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

Speaker Redmond: "Second Special Session will come to order, Members please be in their seats. We will be lead in prayer by Reverend Kruegar, the House chaplain."

Reverend Kruegar: "In the name of the Father, the Son and the Holy Ghost. Amen. O Lord bless this House to Thy service this day. Amen. Let us again remember in our prayers those who are ill and especially for the continued recovery of Governor Daniel Walker, Representative John David Jones and Representative Peter Peters. Let us pray, All mighty God, our heavenly Father, we beseech Thee graciously to comfort Thy servants... Daniel, John and Peter, in their suffering and bless the means of they have used for their cure, fill their hearts with confidence that tho they sometime be afraid, they may yet put their trust in Thee and be restored to health of body and mind, through Jesus Christ Our Lord. Amen. Irving Harris, chief of the "Chotacho" tribe said, what have we got to celebrate, should we celebrate the broken treaties and broken promises, should we rejoice over slaughter of our people and the spoiling of our lakes and forests. Let us pray. O Lord, let us ever remember that in this vast society in which we live there are those who do not always agree with our ideas and our choices, yet good Lord do not let us ever be persuaded from the path that is pleasing to Thee and for the good of all Our children, so that all which we do here, in this House of Representatives may serve well... all the people when the record is written and graph within our hearts that perfect gift of charity which alone comes from Thee and is the greatest gift of all, through Jesus Christ Our Lord. Amen."

Speaker Redmond: "Roll Call for attendance. Representative Shea."



Shea: "I see Mr. Kempiners coming over, maybe we can discuss when he's ready to go. Mr. Speaker, I move that the Roll Call of the Regular Session be used as the Roll Call of this Second Special Session, this date."

Speaker Redmond: "Any objection? Representative Washburn."

Washburn: "Thank you, Mr. Speaker. Will the records show that Representative Jones, continues to be hospitalized."

Speaker Redmond: "Any objections? Hearing none, the record will so show. Representative Shea, has moved that the Roll Call of the Regular Session be used as the Roll Call of the Second Special Session. All in favor will indicate by saying 'aye', opposed 'no'. The 'ayes' have it and the motion carries."

Shea: "I move that the Second Special Session now stand adjourned until 10 o'clock, Wednesday morning."

Speaker Redmond: "You heard the motion, any discussion? The motion is, that the Second Special Session stand adjourn until 10 A.M. Wednesday, June 16. Representative Washburn."

Washburn: "Thank you, again Mr. Speaker. Would the record also show that Representative Palmer, is absent due to official business."

Speaker Redmond: "Any objection? The record will so show."

Shea: "Mr. Speaker, with regards to absentees .. could the record indicate that Representative Mugalian, is absent because of sickness."

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

Shea: "The motion to adjourn."

Speaker Redmond: "The Gentleman's motion to adjourn the Second Special Session, until Wednesday, June 16, at 10 A.M. All in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it and the motion carries. Second Special Session stands adjourned until Wednesday, June 16. The Regular Session will now come to order, Members



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please be in their seats. Roll Call for attendance.  
Messages from the Senate."

Clerk O'Brien: "A message from the Senate, by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of House Amendment # 1, to the Bill of the following title. Senate Bill 1933, concurred in by the Senate, June 11, 1976. Kenneth Wright, Secretary. A message from the Senate, by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of House Amendment #1, to a Bill of the following title, Senate Bill 1861, concurred in by the Senate June 11, 1976. Kenneth Wright, Secretary. A message from the Senate, by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following titles, passage of which I am instructed to ask concurrence of the House of Representatives to with, Senate Bills 1719, 1742, 1751 and 1786, passed by the Senate June 11, 1976. Kenneth Wright, Secretary. A message from the Senate, by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in passage of Bills of the following titles to with, House Bills 3431, 3806, 3807 and 3833, passed by the Senate June 11, 1976. Kenneth Wright, Secretary. A message from the Senate, by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in passage of Bills of the following title to with, House Bill 3414 together with an Amendment, passed by the Senate as amended June 11, 1976. Kenneth Wright, Secretary."

Speaker Redmond: "Introduction, First Reading."



Clerk O'Brien: "House Bill 3990, Sangmeister. A Bill for an Act to amend Section of the Criminal Code. First Reading of the Bill."

Speaker Redmond: "Senate Bills, First Reading."

Clerk O'Brien: "Senate Bill 1691, Porter. A Bill for an Act to amend the Illinois Driver Licensing Law. First Reading of the Bill. Senate Bill 1795, D. L. Houlihan. A Bill for an Act making appropriations to the Supreme Court for the pay of certain officers in the Judicial System. First Reading of the Bill. Senate Bill 1877, Washington. A Bill for an Act to amend Sections of the Personnel Code. First Reading of the Bill. House Bill 1941, Brandt. A Bill for an Act making appropriations to the Legislative Space Needs Commission. First Reading of the Bill. House Bill 1962, Brandt. A Bill for an Act making appropriations to the Capitol Development Board. First Reading of the Bill. Senate Bill 1970, Lechowicz. A Bill for an act to amend an Act to provide for the ordinary and contingent expenses of the Department of Law Enforcement. First Reading of the Bill."

Speaker Redmond: "Who was that on 1970?"

Clerk O'Brien: "Lechowicz."

Speaker Redmond: "Senate Bills, Second Reading. Senate Bills, Second Reading 1604."

Clerk O'Brien: "Senate Bill 1604, Richmond. A Bill for an Act to provide for the ordinary and contingent..."

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

Shea: "Mr. Speaker, are we going to move these Education Bills today or are they still holding them until they all get together?"

Speaker Redmond: "I haven't been advised."

Shea: "Well, I've talked to some of the people and I know I



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talked to Mr. Stone, the other day and it was my understanding that we were going to hold all the Higher Ed Bills on Second Reading until we had them all out on the Calendar and found out exactly what we're doing with them."

Speaker Redmond: "You mean on Second Reading, hold them on Second."

Shea: "That was my understanding, that all the Bills on Higher Education would be held on the order of Second Reading. Now, I have no objection to them being read and amended and moved to Third, with the understanding that they would be brought back... because I don't know where all the people involved in this are... at this time but I remember Representative Stone, had talked to me about it and I think there is four or five Representatives involved in this."

Speaker Redmond: "I think that your information is correct, 1604 isn't a Higher Ed Bill though."

Shea: "Oh, okay, I just wanted to make sure that we didn't go ahead and move some of these Bills..."

Speaker Redmond: "1604."

Clerk O'Brien: "Senate Bill 1604, a Bill for an Act to provide for the ordinary and contingent expenses of the Department Mines and Minerals. Second Reading of the Bill, no Committee Amendment."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. Representative Shea, can you handle 1947? Are there any Amendments on 1947?"

Shea: "I think that there was an Amendment... put... oh, no that isn't the Bill. That's ready to go, Sir. Supplemental appropriation for the Senate."

Speaker Redmond: "1947."

Clerk O'Brien: "Senate Bill 1947, a Bill for an Act making



additional appropriations for printing for the Senate of the 79th 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."

Shea: "Mr. Speaker, would the record also indicate that Representative John Brandt, is excused because of a death in his family and on the Calendar, on the order of Senate Bills, First Reading appears Senate Bills, 1941 and 1942 of which Mr. Brandt, should be the chief Sponsor in the House."

Speaker Redmond: "Those Bills have already been read and his name was shown as the Sponsor. The record will show that Representative Brandt, is excused for official business. House Bills, Second Reading. 3366... 1947 was moved to Third Reading."

Clerk O'Brien: "House Bill 33..."

Speaker Redmond: "Representative Shea."

Shea: "That's Mr. Lauer's Bill and he has some Amendments forthcoming to that, that amends the Illinois Governmental Ethics Act and it's my understanding, he had some Amendments to that Bill."

Speaker Redmond: "Okay, we'll take that out of the record. 3961, Representative Shea... is that one ready?"

Shea: "Yes."

Speaker Redmond: "3961."

Shea: "Mr. Porter, has an Amendment for that Bill."

Clerk O'Brien: "House Bill 3961, a Bill for an Act in relation to the compensation to the Members of the General Assembly. Second Reading of the Bill, no Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Porter. Amends House Bill 3961,



on page 2, by inserting 'photo copying at the end of line 6.'

Speaker Redmond: "Representative Porter."

Porter: "Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1, simply provides that photo copying will be an expense that can be paid out of the expense allowance, it has been refused by the Comptroller and it is therefore necessary and I would move the adoption of the Amendment."

Speaker Redmond: "The Gentleman has moved for the adoption of Amendment #1, to House Bill 3961. Any discussion? All in favor of the motion say 'aye', opposed 'no', the 'ayes' have it and the motion carries. Any further Amendments? Representative Shea."

Clerk O'Brien: "Amendment #2, Shea. Amends House Bill 3961, on page 1, line 25, and so forth."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2, is a technical Amendment, it changes the word 'voucher' to 'contract', and deleting such phrases as 'to pay for' and inserting there in lieu thereof 'for' and 'commodities for' and 'services for' and 'printing' it makes just technical Amendments and no change in the substance of the Bill and I would move for the adoption of the Amendment."

Speaker Redmond: "Any discussion? The question is on the Gentlemans motion to adopt Amendment #2. Those in favor say 'aye', opposed 'no', the 'ayes' have it and the Amendment is adopted. Any further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3966... Representative Totten."

Totten: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would like to call to your attention again, several Bills which were heard in the Senate and read



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here for a first time on Friday, which were posted for Appropriations I, on Thursday and we are not able to get copies of those Bills as of this morning and the rule is, that it can't be posted until we have copies and I wonder if you could clear that up. The Department of Personnel and Capital Development Board are the two Bills."

Speaker Redmond: "What are the numbers of the Bill?"

Totten: "1603 and 1936, Senate Bills."

Speaker Redmond: "If I'm correct on this, our information was they were printed and available... maybe the Republican Pages didn't distribute them again."

Totten: "We couldn't get them from the Bill Room."

Speaker Redmond: "Representative Shea."

Shea: "There were a number of Bills to be heard in the Appropriations Committee after the messages from the Senate were delivered on Friday, both Mr. Barnes and Mr. Lechowicz, have leave of the House to post for this week hearings."

Speaker Redmond: "Representative Totten, was in Oak Brook."

Totten: "I should have stayed here."

Speaker Redmond: "That's what I read in the paper. 4:15 having arrived, Representative Walsh, is on the floor. House Bills, Second Reading appears House Bill 3367, Representative Collins, 3367, Second Reading."

Clerk O'Brien: "House Bill 3367..."

Speaker Redmond: "Travel Services."

Clerk O'Brien: "3367,..."

Speaker Redmond: "You want me to Table? Out of the record, at the request of the Sponsor. 3533, Representative Younge... Representative Younge, I have been advised by the Clerk, that 3533 is being held for a fiscal note, the statutes require that it be furnished by the Department. I presume that you want that out of the





record and also 3534... 3555, Representative Luft... 3555, compensation of Sheriffs, Coroners and so forth. Out of the record? Out of the record at the request of the Sponsor. 3802, Representative Garmisa... out of the record. Representative Lucco... 3555, do you want that out of the record? 3835..."

Clerk O'Brien: "House Bill 3835..."

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

Madigan: "Mr. Speaker, would the records show that Representative Davis, is excused and that Representative Hart, is excused because of illness in his family."

