objections by the Assessment Association. They did come to the Committee. They did explain their objections. We met their requirements by encompassing their Amendments into the Bill. This Bill is now accepted by, I would say, 95% of the assessors in the state. Now the people who have heard from their assessors and said they objected to it, I am sure they do no object to the final version of this Bill and I think everybody would be doing the people back home a favor, especially the downstate Members here, if they would put a green light on here and allow the assessors at home to do a good job."

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

Maragos: "Mr. Speaker, I see that we're having difficulty and at this time, I would like to put the measure on postponed consideration."

Speaker Madigan: "The Gentleman has requested..."



Maragos: "Hold it, just a minute. Just a minute, Yes, Mr. Skinner, do you wish to..."

Speaker Madigan: "Are you addressing the Chair, Mr. Maragos?"

Maragos: "No, I'm addressing the... I'm asking the deference of Mr. Skinner, Mr. Speaker. I asked for postponed consideration, but Mr. Skinner doesn't want it. I guess he wants it to go ahead."

Speaker Madigan: "Well you're the Sponsor of the Bill. What's your pleasure, Mr. Maragos?"

Maragos: "Continue the debate. If they vote... Roll Call, then it gives me... I don't want to be accused of killing the Bill or postponing it."

Speaker Madigan: "You're withdrawing your request?"

Maragos: "That's right,"

Speaker Madigan: "Have all voted who wished? The Chair recognizes the Gentleman from Winnebago, Mr. Stubblefield, to explain his vote."

Stubblefield: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As a Member of the Revenue Committee where this Bill was heard, I agree with Representative LaFleur that objections made by the assessors have been met as far as I know, all of those objections. I come from a county that has been victimized by per assessment practices throughout the state. This Bill is an attempt to try to provide not only efficient assessors, but to provide some knowledge to do a good job and I think we can eliminate some of the problems that we have on revenue, some of the problems that we are experiencing from the inequities from the educational fund through the passage of this Bill. And I'd like to see a few more green lights up there,"

Speaker Madigan: "The Chair recognizes the Gentlemen from Franklin, Mr. Hart, to explain his vote."

Hart: "Thank you very much, Ladies and Gentlemen of the House. I'd like to point out to some of the House Members that we have in the State of Illinois, 17 counties which are under the commission form of government. They don't even have



township assessors and they're getting on fine without them. I don't sympathize with those of you from downstate who are voting against this Bill for, what has to to be, political reasons. You have to know of the inequities in the assessing practices from township to township in some of our counties. You have to know of the inadequacies of the township assessing in many of the counties in Southern Illinois and in rural downstate Illinois. If we're ever going to do a job, for our counties really and for those taxing districts in the counties, we're going to have to provide a means where assessments are not only equal, but adequate and I think that the strengthening of the assessment process as provided in this Bill, will at least be a step in the right direction and I would urge an 'aye' vote."

Speaker Madigan: "Have all voted who wished? The Chair recognizes the Gentleman from Cook, Mr. Shea, to explain his vote."

Shea: "Well, I'm sorry. I was off the floor talking to Mr. Walsh when this Bill came up. Mr. Maragos, can I ask a question and is it possible that he could answer it, Mr. Speaker?"

Speaker Madigan: "Proceed, Mr. Shea."

Shea: "What I'm trying to find out is I understand that this Bill would eliminate assessors in townships under a thousand population, is that correct?"

Maragos: "Yes. They say 'no', but in effect, that they have a right to go with a 1,000 or more if they want to."

Shea: "If there are a certain number of parcels of real estate, is that correct?"

Maragos: "That's correct."

Shea: "Thank you, I think it's a good Bill."

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

Byers: "Thank you, Mr. Speaker. We've heard a lot of debate over this Bill and I haven't decided how to vote yet. I do know that we have a lot of downstate assessors that do a very poor job and I understand that if this Bill passed, they'll do a lot better job in assessing the property and I'm for that."



And I think I'm going to vote 'aye' on this Bill."

Speaker Madigan: "Have all voted... the Chair recognizes the Gentleman from Whiteside, Mr. Schuneman, to explain his vote."

Schuneman: "Thank you, Mr. Speaker. I see we have the required number of votes now, but I would like to clear up something that I... a statement that was made a while ago that might have been a little misleading in that this Bill will not eliminate township assessors in those townships with less than 1,000 population. What it does is make provision for that township to join with another township, thereby, getting the required 1,000 population. It simply would make for larger assessing districts in those very small townships. The assessor would be elected within that larger district, so in no way does this eliminate township assessors. It simply makes for a larger assessing district. I believe that it's a step in the right direction. What we're all trying to do in offering legislation for tax assessments is to try to find a way to make assessments more equitable and I submit to you, Mr. Speaker, that this is one step in that right direction."

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

Cunningham: "Well, Mr. Speaker and Ladies and Gentlemen of the House, it's obvious that this Bill is going to pass with an overwhelming vote after the master spoke in this regard, but I think that common decency requires a few words to be said as a eulogy to the township assessors who are being put out business by this particular Bill. Today, the conglomerates have got the township assessors in the 1,000 population zone. Tomorrow, there's every reason to believe that the same arguments have been applied here under the guise of an educated appeal to proper assessment, will be applied to numerous other small offices, the town clerk, the road commissioner, and then it's inevitable those of you from the northern counties where you have 60,000 and up population, you look down your noses with ill-concealed disgust at those of us from the 20



counties and I want to say to you that those arguments will be equally applicable. Size is but a relative question and in the final analysis, the huge metropolitan area that we call Cook County will swallow you all. So your victory is only Pyrrhic. We bid fond adieu to the township assessors of the 54th District. We'll loose more than any other. I heard the Gentleman there from Benton talking about he was for good government. I doubt if he'll go back and tell all the township people there that they're no longer needed in the scheme of things. I, for one, think that the township assessors did a good job. I'm sorry that they... thank you, Adeline... I'm sorry that they didn't last long enough to overcome this 'hocum' about coefficient of dispersion and similar nonsense about an educated guess. I don't know of any assessors, so I'm going to vote 'no' regardless of the outcome."

Speaker Madigan: "Have all voted who wished? For what purpose does the Gentleman from Franklin, Mr. Hart, arise?"

Hart: "On a point of personal privilege, Mr. Speaker. My name was mentioned in debate and I would just like to point out to the Gentleman from the 54th District that contrary to his practice, I say the same thing at home that I say on the floor of this House."

Speaker Madigan: "For what purpose does the Gentleman from Lawrence arise, whose name was not used in debate?"

Cunningham: "I wanted to ask the scholarly Gentleman when he began this new process that he describes."

Speaker Madigan: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 94 'ayes', 30 'nos', 9 voting 'present' and House Bill 3830 having received a Constitutional majority is hereby declared passed. On the order of House Bills, Third Reading appears House Bill 3688. The Chair recognizes the Gentleman from Madison, Mr. Byers, on House Bill... you do not wish that called, Mr. Byers? Fine. Mrs. Chapman, do you wish to call House Bill 3835?"

Chapman: "That's Mr. Marovitz's Bill. Marovitz."



Speaker Madigan: "Who?"

Chapman: "Marovitz."

Speaker Madigan: "Mr. Marovitz in the chambers? Mr. Marovitz, do you wish to call House Bill 3835?"

Marovitz: "Mr. Speaker, an Amendment has just been drafted that was agreed upon by Chamber of Commerce. I'll have it tomorrow and I would wish to hold this Bill and call it tomorrow on Second Reading."

Speaker Madigan: "Thank you. Is Mr. Pierce in the chamber? Mrs. Chapman, do you wish to call House Bill 3853? No? Mr. Matijevich, do you wish to call House Bill 3901?"

Matijevich: "That's Lauer's."

Speaker Madigan: "Mr. Lauer, do you wish to call House Bill 3901? On the order of House Bills, Third Reading appears House Bill 3856. The Chair recognizes the Gentleman from Cook, Mr. Daniel Houlihan."

Clerk O'Brien: "House Bill 3856. A Bill for an Act to amend the Code of Criminal Procedures. Third Reading of the Bill."

D.L. Houlihan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3856 is a Committee Bill which extends the effective date of the Speedy Trial Act adopted in the past legislative year from July 1, 1976 to March 1, 1977. The reason for this extension is to allow more adequate opportunity for the criminal justice system, particularly in Cook County, to conform to this administratively. It has the support of the Illinois Judicial Advisory Council, the Cook County Judicial Advisory Council, the State's Attorney of Cook County, and unless there are questions, I ask for a favorable Roll Call."

Speaker Madigan: "Is there any discussion? There being no discussion, the question is shall House Bill 3856 pass. All those in favor signify by voting 'aye', all those opposed by voting 'no'. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 120 'ayes', 5 'nos', 12 voting 'present', and House Bill 3856 having received a Constitutional majority is hereby declared



passed. On the order of House Bills, Third Reading appears House Bill 3518. The Chair recognizes the Gentleman from Cook, Mr. Jaffe."

Jaffe: "Mr. Speaker, it seems that we have a reflex action every time I get up, Mr. Walsh gets up. But at the point in time when we left this Bill, Mr. Speaker, I think that at that time, you were trying to make a determination as to a ruling on Mr. Walsh's point of order and I think that's where we left off on House Bill 3518."

Speaker Madigan: "The Gentleman has... Mr. Walsh, I wish to advise the body as to the posture on this matter. And the Gentleman has moved that House Bill 3518 be placed on the order of Second Reading for purposes of an Amendment and on that motion, the Chair recognizes the Gentleman from Cook, Mr. Walsh."

Walsh: "Mr. Speaker, you're not recognizing me on that motion. You're recognizing me on a point of order which is the reason that I arose."

Speaker Madigan: "State your point."

Walsh: "I would hope that that motion is not before this body for a variety of reasons. The first of which was called to your attention earlier when we pointed out that it would be necessary for the Gentleman to have someone move to reconsider the vote by which this motion failed on Friday. However, before we get to that, let me suggest to you, Mr. Speaker, that you are in violation of Rule 37(a), that you are calling this Bill out of order. There are several Bills, both numerically and by expiration date that have precedence over this Bill. Now if you want to suspend Rule 37(a), let me suggest to you that you ask someone to suspend that rule for purposes of considering this Bill."

Speaker Madigan: "Mr. Walsh, in response to your objection relative to the order of call, according to the notes which I have maintained on my Calendar since I assumed the Chair, there are no other matters between the last matter on the order of House Bills, Third Reading and this matter which wished to be called. And the Chair recognizes the Gentleman from McLean, Mr. Bradley."



Bradley: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. That was another, Mr. Speaker, regarding the order of call. I think when you got to 3518, you indicated to the Sponsor of 3518 that if it was taken out of the record for a minute or two to make some determination on Mr. Walsh's first point of order, you would come back to that. But in reply to the point that Mr. Walsh made in regarding Robert's, let me say this to the Gentleman. Robert's in a case where the motion before the House, Robert's indicates that at a... it is not only... that this is not only a different meeting from Friday, we have different attendance and there is also an additional Amendment, I believe, on file with the Clerk of the House and, therefore, there is a substantial difference in the circumstances today in attendance, in an additional Amendment being filed. And so, I suggest that Mr. Jaffe's motion is very proper at this time and I agree with the ruling of the Chair and I think that anything else further than this, you've made the ruling, is dilatory and we should go ahead with the Amendment."

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

Walsh: "Well, Mr. Speaker, I submit first of all on the original point that I raised that you have gone out of order, that your notes are incorrect. Now I see here on a quick perusal of my Calendar, House Bill 3949 which expires on July 3rd, Sponsored by Representative Skinner..."

Speaker Madigan: "That Bill has been passed, Mr. Walsh."

Walsh: "Has that Bill been... How about Representative Terzich's Bill?"

Speaker Madigan: "That Bill has been passed. It would be helpful, Mr. Walsh, if you'd stay on the floor."

Walsh: "I had a discussion with the Majority Leader, Mr. Speaker. I thought that was very important. Now wait a minute, Mr. Speaker, how about Representative Duff's Bill that expires on the same day?"

Speaker Madigan: "What's the number of the Bill?"



Walsh: "3420."

Speaker Madigan: "3420. That's passed."

Walsh: "I think what I'll do, Mr. Speaker is address myself to the point that..."

Speaker Madigan: "Mr. Walsh, do you wish to address yourself once again, to your objections?"

Walsh: "I do."

Speaker Madigan: "Please proceed."