Speaker Redmond: "Any objection? Hearing none the record will so show that Representative Davis, is excused and Representative Hart."

Clerk O'Brien: "House Bill 3835, was read a second time previously and held for a fiscal note. The fiscal note is now supplied."

Speaker Redmond: "Third Reading. 3932... Representative Maragos... out of the record. 3933, Representative Rigney, here? 3555... House Bill, Second Reading."

Clerk O'Brien: "House Bill 3555, a Bill for an Act in relation to compensation of the Sheriffs, Coroners, County Treasurers, County Clerks, Clerks of the Circuit Court, Recorders and Auditors with their necessary clerk hire. Second Reading of the Bill, one Committee Amendment. Amends House Bill 3555, on page 1, line 25, and so forth."

Speaker Redmond: "Representative Lucco."

Lucco: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3555, has been amended so that deals particularly only with the Coroners, it does not change the minimum salary, it merely raises the top range. It gives the board.... County Boards the right to raise the



salaries of the Coroners up to the particular range listed. This has been approved by the Committee without any difficulty and I urge your support."

Speaker Redmond: "Representative Simms."

Simms: "Would the Sponsor yield?"

Speaker Redmond: "He will."

Simms: "Joe, this does not affect any of the other county officers at all?"

Lucco: "No, it's a minimum... it does not affect anything except the Coroners... the schedule here in the Calendar is not correct."

Simms: "Okay, how high does it raise the minimum for Coroners?"

Lucco: "I would have to check it here, I have it in front of me. Each Coroner... what size county? Do you have a particular one?" For example, it raises the minimum of one thousand, to three thousand, ten thousand to eleven thousand, five hundred. Coroners and counties containing fourteen thousand more inhabits but less than thirty thousand... rise them from twelve to sixteen five. Counties containing thirty thousand but less than sixty thousand, raise them from five thousand to... no, from fourteen thousand to seventeen, seven. Coroners and counties containing sixty thousand and more but less than a hundred thousand..."

Simms: "Okay, Joe. Thank you."

Lucco: "It has no..."

Simms: "Okay, no problem. Thank you, very much."

Speaker Redmond: "Any further questions? The Gentleman has moved the adoption of Amendment #1, to House Bill 3555. All in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it and them Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading."

Lucco: "Thank you."



Speaker Redmond: "House Bills, Third Reading. House Bill 2115... out of the record, at request of the Sponsor. 3313, Representative Ryan... out of the record. 3322, Representative Collins.... 3322, nursing homes, shelter care, homes for the aged... out of the record. 3609... Is Gene Barnes, here? 3648, Representative Kane... 3648, Unemployment Insurance Act..."

Clerk O'Brien: "House Bill 3648, a Bill for an Act to amend the Unemployment Insurance Act. Third Reading of the Bill."

Speaker Redmond: "Representative Kane."

Kane: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3648, is a very simple Bill. It has been requested by the State employees' retirement system. What it would do is permit the Director of the Department of Labor to make available to the State employees retirement system, information in the position of the Department which would enable the retirement system to determine whether any recipients of the disability pension is gainfully employed. What it would do, is permit the system to cut down on the number of duplicate payment and would save money for the State and I would move for the adoption... or the passage of House Bill 3648."

Speaker Redmond: "Any questions? The question is, shall this Bill pass. All those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 96 'ayes', and no 'nays', the Bill having received the Constitutional Majority is hereby declared passed. 3910, Representative Washington... out of the record. 3919... out of the record. 3931, the Sponsor is excused. 3956... let's go with 3956."

Clerk O'Brien: "House Bill 3956, a Bill for an Act to amend



an Act to revise the law in relation to township organizations. Third Reading of the Bill."

Speaker Redmond: "Representative Yourell."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is a Bill that was originally presented to the counties and township Committee of the House by Representative Deuster, who requested that the subject matter that he presented in a previously numbered Bill be considered as a Committee Bill and the Committee agreed with him that the subject matter was such that it could be considered in that line and I would like now, to yield to Representative Deuster, to present the Bill to the House."

Speaker Redmond: "Representative Deuster."

Deuster: "Mr. Speaker, before proceeding on this... could I inquire how many that we had on the attendance Roll Call..."

Speaker Redmond: "I think it was 162."

Deuster: "162... okay. Mr. Speaker and Ladies and Gentlemen of the House. Now, this is a Bill that relates to a health emergency, it is a Bill to clarify the authority of our Illinois township to engage in the control and abatement of mosquitos. Last year we had an epidemic of sleeping sickness which involved five hundred and sixty-seven cases throughtout the State of Illinois and forty-seven deaths, including twenty-five deaths in Cook County alone. It touched virtually every county of the State. Sleeping sickness is carried by mosquitos who bite infected birds and then bite humans, particularly it affected old people, it causes a coma and an inflamation of the brain in most cases it is a very serious... it was a very serious health crisis last year. This Bill, House Bill 3956, simply clarifies the authority of townships, in the rural areas who en-



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gage in mosquito control and abatement activity. The Bill was recommended by the Committee on County and Townships by a vote of 14 to nothing, it is supported by the Illinois Township Officials, it is supported by the Illinois Department of Public Health and I think that it is something that we'll want to do now, it has Amendment #1, which will make it immediately effective upon becoming a law, so that this summer as we move into the situation which promises to be the same as it was last year with a lot of mosquitos, a lot of encephalitis that our townships will be equiped to handle this problem and to save lives and to insure the health of our Illinois citizens. I would be happy to answer any questions and I solicit your favorable vote for House Bill 3956."

Speaker Redmond: "Representative Holewinski."

Holewinski: "Mr. Speaker, if the Sponsor would yield for one brief question."

Deuster: "Yes, Sir."

Speaker Redmond: "He indicates, he will."

Holewinski: "Who is responsible for mosquito abatement in these areas now?"

Deuster: "Well, the way it works is this... some many years ago we provided that were there was a mosquito problem of some kind, you could create a special new unit of government, called the mosquito control abatement district with a tax basis and that could be done. The preference is not to do that because, why should we create another unit of government. It is true, that municipalities have the authority to engage in mosquito control but they can't go beyond the municipal boundaries and quite often the stagnate pools and ponds are the breeding grounds for the mosquitos are outside the city limits so to speak. Also, the counties may... do have the authority now, but they quite often don't..."



because in most instances, mosquito abatement is not a county wide problem and so, by allowing the townships to do it, we can pin point it... we can avoid having county money used for something that might be a localized problem."

Holewinski: "Then, what you're saying is, most areas of the State are not now covered by mosquito abatement district."

Deuster: "That's true."

Holewinski: "Thank you."

Speaker Redmond: "Anything further? Representative Porter."

Porter: "One brief question... Sponsor. Don, is this... this is not applied to townships in Cook County, is that correct?"

Deuster: "No, Sir. It applies to counties everywhere, because the health of Cook County citizens is just as important as the health of anybody and it would authorize townships anywhere in the State to engage in mosquito control activities, if they wish..."

Porter: "Even if there's... it would create concurrent dictio~~n~~ with the mosquito control ~~abatement~~ district, is that right?"

Deuster: "Well, it would just as I answered the prior question, it would with counties but in most instances the people have got enough sense on local level not to duplicate, they work together and they cooperate."

Porter: "Thank you."

Speaker Redmond: "Representative Berman."

Berman: "Would the Sponsor yield to a question?"

Deuster: "Yes, Sir."

Berman: "What's the position of the county of Cook in relation to this Bill. Don't they have a program that they coordinate instead of the townships."

Deuster: "Well, Representative, Berman, I believe your Cook



County representative is present... only present, you might say, in our Committee hearing room and there was no opposition expressed to this... no concern that I know of... I know you have, I think the City of Chicago and also Cook County Health Department... but there is no opposition from them that I know, to the Legislation."

Berman: "Thank you."

Speaker Redmond: "Anything further? Representative Deuster."

Deuster: "Well, Mr. Speaker, the Bill is very simple, it clarifies the authorities of townships who engage in mosquito control activities, it is permissive... no township need do this unless they sense a problem, there is no tax involved... no cost to the State and many... or several townships are already doing it... some of them have some legal doubts and that's the reason for this Bill. I urge your support for your affirmative green vote, for House Bill 3956."

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? The Clerk will take the record. On this question there are 110 'aye', and 1 'no' and the Bill having received the Constitutional Majority is hereby declared passed. 3963. Representative Collins, 'aye'."

Clerk O'Brien: "House Bill 3963, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Redmond: "Representative Mann, 3963."

Mann: "Thank you, Mr. Speaker. If Representative Dyer, is here I will yield to the Lady.... otherwise, I would ask you, Sir, to take it out of the record."

Speaker Redmond: "She doesn't appear to be here, out of the record. How about 3964, Representative Mann? Out of the record? 3965, Representative Maragos... out of the record. Representative Taylor, 3973 do you have a full house, Sir? Representative Taylor."



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

Speaker Redmond: "Take it out of the record. Senate Bills, Third Reading. 1621..."

Clerk O'Brien: "Senate Bill 1621, a Bill for an Act to provide for the ordinary and contingent expense of the Illinois Arts Council. Third Reading of the Bill."

Speaker Redmond: "Representative Richmond."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1621, is an Act to provide for the ordinary and contingent expenses of the Illinois Arts Council. This is certainly a non controversial Bill and I know of no serious objections. I ask for your support in passing this budget Bill."

Speaker Redmond: "Representative Richmond... Any questions? Representative Leinenweber... Randolph... Lauer... Sangmeister.. Parks... Representative Collins."

Collins: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think I should rise on a point of personal privilege because I rather resent being referred to as no serious opposition. However, serious or not, I am dead serious about this and I think one thing that has transpired over the years is that, my opposition to the Arts Council has become something of an entertainment for the House. And, while I don't mind being a source of entertainment to all of my friends here, I don't want this thing relegated to... my opposition relegated to a point where anybody thinks I'm less serious. Somebody paid me a supreme compliment last week and likened my annual speech against the Arts Council to our old friend C.L. McCormick's mosquito speech. Well, I'm flattered that I would be put in that category although, I lack the oratorical and forensic challenge of C. L. McCormick. However, I think the point that I should make is that I know C.L.,



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was as serious about the mosquitos eating his people alive as I am about the Arts Council eating the tax-payers, the entire State alive. Now, I don't have to go into my usual litany of all of the wasteful efforts that have been undertaken in the name of art in this State. But, I do think it is about time that someone took a look in this period of austerity... and some of the ridiculous... forms that we... sources that we have put these funds into. When you consider some of the things that they publish in their own lists, you know, you don't know any place where the money is going, in advance because you appropriate for the Art Council and then they decide where they are going to waste it after you give it to them. But, just... some of the things that I might point out are such things as the organic theater... dingle-fest theater, the victory gardens theater, the travel light theater and then this year, I think resoled a new low because they have given us something called the mole main theater and it's parcel support of the bozo ensemble. Now, I grant you that many of the people of the State of Illinois consider us nothing but a bunch of clowns, but let's not prove it by joining bozo. I think that this is a terrible travesty and how many of you get letters from the Arts Council, regularly saying that they have given money to some dance studio in your district. Well, I get one... I think about every other week that says that they're going to create a new dance... well, I don't know how many dances can be created but, I'm just afraid they're going have us all cha-cha-chaing our way to the poorhouse. So, let's strike a blow in the name of fiscal responsibility... let's turn this thing down, just once. This is up over a million dollars out of the appropriation of just



ten years ago, it started out at twenty-five thousand dollars. Well, we wasted twenty-five thousand that year and then fifty and now we're asked to waste a million two. Now, I implore you, vote 'no' on this terrible appropriation."

Speaker Redmond: "Representative Ron Hoffman."

Hoffman: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Richmond: "Yes, I will."

Hoffman: "What is the amount that this appropriation has increased since the last fiscal year?"

Richmond: "The 1975, appropriation out of General Revenue was two hundred and forty-five thousand for operations, in '76, three hundred and thirty-eight thousand and in '77, the request is an reduced amount of three hundred and thirty-one thousand dollars. Which actually is the amount that they expect... estimated expenditure in '76. So, there is no increase in the... in fact it's a slight reduction in the appropriation request for '77, as opposed to what was appropriated in '76."

Hoffman: "Thank you, Mr. Sponsor. I think I would like to make a point, Mr. Speaker, to the Members here. Mr. Speaker... Mr. Speaker."

Speaker Redmond: "Yes."

Hoffman: "Could I have some quiet, please."

Speaker Redmond: "I'm sorry... give the Gentleman order, please."

Hoffman: "Ladies and Gentlemen, I think that this is one of these appropriations that we certainly, we always wait for Representative Collins, to get up... because we know his long standing opposition to it. And, I think that it is well founded, some of the things that Representative Collins, has not covered are the painted viaducts at six thousand dollars a piece. Many of



which in the inner city, that are so mud splashed you can't tell where the money went. But, as we sit here and we have been cutting in many key sensitive areas, we been cutting in Public Aid, we been cutting in the School Systems and yet the Art Council is still holding firm. Now, when we talk about priority, then we tell our constituents we're going to come down here and we're going to make cuts in the appropriate areas. I think that they expect us... to make cuts in appropriate areas, I think that they expect the State to hold as a number one priority... our educational system, the State of Illinois and I think that there isn't a constituent back in anyones district, that won't feel that it is our obligation to cut in a area such as the Art Council and I don't feel that this... this has been done. I think that in this point in time, if we're going to do anything... let's go along with Representative Collins, this time and kill this appropriation. That's two million dollars that we can put to education, we can put to something that is worth while and something our constituents expect. And, I would solicit a 'no' vote on this Bill."

Speaker Redmond: "Representative... any further question? Representative Choate."

Choate: "Just wanted to remind the House, Mr. Speaker, that the same speech that we heard from Representative Collins, a moment ago was made on the order of Second Reading, when he offered an Amendment, the Amendment was overwhelmingly defeated and I would suggest that we now, overwhelmingly pass the Bill."

Speaker Redmond: "Anything further? Representative Cunningham."

Cunningham: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I'll be voting 'aye', on this particular



Bill and I wanted to tell you why, I'll be voting that. First, art is one of the bench marks of civilization and regardless of those who do not appreciate it, we have to recognize this.... attribute society that needs to be carefully cultivated. But, there is a more basic reason that I'll be for it... and that is that the coefficients of neglect in regard to this appropriation is far lower than it is in regard to most other governmental expenditures. And, let me speak of the word a minute, the coefficient of neglect as you recognize is a nonparametric synthetic and hence has some doubt as to its realability but, it's roughly the measure of by which the large governmental units of the State which neglects the constituent parts, being the various districts. The 54th district is one of 59, and in this particular appropriation we get one five hundred and ninetieth, so our coefficient of neglect there is only one to ten. But, be that as it may, as I have indicated before, it is a better average than we receive in all the other governmental expenditures so, we are incline to go with it for that basis. In addition we have a rather commendable trickle down philosophy in the operation of this business and give small amounts of money... not enough to do any good but just sort of a teaser... to the various small communities throughout the 54, districts that have little theaters, like Grayville and Mt. Vernon, Olney and the Junior Colleges so that intices us to come along with this... but, despite the approval that I've almost suggested to the program, I would call attention to those in responsible for the allegations of the funds, that we do arithmetic too, unless the... unless there is an increase next year in the proportion that we get... or hence the reduction of the coefficient neglect, we



will join the rabbi who oppose any contribution whatever towards Arts Council, but for now, we're going to vote 'aye' for the reasons enumerated."

Speaker Redmond: "Representative Hudson."

Hudson: "Well, thank you, very much, Mr. Speaker, Ladies and Gentlemen of the House. While we're having a brief lull here, it seems to be a good time for me to get up and speak... explain my 'no' vote on this Bill and I'm going to make it very brief... make one point that I think needs to be emphasized and reemphasized... and that is, that those things that people can better do for themselves... I think should be left for them to do, for themselves through voluntary contributions. That has been basically the story of Art support here in our country... granted there are some federal monies, State monies here and there but, basically.... it seems to me that our taxpayers are better off... left to support those things that make him support and wish to support on a voluntary basis. This is better and more salitary than it is to impose upon the backs of the taxpaying public... the expense, the cost of running those affairs... that there is no need for the taxpayers to support. I think that our arts can be supported and should be supported in so far humanly possible, independent of the taxpayers purse... and I fail to see frankly, Ladies and Gentlemen of this House, how we can even remotely consider keeping the cost of government down, keeping government cost from escalating if we will not exercise some fiscal restraint in those areas where we can exercise fiscal restraint and at the same time, not hurt the poor, the indigent, school children or anyone else and this would seem to me to be one area where those restraints can be... and should be... exercised in the interest of keeping government cost down and in



interest of our taxpayer who already is saying to us, is he not, that we have had it... so, I would implore you, Ladies and Gentlemen, to at least consider... voting 'no' on this as a token vote in favor of keeping our expenses down at a time when it is vitally absolutely necessary to do so. Thank you."

Speaker Redmond: "Representative Tuerk."

Tuerk: "Mr. Speaker, would the Sponsor yield?"

Speaker Redmond: "He will."

Tuerk: "I'm a bit confussed by the digest, would you please review what the appropriation is, that the moment in the House here, I see that there were a couple of Senate Amendments... one Senate Amendment, one House Amendment but I'm a little confused as the total. Would you please clarify that, please."

Richmond: "Yes, Representative Tuerk. The total amount of the appropriation is two million, one hundred and one thousand, two hundred dollars. There were no Amendment changed the dollar amount in the Senate nor in the House. This is a figure that represents the estimated expenditure of '76, so the budget requested for the same amount that '76, expenditure are projected to be."

Tuerk: "So, the total amount is slightly over two million, is that correct?"

Richmond: "That's right."

Tuerk: "Thank you."

Speaker Redmond: "Representative Ebbesen."

Richmond: "That's Federal and State."

Speaker Redmond: "Representative Ebbesen."

Ebbesen: "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 those in favor say 'aye', opposed 'no', the 'ayes' have it. Representative Richmond, to close."



Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Very briefly, one point that I would like to make that hasn't been pointed out, for each dollar that is generated through this appropriation, it will be... it will generate two to four dollars from private capital in support of the arts programs... around the State and incidentally we rate 21st, nationally in State support for this type of program. I also agree that this is not the nuts and bolts type of part of government but much the same as we have many other programs that we support, dealing with our heritage, history and culture. I respectfully solicit your... an 'aye' vote on this Bill. Thank you."

Speaker Redmond: "The question is, shall this Bill pass. Those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? What do they teach in the Arts program at South Bend? Football... Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On this question there are 99 'ayes', 21 'no', the Bill having received the Constitutional majority... Representative Collins, the Bachelor of Arts, from Notre-Dame."

Collins: "He was right, the first time. I'm not serious opposition."

Speaker Redmond: "The Bill having received the Constitutional Majority, is hereby declared passed. 1636... Representative Kane."

Clerk O'Brien: "Senate Bill 1636, a Bill for an Act making appropriations and reappropriation of the Board of Higher Education. Third Reading of the Bill."

Speaker Redmond: "Representative Kane."

Kane: "Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1636, appropriates about 4.35 million dollars to the Board of Higher Education for grants to... Capital



grants to hospitals and for health programs around the State, most of that money is reappropriated from last year, there is about 1.2 million in new appropriations and I would urge a passage of Senate Bill 1636."

Speaker Redmond: "Any questions? Representative Mann."

Mann: "Mr. Speaker, I wonder if the Gentleman would take the Bill out of the record for a few minutes, I would like to discuss it with him."

Kane: "I would be happy too."

Speaker Redmond: "Out of the record."

Mann: "Thank you."

Speaker Redmond: "Representative D.L. Houlihan, for what purpose do you rise?"

Houlihan: "Thank you, Mr. Speaker. At this time I would ask leave of the House for the Members of the Committee created pursuant to House Resolution 883, for Commission for that Committee to hold its initial meeting at 5:15, this afternoon in the Speakers office while the House is in Session."

Speaker Redmond: "Does the Gentleman have leave? Any objections?"

Walsh: "Mr. Speaker..."

Speaker Redmond: "Representative Walsh."

Walsh: "My first question, Mr. Speaker, is concerning the propriety of meeting while the House is in Session. I would like to know why that is necessary? My second question is, this Committee, it would seem to me... ought to give a little more notice than that, although there is no notice requirement, I'm aware but it seems to me that they ought to give the Committee Members and other interested people more notice than... one day. And, I wonder if the Gentleman would respond as to why they have not done that."

Speaker Redmond: "Representative Houlihan."





Houlihan: "He has asked me two questions, the first is...

I would respond by saying that House Resolution 883, calls for a reporting date of June the 21st, which happens to be a week from today so, time is of the essence as far as this Committee... commencing its work. Also, point out that this is the first Legislative Day since that Committee was appointed. Secondly, as far as notice, I have told all of the Members of the Committee yesterday, they are in agreement as they have indicated to me, that the time of 5:15 this afternoon would be appropriate time in the view of the Committee for its initial meeting."

Speaker Redmond: "Representative Walsh."

Walsh: "Well, I know that Representative Schlickman, has a keen interest in this and his notification was given no more than 10 minutes ago, of the meeting tomorrow and I just think that he probably should have been given more... the courtesy of more time than just a day... to prepare whatever he has to prepare for that meeting."

Speaker Redmond: "Representative Houlihan."

Houlihan: "Well, I don't know if that comment desires a response, Mr. Speaker. I have explained that the Members of the Committee were appointed on Sunday, today is Monday, the First Legislative Day thereafter, and I think my request for leave of the House is extremely reasonable."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Mr. Speaker, and Members of the House. The Gentleman that is making this motion did come to me a short while ago and inquired about the initial meeting of the investigating Committee. I suggested to him Wednesday, he stress the urgency time wise, I then suggested tomorrow afternoon and he said no, he would like to meet tomorrow morning. This is a matter I want to get



disposed of as much as anybody and if it's the convenience of the Committee to meet tomorrow morning and if it is with the leave of the House, I will certainly be there."

Speaker Redmond: "Representative Houlihan."

Houlihan: "I don't mean to get into a prolonged debate but I do want the record to be very... very clear at the outset. I went over to Representative Schlickman, as he has indicated and asked him what his schedule was for tomorrow, now I'm not trying to press Representative Schlickman, what I am trying to do though is make this reasonable for everybody so, that we can be expeditious in attempting to meet the reporting date which is in the Resolution that this Committee is formed under. Now, if he has a problem, I think he will find that the Chairman of this Committee and all of the Members of this Committee are going to be very reasonable... now, that's all that we are asking for, is leave of the House to conduct our initial meeting while the House is in Session at 5:15, this afternoon."