Walsh: "Well, okay, Mr. Speaker, I don't see how and I'm sure that the Gentleman from Bloomington was brief in the statement that he made relative to our objection on how to consider a question the second time and I have some idea on how the Parliamentarian is going to recommend to you that you rule. I would like to suggest, though, Mr. Speaker, that it is absurd to rule in that way because we are a meeting, first of all, of the House. We are not the Senate, nor are we the 'Bung'. We are the House. We are the same group that met here on Friday. There may be some absences today that were not... that we did not have Friday and some Friday that we do not have today, but we are nevertheless, the same body because if we were not the same body, Mr. Speaker, it would be necessary for us to adopt new rules, new procedures, and decide whether or not we wanted to stay with Robert's in the case where our rules did not meet a particular situation. So, clearly we are the same group. For, not to be the same group would require reorganization and we might have a different Speaker then, Mr. Speaker, right? All right, so that clearly is ridiculous and I think you will have to agree with that. Now, Mr. Speaker, since we talked first about Robert's Rules applying to this situation, we have our rules, our House Rules which is Rule 62(a) which deals with a motion to reconsider and it requires that the Sponsor of a motion that has failed, to find someone to file a motion on that same day. Now, it's ridiculous to consider, Mr. Speaker, that we are a different body and that our rules did not contemplate, nor did Robert's Rules contemplate the nuisance value of filing the same motion over and over and over again.



And that is precisely the reason, precisely the reason that we have the motion to reconsider. For if we did not have the motion to reconsider, then it would be possible to file the same motion over and over and over again and never dispose of a single motion. Now I submit to you, Mr. Speaker, that our rules contemplated this because our rule and the rule that governs in this case, requires that the Gentleman file that motion to reconsider on the same day that the original motion was filed. He did not do that and consequently, he may not at this time file a motion of similar substance. And so, what we are doing now, Mr. Speaker, is totally out of order."

Speaker Madigan: "Mr. Walsh, the ruling of the Chair relative to your motion or, excuse me, your objection is as follows. For what purpose does the Gentleman from Lake, Mr. Deuster, arise?"

Deuster: "Mr. Speaker, prior to your ruling, I would like to point out to the Chair and the Parliamentarian a provision in Robert's Rules of Order that might have been overlooked. And this is simply this with respect to the observation of an earlier Representative. It says when an original main motion has been adopted or rejected, it or practically, and this is for the Parliamentarian, Paragraph 38 which appears on page 171 of my copy. It says it, or practically the same motion, cannot be again brought before the Assembly at the same Session except by a motion to reconsider or rescind the vote, but it may be introduced again at a future Session. I would suggest to the Speaker and to the Parliamentarian that we are in the same Session today as a General Assembly as we were last week. All you have to do is pick up or synopsis and you'll see the reference is of the 1976 Session. We are in the same Session and that specific provision, Paragraph 38 of Robert's Rules of Order should prevail and guide the Speaker in reaching a proper and just decision."

Speaker Madigan: "Thank you, Mr. Deuster. And the Chair is prepared to rule that Robert's Newly Revised provides general principles on the renewability of motions and the circumstances which govern that determination. Robert's also enumerates



specific types of motions which are not renewable during the same Session, but which can be renewed only through the formal reconsideration procedure. Robert's also enumerates exceptions, motions which can be renewed at a different meeting or upon a change in circumstances. The motion before the House by Mr. Jaffe is not analogous to any of the motions enumerated in Robert's which are are nonrenewable. Mr. Jaffe's motion is essentially a subsidiary procedural motion. It is not dispositive of any proposition. It is not a main motion. Mr. Jaffe's motion to return to Second Reading is essentially a motion to go out of order or alternatively to suspend the rules. As such, Mr. Jaffe's motion is renewable at another meeting or even at the same meeting where according to Robert's there is a change of circumstances which can include a change in the attendance. In the case before the House, is not only a different meeting with different attendance, but there is an additional Amendment on file with the Clerk. Therefore, there is a substantial difference in the circumstances from when Mr. Jaffe made his original, procedural motion and the motion is proper at this time. The Chair has ruled and for what purpose does the Gentleman from Cook. Mr. Walsh, arise?"

Walsh: "Mr. Speaker, you have responded to the procedures if Robert's Rules of Order applied. Now, Mr. Speaker, I call your attention to Rule 62(a) where the House Rules apply specifically to the situation. The House Rules, Mr. Speaker, say that a Member who voted on the prevailing..."

Speaker Madigan: "Mr. Walsh, the Chair has ruled with commentary and is not prepared to comment further."

Walsh: "May I suggest to you, Mr. Speaker, that the Chair has not perceived the problem as it really is. You may not avail yourself of Robert's Rules unless, Mr. Speaker, there is not a House Rule that applies to the question. And so may I suggest to you, Mr. Speaker, that you have your Parliamentarian address himself to Rule 62(a) and do a scholarly a job on that as he has done with this ruling. But this ruling cannot apply, Mr. Speaker, because Rule 71 says that Robert's Rules will be



used only when the House Rules do not apply."

Speaker Madigan: "Mr. Walsh, the Chair has ruled and the question before the House at this time is the motion of Mr. Jaffe to move House Bill 3518 to the order of Second Reading. For what purpose does the Gentleman from Cook, Mr. Duff, arise?"

Duff: "Well, Mr. Speaker, on a point of order. I'm tempted first to suggest to the Minority Leader that he reach across the chair in front of him and grab the fellow down there and maybe could solve it quickly if he chooses to make a movement to suspend the order of the Chair."

Speaker Madigan: "Mr. Duff, state your point please."

Duff: "But, in addition to that, Mr. Speaker, you and your ruling on Robert's Rules said that the nature of Mr. Jaffe's motion was a movement to suspend the rules. Those were your own words, sir, and I would then ask for a ruling that if nobody moves to overrule the Chair that the motion will take 107 votes under your own ruling. You did say, sir, that it was a motion to suspend the rules."

Speaker Madigan: "The Chair has ruled with comment. It will not comment further."

Duff: "Well, I ask then, sir, am I not correct?"

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

Jaffe: "Mr. Speaker, Members of the House, just a slight comment to the previous speaker. I would like to say that if he read my motion, he would know that it cannot apply to Rule 35(d), but mine is merely a motion to return House Bill 3518 to Second Reading in accordance with Rule 35(d) for the purpose of having an Amendment to that particular Bill and I so move, Mr. Speaker."

Speaker Madigan: "The Chair recognizes the Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, I think any point of order necessitates by the Chair a ruling on that point. The point of order made by Representative Walsh was relative to 62(a), not to Robert's Rules. You had a way



of getting around it, but let's have ruling on 62(a) and then we can proceed."

Speaker Madigan: "Mr. Matijevich, I'm informed by the Chair that Rule 62(a) deals with the reconsideration of a motion and not with the question of a renewability of a motion and that if the ruling of the Chair is that the motion is renewable, we may proceed that way and that ruling will be dispositive of the question without regard to the question of 62(a). And the Chair... for what purpose does the Gentleman from Cook, Mr. Duff, arise?"

Duff: "Well, Mr. Speaker, you didn't answer my point, sir, and I'd like to have you answer it. In your ruling, sir, you said that the nature of Mr. Jaffe's motion was to either move out of order to suspend the rules, both of which are suspension of the rules under our House and I, sir, suggest that that does take 107 votes and would ask for your ruling on it."

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

Jaffe: "Mr. Speaker, it's evidentially clear that the previous speaker has not read my motion. My motion addresses itself to Rule 35(d) and if he would read 35(d), he would find out that it requires 89 votes and I think they've been dilatory on it and I've been waiting long enough. And if we have the 89 votes, I think we ought to go with it."

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

Duff: "Well, Mr. Speaker, we have to decide what we're really doing here. Mr. Jaffe says that he refers to a specific rule, but the Chair's ruling on Representative Walsh's motion or question was specific, sir, and you read it very clearly that the nature of the motion under Robert's Rules which is the basis under which you made your decision. You, sir, you, yourself, sir, said and you can read it again to us that it is in the nature of a motion. Under the exceptions, it was a nature to the motion that it was either to move out of order or to suspend the rules. Now both of those items under our House Rules,



requires 107 votes. And I am referring to your ruling on the nature of the motion, sir."

Speaker Madigan: "Mr. Duff, the Parliamentarian informs me that your point is moot and that this motion of Mr. Jaffe, if it were cast, is a motion to suspend Rule 35 and it would only require 89 votes."

Duff: "Mr. Speaker, how can it be moot when the very ruling that you made, sir, said what the nature of the motion was? How can that be moot? We're talking about your ruling on the motion."

Speaker Madigan: "Mr. Duff, for purposes of the ruling, we dealt in terms of an analogy. That's what happened. Mr. Jaffe moves that House Bill 3518 be moved to the order of Second Reading. And those in favor of that motion will signify by voting 'aye' and those opposed by voting 'no'. The Chair recognizes the Gentleman from Cook, Mr. Walsh, to explain his vote."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, really what we're doing is deciding whether dual school districts shall be further penalized, I guess, in the last analysis with all of this."

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

Jaffe: "Point of order, Mr. Speaker. The Gentleman is not speaking to the issue and he knows it."

Speaker Madigan: "The point is well taken. Have all voted who wished? The Chair recognizes the Gentleman from Cook, Mr. Walsh, to explain his vote on the motion."

Walsh: "All right, Mr. Speaker, if that's not what we're doing and it sure looks that way to me and I'm very much surprised while we're talking about it that the Gentleman from Skokie would Sponsor such a Bill to be amended in the way that he desires. But in any case, I don't think there's anybody here that doesn't know what is being attempted here and for anyone to vote in favor of the Gentleman's Resolution or motion because they like him better than they like me or than they like Representative Duff... All right, let's just say Representative Duff."



Is ridiculous... Mr. Speaker, it's the wrong procedure. You, Mr. Speaker, have gotten yourself way out on a limb in the ruling that you just made. You know that, too. Because from now on, Mr. Speaker, there are going to be repetitive motions to do this, that, or the other thing. You have, in what you've done, you've nullified the motion to reconsider. It no longer makes any difference..."

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

Lechowicz: "Point of order, Mr. Speaker. The man is not explaining his vote. He's giving a lot of rhetoric here."

Speaker Madigan: "The point is well taken relative to Mr. Walsh's rhetoric. Mr. Walsh, do you intend to bring your remarks to a close?"

Walsh: "Well, I only want to bring my remarks to a close by saying that anyone who is voting 'yes' and I'm looking right down at a switch that's voted 'yes' and I don't see that Member seated in that chair. Now anybody who's voted 'yes', if this thing comes up to 107, we're going to ask for a verification, Mr. Speaker, because I don't think there are 89 people who could act so irresponsibly as to vote 'yes' on this Gentleman's motion."

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

Deuster: "Mr. Speaker, I'm simply rising to suggest that I agree with Representative Walsh that there are not 89 people on this floor that would vote so irresponsibly. And in the event there are any buttons pushed that shouldn't be in order to save a lot of time, I would at this time, like to be recognized later to request of the verification of the vote."

Speaker Madigan: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 97 'ayes', 42 'nos', 1 voting 'present'. And Mr. Jaffe has requested a poll of the absentees."

Clerk O'Brien: "Campbell, Capuzi, Craig, Daniels, Downs, Ebbesen, Fleck, Friedrich, Gaines, Geo-Karis, Hirschfeld, Ron Hoffman,



J.D. Jones, Katz, Kucharski, Lundy, Madison, Mann, Matijevich, McAuliffe, McAvoy, Meyer, Molloy, Mugalian, Palmer, Peters, Pierce, Rayson, Reed, Sangmeister, Schlickman, Stearney, Wall, Willer, Williams, Winchester, Mr. Speaker."

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

Walsh: "Well, it was Mr. Deuster that requested a verification."

Speaker Madigan: "I'm sorry. Mr. Deuster requests a verification and the Clerk will proceed to a verification of the affirmative Roll Call. For what purpose does the Gentleman from Cook, Mr. Farley, arise?"

Farley: "Yes, in the interests of a nice, honest verification, I'd like to announce that Mr. McPartlin's button is present and he's not here at all, so if the Clerk would so note that."

Speaker Madigan: "Thank you, Mr. Farley. Proceed, Mr. Clerk."