Speaker Redmond: "Any objections? How many... it takes 5, I believe. Representative Schlickman, has no objection. Representative Duff."

Duff: "Mr. Speaker, I'm fully cognizant of the facts that there is a deadline and a time pressure involved. Nevertheless, these appointments were announced only over the weekend... there has been within the Resolution of the Rules Committee, suggestions of the potential repercussion of improprieties of initiation which is not yet been taken out of the rules.... out of the Resolution, although I understand people intend too. There are also the problems of preparation, there is the fact that they're three attorneys and three non attorneys, there has been no discussion of whether there is or should be council, hired by the Committee. There has



been no preparation of the Committee by council in advance, there are five or six or seven very valid reasons why this is a precipitous type of action. I see no reason why... it should not be delayed at least until Tuesday morning... and at least until the Committee has had its own initial meeting."

Speaker Redmond: "Representative D.L. Houlihan."

Houlihan: "Apparently Representative Duff, has not been listening to what the request is, this is the request for the initial meeting. Now, many of the concerns that he has may well be resolved if he would simply allow the Committee to begin, at least with an initial meeting. Now, Mr. Speaker, I renew the request for leave of the House, for this Committee to hold its initial meeting at 5:15, this afternoon while the House is in floor Session."

Speaker Redmond: "Representative Duff."

Duff: "Mr. Speaker, in that case... I think it requires clarification to not have objection. If that means that the meeting is to be held without requiring or calling anybody to come before that meeting, and that it is an organization type meeting, then there is no objections at all."

Speaker Redmond: "Representative Catania."

Catania: "Just for an inquiry, Mr. Speaker. Is this a public meeting or is this closed session?"

Speaker Redmond: "Representative Houlihan."

Houlihan: "This will be an Executive Session unless the Committee determines otherwise."

Catania: "Thank you. I assume that it has only been determined by the Chairman that this is a close session and that... in the course of the meeting, the Committee might determine otherwise, is that what you mean?"

Houlihan: "I don't mean to speculate what the Committee might



do in the future, I'm attempting to answer your question as far as this initial meeting this will be an Executive Session unless the Committee determines otherwise."

Catania: "When would the Committee determine otherwise?"

Houlihan: "After it so determines we will inform you."

Catania: "Thank you."

Speaker Redmond: "Representative Epton."

Epton: "Mr. Speaker and Ladies and Gentlemen of the House.

I think that we should clarify one point that Representative Duff, raised. This is not merely an organizational meeting and we are not tying this Committees hands in any shape whatsoever, it is their first meeting and I move that the question be put to vote."

Speaker Redmond: "Representative Duëster."

Duëster: "Well, my question of the Sponsor is this, it seem to me that although normally Members who are appointed to a Committee cooperate and want to go along and be good fellows and all that sort of thing, but isn't it imposition on Members of a Committee to be asked to leave the floor of the House... has the question been posed as a, why you could not meet when the House is not in Session... for after an adjournment or during the morning or some other time."

Speaker Redmond: "D.L. Houlihan."

Houlihan: "This request has the support of all Members of the Committee."

Speaker Redmond: "The Gentleman has asked leave that the Special Committee be permitted to have a meeting at 5:15, while the House is in Session. Are there any objections? Hearing none, the leave is granted. Representative Matijeovich."

Matijeovich: "Mr. Speaker, I would like to inform the House that the 1905, case was all done while the Legislature was in Session, they were in the Executive Session



while the Legislature was meeting so this isn't a precedent."

Speaker Redmond: "House Bills, Second Reading 3491."

Clerk O'Brien: "House Bill 3491, a Bill for an Act in relation to tax upon persons engaged in the business of removing coal. Second Reading of the Bill, one Committee Amendment. Amends House Bill 3491, on page 1, line 8, by deleting 'coal' and inserting in lieu thereof; 'county coal' and so forth."

Speaker Redmond: "Representative Ralph Dunn."

Dunn: "Mr. Chairman, I would like leave to Table Amendment #1, please."

Speaker Redmond: "Any objection? Hearing none, the Gentleman is granted leave to Table Amendment #1. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, Schraeder, amends House Bill 3491, on page 1, line 2 and 3, and so forth."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Mr. Speaker, and Members of the House. First of all... could I have a little order."

Speaker Redmond: "We'll try again. Give the Gentleman order."

Schraeder: "Ladies and Gentlemen, whether you're interested in the Amendment or not, is secondary, primarily is to put this Bill in the shape that you can either judge it to be good or bad Legislation. This is a tax on coal the Amendment will change the word 'coal' to 'minerals', if you're interested in taxes you better pay attention to this particular piece of Legislation, it involves counties and it involves the State of Illinois. In the original proposal... this Bill was drafted to cover minerals, it ran into serious opposition and the Sponsor decided in order to pass it, he would change it so he went to coal and I'm saying that if we have



a Bill that's good for mineralization and taxing of coal, we ought to go back to the full value of it and tax minerals as such and so, I would move, Mr. Speaker, the adoption of Amendment #2, to House Bill 3491."

Speaker Redmond: "Representative Ralph Dunn."

Dunn: "Thank you, Mr. Speaker and Members of the House. I realize it's kinda noisy and perhaps you didn't understand, Representative Schraeder, House Bill 3491, has never addressed itself to anything except coal. The Bill has been around all year, we fought it up and down in Revenue Committee and we've amended it a time or two to change it so that it's more palatable... now, Representative Schraeder, would like to change it amendable type Bill and I think, in effect kill the Bill. He says, he wants to put the Bill into shape... he possibly wants to put it in his shape so that it can be have it's own demise but, actually this is a coal severance tax Bill and if we can defeat Amendment #2, I want to offer Amendment #3, that we distributed prior... just a while ago, myself and Representative Choate and Representative Hart, telling what the Bill will do with Amendment #3. So, I would urge that you help me defeat Amendment #2, and let's put a coal severance tax Bill into shape that we'd like to have it."

Speaker Redmond: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker, for the order and the opportunity to speak. Will the Sponsor of the Amendment yeild for a question?"

Speaker Redmond: "He will."

Leverenz: "Would this Amendment then have any type of cash that a stone quarry or anything along those lines too would have to pay. Would this Amendment..."

Schraeder: "Yes, it would be taxing minerals as well as coal because coal is a mineral so, it would take the broad



classification of minerals."

Leverenz: "Do you have any idea what type of revenue then, the Amendment would generate."

Schraeder: "Fifteen cents a ton on all minerals."

Leverenz: "Fifteen cents a ton, I think it's a very good Amendment. Thank you."

Speaker Redmond: "Representative Dunn."

Dunn: "I would like leave to take the Bill out of the record a little bit and perhaps I can talk to Representative Schraeder."

Speaker Redmond: "Any objections? Out of the record. 3318.. 3318."

Clerk O'Brien: "House Bill 3318, a Bill for an Act to amend the Minimum Wage Law. Second Reading of the Bill, three Committee Amendments. Amendment #1, amends House Bill 3318, on page 3, line 16, by deleting 'January' and so forth."

Speaker Redmond: "Representative Hanahan."

Hanahan: "Mr. Speaker and Members of the House. Amendment #1, indicates the change in the date as the Bill is introduced, it was introduced with the intent of January 1st, 1976, a change in the rate of minimum wage would take place and we would change that until July, because January having passed and inspection to the Act this amendatory of 1976, takes affect upon becoming law and I move for the adoption of Amendment #1."

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

Clerk O'Brien: "Committee Amendment #2, amends House Bill 3318, on page 3, line 24, and so forth."

Speaker Redmond: "Representative Hanahan."

Hanahan: "Amendment #2, is at the request of both the motion



picture industry, the motion picture theaters that are not covered by the Federal Act, are now going to be covered under the State Act... under this Amendment and is at their request for following language that was put in and that the full time students over the age of 18, would be covered at the reduced fee of \$1.95 cents an hour and that also, that the three provisions of coverage that are in the Federal Act for restaurant employees receiving one and one half times... or their rate of pay after... forty-six hours for the hotel, motel industry... the custodial employees to receive time and a half after forty-four hour, up until next May 1, 1977. And, for the food service cafeteria workers to receive time and a half after forty-five hours until next May 1, 1977, which is in direct compliance with the Federal coverage and the Fair Standard Act of the Federal Law.

I move for the adoption of Amendment #2."

Speaker Redmond: "Representative Madigan."

Madigan: "Will the Sponsor yield?"

Speaker Redmond: "He will."

Madigan: "Mr. Hanahan, how does this Bill affect governmental units?"

Hanahan: "That will be Amendment #3, where they are completely excluded."

Madigan: "Which unit will be excluded?"

Hanahan: "Any governmental body."

Madigan: "Would that mean a local governmental body?"

Hanahan: "Any governmental body."

Madigan: "What about a home rule unit, would they be excluded?"

Hanahan: "Any governmental body."

Madigan: "Thank you."

Speaker Redmond: "Representative Leinenweber."

Hanahan: "But, that's Amendment #3, Mr. Madigan. We didn't get that yet."





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

Speaker Redmond: "Proceed."

Leinenweber: "Representative Hanahan, if Amendment #2, was not adopted... what would a full time student employer of the motion picture theater would have to be paid, under your Bill? If we didn't adopt the Amendment, what would we..."

Hanahan: "If we didn't adopt the Amendment and the Bill passed into law, a full time student over the age of 18, would get \$2.30 an hour."

Leinenweber: "So, this is a reduction.... this permits a theater to hire a full time student and pay less than..."

Hanahan: "Yes, because the uniqueness in the Federal Act, exempt full... movie theaters... motion picture theaters are totally exempt in the federal law and to get some sort of stability in the State law, we have... both the industry and myself meet and agreed that \$1.95, would be a reasonable minimum wage for a employee... a full time student employee."

Leinenweber: "All right, with reference to the second part of the Amendment, if we didn't adopt Amendment #2, employees in restaurants custodial employee in hotels and so forth, would they have to be paid, time and a half after forty hours?"

Hanahan: "Yes, they would. So, this Amendment brings into line... it's a reduction into line with the Federal Act, this makes it identical to those employers that are now covered in the Federal Fair Standard Act."

Leinenweber: "Thank you."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "Will the Sponsor yield to a question?"

Speaker Redmond: "He will."

Geo-Karis: "Tom, you said that the time and a half will be paid for people working forty-five hours, is that right? Until 1977?"



Hanahan: "For those in food service employment which is defined under the Federal Employment Act, as those working in cafeteria or restaurants that have no regular license, that is three or four other definitions to get in line with food service. They are considered different types of employees than those working in restaurants that serve liquor and those people under Fair Standard Act, the Federal Act, come under the forty-six hour work week."

Geo-Karis: "Now, but you said up till 1977, didn't you."

Hanahan: "Just for the food service..."

Geo-Karis: "What happens after..."

Hanahan: "Which is the same as the Federal..."

Geo-Karis: "All right now, what I would like..."

Hanahan: "They reduce down to forty hours a week, just like the Federal Act."

Geo-Karis: "As for 1977."

Hanahan: "May 1, 1977."