Clerk O'Brien: "Anderson, E.M. Barnes, Beatty, Beaupre, Berman, Birchler, Boyle, Bennett Bradley, Gerold Bradley, Brandt, Brinkmeier, Brummet, Byers, Caldwell, Capparelli, Choate, Coffey, Darrow, Davis, DiPrima, Domico, John Dunn, Ewell, Farley, Flinn, Garmisa, Getty, Giglio, Giorgi, Greiman, Hanahan, Hart, Hill, Holewinski, Dan Houlihan."

Speaker Madigan: "Mr. Clerk, would the Members please be in their seats to facilitate the verification of the affirmative Roll Call. Thank you."

Clerk O'Brien: "Jim Houlihan, Huff, Jacobs, Jaffe, Emil Jones, Kane, Keller, Kelly, Kent, Kornowicz, Kosinski, Kozubowski, Laurino, Lechowicz, Leon, Leverenz, Londrigan, Lucco, Luft, Madigan, Maragos, Marovitz, Mautino, McClain, McGrew, McLendon, McMaster, Merlo, Mudd, Mulcahey, Nardulli, Neff, O'Daniel, Patrick, Polk, Pouncey, Riccolo, Richmond, Rigney, Rose, Satterthwaite, Schisler, Schneider, Schraeder, Schuneman, Sharp, Shea, E.G. Steele, Stone, Stubblefield, Taylor, Terzich, Tipword, Tuerk, VanDuyne, Vitek, VonBoeckman, Washington, White, Wolf, Younge, Yourell."

Speaker Madigan: "Mr. Deuster, do you have questions of the affirmative Roll Call?"



Deuster: "Yes, Mr. Speaker. Mr. Barnes, E.M."

Speaker Madigan: "Mr. Barnes is standing in the center aisle."

Deuster: "Mr. Beaupre."

Speaker Madigan: "Mr. Beaupre is standing in the chamber."

Deuster: "Mr. Brandt."

Speaker Madigan: "Mr. Brandt is in his chair."

Deuster: "Mr. Byers."

Speaker Madigan: "Mr. Byers is standing on the Democratic side."

Deuster: "Mr. Darrow."

Speaker Madigan: "Mr. Darrow is in the center aisle."

Deuster: "Mr. Ewell."

Speaker Madigan: "Mr. Ewell. Is Mr. Ewell in the chamber? How is the Gentleman recorded?"

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

Speaker Madigan: "Remove the Gentleman from the Roll Call."

Deuster: "Mr. Giglio."

Speaker Madigan: "Mr. Giglio is standing on the Democratic side."

Deuster: "Mr. Giorgi."

Speaker Madigan: "Mr. Giorgi is walking up the Democratic aisle."

Deuster: "Mr. Hanahan."

Speaker Madigan: "Mr. Hanahan is in his chair."

Deuster: "Mr. Kelly."

Speaker Madigan: "Mr. Hanahan is... Mr. Hanahan in the chamber? How is the Gentleman recorded?"

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

Speaker Madigan: "Remove the Gentleman from the Roll Call."

Deuster: "Mr. Kelly."

Speaker Madigan: "Mr. Kelly's in his chair."

Deuster: "Mr. Kosinski."

Speaker Madigan: "Mr. Kosinski is in his chair."

Deuster: "Mr. Laurino."

Speaker Madigan: "Mr. Laurino. How is the Gentleman recorded?"

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

Speaker Madigan: "Remove the Gentleman from the Roll Call and,

Mr. Deuster, would you verify Mr. Daniel Houlihan as an 'aye' vote at this time? Thank you."



Deuster: "Thank you. Mr. Luft."

Speaker Madigan: "Mr. Luft. Is Mr. Luft in the chamber. How is the Gentleman recorded?"

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

Speaker Madigan: "Remove the Gentleman from the Roll Call."

Deuster: "Mr. Lucco."

Speaker Madigan: "Mr. Lucco. Mr. Lucco is at the front of the chamber."

Deuster: "Mr. Merlo."

Speaker Madigan: "Mr. Merlo is standing on the Democratic side."

Deuster: "Mr. O'Daniel."

Speaker Madigan: "Mr. O'Daniel is in his chair."

Deuster: "Mr. Patrick."

Speaker Madigan: "Mr. Patrick is in his chair."

Deuster: "Mr. Pouncey."

Speaker Madigan: "Mr. Pouncey is in his chair. Are there any questions, Mr. Walsh?"

Deuster: Mr. Riccolo, I'm sorry."

Speaker Madigan: "Mr. Riccolo. Mr. Riccolo in the chamber? How is the Gentleman recorded?"

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

Speaker Madigan: "Remove the Gentleman from the Roll Call."

Deuster: "Mr. Schisler."

Speaker Madigan: "Mr. Schisler is standing at his chair."

Deuster: "Mr. Shea."

Speaker Madigan: "Mr. Shea is standing behind you, Mr. Walsh."

Deuster: "Mr. Stone."

Speaker Madigan: "Mr. Stone. Is Mr. Stone in the chamber? How is the Gentleman recorded?"

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

Speaker Madigan: "Remove the Gentleman from the Roll Call."

Deuster: "Mr. Terzich."

Speaker Madigan: "Mr. Terzich is in his chair."

Deuster: "Mr. White."

Speaker Madigan: "Mr. White. Is Mr. White in the chamber? Come on out, Mr. White and show yourself. He's here."



Deuster: "Ms. Younge, Mrs. Younge."

Speaker Madigan: "Mrs. Younge. Is Mrs. Younge in the chamber?"

How is the Lady recorded?"

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

Speaker Madigan: "Remove the Lady from the Roll Call."

Deuster: "Mr. Yourell."

Speaker Madigan: "Mr. Yourell. Is the... Mr. Yourell in the chamber? How is the Gentleman recorded?"

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

Speaker Madigan: "Remove the Gentleman from the Roll Call."

Deuster: "Mr. John Dunn."

Speaker Madigan: "Mr. John Dunn is standing next to Mr. Skinner."

Deuster: "Mr. Greiman."

Speaker Madigan: "Mr. Greiman's in his chair."

Deuster: "Mr. Huff."

Speaker Madigan: "Mr. Huff is in his chair."

Deuster: "I'm sorry, we see him now. Mr. Kozubowski."

Speaker Madigan: "Mr. Kozubowski is standing in the front of the chambers. For what purpose does the Gentleman from Sangamon, Mr. Kane, arise?"

Kane: "It would seem that this is getting dilatory. I don't think they have any more legitimate questions."

Speaker Madigan: "Return Mr. Riccolo to the Roll Call and Mr. Kane's point is well taken, Mr. Walsh. For purpose... Oh, Mr. Danels wishes to be recorded as 'no'. For what purpose does the Gentleman from Cook, Mr. Gaines, arise?"

Gaines: "How am I recorded, Mr. Clerk?"

Speaker Madigan: "How is Mr. Gaines recorded?"

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

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

Speaker Madigan: "Record Mr. Gaines as 'aye'. Mr. Deuster."

Deuster: "Yes, Mr. VonBoeckman."

Speaker Madigan: "Mr. VonBoeckman is standing in the Democratic side and restore Mr. Ewell to the Roll Call."

Deuster: "Mr. Tuerk."

Speaker Madigan: "Mr. Tuerk. Is Mr. Tuerk in the chamber? How is



the... Mr. Tuerk is in the rear of the chamber, Gentlemen, at the door. And the Chair recognizes the Gentleman from Sangamon, Mr. Kane."

Kane: "I would renew my point of order."

Speaker Madigan: "Your point is well taken, Mr. Kane. Mr. Walsh, have you finished with the questions? Are you finished, Mr. Walsh?"

Deuster: "Mr. Speaker, Mr. Walsh and I were not being dilatory. We had a couple of lists and we were just comparing them. We've tried to read the names as quickly as we could find them. What... could you advise us what the count is at this time?"

Speaker Madigan: "Have you finished your question of the Roll Call, Mr. Deuster? No further questions?"

Deuster: "I think we're concluded as far as I know of. Yes, Mr. Speaker."

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

Duff: "Mr. Speaker, I rose, I hoped to be recognized before the Representative from Lake had answered that question. There's never been a time in my memory that when a person who is asking for a verification, wasn't given the courtesy of the count."

Speaker Madigan: "Mr. Clerk, can you advise us as to what the count is right now? 92 'ayes' and 43 'nays'. There being no further questions of the affirmative Roll Call, on this question there are 92 'ayes', 43 'nos' and Mr. Jaffe's motion carries. And House Bill 3518 shall be placed on the order of Second Reading. And for what purpose does the Gentleman from Cook, Mr. Walsh, arise?"

Walsh: "Mr. Speaker, I have a motion on the Clerk's desk to commit House Bill 3518 to the Education Committee. I believe that motion takes precedence over whatever Mr. Jaffe has in mind."

Speaker Madigan: "Mr. Walsh has moved that House Bill 35... for what purpose does the Gentleman from Cook, Mr. Walsh, arise?"

Walsh: "You're going to give me an opportunity to say a word on it,



aren't you on my motion?"

Speaker Madigan: "Do you wish to speak?"

Walsh: "I do."

Speaker Madigan: "Let's state the motion for the body. Mr. Walsh has moved that House Bill 3518 which is now on the order of Second Reading be recommitted to the Committee on Elementary and Secondary Education. And on that question, the Chair recognizes the Gentleman from Cook, Mr. Walsh."

Walsh: "Mr. Speaker, Ladies and Gentlemen of the House, I was advised to make this motion. I think the motion is definitely not dilatory in case that came to anyone's mind. The motion is made because when this Bill was introduced, it dealt with changing the school aid formula so that the last three years of average daily attendance could be taken into consideration instead of the last year. Since that time, Mr. Speaker, this Bill has been amended in such a way as to include the transportation tax in computing the formula. It has been changed in other manner so as to change the formula and now finally, Mr. Jaffe is going to offer an Amendment which will drastically change the fiscal implications of the school aid formula. Mr. Speaker, I submit to you that the only reasonable thing that we as a deliberative body can do with this Bill which has been changed so many times and all these times by floor action..."

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

Bradley: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I thought for a minute there the Gentleman was getting off of the motion. I thought you were, if I heard you correctly, you were really speaking to the Bill and I know you didn't intend to do that and I wish you would confine your remarks to your motion."

Speaker Madigan: "The point is well taken, Mr. Walsh."

Walsh: "Yeah, Mr. Speaker, I'll confine my remarks to the motion. The substance of my remarks though, Mr. Speaker, are simply that this Bill does not even closely resemble 3518 as it was passed out of the House Elementary and Secondary Education Committee."



Now I submit to you, Mr. Speaker, that the only reasonable thing to do in view of that..."

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

Shea: "The Gentleman's asked to speak to his motion and now he seems to be arguing. I wish he'd just speak to his motion."

Speaker Madigan: "Mr. Walsh, the point is well taken. Would you bring your remarks to a close?"

Walsh: "How come their points are always so well taken, Mr. Speaker?"

Speaker Madigan: "Because they're directed at you."

Walsh: "I don't see how I can address myself to this motion without going at least to some extent into the substance of the Bill. My point being that the Bill is altogether different now than when the Bill was introduced and when it was passed out of the Committee on Elementary and Secondary Education. So, I would respectfully ask, Mr. Speaker, I would respectfully ask that everyone vote 'aye' on this motion. It's entirely reasonable."

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

Jaffe: "Mr. Speaker, Members of the House, of course, I rise in opposition to the motion. This Bill has gone through the Rules Committee. It's gone through the Education Committee and it has been amended on the floor of this House by the entire Membership. If ever there was a Bill that was debated on this floor, it's this particular Bill. Mr. Walsh knows this. I think Mr. Walsh fears that the Bill is going to become law and that's why he's making this dilatory motion. And I would therefore, ask for a 'no' vote on his particular motion."

Speaker Madigan: "The Chair recognizes the Gentleman from DuPage, Mr. Schneider."

Schneider: "Thank you, Mr. Speaker. Now Walsh has gone a bit too far. The Committee has heard this Bill many times and the concept endlessly and he's trying to put it through the wringer again and God forbid, that we would have to hear these things



one more time. And I would ask that we defeat the motion and get onto defeating the Bill also."

Speaker Madigan: "The Chair recognizes the Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, in spite of the Chairman's reluctance to go through the rigors, I think the motion to recommit is a proper motion. Really, all of us around here know that certain people have been working some matters relative to school aid and I really think that the public again ought to have an input into it. Rather than having different Members in the legislative body work out what the formula ought to be, I think the responsibility lies with the Education Committee and now that it is going to be changed drastically, I think the Committee's the place to do it. So I think it's a good motion to recommit it back to the Education Committee. Give the public a little more input. After all, they ought to be a part of that process now that it's being changed. So I'd ask you to vote 'aye' on the motion to recommit."