Geo-Karis: "And still only time..."

Hanahan: "Right."

Geo-Karis: "Okay, thank you."

Speaker Redmond: "Representative Grotberg."

Grotberg: "Yes, will the Sponsor yield?"

Speaker Redmond: "Says, he will."

Grotberg: "Representative Hanahan, what... you're the House expert on this whole thing and I must ask you again, I remember we went over this last year, Tom. What is the existing minimum hours before time and a half in the restaurant industry now?"

Hanahan: "Forty-six hours, right now. Exactly what this Amendment calls for, that is the Federal Act."

Grotberg: "And, that's the way it stands now?"

Hanahan: "That is the way it stands as of this date, yes."

Grotberg: "And..."

Hanahan: "But, not as when I introduced the Bill, May 1, there



was a change."

Grotberg: "I see, but if you have a liquor license..."

Hanahan: "If you have a liquor license, and you're serving food... the employees under the Federal Fair Standard Act, if you're covered under the provisions of a quarter million dollars and doing inner state business which most restaurants do, you would then have to pay time and a half after forty-six hours. That is the law... the Federal Law."

Grotberg: "With the liquor license, it's still forty-six?"

Hanahan: "Forty-six, without a liquor license then if you come unto the definition of food service employment, it come up forty-five hours, after forty-five hours you would have to pay time and a half."

Grotberg: "The whole industry is above forty hours, whether or not you have liquor?"

Hanahan: "Yes, up until May 1, 1977."

Grotberg: "Whether we adopt this or not?"

Hanahan: "Whether we adopt it or not, May 1, 1977... food service employees, hotel, motel employees, custodial employees come under the forty hour, time and a half law, Federal Act."

Grotberg: "All right..."

Hanahan: "I'm just giving a ten month, you know, compliance with the Federal Act with this Amendment."

Grotberg: "Okay, but either you've answered my question and I don't understand it or I haven't asked it correctly, Representative Hanahan. My question again is, are any restaurant employees under the forty hour week, now with or without liquor?"

Hanahan: "Are they under... I'm not getting..."

Grotberg: "The forty hour week.... In Illinois law, are any restaurants now at time and a half for everything over forty hours?"

Hanahan: "Yes, under the Federal Act."



Grotberg: "Under the Federal Act."

Hanahan: "Under the Federal Law, which covers every restaurant doing inner state commerce... every restaurant that does a quarter million dollars a year gross business, which almost every restaurant does, they would be covered right now with time and a half, after forty-five hours if they were food servers and forty-six hours if they were with liquor license and that the provisions of being classified as a restaurant."

Grotberg: "Well, does inner state commerce, is that... those change that you're talking about?"

Hanahan: "No."

Grotberg: "Restaurant change..."

Hanahan: "No, anyone that purchases liquor from another state or food or beef or anything across the stateline, any kind of linens or anything that crosses the stateline put it under the Federal provisions. There are very few restaurants that could claim under law a exemption from the federal standard."

Grotberg: "Okay, I'll come and talk to you after this Amendment. Thank you."

Hanahan: "Move for the adoption of this Amendment."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Well, Mr. Speaker, let me say from the outset that I'm going to oppose the Amendment, and I'm going to oppose the Bill as well. And, I say it without any hesitation, I have been in the restaurant business for eleven years and for eleven years I have had a contract with no grievances filed or pending. And, now we're going to tell someone that has been in the labor market, have good employees, a good labor record in the industry and now, we're telling in this case, myself and any other ones in the business that we are going to force you to do something that the local unions haven't even requested



themselves. And, I say to you, somewhere along the line state government and federal government has got to cut off the hanky-panky and give business a chance to survive on their own rights. I have eleven employees and if we keep raising the prices mandatorily nor the workmens' comp., unemployment comp., minimum wage, health insurance, pension, you're going to drive small business out and believe me, after eleven years in business as a small businessman, serving the general public food, you're just about at that stage. Now, not kid yourselves if you're talking about giving employment then think about it, do you want people to have restaurants which as mine, with eleven or twelve employees to lose their rights to negotiate a contract and then be on the unemployment roll. I think now, I say let us business people that have good relations with the labor unions and call up local 329, and see what they think about this measure, I say this ought to be defeated."

Speaker Redmond: "Anything further? Representative Skinner."

Skinner: "Yes, Mr. Speaker, a question on the Hanahan, Unemployment Act of 1976, if the Gentleman would yield."

Speaker Redmond: "He indicate that he will."

Skinner: "How much will I have to pay my employees, as a State Representative?"

Hanahan: "I don't know, what employee are you talking about, are they cover under federal commerce or... you know you have to get into a definition of an employee, what type of work are they going to do..."

Skinner: "Somebody who will do filing for me, what is the minimum that I will be able to pay."

Hanahan: "I believe right now, it would be \$2.30 an hour. That's an awful lot of money up in the Crystal Lake, I know a lot of people that would be standing in line to get a job for \$2.30 an hour."

Skinner: "You're certainly correct."



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Speaker Redmond: "Representative Hanahan, to close."

Hanahan: "Mr. Speaker, and Members of the House. This is an Amendment that comes into compliance with the Federal Act, it certainly by far a reduction in what this Bill would call for if the Amendment was not adopted and I move for the adoption of Amendment #2, to House Bill 3318."

Speaker Redmond: "The Gentleman has moved for the adoption of the Amendment, all in favor indicate by voting 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 49 'ayes' and 35 'no', and the motion carries, the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Amendment #3, amends House Bill 3318, on page 4, by deleting lines 25 through 34, and so forth."

Speaker Redmond: "Representative Hanahan."

Hanahan: "Mr. Speaker and Members of the House. This Amendment #3, would exempt any governmental body from coverage of the first standard provision of paying overtime provision for its employees. In most governmental bodies do either give compensatory time off or have a contract calling for specific amount of hours. It's view as a something that government should have, its employees covered by the strict forty hour week and I have no objection because the Federal Act which is in the courts, U.S. Supreme Court, is momentarily about to rule at least they have been trying to, for two years... on the applicability of time and a half for government bodies and we'll wait until the Federal Act is ruled on in the Supreme Court, before covering by a State Act. So, I move for the adoption of the exemption of any governmental body, by Amendment #3, to 3318."

Speaker Redmond: "Representative Leinenweber."



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

Speaker Redmond: "Proceed."

Leinenweber: "Is it your contention that reason for the need of Amendment #3, is to insure that this Bill would Constitutional?"

Hanahan: "Yes, there's... no, not so much Constitutional but not in conflict with Federal Act. Right now, the Federal Fair Standard Act of the United States calls for in the Act, time and a half provisions for governmental bodies to pay its employees, except for policemen, which is rated at forty-eight hours and firemen which is rated at fifty-six hours. After those amount of hours those all of the governmental employees under the Federal Fair Standard Act, are to receive either time and a half in compensatory time off or time and a half in real wages. The municipal league in the United States went to court and the case is now before the United States Supreme Court, it has been there for a year and a half they have advocated their going to make the ruling any day now, but in the mean time so that we're not in contradiction of the federal standard, this Amendment is being offered to remove any government bodies from coverage. Once the Supreme Court rules and if they do rule in favor of the Constitutionality of the Federal Act, they would automatically cover all governmental bodies in the State of Illinois. So, it's is really not... it's a move question if they rule in favor but, if they rule against and I have this in the Act, then the State Act would take precedence."

Leinenweber: "Well, I don't understand how this could be held to be in conflict if we extend these rights to governmental employees, even though the Federal Act doesn't extend those rights, I don't see how you can say that it would be conflict, the reverse would be true, I could see but I how you can say that this would be in conflict."



Hanahan: "No, not in conflict... not in concert, in other words it would not be applicable to same types of employees and what I'm trying to do is bring the State minimum wage into a Fair Standard Act.... same as the Federal, we cover those employees that the federal government does not cover and if the Supreme Court rules that the Act is constitutional... all the governmental employees in Illinois will be covered, if the Supreme Court rules that they are covered or that the Federal Act does not Constitutional that would mean then that the State Act would be then... be act in the law of Illinois and would not in concert with what the Federal Law would be."

Leinenweber: "I have one more question, if we do not adopt Amendment #3, would our employees.... and I say our Legislative Assistance and so forth, would they be considered to be employees of the governmental body and be entitled to the time and a half."

Hanahan: "Right, those that are not working in their contractual services, yes."

Leinenweber: "All right, Mr. Speaker, I would like briefly to address Amendment #3. I thought what's sauce for the goose is sauce for the gander and if we're going to inflict these types of governmental controls over the employee and employer relationships and private industry, I don't see why we should exempt ourselves just because we feel that we're better off without it. I think as Representative Skinner, pointed out, this is not a good Bill to began with and if we're going to pass this type of Bill... I don't see, I think that this is another step which will down grade the Legislature in the eyes of the general public because we're not willing to saddle ourselves with the same type of regulations and interference in the contractual relationships





between individuals and employers, so I would urge a 'no' vote on Amendment #3."

Speaker Redmond: "Representative Dunn. John Dunn."

Dunn: "Thank you, Mr. Speaker, will the Sponsor yield for a question?"

Speaker Redmond: "He indicates he will."

Dunn: "Is this the Amendment that I have been receiving a lot of correspondance about with regard to fire fighters and payment of them for more than forty hour week, you know they customary work something like a fifty-six week and..."

Hanahan: "No, this is nothing to do with that... they're position on this, no... because the Federal Act even calls for fifty-six hours for them."

Dunn: "Okay, this does not affect..."

Hanahan: "I have not worked that out with the fire fighters of any but, what I'm doing here is... removing the governmental coverage on the time and a half provision waiting for the Supreme Court ruling and that will cover the fire fighters. I think they are more interested in that Supreme Court ruling."

Dunn: "Okay, this does not affect them in any way then."

Hanahan: "No."

Dunn: "Thank you."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Mr. Speaker and Members of the House. I'm not going belabor this particular topic but, it seems to me we've got the greatest labor leader in the State of Illinois, here proposing an Amendment to hurt the employees that work for government... how can anyone who represents labor come back now and say that we should take out these people for even this one day... there is no reason for that, what is fair for the business community is fair for the government. There's no difference... they're people who are feeding their families



and how the Representative who represents labor can come back now and say, since these people work for government... they're not entitled to these benefits. If this is the inconsistency... then I don't know what the word consistency means. If you're going to be for the guy in the shop and the factory and the office, you've got to be for all them, you don't take picks and you don't drop governmental employees. This is a terrible terrible Amendment... well, this is just a terrible Amendment."

Speaker Redmond: "Anything further? Representative Hanahan, to close."

Hanahan: "Well, Mr. Speaker and Members of the House. Very simply... the employees of the Legislature by an agreement of the Speaker of the House and the President of the Senate, I'm sure could easily extend the time and a half provision for our employees, in fact I encourage them to do so. Number 2, for governmental employees, I'm a long advocate of collective bargaining which would include, not time and a half minimum provision but double time in some cases where those who work overtime. I could just say this, that I am not advocating that governmental employees do not get time and a half... I'm saying that in order to have this Bill, to be in concert with the Federal provisions of the law as they are now applicable to governmental employees, this Amendment is necessary... once the Federal Supreme Court rules, I am sure that governmental employees will be covered by the Act... by the Federal Act and all State employees and cities and municipal employees and special district employees will be getting time and a half, minimum for compensatory... for compensation for overtime. Right now, the State Act does not need to get into that kind of bailiwick of debate of whether or not



a governmental employee should or should not get the time and a half provision and that is the reason why the Amendment is offered, it is offered in a realistic sense... that we don't have to get into this thicket until the Supreme Court rules and I urge an 'aye' vote on Amendment #3, to House Bill 3318."