Speaker Madigan: "The Chair recognizes the Gentleman from Union, Mr. Choate."

Choate: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I recognize the fact that the motion is properly in order. However, a moment ago from the other side of the aisle, it was mentioned that someone should have the courtesy of verification. How many times have I heard Members on the other side, on the Members on this side say that the Sponsor of a Bill should have the prerogative of getting it in the order in which he wants it in. The only thing that Representative Jaffe has asked is that the Bill be brought back to the order of Second Reading for the purpose of offering an Amendment. I say to ya' that if the Bill goes back to Committee, there will be Amendment after Amendment offered in the Committee, back again on Second Reading on the floor of the House to attempt to destroy the full import of this Bill which Representative Jaffe is trying to bring about as far as us voting for it on the order of Third Reading. As to Representative Duff,



certainly they had the prerogative of verifying the Roll Call and it was justly done. Now the Bill is back on the order of Second Reading where Representative Jaffe wanted it. Let's let it stay there. Let's look at his Amendment. Let's vote his Amendment up or down and get on with the business of this House. This would be the courtesy to the Sponsor of this Bill, Representative Jaffe."

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

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

Speaker Madigan: "The Gentleman has moved the previous question. The question is shall the main question now be put. All those in favor signify by saying 'aye', opposed. The 'ayes' have it and the question is shall the motion of Mr. Walsh to recommit House Bill 3513 carry. All those in favor of Mr. Walsh's motion to recommit House Bill 3518 to the Committee on Elementary and Secondary Education shall vote 'aye'. All those opposed to Mr. Walsh's motion shall vote 'no'. Have all voted who wished? Have all voted who wished? The Chair recognizes the Gentleman from Cook, Mr. Walsh, to explain his vote."

Walsh: "Well, I really put my light on when I thought there was a little better chance than there appears to be now. I would first of all, take issue with Representative Choate and with Representative..."

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

Walsh: "I'm explaining my vote, Mr. Speaker."

Kane: "Mr. Speaker, I think he spoke in debate and our rules preclude..."

Walsh: "I'm the maker of the motion, Mr. Speaker, if you'd point that out to him."

Speaker Madigan: "Mr. Kane, you're correct that those who speak in debate are precluded from explaining their vote except for the Sponsor of a Bill or the mover of a motion."

Kane: "Would he be brief?"

Speaker Madigan: "And I think that many would join in that request,



Mr. Walsh. Proceed."

Walsh: "Maybe we can dump this Roll Call and find out how many would like me to be brief and then get back to this. I respond, though, to Representative Schneider, especially Representative Schneider because he is opposed to what the Amendment that is going to be placed on this Bill and is voting for the procedures of this simply because he likes Representative Jaffe more than he likes Representative Duff. I submit to you the rest of you who are able to look at this dispassionately, that that's really foolishness. We're not talking about something that belongs to Representative Jaffe, that he has complete control over. What we're talking about here, Mr. Speaker, is the public domain. We're talking about the people that we represent and what we ought to do for those people that we represent. And it seems to me that if something is done adverse to those people by anyone here and presumably they would be doing it favorably for their people, then we ought to oppose them. And not do it on a personal basis. There is no one in this chamber that I have more regard for seriously than Representative Jaffe and I support, I support him personally and usually our ideas coincide. I violently, violently oppose what he is doing here and I know that he does not take my opposition personally. Mr. Speaker, everyone who is opposed to the Amendment that Representative Jaffe is going to put on this Bill ought to vote 'yes' on my motion. Further, Representative Choate undertook to talk about the question of the Bill being his domain and we ought to put it in the posture that he wants. I don't every recall myself saying that. I have never believed it. I can, however, recall it having been said. It's not a good idea because what we're dealing with is the public domain, not any personal holding."

Speaker Madigan: "The Clerk will take the record. On this question there are 43 'ayes', 94 'nos', no voting 'present'. And Mr. Walsh's motion fails. The Chair recognizes the Gentleman from Cook, Mr. Jaffe."

Jaffe: "Mr. Speaker, Amendment #7 is actually Representative McClain's



Amendment and I'm not going to oppose it. As a matter of fact, I'm going to ask that it be adopted. But I wish to yield to Representative McClain to explain that Amendment."

Speaker Madigan: "The Chair recognizes the Gentleman from Adams, Mr. McClain. And the Clerk will read the Amendment."

Clerk O'Brien: "Amendment #7, McClain. Amends House Bill 3518 on page 3, line 30 and so forth."

McClain: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #7 to House Bill 3518 is an Amendment that I have talked long hours with Aaron Jaffe about and has his okay with. It's a proposed Amendment which would alter somewhat the school aid formula for unit districts. Now unit districts are throughout the state. They include the City of Chicago and much of the area downstate and in the suburbs. What this Amendment would do is twofold. One, it would lower the qualifying rate from \$3 which it is now, to \$2.90 and would increase the guaranteed assessed valuation for those unit districts from \$42,000 to \$43,500. If I can simply put it, if you take the \$42,000 and minus the \$20,000 which is usual times the \$3 would be \$660 state aid per pupil. Likewise, the 20,000 if you subtract it times \$3, the \$600 would match up for your \$1,260 for downstate unit districts. With this Amendment, you would increase state aid for those unit districts to \$681 per pupil and would lower the locally contributive sum to \$580, a savings for your local taxpayers of \$20 and you retain the same amount. If there are any questions, I'll be happy to accept them. In lieu of that, I'd move for the adoption of Amendment #7 to this Bill."

Speaker Madigan: "The Chair recognizes the Gentleman from Rock Island, Mr. Polk."

Polk: "Mr. Chairman, I think that we've discussed this Amendment long and hard. Had an opportunity now to see it'd been delayed now... this would of been the fourth day. I think it's time that we understand that there are four other Amendments on this Bill. This was one Amendment that most of us feel will make it very more palatable for all of us downstate and it



also has a very definite affect upon the City of Chicago.

And I'd very much like to see this Amendment pass."

Speaker Madigan: "The Chair recognizes the Gentleman from DuPage, Mr. Gene Hoffman."

G.L. Hoffman: "Mr. Speaker, will the proposer of the Amendment respond to a couple questions?"

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

G.L. Hoffman: "What is the total dollar amount on the combined proposals including this particular Amendment?"

McClain: "Well, Mr. Speaker, if you want me to answer that, I will. But it's to the question of the Amendment, I can answer that."

Speaker Madigan: "All right, go ahead."

McClain: "To the question of the Amendment, the cost factor is \$42,000,000, Gene, as you know. At least that's the figure from the Office of Education. However, as you also know, that's considered over full funding measure which we're not even anticipating this year or next year. So you'd have to prorate that obviously."

G.L. Hoffman: "All right, you made some comment about the twelve, sixty and the dropping of the ten cents. What happens to those school districts that aren't levying \$3?"

McClain: "Sir, it would have no affect whatsoever on them. They would still be receiving their maximum state aid."

G.L. Hoffman: "What it amounts to then is that they wouldn't, their local support wouldn't be reduced, but their state support would be increased at that rate, correct?"

McClain: "Very similar to a proposal you support on elimination of tax rollback."

G.L. Hoffman: "That is not similar to that. That's an exaggeration and you know it. All right, who is going to pay... who is going to pay on a prorated basis for this proposal?"

McClain: "Well, it's amending the school aid formula and those are state monies."

G.L. Hoffman: "Who is going to pay, what kind of districts are going to pay on, going to pay for this change on a pro rata



basis?"

McClain: "I'm sorry, I've never asked that as I can recall. I've never answered that specific printout from the Office of Education. I couldn't answer that one, Gene."

G.L. Hoffman: "Let me answer it for you then. The districts that are gaining enrollment and are receiving the benefits from the present formula and the high school districts are going to pay for this. It's that simple on a pro rata basis with the same number of dollars involved. Also, the more proposals such as this we add to it, the further away we as a Legislature, ever get from the point of being at a so-called full funded level. Now as I think that probably what all this is together that the Chicago people should vote for it because they are going to gain about \$28,000,000 more from downstate under this proposal than they would under the existing formula. So, I would encourage the Chicago people to vote for this program because when they split up the pie, Chicago is going to be the winner off of this and the rest of us will be, we'll have to pay for it. Now that's all right if that's what we want to do, but I think the thing that's important is..."

Speaker Madigan: "For what purpose the Gentleman from Adams, Mr. McClain, arise?"

McClain: "Thank you, Mr. Speaker. I'm sorry to interrupt the Gentleman, Mr. Hoffman, but he speaks to the Bill and not to the Amendment. If I were to open myself up to the entire, I could argue it very substantially, but I'm trying to stay to the Amendment. I wish the Chair would also, likewise, keep him to the Amendment."

G.L. Hoffman: "Mr. Speaker, this proposal as well as the other one, so let me just speak to this proposal, will be paid for by those districts which are growing in number and the high school districts. It's that simple."

Speaker Madigan: "For what... the Chair recognizes the Gentleman from Sangamon, Mr. Kane."

Kane: "Mr. Speaker and Ladies and Gentlemen of the House, as we all



know, under the present formula, the downstate unit districts have been the ones that have been hurt the worst, that have received the least money and are having the most problems. This Amendment speaks directly to that problem. I talked with Dr. Cronin of the Office of Education in the last hour or so and he has looked at the printouts with this Amendment on it along with the other Amendments that are there. He says that it has extremely positive features and is very supportive of this Amendment and the Amendments that are already on Representative Jaffe's Bill and I would urge an 'aye' vote for this Amendment."

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

McGrew: "Thank you, Mr. Speaker. This has been around a long time and I move the previous question."

Speaker Madigan: "The Gentleman has moved the previous question. All... the question is shall the main question now be put. All those in favor signify by saying 'aye', opposed. In the opinion of the Chair, the 'ayes' have it. And the Chair recognizes the Gentleman from Adams, Mr. McClain, to close the debate."

McClain: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the Bill has been discussed or the Amendment's been discussed thoroughly. I'd like to explain that we have tried to take care of every segment of the state in the Bill in entirety. This now, Amendment would take care of unit districts downstate that are hit severely hard with the inequities of the resource equalizer and I would ask you for a favorable vote. Thank you."

Speaker Madigan: "The question is shall Amendment #7 to House Bill 3518 be adopted. All those in favor signify by voting 'aye', all those opposed by voting 'no'. The Chair recognizes the Gentleman from Cook, Mr. Duff, to explain his vote."

Duff: "Mr. Speaker, Ladies and Gentlemen of the House, I would remind the Members that some years ago and it's noted in the Old Testament, there was a story about a person who gave up



his whole estate for a mess of pottage because he was momentarily hungary. I would suggest to you that the caucus deal out of which came this idea has a \$49,000,000 implication. It is going mostly to the biggest unit school district in the state, the City of Chicago as was pointed out by my colleague from the First District to the Republican group. I would suggest further to you that those of you who have voted against the continued bailout of the Chicago when they continued to make promises to the teachers unions and the janitors and everybody else in Chicago without the money they have, how long... how long is this General Assembly going to continue to let the people... the Mayor of Chicago and his minions make promises to the unions and then come here for this body to bail them out. Only, I suggest, when there are deals..."

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

Lechowicz: "Point of order, Mr. Speaker. I would hope the individual addresses himself to the Amendment in explaining his vote."

Speaker Madigan: "Point is well taken."

Duff: "On this Amendment, Mr. Speaker, this Amendment is a deal.

This Amendment came out of an effort to take away from the dual school districts which have been hurrying under our formula for many years. This Amendment is special interest. This Amendment is a bailout of Chicago and those of you who are taking the \$20,000,000 pittance that goes to some unit districts downstate, are making a mistake that you fought against for all these many months. You are selling out to Chicago."

Speaker Madigan: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 102 'ayes', 34 'nos', 2 voting 'present', and Amendment #7 to House Bill 3518 is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #8, C.M. Stiehl. Amends House Bill 3518 on page 13, line 32 and so forth."

Speaker Madigan: "The Chair recognizes the Lady from St. Clair,



Mrs. Stiehl."

C.M. Stiehl: "Thank you, Mr. Speaker. Amendment #8 is a technical Amendment and I would ask that it be tabled."