Speaker Redmond: "The question is on the Gentlemans motion to adopt Amendment #3, those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Representative Skinner."

Skinner: "We're voting now on what will be known as the workmens' comp and unemployment comp Bill for this Session... this will have the same reaction when we get home that the other ones did and it is appropriate that Representative Hanahan, be sponsoring it. Now, for those of you who haven't heard him talk on Bills like this enough, you may not know what he is really saying, what he's really saying, is he's selling out local governmental employees. Workmens' comp would not have passed in the form that it did last year... had local government known how they would have really chaps put to them. A lot of them have found it out and a lot of them are in the unemployment... the uninsured risk pool this year and they're going to find out next year, that they are not going to be able to hire kids during the summer because they are going to have to pay to much to them. Well, if they are able to hire kids... they won't be able to hire enough. I would suggest that we ought to be voting 'no' on this Amendment, so that we can make all of the animals on the animal farm equal."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there are 69 'ayes' and 48 'no', the Gentlemans motion carried and



the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "no further Amendments."

Speaker Redmond: "Third Reading. Representative Kozubowski."

Kozubowski: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. On the Calendar under the order of concurrence appears House Bill 2435, being the chief Sponsor, I would move at this time for leave of the House to Table House Bill 2435."

Speaker Redmond: "Any objections? Hearing none, 2435, is Tabled. House Bill, order of Third Reading appears House Bill 3972, Representative Neff."

Clerk O'Brien: "What was the number?"

Speaker Redmond: "3972."

Clerk O'Brien: "House Bill 3972, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Speaker Redmond: "Representative Neff."

Neff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3972, will authorize I.D.O.T. to inter contract for intercity railroad passenger service and would validate any such contracts made before the Bill would become a law. As you folks know, the State Comptroller recently stopped payments made by D.O.T. for State subsidy, saying the D.O.T. lacks the proper authority to make contracts with Amtrak. Following this cutoff funds from Amtrak announced it would discontinue service from Chicago to Quincy, Champaign, Dubuque, Iowa and St. Louis. On June 30th, if the State did not pay the subsidies owed them at this time. Now, there would also be two other subsidize routes that would be affected, the Rock Island Lines, Chicago to Peoria and Chicago to Quad Cities would also be affected if this Legislation is not approved. Now, this is something that we've heard discussed and read in the newspapers and it's a difference of opinion



on the present Legislation we have and the Comptroller and this Legislation satisfies the Comptroller and the Department of Transportation and I would appreciate a favorable vote."

Speaker Redmond: "Representative Mudd."

Mudd: "Mr. Speaker, Members of the House. I want to commend Representative Neff, for bringing this Bill to the House and Legislator, this is a very vital piece of Legislation so that we can provide authority to pay those railroads that depend on the subsidy from State government and I would urge a favorable vote on this particular Bill."

Speaker Redmond: "Representative Grotberg."

Grotberg: "Yes, will the Sponsor yield?"

Neff: "Yes."

Speaker Redmond: "He will."

Grotberg: "Representative Neff, what is the relationship between this Bill and Senate Bill 1976."

Neff: "It's the same Bill exactly, John, they were running into a little problem... as they said, there was some horse play going on over in the Senate and they piddle around so we... as a Committee put this Bill in to be on the safe side."

Grotberg: "Very good, thank you. Then, may I address the Bill in support of this Bill."

Speaker Redmond: "Proceed."

Grotberg: "This is a Bill that will keep the State out of its limited alive coming down here from Chicago, this is a Bill that will keep Peoria Zephyr alive and going on out the the Mississippi River Valley and I certainly would recommend an 'aye' vote on this Bill."

Speaker Redmond: "Representative Neff, to close."

Neff: "Mr. Speaker, if there isn't any other questions... this is important because June the 30th, is coming up pretty soon and this is the deadline that the Amtrak



trains have given us to come up with this type of  
Legislation to free these funds for them and so, I  
would hope that we would give a favorable vote on this  
... House Bill 3972."

Speaker Redmond: "The question is, shall this Bill pass. Those  
in favor vote 'aye', opposed vote 'no'. Representative  
Shea."

Shea: "Can I ask the Sponsor..."

Speaker Redmond: "Proceed."

Shea: "Were you going to hold this until you talk to Garmisa,  
to day are...."

Neff: "Spärkey, told me last week to go ahead with both of  
these Bills, if he wasn't here."

Speaker Redmond: "Have all voted who wished? The Clerk  
will take the record. On this question there are 111  
'ayes' and 1 'no', having received the Constitutional  
Majority is hereby declared passed. Representative  
Berman, 'aye'. Representative Neff, did you say, two  
Bills... do you have another one? Identify it."

Neff: "No, the other Bill is on Second Reading... Senate  
Bill."

Speaker Redmond: "The order of motions... 2435, Represent-  
ative Lundy."

Lundy: "Mr. Speaker, Ladies and Gentlemen of the House. I  
would move to Table my motion... to Table House Bill  
2435."

Speaker Redmond: "Any objection? Hearing none, House Bill...  
the motion with respect to House Bill 2435, is Tabled.  
The order of House Bills, Third Reading appears House  
House Bill 3878... Representative Katz, is recognized."

Katz: "Mr. Speaker, House Bill 3878 and House Bill 3881, are  
Committee Bills of the Judiciary II, Committee. They  
are the result of the report of a Sub-committee of the  
Judiciary II, Committee on Juvenile Justice. That Sub-



committee has requested that the Bills be remitted from the Third Reading back to the Committee they would like to have further study of those Bills, so I would respectfully ask leave for House Bill 3878 and House Bill 3881, to be returned from Third Reading to Judiciary II, Committee for further study."

Speaker Redmond: "All in favor of the Gentlemans motion to commit House Bill 3878, 3881, does he have leave to consider those together? Any objection, being considered together. Hearing none, they will be considered together. Those in favor 3878, 3881... the Gentlemans motion to recommit House Bill 3878 and 3881, all in favor say 'aye', opposed 'no'. The 'ayes' have it and the motion carries and the Bills are recommitted. On consideration postponed appears House Bill 3871, Representative Katz."

Katz: "Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 3871, on consideration postponed was also a Committee Bill, Judiciary II, Committee resulting from a report of the Juvenile Justice Committee of the Judiciary II, Committee. The Committee has requested that the matter of House Bill 3871, be referred back from consideration postponed back to the Judiciary II, Committee for further study and I would so move."

Speaker Redmond: "Representative Schlickman."

Schlickman: "I have a parliamentary inquiry, Mr. Speaker."

Speaker Redmond: "State your inquiry."

Schlickman: "If this Bill is once again reported out of Committee, will it come to the order of consideration postponed from wence it was returned from?"

Speaker Redmond: "It will go back on the Calendar from... to the order of consideration postponed."

Katz: "May I...."

Schlickman: "Thank you."

Katz: "Mr. Speaker, re-assure Mr. Schlickman, it is not



being sent back to the Committee with the purpose of reporting it back at this Session, it is literary for further study and that is what will be done."

Speaker Redmond: "You have heard the Gentlemans motion, all in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it, the motion carries and House Bill 3871, is re-committed. Representative Washburn."

Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. We're honored to have with us this afternoon, a very distinguish group of Senior Citizens from Lawrence County, the 54th Legislative District ably represented by Representative Cunningham, Keller, and Representative O'Daniels, and would the distinguish citizens please stand."

Speaker Redmond: "Representative Washburn."

Washburn: "While I have the floor, Mr. Speaker and Ladies and Gentlemen of the House. We're certainly happy to see Representative Peters, well enough to be with us this afternoon, he has been missed."

Speaker Redmond: "I have received a call from the State Board of Elections, reminding the Members that today is the last day to file the 60 day report on campaign finances in case anybody hasn't done it, I understand that the lock out at the State Board of Elections is jammed and you can still contact them to get it in. Representative Matijevich."

Matijevich: "Since Petę Peters, is back I wonder if we could strike his name from our prayer today."

Speaker Redmond: "Representative Matijevich, has moved to reconsider the prayer by which prayed... Representative Sangmeister, points out that Representative Matijevich, didn't pray."

Matijevich: "Yes, I did."

Speaker Redmond: "The point is well taken. The order of





concurrence appears House Bill 2627, Representative Taylor. Representative Taylor, James Taylor."

Taylor: "Yes, Mr. Speaker and Members of the House. I move that the House do concur with Senate Amendment #3, to House Bill 2627. This Amendment provides that at the request of units of local government, the Department of Revenue will administer and enforce a local tax which is compatible with like State tax. The unit of local government will pay the Department of Revenue the cost of administering and enforcing the local tax. The value of this Amendment is that the State government can administer a local tax with a comparative State tax is already administering at less cost than... can the unit of local government action on his own. This Bill has been around the House the past three Sessions, I feel that it is cheaper for the local government to be able to utilize the services of the State government. Therefore, Mr. Speaker and Members of the House, I solicit your support for Senate Amendment #3, to House Bill 2627."

Speaker Redmond: "Representative Beaupre."

Beaupre: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I hope that this is a Bill that all the downstate democrats are paying attention to. This is a Bill that we beat like four times last spring, it is a Bill that seems to have nine lives, it comes back over and over and over again, now we see that an Amendment has been put on a Senate Bill that is completely ungermain to the question and here we are back with it again as Senate Amendment #3, to House Bill 2627. I point out to you downstate democrats that this is a Bill that we've been very concerned about for a number of times and I want to call your attention to it and I hope that you will vote 'no' on this proposition."

Speaker Redmond: "Representative Walsh."



Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I certainly concur with Representative Beaupre, except that I feel that upstate Democrats and Republicans ought to be concerned also. It seems to me, Mr. Speaker, that the efforts to pass this Bill are going to be with us forever, to think that a Bill Amendment the Civil Administrative Code, dealing with admissions to Mental Institutions should turn up to be a Bill that could permit the State collection of home rule units income taxes as well as other taxes, is just spreading a little bit thin what we are able to do here. Mr. Speaker, this is a bad concept.... those units of government which levy the taxes ought to be required to collect them, for it doesn't take long or won't take long for a home rule or other unit of government to levy a tax and when it's collected by the State, it becomes in the eyes of the people paying it, a State tax. That's wrong, it's irresponsible and we ought to vote 'no' on this concurrence."

Speaker Redmond: "Representative Shea."

Shea: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I remember the words of the Majority Leader across the aisle, when he threw up his hands with a statement like that and said, this is just so much sawdust being raised. Now, Mr. Walsh, and the rest of the Gentlemen know full well, that no unit of local government can impose a local income tax without this General Assembly giving them that authority and this isn't that Bill. So, that's a lot of sawdust... what this Bill ineffect will do, is to reduce the cost to local government of collecting taxes that are identical to State taxes, it will ineffect help reduce property taxes at the local level and I think that's what we're all concerned about and I think that this is a good Bill and should be... with the House should concur in Senate



Amendment."

Speaker Redmond: "Representative Telcser."