Speaker Madigan: "The Lady has..."

C.M. Stiehl: "It has a technical error."

Speaker Madigan: "The Lady has moved that Amendment #8 be tabled. All those in favor signify by saying 'aye', opposed. The 'ayes' have it and Amendment #8 is tabled. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #9, C.M. Stiehl. Amends House Bill 30... 3518 on page 13, line 32 and so forth."

C.M. Stiehl: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #9 increases the..."

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

McClain: "Thank you, Mr. Speaker. Parliamentary inquiry, please. Is Amendment #9 in proper form and then I can... if you want to grab the Bill and the Amendment, I can specifically state the line."

Speaker Madigan: "Mr. McClain, would you wait until the Parliamentarian arrives at the podium?"

McClain: "Of course. Mr. Speaker, if you'd also check if the Amendment has been circulated, there are several Members around that do not have the Amendment."

Speaker Madigan: "At this time, we're waiting for the Parliamentarian to arrive."

C.M. Stiehl: "Mr. Speaker, I know that the Amendment was circulated last Friday. and it should be in proper form."

Speaker Madigan: "The Parliamentarian on your left, sir? Mr. McClain, would you proceed to explain the nature of your objection to the Parliamentarian."

McClain: "Yes, sir. Ms. Stiehl is trying to amend the Bill to insert in lieu of \$1.99 throughout the Bill, down to \$1.90 and I would propose to you that she goes on through the Bill, but on page 17, line 33, she fails to amend that Section. And therefore, the Amendment is no longer in proper form. I



can repeat it again sir, if you like. In the Bill, she is trying to propose... okay."

Speaker Madigan: "Ms. Stiehl, would you approach the podium and Mr. McClain, would you approach the podium. And the Chair recognizes the Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker, I wonder if I could ask... it's a point of order, if it wouldn't be in order for Representative Stiehl to amend it on its face to conform, to be correct."

Speaker Madigan: "We're going to try and discuss this matter right now, Mrs. Geo-Karis. The Democratic and Republican Pages come to the Clerk immediately. There's an Amendment to be distributed. For what purpose does the Gentleman from Adams, Mr. McClain, arise?"

McClain: "Thank you, Mr. Speaker, but I'll agree. I believe the Amendment is poorly drafted and is difficient in language, but I'll agree to let her amend on its face here in front of the House. That way it won't take up so much time. I'd like to get to the 'Soul Soiree'. I'll withdraw my objection."

Speaker Madigan: "If Mrs. Stiehl would return to her chair, we will proceed with the consideration of Amendment #9 to House Bill 3518. For what purpose does the Gentleman from Cook, Mr. Davis, arise?"

Davis: "Mr. Speaker, we got a message from the Committee over there, Representative Jeese Madison, Charlie Gaines and Jesse White that the red greens and rice, sliced onions and mustard greens and the barbequed rib and hamhocks are now ready and they don't want 'em to get cold at the Forum 30."

Speaker Madigan: "The Chair recognizes the Lady from St. Clair, Mrs. Stiehl, on Amendment #9."

C.M. Stiehl: "Thank you, Mr. Speaker. Amendment #9 increases the guaranteed assessed valuation for elementary dual districts from \$64,615 to \$66,350 and it lowers the qualifying rate from \$1.95 to \$1.90. The reason for this, Mr. Chairman, Mr. Speaker, is that the maximum operating tax rate established under the formula do not provide an equal opportunity to achieve the top level of funding and the greatest discrimination in the



formula itself and particularly as it is amended, is against dual districts. So much so that the combined state and local operating fund revenue per pupil is \$878.76 for grades 1 through 8 in elementary and \$909.30 for grades 1 through 8 in unit districts. If we are speaking of equity and if we are going to grant an equal amount of funding to each student in this state, then I think that it is only fair that we consider the elementary districts because it is the elementary districts that cannot possibly reach its maximum operating rate and receive full funding in the formula. So much so that only 15% of the elementary districts have reached their maximum operating rates. I would ask for approval of this Amendment."

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

Jaffe: "Well, Mr. Speaker, Members of the House, I rise in opposition to this Amendment and my opposition is really twofold. Number one, I don't know what the cost figures would be with regards to this particular Amendment. I think they would be rather substantial and they would add on substantial amounts to a Bill that would just make it too much to comprehend. Secondly, let me say that we have taken care of the elementary districts and we've taken care of them in the three year, A.V.A.'s portion of the Bill. As a matter of fact, the elementary districts get about 7% increase under the Bill as it now stands and I believe that this Amendment would make the Bill too expensive. And therefore, I would ask for a 'no' vote on this particular Amendment."

Speaker Madigan: "The Chair recognizes the Gentleman from DuPage, Mr. Gene Hoffman."

G.L. Hoffman: "Mr. Speaker, I'm... I find the last comment kind of interesting when this Amendment would make the Bill too expensive. It's only a quarter of a billion dollars over what's in the budget now, so what's a few more million? If you're going to have a Christmas tree, why leave off any of the ornaments. Hang everything on it and you know, that's where we're at right now. Give the bird her chance on the tree. Let her hang it



on there. What's the difference? It isn't going to make any difference anyway and you all know it."

Speaker Madigan: "The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "I wonder if the Sponsor of this Amendment, Mr. Speaker, could tell us how much extra money we will be promising local school districts in addition to what we will promise them now if this Amendment is adopted."

Speaker Madigan: "You wish to ask a question of the Sponsor, Mr. Skinner?"

Skinner: "Yes."

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

C.M. Stiehl: "Representative Skinner, if it were fully funded, if the formula were fully funded, it would grant an extra \$9,000,000 to elementary districts and duals. It would bring about an equity into the formula that we need."

Skinner: "Mr. Speaker, if I might address the Amendment."

Speaker Madigan: "Proceed, Mr. Skinner."

Skinner: "I would suggest that Representative Hoffman is absolutely correct in this case. \$9,000,000 is such a plunk in the puddle that no one will even notice that it's been adopted."

Speaker Madigan: "The Chair recognizes the Lady from St. Clair, Mrs. Stiehl, to close the debate."

C.M. Stiehl: "Thank you, Mr. Speaker. I think what we're talking about here is equity in the formula. Asking you to treat all students in all districts equally and all we're trying to do is to bring about equal access in the formula for elementary districts. They are the ones that suffer the greatest discrimination in this formula. It'll amount to an extra \$9,000,000 when the formula is fully funded and when you compare this with the \$48,000,000 to unit districts, it really is not a significant sum, but it's important if we're going to treat all children equally in this state. And I would ask for an 'aye' vote."

Speaker Madigan: "The question is shall Amendment #9 to House Bill 3518 be adopted. All those in favor signify by voting 'aye',



all those opposed by voting 'no'. The Chair recognizes the Gentleman from Lake, Mr. Deuster."

Deuster: "Very briefly in explaining my vote, anybody who's voting red against equity should be a little ashamed, particularly, if they come from a place that's in the State of Illinois that is enjoying such an advantage right now. Presently, under the resource equalizer formula the school children in the City of Chicago are getting \$950 each. That's per pupil in the City of Chicago under the formula, \$950. In the rest of the state, under the formula, everybody is \$550. So you can see that under the existing formula without any slight adjustment, Chicago's getting twice as much money. I should certainly think that that would inspire everyone in this body to feel that a little rectifying or straightening out ought to be done, a little more equity. Surely the poverty areas can get some more money, but not twice as much as the rest of us in the state. And I urge a 'yes' vote here to bring a little support to the elementary schools in the downstate areas. It'll make the Bill more passable and I urge your green vote."

Speaker Madigan: "The Chair recognizes the Gentleman from Sangamon, Mr. Kare."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, there's been a lot of talk about equity and access to the formula today. Even without this Amendment, the unit districts will be further away from full access to the formula than the elementaries. With the amount of money and we're talking about dollars here, with the amount of money in the Bill as it is now as amended, the elementary school districts will be getting an average increase of about 6 or 7%. The unit districts that in all the studies that have been made show that have been most grossly discriminated against. We'll only get an increase of an average 9%. And so I'd urge a 'no' vote on this Amendment."

Speake Madigan: "Have all voted who wished? The Clerk will take the record. On this question there are 64 'ayes', 74 'nos', no voting 'present'. And Amendment #9 fails. Are there further Amendments?"



Clerk O'Brien: "Floor Amendment #10, Pierce. Amends House Bill 3518 as amended on page 13, line 32."

Speaker Madigan: "The Chair recognizes the Gentleman from Lake, Mr. Pierce."

Pierce: "Well, Mr. Speaker, Ladies and Gentlemen of the House, this Bill seeks to do and ^{will} the same equity that the Lady from St. Clair sought to do in Amendment #9. What we do is try to give the elementary districts access, full access to the resource equalizer formula by reducing from \$1.95 to \$1.85 the operating rate they must levy to fully qualify for the resource equalizer formula. Now some people say there's been a deal cut here between Chicago and downstate. I don't know. I'm not part of that and certainly the elementary schools have been forgotten, if there's a deal cut because the elementary districts have no, apparently no power..."

Speaker Madigan: "For what purpose does the Gentleman from Rock Island, Mr. Darrow, arise?"

Darrow: "On a point of order, Mr. Chair... Mr. Speaker."

Speaker Madigan: "State your point."

Darrow: "Throughout the afternoon, there have been comments made about a deal between downstate and between Chicago. I'm beginning to resent this. I'm no part of any deal, nor are most Legislators from western Illinois or southern Illinois. I cannot speak for the Sponsor of this Amendment or previous Amendments, but I wish to clarify the fact that downstate has not made a deal with Chicago. Thank you."

Speaker Madigan: "Mr. Pierce, do you wish to proceed?"

Pierce: "Apparently the Gentleman from Rock Island didn't attend the Democratic caucus last week. But to proceed, Mr. Speaker, I said some people, some people say there's a deal been cut here. I don't see there's a deal been cut here because I wasn't cut in doing it and I'm a Member of the Elementary and Secondary Education Committee. But let me say this, there are elementary districts in this state that have no one powerful to speak for them. They're in places like Freemont Township and Lake County, Diamond Lake, Grant Township, more elementary districts that can't



fully qualify that have tried time and time again for referendum and have been turned down. But they don't have powerful Legislators to speak for 'em. They just have Deuster, Reed, and Pierce and a few individual Legislators that try to give equal access to these elementary districts. They're not the big cities of Springfield, Bloomington, and so on down the state. They have nothing to do with the R.T.A. or any interest in it, though I support the R.T.A. I think the R.T.A. can stand on its own two feet and doesn't need a deal. So therefore, I'm offering this Amendment to give equal access and where did I get this Amendment from? I got it from a principle of the Elementary and Secondary Education Committee. Last week, the Gentleman from Sangamon, Mr. Kane, presented a Bill to that Committee that had this provision in it and he strongly spoke for it. He was so eloquent in speaking for this provision that the Committee voted to adopt it as a Committee Bill of Elementary and Secondary Education, giving unit districts access and giving elementary districts access and this wording is taken, verbatim, from Mr. Kane's Bill that was made a Committee Bill in Elementary and Secondary. And therefore, to give these small elementary districts that are trying to preserve their independence to try to give their children a decent education, although I must say their taxpayers have turned them down on several occasions, but let's not make the children in those districts suffer. Let's give them access to a quality education under the resource equalizer formula and support this Amendment that lowers the qualifying rate from \$1.95 to \$1.85, for the elementary districts in our state, mostly downstate and the suburban area, many are small and many do not have powerful Legislators to speak for them."

Speaker Madigan: "Would the Parliamentarian please come to the podium and the Chair recognizes the Lady from Lake, Mrs. Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, my colleague from the 32nd District is absolutely right. This is a very needed Amendment because in my particular Legislative district, we have the unit districts and we have many dual districts."



And I don't think it's fair to be disparaging on one and help the other. And this will rectify any inequity and I certainly wholeheartedly ask for your support of this Amendment."

Speaker Madigan: "The Chair recognizes the Gentlemen from Cook, Mr. Jaffe."

Jaffe: "Mr. Speaker, Members of the House, I rise in opposition to this Amendment for the same reason that I rose in opposition to Amendment #9. As a matter of fact, Amendment #10 is at least twice as expensive as Amendment #9 and as I indicated to you beforehand, the elementary districts are taken care of by virtue of the A.D.A. portion of this particular Bill and I would ask for a 'no' vote."

Speaker Madigan: "The Chair recognizes the Lady from St. Clair, Mrs. Stiehl."

C.M. Stiehl: "Thank you, Mr. Speaker. Mr. Speaker, I think we all realize that what we're doing to this Bill at this time is appropriating far more money than we have or than we can afford to give to the schools, but there's one very important and very significant item here. And that is simply by including the dual districts in any type of a formula change, we are then bringing about a system of equity within the formula because if they're going to prorate a certain amount, then let's insure that the school... that the dual districts are included in their formula. I do believe that it's important that we help the unit districts. I think it's also equally important that we assist the dual districts because if we're going to be fair about it and we're going to bring about equity, then when the whole thing is prorated, we have to insure that the dual districts receive equal opportunity. Thank you."

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

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this Amendment. We're talking about equity and when we're talking about equity, we're talking about funds. The elementary school districts are being helped in this Bill as it now is by the three year moving average. The elementary



districts are the ones who are losing enrollment and they're the ones that are going to be helped by that part of the formula. As far as the provision or proposal in which I made in the Elementary and Secondary Education Committee this past week, it is true that I talked about the elementary school districts. At the same time, other parts of that package have also been scrapped which had to do with lowering the unit district from \$3.00 to \$2.80 and also cutting substantially the amount of money going to reimburse Title One students. And so at this time, I would urge a 'no' vote on this Amendment."

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

Maragos: "Mr. Speaker, this matter's been adequately discussed.

I move the previous question."

Speaker Madigan: "The Gentleman has moved the previous question.

The question is shall the main question now be put. All those in favor signify by saying 'aye', opposed. The 'ayes' have it and the Chair recognizes the Gentlemen from Lake, Mr. Pierce, to close the debate."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, I know we moved fast on the compromise, arrangement or whatever it is. It's just too bad that the elementary districts were forgotten about. They were in the Bill presented by the Gentleman from Sangamon last week, that became a Committee Bill on Elementary and Secondary Education. This language was in there. He advocated he supported it and I supported his Bill and I support equity for unit districts and I support equity for districts that are losing population, but there are elementary districts that are not losing population where people are moving into those districts where they're maintaining their population and they get no benefit from the Jaffe compromise because they're not losing population. Their parents do not go to G.D. Searle or whatever causes losing population. People are moving into the district and they're having more children and yet they're getting less money because they can't qualify under the resource equalizer fully because



of \$1.95 qualifying rate. So not every elementary district is losing population. I can show you elementary districts that are gaining population in the south suburbs, in the north suburbs and even some downstate. They're not helped at all by House Bill 3518 as amended. And to give them help, and I'm sorry that we got involved here in some inner-Democratic or intra-party fighting, but actually, the elementary districts have good people in there too and they like to vote Democratic in November also. And they'd like to confront Governor Walker and also be part of an override fight in October. So therefore, I ask that you support Amendment #10 and give equity to the dual, elementary districts in the state who got shuffled aside last week when the powerhouses of this General Assembly in the state got in a confrontation position with the Governor and somehow forgot to bring the elementary districts into the confrontation."

Speaker Madigan: "The question is shall Amendment #10 to House Bill 3518 be adopted. All those in favor signify by voting 'aye', all those opposed by voting 'no'. The Chair recognizes the Gentleman from McHenry, Mr. Skinner, to explain his vote."

Skinner: "Mr. Speaker, I'd like to be able to explain my vote, but I can't because I really don't know what we're voting on. And I suspect that probably about 50 to 80% of the other Members of the floor don't know what we're voting on. We've been hearing quite a fued about fairness and equity and everybody's for all those good things. I'd just like to know what's at issue here and if anybody knows, I hope they'll stand up and tell us."

Speaker Madigan: "Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 42 'ayes', 79 'nos', 1 voting 'present' and Amendment #10 fails. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. For what purpose does the Gentleman from Lake, Mr. Deuster, arise?"

Deuster: "Mr. Speaker, I had my light on for recognition and as it



happens, a request for a fiscal note has been placed at the Chair, at least one, yes. And under our rules, no Bill is to be moved from the order of Second Reading to Third. I think we ought to back up and not move so hastily. We're all hungary for the soul food, but we ought to follow the rules and this should remain on the order of Second Reading, Mr. Speaker."

Speaker Madigan: "Mr. Deuster and Mr. Skinner, the Clerk informs me that at one time there was a fiscal note filed, withdrawn. Now they inform me that it's filed and in response to that request, the fiscal note is on file with the Clerk. He has it in his hand right now. For what purpose does the Gentleman from Cook, Mr. Walsh, arise?"

Walsh: "May I ask, Mr. Speaker, from what agency that fiscal note was received?"

Speaker Madigan: "You can address that question to the Sponsor, Mr. Walsh. However, that is not the order of business at this time."

Walsh: "Yes, it is. That's what we're talking about."

Speaker Madigan: "Mr. Jaffe."

Jaffe: "Mr. Walsh, it's from the Office of Education. It's a print-out that shows every district in the state and if the Bill, as amended, I'm sure that even you could understand it."

Walsh: "Well, that wasn't nice."

Speaker Madigan: "Your point is well taken, Mr. Walsh."

Walsh: "May I ask when the fiscal note was filed?"

Speaker Madigan: "It was filed this afternoon, Mr. Walsh."

Walsh: "Was it filed prior to the request?"

Speaker Madigan: "No, it was filed subsequent to the request."

Walsh: "There were, I understand, more than one request."

Speaker Madigan: "Both requests requested the same thing. For what purpose does the Gentleman from McHenry, Mr. Skinner, arise?"

Skinner: "Well, it may be a point of order. I'm not sure, Mr. Speaker, but I wonder if you would take a look at the last page of that printout and try to find me a total amount this Bill is going to cost. I don't believe it is attached and if it is not, I do not believe it's a valid fiscal note. Would you please



look at the last page of the fiscal note and try to find me a total amount of money this Bill will cost."

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

Jaffe: "If Mr. Skinner would look at the first page, you will find the total. I think we're going have to have some course in arithmetic, Mr. Speaker, in order to educate some of these people."

Speaker Madigan: "Ladies and Gentlemen, the fiscal note is on file. On the order of consideration postponed, appears House Bill 3643. And the Chair recognizes the Gentleman from Kankakee, Mr. Beaupre, on House Bill 3643."

Clerk O'Brien: "House Bill 3643."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House, this would appear to be a great time to call this Bill, but unfortunately, it's the only time. As you know, the Bill expires on the Calendar today. If Mr. Walsh has a point, I'd just as soon have him make it before I get started."

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

Walsh: "Well, Mr. Speaker, I submit that this Bill expired under the 30 days on the Calendar rule on yesterday and that we may not consider the Bill today and I refer you to Friday's Calendar when it showed the expiration date as June 6 and that today's Calendar is in error when it shows that last day as June 7."

Speaker Madigan: "Mr. Walsh, the statute provides that where the expiration date falls on a nonbusiness day, that the expiration date is automatically postponed to the next business day which was the... also, Mr. Walsh, was the practice during the last Session of the General Assembly..."

Walsh: "I beg to differ. We're dealing, of course, with the rule and not with the statute and I refer you to Rule 37(e) which says that on the last Legislative Day before the expiration of the 30 day period in Subsection C or othe expiration of the 15 day period in Subsection D, a Bill shall be



called. Now that would suggest that the Bill should have been called on Friday and maybe the Sponsor or for some reason, the Bill was not called. Such Bills should be called in their proper order of business in preference to the regular order of calling Bills. It would of been very easy, as I recall on Friday, to call those Bills and to dispose of them or in the alternative, to suspend this rule or request this anyway."

Speaker Madigan: "Mr. Walsh, I'm advised by the Parliamentarian that that rule has always been interpreted in light of the statute and that a postponement or an extension..."

Walsh: "Would the Parliamentarian..."

Speaker Madigan: "...is provided."

Walsh: "In the light of what statute? This is a House rule we're referring to, Mr. Speaker."

Speaker Madigan: "The Act in relation to the construction of statutes."

Walsh: "An Act in relation to the con..."

Speaker Madigan: "It's there."

Walsh: "Would you give us a moment to look at the act in relation to the construction of the statutes."

Speaker Madigan: "No, no time."

Walsh: "That's ridiculous, of course, Mr. Speaker, and the Parliamentarian cannot go beyond Rule 37(e) which clearly says that these Bills are tabled because of that rule."

Speaker Madigan: "Mr. Walsh, the Chair has ruled relative to your point of order and for what purpose does the Lady from Lake, Mrs. Geo-Karis, arise?"

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I... very rarely do I agree with my assistant Minority Leader, but he's absolutely right because the Sponsor of this Bill had the right to ask for an extension of time Friday. Did he do it? I'm asking as a point of order. Was it done? If it wasn't done, his Bill fails."

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

Beaupre: "Well, Mr. Speaker, the Chair has ruled and in fact as the



Sponsor of the Bill, I sought a ruling from the Chair last Friday to determine whether or not was necessary to call the Bill. I got the ruling from the Chair. The Chair has so ruled today on the floor. They're debating the ruling and I think they know what the appropriation measure to take is if they disagree with that ruling. Otherwise, let's go on with the business."

Speaker Madigan: "Your point is well taken, Mr. Beaupre. For what purpose does the Gentleman from Cook, Mr. Walsh, arise?"

Walsh: "Well, of course, we were not privy to request by the Gentleman requesting a ruling from the Chair last Friday and if we had, we would have objected very strenuously and I see no alternative, Mr. Speaker, and I regret this very much to an appeal of the ruling of the Chair. I think your rulings today have generally been terrible. This one taking the cake."

Speaker Madigan: "Mr. Walsh, you have moved to appeal the ruling of the Chair? The question is shall the Chair be overruled. And for what purpose does the Gentleman from Cook, Mr. Duff, arise?"

Duff: "Well, Mr. Speaker, in all deference to you, sir, because while you have proven the value of having a gavel and you've been very, very polite at it, insisently polite, it is also a rule of the Chair of the House that when a ruling of the Chair is challenged that the person on the Chair should step down and let somebody else take the Chair. That's also in Robert's Rules."

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

Epton: "The time is late, Mr. Speaker, Ladies and Gentlemen of the House, but I am curious. Is there some rule which makes it possible for 76 to overcome 101?"

Speaker Madigan: "He's proved there's no rule."

Epton: "There is no rule. I was just wondering why we were going through all of this."

Speaker Redmond: "The question is shall the Chair be overruled. Those in favor of the motion vote 'aye' and opposed vote 'no'.



Have all voted who wished? All voted who wished? Representative Bradley."

Bradley: "Well, Mr. Speaker, on a point of order, according to our rules, on an appeal, it takes 6 Members to move..."

Speaker Redmond: "Well, that's all right. Have all voted who wished? Clerk will take the record. On this question there's 47 'aye', 85 'no' and the motion fails. Representative Beaupre."

Beaupre: "Mr. Speaker and Ladies and Gentlemen of the House, this is a most serious proposition, one of the more significant issues that has faced is General Assembly this Session. It has indeed been debated before. I won't go into the details of the Bill. I do want to talk a bit about the merits. We have indeed discussed in the past this particular Bill in its own right and the entire package of the Governor's cash flow management initiative. Let me say that this particular Bill dealing only with the income tax does indeed provide an alternative to a tax increase in the State of Illinois. It does indeed provide us with what may very well be the last opportunity to avoid a tax increase in this state. If you look at the projections in the budget, whether you're consulting the figures of the economic and fiscal commission which is our own commission, whether you're consulting the figures of the Illinois State Chamber of Commerce, whether you're looking at the projections of the Comptroller or whether you're looking at the projections of the Bureau of the Budget, you find that if the Governor's budget is adhered to as it was given to us in March, that during the month of October through January, this state will have a cash balance in the general revenue fund of approximately \$70,000,000. We have at this time, up through today, passed increases in that budget totaling \$323,000,000. We have been debating for hours a package of Bills or a Bill including a package of Amendments which totals another \$102,000,000. This cash flow initiative would provide an additional hundred, million dollars. If it does not pass, what I'm suggesting to you is that we are facing



a deficit balance in the general revenue fund in the month of October of over a half a billion dollars. Now there are those who will tell you that we can make that up by cutting the budget. That's a fallacious argument and everyone in here knows it. 41% of the funds of this state go to what is indeed our highest priority, education. 31% of the funds and we indeed voted increases, goes to public aid. That leaves, if my arithmetic is sound, 28%. That 28% is where those budgetary cuts would have to come. If we're going to cut that 28% of the budget in an amount equal to the amount of money that would flow to the general revenue fund as a result of passing these cash flow initiatives, we would have to cut the number of personnel in higher education, for instance, by one half. We would have to turn away half of the students in our colleges and universities this next fiscal year. We'd have to cut every budget of every state department by at least 25%. This may be our last chance to avoid a tax increase in this state. Everyone who votes 'no' on this proposition is surely voting for a tax increase this fall. Let me suggest to you that I stand up here not as being a front man for the Governor, let me suggest to you that one of the reasons I agreed to Sponsor this Bill is because it's a necessary Bill. It's something that has to be done. I have a great deal of confidence in this General Assembly and the Members in here. I think many of you have a good deal of statesmanship in you. I think most of you have a great deal of statesmanship in you. And regardless of the political implications, I think you're able to deal with hard, tough decisions. This is one of those hard, tough decisions. Nobody really likes these Bills, but it's our only opportunity to avoid a tax increase. We can't be playing politics with things this significant to the people of the State of Illinois. I urge your support of this Bill."