Telcser: "Well, Mr. Speaker and Members of the House. I think that a couple of the prior speakers hit the nail on the head. This piece of Legislation is simply a way for the city council in Chicago, pursuant to its home rule powers to enact a local income tax and then duck the responsibility for doing so. This is no more than a cop-out for the people in Chicago to tax those of us who live in Chicago and lay the blame on all of us who participate in State government. I think this is a horrendous piece of Legislation and I hope that every Member of the House will look at it closely before they cast their vote and I sincerely hope that they vote 'no'."

Speaker Redmond: "Representative Bluthardt."

Bluthardt: "I wonder if the Sponsor will yield?"

Speaker Redmond: "He indicates that he will."

Bluthardt: "Jimmy, when we talk about similar taxes are we talking about Cigarette tax for instance being leveled by the State of Illinois and then by some home rule unit of government. Having that tax collected by the State and rebated to the municipalities."

Taylor: "That's correct, Representative Bluthardt."

Bluthardt: "All right, now we have a utility tax in Illinois and all those units of local government that presently levy a utility tax could then turn to the State government and have the State government collect those taxes and rebate back to them, is that correct?"

Taylor: "That is correct, Senator Bluthardt."

Bluthardt: "And, if by chance the State of Illinois could and did impose head tax on all the industry of the State of Illinois and business in the State of Illinois, is similar to the one that is proposed in Cook County. The



State of Illinois could collect that tax and rebate to the county and local governments, is that correct?"

Taylor: "That's correct."

Bluthardt: "Isn't that kinda taking the monkey off the back of local government so that when people of those units of local government will not really realize that there local government that are locally elected officials who are going to impose these taxes but it's that dirty Legislature down in Springfield, doing it."

Taylor: "Representative Bluthardt, I don't think that's imposing, I think what we're trying to do here is to save local government some money and that's exactly what this Bill is doing at this particular time. It will save those local units of government that cannot and do not the facilities to work with at this particular time money... it's just that simple."

Bluthardt: "May I speak on it briefly, Mr. Speaker."

Speaker Redmond: "Proceed."

Bluthardt: "There are times when it's more important that we preserve the principal of local government or of government itself, than to save some money, I'm not too sure that the amount of money to be saved by local government is going to be very great and will certainly open the doors to many questionable levy and of taxes and will only confuse the people and certainly in my opinion it is an abuse of governmental process and I would urge you to vote 'no'."

Speaker Redmond: "Representative Lundy."

Lundy: "Thank you, Mr. Speaker and Members of the House. Mr. Speaker, a Parliamentary Inquiry."

Speaker Redmond: "State your inquiry."

Lundy: "We have in the rules of the House, a prohibition in rule 34, on the offering of an Amendments which are not confined to the subject to the Bill and pending before the House. Now, it is clear to me that this Amendment



which was added to a House Bill in the Senate, clearly would not have been germane if it had been offered in the House and my parliamentary inquiry is, is there any means under our rules by which we may object... to the attachment in the other body of an Amendment which would clearly be not germane if offered in the House."

Speaker Redmond: "The opinion of the Parliamentarian is that a correct motion would be to move to non concur... that other than that there isn't any procedure available to the House, any other procedure would have to be in court, I would assume."

Lundy: "Thank you, Mr. Speaker, If I may briefly address myself."

Speaker Redmond: "Proceed."

Lundy: "To the motion to concur, I think that it is too bad that we have not included in our House rules a provision which would prevent the other body from abusing us in the way that they have done in this case. They take Bills which are on one subject and add Amendments which are on a completely different subject... those Bills come back to this House and we are required on one Roll Call vote, in a situation where many Members do not have the Amendment before them because they are Senate Amendments... on one Roll Call vote to vote on very complex subjects which have no relationship to the original Bill that passed the House. Now, that clearly subverts the entire Committee process, it subverts the Legislative process, I think that it is a bad practice and the Parliamentarian and the Speaker, have told us the only thing that we can do about it under our rules is to vote not to concur, and I would urge the House to do that on this motion."

Speaker Redmond: "Representative Choate."

Choate: "Well, Mr. Speaker and Ladies and Gentlemen of the



House. You know, I find it hard to oppose a motion by my good friend, Jimmy Taylor, and I was amazed that this Amendment was adopted in the Senate to a Bill as Representative Taylor, but let me remind the House of many years ago... long before the income tax, of some of the action of this Legislature that would resemble at least this action that is being asked to participate in to day. I can recall when the State salestax in the municipalities throughout this entire State, came to the Legislature and asked for a half cent increase in the State salestax so that the municipalities might have more money as far as the operation of their government is concerned. It was the idea of this Legislature and I participated and agreed that if the municipalities wished to increase the State salestax, that we would give them the enabling Legislation to increase the salestax but, the monkey so to speak would be on their back. Because they were the ones that must go to the local people of that municipality and say, 'yes', we are increasing the salestax, if this Amendment is adopted to day we are giving certain municipalities... and I disagree with my friend, Representative Telcser, not only the City of Chicago, it's other municipalities throughout downstate Illinois that have home rule at least, that can go and raise the income tax on the taxpayers of that municipality and place the monkey on the Legislators back. This is what we attempted to prohibit when we passed the enabling Legislation as far as the State salestax in concerned. I personally find it hard to believe that the Senate would attach an Amendment of this nature to a good guys Bill like Jimmy Taylor, but the Amendment regardless of Sponsorship, it is bad... it's bad politically, it's bad from a responsibility stand point because the responsibility



will be placed on the Legislature and not on the local municipal forms of government as far as.... like your city alterman, city councilman, let them accept the responsibility... not those of the Legislature. They are the ones that want to ask for the tax increase, not the Legislature... let them have... they have to day they have the enabling Legislation to increase taxes... let them do it. Let them do it and if they can demonstrate the need, I'm sure the people will agree with them, if they can't demonstrate the need I'm sure the people will not agree with the but, don't put the monkey on the Legislature back and I urge a defeat of this Amendment and non concurring."

Speaker Redmond: "Representative Matijevich."

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

I would like to concur with the last speaker, and for those who say that there is not within this Senate Amendment the ability to impose by units of local government who are home rule, a local income tax... the key words are in line 16, where it say in the request and as impose a tax, the word impose... impose a tax compatible with a like state tax. And, I say, Ladies and Gentlemen because of the fact that that may be interpreted as giving home rule power by our vote, the ability to impose a local State in.... a local income tax. I would ask that you soundly defeat this motion in spite of the fact that everybody says it's difficult to vote against Representative Jim Taylor, but I find it not difficult in this case."

Speaker Redmond: "Representative Madigan."

Madigan: "Mr. Speaker, I rise simply to offer some information by way of clarification to certain statements that have been made on this to date. Certain Members here have stated, that the enactment of this Bill would provide



the authority to certain home rule unit to impose an income tax upon their residents, that simply is not true. The Constitution of 1970, specifically provides that a home rule unit will be able to impose an income tax upon its residents only after authorization for that specific purpose has been received from Legislature. This Bill does not contain that authorization and in order for an income tax to be imposed by a home rule unit, you would need a Bill specifically authorizing that."

Speaker Redmond: "Representative Gene Hoffman."

Hoffman: "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, all those in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it... Representative Taylor, to close."

Taylor: "Mr. Speaker, I simply want to ask this House to support my motion, I do believe and I do know from discussion we had that this is important ~~Legislation~~ and especially to many of the cities upstate and downstate. I solicit your 'aye' vote."

Speaker Redmond: "The Gentleman has moved that the House concur in Senate Amendment #3, to House Bill 2627. This is final action and it requires 89 votes. All in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? Representative Macdonald, 'no'. Have all voted who wished? The Clerk will take the record. Representative Taylor."

Taylor: "Mr. Speaker, could I place this on postponed consideration, it looks like I've got a little more work to do."

Speaker Redmond: "The Gentleman has asked leave to place





it on postponed... postponed consideration. 2728...  
2728, Representative Katz."

Katz: "Mr. Speaker and Ladies and Gentlemen of the House. This is the first in a series of revisory Bills that make no substantive change, a lot of Illinois statutes have never been revised and included obsolete references to the 1870, Constitution and all that these Bills do is simply to bring them down to date and to eliminate language that we have eliminated in other provisions by either the Constitutional change or Legislative change. The only Amendment that was added in the Senate simply again, made no change in adopting the Bill in the House the computer had failed to include a change that had been made in a law passed and so the Senate Amendment simply brings the Bill into the form that it makes no substantive change in the particular provision and so, I move to concur in the Senate Amendment so that the Bill which is purely a revisory Bill and that overwhelmingly passed this House, will become law."

Speaker Redmond: "All right, any discussion? The Gentleman has moved that the House concur in ~~Senate~~ Amendment #1, to House Bill 2728. All in favor vote 'aye', opposed vote 'no'. Final action, 89 votes. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 131 'ayes', 2 'no', and the House does concur in Senate Amendment #1, to House Bill 2728. 2729, Representative Katz."

Katz: "House Bill 2729, like the one that was just passed brings up to date Illinois statutes, it was drafted in the reference bureau, it makes no substantive change, the Amendment added in the Senate was added solely because once again the computer that did the Bill did not pickup a change that had been made in a law that



we passed so, I would urge concurrence in Senate Amendment #1, and the passage of House Bill 2729."

Speaker Redmond: "Any discussion, any questions? The question is, shall the House concur in Senate Amendment #1, to House Bill 2729. All in favor vote 'aye', opposed vote 'no'. Final action, 89 votes. Have all voted who wished? The Clerk will take the record. Representative Choate 'aye'. Maragos, 'aye'. Giglio, 'aye'. Simms, 'aye'. On this question there are 139 'ayes', and 1 'nay', the Bill having received the Constitutional Majority the House does concur in Senate Amendment #1, House Bill 2729. 2730, Representative Katz."

Katz: "House Bill 2730, eliminates obsolete language that appears in the Illinois Laws relating to the Judiciary. Some of the language dates back for really literally decades and do not reflect the changes that were made subsequently in the Constitution and in laws that have passed. Senate Amendment #1, makes no substantive change, once again it simply pickup language that had been added by Legislation that we passed so, that in fact Senate Bill.... House Bill 2730, will make no substantive change but will solely eliminates obsolete statutory language. I would move for concurrence in Senate Amendment #1, to House Bill 2730."

Speaker Redmond: "Representative Geo-Karis."

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

Speaker Redmond: "Will you yield for a question?"

Katz: "Yes."

Speaker Redmond: "He indicates, he will."

Geo-Karis: "Mr. Sponsor, I saw the Digest that... the distinction of law and equity is abolished in Illinois, is that what the original Bill did?"

Katz: "That is one of the things that the Bill did, Representative Geo-Karis, this had been eliminated you know, long..."



long ago by the Judicial article but it had not been recognized in some of the ancient language that we had in the statute books."

Geo-Karis: "But, as a matter of fact they're still observing the difference of equity law... particularly an application of... cases for example, on statute limitations and lastly a difference of opinion on them, I'm just curious about it. This definitely wipes out any and all distinction and makes it all law, is that right?"