Speaker Redmond: "Representative Friedland. Representative Friedland."

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



Speaker Redmond: "The Gentleman has moved the previous question.

The question is shall the main question be put."

Duff: "On the motion, Mr. Speaker."

Speaker Redmond: "Representative Duff."

Duff: "Well, Mr. Speaker, I think we all understand Representative Friedland's concern here. However, it would seem appropriate to at least allow this party and our leader who is asking recognition to respond in all fairness. I would ask the Representative if he might withdraw the motion at least to allow our response."

Speaker Redmond: "Representative Friedland, the request is made that you temporarily withdraw the motion. And if you accede, he does. Representative Washburn."

Washburn: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. As been explained many times, these Bills constitute a shell game, a shell game greater than any other that's been attempted to be played here in the last 10 years that I've been a Member of this House. And now certainly another shell game's being playing on consideration postponed for these Bills. In no way, in no way will these Bills prevent a tax increase. In my judgement, contrary to the Sponsor of this Bill, this is the easy way out.

The tough way out to prevent a tax increase would be to cut the budget and accept some of the Amendments, the dozens of Amendments that have been presented from this side, defeated by the other side of the aisle. These... the passage of these Bills will more than ever necessitate an increase by the next administration, pass the buck to the next General Assembly. And I don't think that's our job. It's our job to prevent increases, not to further warrant one next year in the next General Assembly and I would ask you to continue to vote 'no' as you have time and time again on these Bills and let's get rid of 'em once and for all."

Speaker Redmond: "Now, Representative Friedland has moved the previous question. The question is shall the main question be put. All in favor indicate by saying 'aye', opposed 'no'. The



'ayes' have it. Representative Beaupre."

Beaupre: "Though I have great respect for the Minority Leader, let me suggest to you that the proposition that he proposes is completely impossible and he knows it. I would like to know where we're going to cut out of that 28% of the budget, where. Tell us where. The Members of your side of the aisle just voted for increases in educational funding. The Members on your side of the aisle just voted for increases in public aid. That leaves that other 28% for us to deal with and there is no way we can cut out half a billion dollars out of that budget and everybody knows it here. Let me suggest to you that there are times in all of our political lives when we have to make those tough decisions and we have to cast aside politics. Let me suggest to you that there are no deals involved in this Bill. There are no deals, there are no deals, there are no deals. The situation is indeed that we couldn't make a deal if we wanted to. It would indeed be counterproductive. How can you trade away \$97,000,000 for 67 or 102 or whatever we're talking about as far as the rumors of deals are concerned. There are indeed no deals. It would indeed be counterproductive to do so. This is our last chance. Those of you who are voting against this Bill are voting for a tax increase as sure as we're here and you know it."

Speaker Redmond: "The question is shall this Bill pass. All in favor vote 'aye', all opposed vote 'no'. Representative Geo-Karis, to explain her vote."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, I'm rather appalled by the attributes put to us of this side simply because we feel we do not need a tax increase. 54% of the budget is in the government controlled agencies. That is why the framers of the 1970 Constitution gave the various forms of veto to the Governor. He has the right of the reduction veto in his best judgement. I think he can use it. We don't have to have a tax increase. All we have to do is have some common sense and cut off a lot of the political pork barreling that we have in so darn many agencies. I am sick and tired of being discriminated



by the other side, particularly my good friend, the Sponsor because I cannot possibly agree with him and I don't like to see people penalized in businesses and put bookkeepers to figure out their accounts every week. For heaven's sakes, are we going to put small businesses and businessmen out of business? Let's cut it out."

Speaker Redmond: "Representative Keller."

Keller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I can't agree more with the last person that just spoke here, but I would like to say this. It hasn't been this side of the aisle that's wanted to put the small people out of business and the small merchants. And it hasn't been the other side of the aisle. It's all taken place down on the second floor and that's who's broke the State of Illinois. I think it's time and we know here, too, that we can't deficit finance in this state by the new Constitution and I think we ought to recognize that. And the second floor ought to recognize that he's not the only Governor in 27 years that has placed a tax upon the people because he's going to place a tax on whoever the next Governor of this State of Illinois is on the people of the State of Illinois, he's going to put that tax on the people and I think it's time that we wake up now and quit driving businesses out of Illinois and find some way to keep what we do have in the State of Illinois so we can have the small businessman and business."

Speaker Redmond: "Representative McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House, in explaining my vote, I would like to say that I have heard the Sponsor of this Bill stand over there and talk about this piece of legislation preventing a tax increase. He's talking about a speed-up of some 95, perhaps 98, perhaps \$100,000, a one shot deal coming into the state treasury. He is ignoring the fact that under this current administration, we started out with a balance in the general fund some four years ago, of something over \$500,000,000, \$550,000,000 approximately, balance in the general fund. Now we are coming up with a penny ante



band-aid approach of bilking the people of the State of Illinois into believing that we are saving them from a tax increase with this Mickey-Mouse Bill. I don't think it is going to have the effect of preventing a tax increase. He says we will not have one this year during the current administration and he did not deny, I do not believe, that we would not have one next year under another administration. I think he is wrong. I don't think there is anything that he is going to be able to do when you recognize the amount of spending that has gone in the past four years, prevent the possibility of a tax increase even this fall and I am voting 'no'."

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

Kosinski: "Mr. Speaker, Ladies and Gentlemen of the House, when I spoke against this originally, I think I was concrete in my attitudes, I won't repeat myself. However, I will attempt to bring you up to date and justify my vote today of 'no'. These were stop gap measures intended to kid the public and ourselves as of the fact because the problem of revenue will exist next year. This was designed as an emergency package, but while it accelerates immediate revenue, it will be a monkey on the back of business forever. In consequence, I recommended and presented Mr. Beaupre a self-destruct, three year Amendment that would retain this as an emergency measure. He has not accepted that Amendment. I am still forced to vote 'no'."

Speaker Redmond: "Have all voted who wished? Clerk will take the record. On this question, there's 43 'ayes', 71 'no'. The Bill fails. 3655."

Clerk O'Brien: "House Bill 3655. This Bill's been read a Third time previously."

Speaker Redmond: "Representative Stubblefield. Representative Stubblefield."

Stubblefield: "Thank you, Mr. Speaker. This Bill is similar to the one that was presented by Representative Beaupre in many respects other than it deals with the collection of sales tax."



And under the present sales tax legislation, a retailer collects the tax from the consumer in a given month, does not pay his tax into the state until the end of the following month and, thus, the retailer holds the tax for no less than 30 days, up to 60 days and an average of 45 days while the state is short of money. Again, mentioning the debate when this Bill was first presented, I think again I would call your attention to the statements made by Mr. Maurice Scott from the Tax Federation who summed up his testimony by saying that, yes, the state needs the money; yes, this money belongs to the state and that it could possibly prevent a tax increase. We're talking about a collection under this Bill of about \$65,000,000. I think it is time that we use a little statesmanship, forget what political implication it would give to the present Governor or to the next Governor of either party and do what is absolutely right for the taxpayer of this state. And in that case, it's the consumer who has already paid the tax and we're voting on whether the state'll use the money or whether the businessman to whom the money does not belong will use the money. I ask for a favorable vote and this is not my Bill. As it has been said before, it belongs to the House and you vote on it."

Speaker Redmond: "Representative Washburn."

Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As the Sponsor, Representative Stubblefield, pointed out, it is similar to the last Bill; but what he didn't point out, it's even worse than the last Bill. And if Representative Keller's remarks about a hardship to the small businessman were appropriation for House Bill 3643, they're even more appropriate for this one and I would certainly ask for the same Roll Call and that this be soundly defeated as the last Bill was, too."

Speaker Redmond: "Representative Hart."

Hart: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I certainly agree with the remarks of the Minority Leader and those who oppose this legislation. We've done enough to the small businessman and I think we ought to



vote to show that we're not going to do any more."

Speaker Redmond: "Representative Gene Hoffman."

G.L. Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, we're talking as today about this particular program and the last one and what it's done to the small businessman. I'd like to remind some of those people who are talking about it, you really did it to the little man, to the businessman last year when you passed the unemployment comp. and the workmen's comp.. That's when you did it to 'em. This isn't going to cost him another dime, but you did it to him then and it's nice to see you change your attitude this Session."

Speaker Redmond: "Representative McGrew."

McGrew: "Thank you, 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', opposed 'no'. The 'ayes' have it: Representative Stubblefield, to close."

Stubblefield: "Mr. Speaker, I think that everyone knows what is in this Bill. They know in their hearts what is right and who the money belongs to and who should have it in case of need and I would ask for a favorable vote."

Speaker Redmond: "The question is shall this Bill pass. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? Representative Mudd."

Mudd: "Yes, Mr. Speaker, Members of the House, there's been quite a bit of rhetoric about business and about work comp. and all the things that... and the political and publicity battle that business has put on this year over past legislation. Well, I think what we're voting on here today that no one or everyone failed to mention is the fact that there's been a precedent set for this. The federal government done it when they got in trouble. We've done it or tried to attempt to resolve the problem by passing legislation that would head off a tax increase. The Minority Leader stated, sure, maybe it's not going to be the save-all situation for all things. There might be something that's only going to be a stop-gap measure and he also stated 1



in his debate that is was the easy way out. Well, that might be true, but I hate to see us get up here because of past legislation that I... I can see many alternatives. I see no responsible attitude by one of our Leaders in the General Assembly who had a piece of legislation which changed the formula on the 8 to 5 ratio. that he put down and hoped to save in big business. And I think today that we wouldn't think twice as a House and we'd see a lot of green votes up there if it wasn't for the big publicity battle and rhetoric from the Minority Party in this House for the November elections. And I think it's a responsible vote, I'm voting green and I would hope that when this is over, that there'll be a lot of rhetoric on both sides for the..."

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

Simms: "Mr. Speaker, in casting my 'no' vote, I think the Members of the House should be congratulated for not following what happened in New York City. Illinois doesn't want to be in the same position as New York City and I think every Member of the House that's voting 'no' can be proud of this, to go back to his constituents to let them know that he has the ability to differentiate between legislation that's effective and legislation like this that's phony. And I vote 'no'."

Speaker Redmond: "Have all voted who wished? Clerk will take the record. On this question there's 32 'aye', 85 'no' and the Bill fails. 3688, Representative Byers."

Clerk O'Brien: "House Bill 3688. A Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

Byers: "Thank you, Mr. Speaker. I've only been a Member of this House a short time and I serve on the Appropriations Committee and I do believe that we control spending in this state and I do think that we're the ones that's responsible. The Governor doesn't spend the money, the General Assembly's the one that spends the money. And since 1974, veto overrides of this General Assembly's cost the state \$116,000,000. And here we had a chance to pass some legislation that would bail us out of the



own problems that we created. The second floor didn't create 'em. The General Assembly created 'em, but yet we refuse to stand up and face the possibility of raising additional money to cover up for own mistakes and it's our mistake. It's no one elses and if you can't accept it, then I think you should step aside and let someone else that's got the guts to vote 'yes' on these issues. Mr. Speaker, I want to table House Bill 3688."

Speaker Redmond: "Any objection? Representative Geo-Karis, do you object? Hearing no objections, House Bill 3688 is tabled. 3302, Representative Cunningham, O'Daniel, or Keller."

Clerk Selcke: "House Bill 3302. A Bill for an Act making an appropriation to the Department of Conservation. Third Reading of the Bill."

Speaker Redmond: "Representative Cunningham."

Cunningham: "Well, Mr. Speaker and Ladies and Gentlemen of the House, as I've heard the inflamatory rhetoric directed to the second floor, I am reluctantly forced to conclude that most of you do not share the high regard that I have for the Governor that sits down there and tries to direct the State of Illinois. And I would remind my colleagues from the 54th District, we don't make any points by kicking a man when he's down. There's always a chance that he'll come back. We've got seven months that are coming up and during those seven months, it behooves each of us to go with hat in hand and tell his Excellency that we admire the effort that he's made, for God knows, we need it down there in our district, and this might be the opportunity. So while the rest of 'em are kicking and abusing the Governor in those directions, I urge each of you who recognize, as I, the need to have a friend in high places to act accordingly. Now in regard to House Bill 3302, I have been discussing with Representative Lechowicz. I've negotiated with good faith for a great many weeks about that, but you know how these Polish are. They don't rush into a thing precipitiously. They give it deep thought at all times. and I meant that as a compliment I want all my Polish friends



to know. But he has contemplated his naval too long about this Bill and during the time that has elapsed, why, our very fine Bill has died, a very painful, excruciating pain of death. So, I didn't pass Rule 37(e), you did. We'll not put you to the point of voting on this Bill although I know all of you are reaching for your green buttons at the earliest opportunity. I'd move at this time to dismiss the Bill."

Speaker Redmond: "Any objections to tabling House Bill 3302?"

Hearing none, House Bill 3302 is tabled. On the Speaker's Table appears House Resolution 587 which dies a horrible death today. Is Representative Hanahan on the floor? On the order of motions appears motion, House Resolution 872. Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House, I filed a motion before we went home last week to be heard today. My motion is to refer the House Resolution 872 to Rules Committee. Now, in fairness, I want to compliment the Executive Committee which has taken on a job without precedent here and in my opinion, come up with some very needed suggested rule changes. They are needed and they're overdue and I was surprised to find that there was nothing in the rules that provided to take care of an action that was proposed by Representative Schlickman. We're not amending the rules for the Schlickman Resolution. In my opinion, we're amending them for the years to come and for any... and this will be something to use in future cases if there are any. I want everyone on the floor to know that my motion is completely divorced from the Schlickman Resolution in the sense that it is my intention that this be acted on by the Rules Committee. I think it would be a mistake to act on that Resolution on the floor because, number 1, there are 14 Amendments and I'm sure it would take all day and the time of this House; but every major change in the rules, in my recollection, has been first heard by the Rules Committee and I think that this is one way we can avoid getting to the merits of the Schlickman Resolution here on the floor and they should not be discussed at the time



these rules are being considered. So I move the adoption of the motion. This provides that, number 1, that the proposed rules be referred to the Rules Committee and that the rules be suspended so that they can be heard tomorrow."

Speaker Redmond: "Representative Friedrich, the Parliamentarian has advised me that your motion probably should be divided in as much as the motion to commit to the Committee on Rules requires 89 and the motion to suspend Rule 18 requires 107."

Friedrich: "All right, I'll consent to dividing the motion. My first motion then would be to send this Resolution to the Rules Committee."

Speaker Redmond: "I would... the first... Representative Madigan."

Madigan: "Mr. Speaker, I would suggest to Representative Friedrich that his first motion is to suspend the rule."

Speaker Redmond: "The Chair agrees."

Friedrich: "All right, then I'll..."

Speaker Redmond: "The motion is shall..."

Friedrich: "Reverse the field and go the other way."

Speaker Redmond: "...Rule 18 be suspended to permit Committee on Rules to hear Resolution 872. All those in favor indicate by voting 'aye', it takes 107. Have all voted who wished? Clerk will take the record. On this question there are 125 'aye', and no 'nay' and the motion carries."

Friedrich: "Require a second motion..."

Speaker Redmond: "No, the motion is put. I'm waiting until the teletype here runs out. The second motion, the motion to commit House Resolution 872 to the Committee on Rules. All those in favor vote 'aye', opposed vote 'no'. 89 votes. Have all voted who wished? Clerk will take the record. Clerk will take the record. On this question there's 126 'aye', no 'nay'. The motion carries. Now the... the motion to commit House Resolution 872 to Rules is carried. Rule 18 to permit the Committee on Rules to hear Resolution tomorrow has been suspended and that suspends the special order of business which is scheduled for 2 o'clock tomorrow afternoon. Now is there..."

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



Speaker Redmond: "Representative Matijevich."

Matijevich: "There wasn't any time when the rules comes back, is there?"

Speaker Redmond: "That's our next problem."

Matijevich: "I thought somebody ought to talk about that problem."

Speaker Redmond: "Well, we have two problems. One is that we don't have any time set for Rules. Representative Choate."

Choate: "I thought Rules Committee was set for 10 o'clock in the morning."

Speaker Redmond: "I don't know. I'm looking to see."

Matijevich: "The motion said, Tuesday, June 8, that's why..."

Choate: "That was for the hearing on the floor of the House, Representative Matijevich, when we postponed the hearing on the Resolution on the floor. And I think that the Rules Committee is set for 10 o'clock in the morning."

Matijevich: "The motion as it was on the Calendar was that to suspend the posting notice to hear it in Committee June 8."

Speaker Redmond: "That is correct, but I don't recall as... tomorrow? It's not scheduled for tomorrow, is it? Wait a minute. Committee on Rules at 10 o'clock."

Choate: "Mr. Speaker, on page 9 of the House Calendar, it shows that the Rules..."

Speaker Redmond: "You're correct. Shut up. So there is a Committee on Rules at 10 o'clock in Room 122B. Now, we have another problem and that's that it may require the replacement or does require replacement, probably requires replacement on the Rules Committee and he isn't sick. Is there any objection to Representative Shea being replaced on... Representative... Representative Duff."

Duff: "Well, Mr. Speaker, I move to suspend the rules to allow the Speaker to make a determination on that between now and 10 o'clock tomorrow morning."

Speaker Redmond: "Hearing no objection, Representative Ryan."

Ryan: "Well, Mr. Speaker, I don't understand why Representative Shea has to be replaced here tomorrow."

Speaker Redmond: "Maybe Representative Shea requested it."



Ryan: "Well, all right. I didn't know that. I thought that you felt that it had to be."

Speaker Redmond: "Well, you got to have confidence."

Ryan: "All right."

Speaker Redmond: "Representative Duff."

Duff: "Mr. Speaker, my motion was that the Speaker be allowed to make a determination on that between now and 10."

Speaker Redmond: "Any objection? Hearing none, the Speaker will make a determination. Motions. The order of motions. Anybody that's got a motion they want heard? Representative Choate."

Choate: "No, all I was going to do was make the same motion Representative Duff did. I forgot to push my light off."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Mr. Speaker, not a motion, but an announcement. The Calendar is incorrect. The Executive Committee does not meet at 10. They've got us meeting twice. We don't meet at 10, we meet at noon in Room 114. Thank you."

Speaker Redmond: "Representative Mahar. Mahar. What time? Representative Getty."

Getty: "Mr. Speaker, Ladies and Gentlemen of the House, the Adult Corrections Subcommittee of Judiciary II which was scheduled for tomorrow morning at 9 a.m. has been canceled and reposted for June 15th."

Speaker Redmond: "Representative Barnes."

E.M. Barnes: "Thank you very much, Mr. Speaker, Members of the House. The Appropriations Committee II will meet at 9 a.m. tomorrow morning in Room 118. I suggest to the Members to be there very promptly. We only have two pieces of legislation to deal with. Promptly, 9 a.m., Room 118."

Speaker Redmond: "Representative Maragos."

Maragos: "Mr. Speaker, Members of the House, this is to remind the Revenue Committee Members to be at 9 o'clock tomorrow morning, A1. We have a long schedule. There is no conflict tomorrow except for Appropriations II. There's only one Member who has a valid excuse. And those of you who have Bills or interest in



the Bills, please be there 9 a.m. so we get most of the business out of the way by noon. Thank you."

Speaker Redmond: "Representative Madigan. You seek recognition, Representative Madigan?"

Madigan: "For purposes of the adjournment motion, Mr. Speaker?"

Speaker Redmond: "Hold it a minute. Representative Mahar."

Mahar: "Thank you, Mr. Speaker. The Subcommittee on Insurance which was set to meet immediately after adjournment in D1 tonight will be held tomorrow at 12, noon, D1. Subcommittee on insurance."

Speaker Redmond: "Representative Garmisa."

Garmisa: "Mr. Speaker and Ladies and Gentlemen of the House, I would ask leave of the House to suspend the appropriate rule so that we could hear House Bill 3599 in the Transportation Committee meeting tomorrow in Room 122A at 11 o'clock. There has been an error in posting. It should of been posted as C599. It was posted as C539."

Speaker Redmond: "Representative DiPrima."

DiPrima: "Mr. Speaker, the Veteran's Affairs Committee will meet at 12 in Room 212 on the second floor of the Capitol."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker. Appropriations does not have a meeting tomorrow. Have a pleasant evening."

Speaker Redmond: "Representative DiPrima asked leave to use the attendance Roll Call with respect to the announcement he just made. Is there any objection? Hearing none, the attendance Roll Call will be... Representative Washburn."

Washburn: "Thank you, Mr. Speaker. Representative Garmisa, I don't think you acted on his proposal and he is absolutely correct and should be approved. It was just an error in printing."

Speaker Redmond: "Representative Garmisa has moved to use the attendance Roll Call in connection. Any objections? Hearing none, Representative Dunn. Representative Madigan."

Madigan: "I move that we adjourn until..."

Speaker Redmond: "Representative Coffey."

Coffey: "Mr. Speaker, I have a motion that I'd like to make. And I



would like to suspend Rule 18(b) so that House bill 3951 could be heard in Judiciary II Thursday and this has been agreed by both sides of the aisle."

Speaker Redmond: "Any objection? You've heard the Gentleman's motion. The attendance Roll Call will be used to... so that House Bill 3951 can be heard this week. Any objections? Hearing none, attendance Roll Call will be used. The motion's carried. Representative Madigan."

Madigan: "I move that we adjourn until 1 o'clock tomorrow afternoon. Does the Clerk request time to conduct..."

Speaker Redmond: "He does, two minutes."

Madigan: "Two minutes to conduct housekeeping business."

Speaker Redmond: "You've heard the Gentleman's motion. Oh, yes. Second Special Session. Go ahead, go ahead."

Clerk O'Brien: "Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House in the passage of Bills of the following title, to wit. House Bill 3303, 3492, and 3626. Passed by the Senate, June 7, 1976. Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate concurred with the House of Representatives in the passage of the Bill of the following title, to wit. House Bill 3371 together with an Amendment, passed by the Senate as amended June 7, 1976. Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has concurred with the House in the passage of Bill of the following title, to wit. ...er... passage of Bills, following titles, the passage of which I'm instructed to ask concurrence of the House of Representatives, to wit. Senate Bill 1511, Senate Bill 707, Senate Bill 1739, and Senate Bill 1899. Passed by the Senate, June 7, 1976. Kenneth Wright, Secretary."

Speaker Redmond: "Introduction and First Reading."

Clerk O'Brien: "House Bill 3978, VanDuyne. A Bill for an Act to



amend the Code of Criminal Procedure. First Reading of the Bill. House Bill 3979, VanDuyne. A Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill."

Speaker Redmond: "Relative to Representative Madigan's motion for adjournment, all in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it. We're adjourned. Second Special Session. Representative Madigan."

Madigan: "Mr. Speaker, I move that the attendance Roll Call for the Regular Session be used as the attendance Roll Call of the Second Special Session."

Speaker Redmond: "Are there any objections? Hearing none, the attendance Roll Call of the Regular Session will be used as the attendance Roll Call of the Second Special Session. Representative Madigan."

Madigan: "I move that the rules be suspended to waive the reading of the Journals."

Speaker Redmond: "All in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it. The motion carries."

Madigan: "To what time do we wish to adjourn, Mr. Speaker?"

Speaker Redmond: "I would presume immediately following adjournment of the Regular Session."

Madigan: "Tomorrow?"

Speaker Redmond: "Yeah."

Madigan: "I move that we adjourn until immediately after the adjournment of the Regular Session tomorrow."

Speaker Redmond: "All in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it. Second Special Session's adjourned."