Katz: "Well, the Constitution and the Judicial article do that, those distinctions that currently exist will continue to exist, the difference are not basis any longer on the Constitution, modern cleaning has eliminated the ancient differences. This Bill will make not the slightest difference in the way that the courts in Lake County or any other county operate. They simply... this Bill simply eliminates obsolete language it does not make any substantive change, it has been studied in the Senate and it was studied in the House, it does nothing but eliminate obsolete language and will not affect the practice of law in any county in the State of Illinois."

Geo-Karis: "Okay, thank you."

Speaker Redmond: "Anything further? Representative Giorgi."

Giorgi: "Mr. Katz, I notice you changed the language and you define something about resident circuit judges and a lot of people feel that all the counties in Illinois shouldn't have a resident circuit judge, how do you... what do you do... force that provision, weaken it or what did you do about that provision?"

Katz: "This Bill does not change the existing law, Representative Giorgi, whatever the law now is, it remains and anybody that wants to change it, if you want to change it you would have to have another Bill for doing it. This Bill does not make any substantive change in the



law in Illinois."

Giorgi: "Mr. Katz, in my synopsis of page 764, it says, in Chapter 37, it makes numerous changes including addition of definition regarding resident circuit judges that a lot of people resent are sitting in resident circuit judges in counties that have three and four thousand people they feel that associate judges would do just as good of a job. So, what did you do there? I'm reading from my synopsis."

Katz: "Well, excuse me. Mr. Giorgi, I'm very sure that that language..."

Giorgi: "You better be more than sure."

Katz: "... right now in the statute books in Chapter 37, paragraph 160.3, this Bill doesn't put it in there all it does is recognize that that is the existing law, if you have any questions I would be glad to pass this however, and pull out a statute book and find it for you but, it does not add any new language, it simply brings the code up to date reflecting the changes that this.... previous General Assembly and that the new Constitution made an ancient enactment in Illinois but, if you would like... if you are concerned, I'll be glad to..."

Giorgi: "I am... I am, Ralph. I am concerned will you take it out of the record?"

Katz: "Yes, I would be very glad Mr. Speaker, to assist Mr. Giorgi, and allay his concern... may we take that out of the records and then move on to the next one."

Speaker Redmond: "Take this one out of the record. 2731, Representative Katz."

Katz: "House Bill 2731, is another one of the surely revisory Bills that bring the Illinois statute books up to date eliminating terms that are no longer in use, eliminating reference to the 1870, Constitution... even though the



people of the State adopted a new Constitution. It makes no changes, the Amendment that was added in the Seante, Senate Amendment #1, simply pickup a few words that were inadvertently not included so, it also makes no substantive changes and I would urge the adoption and concurrence in Senate Amendment #1, to House Bill 2731."

Speaker Redmond: "Any questions? The question is, shall the House concur in Senate Amendment #1, to House Bill 2731. All in favor vote 'aye', opposed vote 'no'. 89 votes, final action. Have all voted who wished? Have all voted who wished? The Clerk will take the record, on this question there are 120 'ayes' and 1 'no', and the Bill having... the House does concur... Representative Choate, 'aye'. The House does concur in Senate Amendment #1, to House Bill 2731. 2733, Representative Katz."

Katz: "The Senate, Mr. Speaker and Ladies and Gentlemen of the House, added Amendment #1, which is... consist of the striking of a line or so, and adding of two words it was found that the computer was not up to date and did not include this, it makes no substantive changes. I would urge the concurrence in Senate Amendment #1, to House Bill 2733."

Speaker Redmond: "Any questions? Representative Cunningham."

Cunningham: "Mr. Speaker, it is noted that all the Bills passed on one Roll Call on the 17th of May, 140 to 0 to 6, what is the reason that they are considered individually if on initial passage they were thought to be properly lumped together, just for my own edification."

Speaker Redmond: "The rules provide that the column one by one, unless somebody makes some motion to the contrary and there has been no such motion made. Representative Porter."



Porter: "Mr. Speaker, I have a question of the Sponsor."

Speaker Redmond: "Proceed."

Porter: "Is it possible that the Digest is correct and that the Amendment deals with a frozen desert products Act, and if so, what are they doing about germaneness over in the Senate?"

Katz: "Well....."

Speaker Redmond: "I have been advised that the State Board of Election will be open until 8 o'clock."

Katz: "Mr. Porter, I really don't know what... where you get your information with regards to the frozen desert and I was looking at the Amendment itself, I have now opened up the Digest and all that it does... Im' not since these are revisory and eliminates language that is obsolete, it is apparently some obsolete language that appeared in that particular part of the code, it doesn't change the substance of deserts in your district or mine or anybody elses district. It is a revisory Bill and hence the germaneness has nothing to do with it on a revisory Bill, we are simply bring the statutes up todate and we do not apply the usual rule of germaneness since no substantive change is occasion by passage of the Bill."

Porter: "Well, if you're certain there is no substantive changes, I think that the Members ought to vote for frozen deserts too."

Katz: "Well, very good. They can sorta put the chocolate on the top, these revisory Bills... the Constitution does specifically permit the General Assembly to tice them without regard to the usual rules of what is german and I would urge concurrence in Senate Amendment #1, to House Bill 2733."

Speaker Redmond: "Anything further? The question is, shall the House concur in Senate Amendment #1, to House Bill



2733. All in favor will vote 'aye', opposed vote 'no'. 89 votes, final action. Have all voted who wished? The Clerk will take the record. On this question there are 116 'ayes and... 120 'ayes' and 1 'no', the House does concur in Senate Amendment #1, to House Bill 2733. 2734, Representative Katz."

Katz: "Once again, this is a Bill deleting obsolete references in certain parts of our code relating to the Illinois revised statutes, Chapter 4, through 122, it makes no substantive change in any of those statutes they were drafted in the reference bureau, the Amendment that was added in the Senate, Senate Amendment #1, is solely because an update check with the computer showed that certain things had been changed and in order to keep the statutes as they were and as they are, and keep it solely a revisory Bill, that we would have to amend it to incorporate changes that had been made since... in the language of the Illinois Code. So, I would urge that Senate Amendment #1, be adopted and that House Bill 2734, be concurred in and passed into law."

Speaker Redmond: "Representative Grotberg."

Grotberg: "Yes, Mr. Speaker, if the Sponsor wouldn't quarrel with me, I would move at this time to take a Roll Call on all of these Bills that are correcting the statutes and fixing up the computers mistakes and I would so move on a single Roll Call, the remainder of them."

Speaker Redmond: "Any discussion? You have heard the Gentleman's motion for a single Roll Call on 2734, 2738, 27... 2968. All in favor indicate by saying 'aye', opposed 'no', the 'ayes' have it. The question is, shall these Bills pass, 2734, having you read 2738 and 27... you do not... the question is, shall these Bills pass? Those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? The Clerk will



take the record. On this question there are 128... 137 'ayes' and no 'nays' and the House does concur in Senate Amendment #1, to House Bills 2734, Senate Amendment #1, to 2738 and Senate Amendment #1, to 2968. 3392... 3392, Representative Jaffe."

Jaffe: "Mr. Speaker, and Members of the House. At this time I would move to non concur in Senate Amendment 1 and 2, briefly with Senate Amendment #1, is that it takes out the 2% transferability clause for grant lines in the appropriations and Amendment #2, deletes three hundred and thirty-six thousand dollars from the House budget and it has taken things out of such places Day Care Services, Herrick House, the Braille and Sight Saving School, the Children Hospital, the School for the Deaf, the Illinois Soldier and Sailors Hospital, the Veterans' Home, etc., etc., and I would therefore move to non concurrence with Senate Amendments on the two."

Speaker Redmond: "Any discussion? The Gentleman has moved to non concur in Senate Amendments #1 and #2... was it? To House Bill 3392, all in favor of the Gentlemans motion indicate by saying 'aye', opposed 'no', the 'ayes' have it, the motion carries and the House does not concur in Senate Amendment #1 and #2. 3797... that one out of the records. 3820... Representative E.M. Barnes... take that out of the record. On the order of non concurrence appears Senate Bill 31, Representative Katz."

Katz: "Well, Mr. Speaker and Ladies and Gentlemen of the House. This is the Senator Harber Halls pay Bills and it will be remembered that Representative Kozubowski, added an Amendment in the Executive Committee, to this Bill. Representative Kozubowski, previously indicated that he would like, when I arose for it to concur... upon further reflection, he would like to non concur and



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ask for the appointment of a Conference Committee. That is entirely agreeable to the Senate Sponsor and so I would move to non concur in the Senate Amendment #1, to Senate Bill... to House Amendment #1, to Senate Bill 31, to non concur and have a Conference Committee appointed."

Speaker Redmond: "The question is, shall the House refuse to recede from House Amendment #1, to Senate Bill 31... Representative Schlickman."

Schlickman: "Would the Sponsor yield?"

Speaker Redmond: "He will."

Schlickman: "Could you give us a discription or refresh our recollection as to the contents of House Amendment #1, please."

Katz: "Yes, House Amendment #1, I don't have my file in front of me, change the pay Bill so that... instead of pay being on a monthly basis, pay would be on a twice a month basis like other State employees. It deleted certain changes that were made in the Senate Bill with regards to the payment of remaining salaries. That was the substance of Representative Kozubowski's Amendment that the Executive Committee added to Senator Hall's Bill. The Senate would not except that Amendment and it came before us on the question of concurrence or non concurrence and this is a motion made to non concur in the Senate Amendment... in the Senates refusal to concur in our Amendment and to have a Conference Committee appointed. I don't have the actual language of the Amendment in front of me, Mr. Schlickman, but I believe that I have summarized the changes that Representative Kozubowski, made in Senator Halls Bill."

Schlickman: "Well, I recall that there were three parts to the Amendment, part #1 increased the frequency of pay from monthly to semi-monthly there was a second part that I don't recall and then there was a third part which



restored the ability of the spouse of a deceased Legislator to receive the balance of the salary and I'm wondering if you could recollect as to what number two was."

Katz: "Well, Mr. Kozubowski, yes... Mr. Kozubowski, Mr. Schlickman has asked me about your Amendment.... he and I both recall that it made its Legislative to be paid instead of monthly, to be paid twice a month like other State employees... the non officers, it also made a change with regard to the spouses right to Legislative pay, he thought that there was a third change and all that I was asking you, I didn't remember any third change Mr. Kozubowski, but Mr. Schlickman, thought that there was and I just wondered if you remembered any? I did not remember any change other than those that I have mention, Mr. Schlickman."

Speaker Redmond: "Anything further? Representative Kozubowski."

Schlickman: "The third part, if I may..."

Kozubowski: "Mr. Speaker, and Ladies and Gentlemen of the House. If I may answer your question, Representative Schlickman, there are only... the Amendment deal only in two areas, both that have been talked about by Representative Katz. There is no third change as you purport."

Schlickman: "Well, the third change and I just found out, provides for an affective date of January 12, 1977, that was the third part."

Kozubowski: "I'm sorry..."

Schlickman: "May I speak to the motion, Mr. Speaker?"

Speaker Redmond: "Proceed."

Schlickman: "Well, Mr. Speaker and Members of the House. House Amendment #1, to Senate Bill 31, did three things. Number one, it increase the frequency by which Legislators were to be paid from monthly, twelve times a year, to



semi-monthly, twenty-four times a year. In either event the compensation whether it was on a monthly or semi-monthly basis which come after the providing of service. The second part would have reinserted... reestablished, the existing laws struck by the Senate Amendment prohibiting survivors of Legislators to receive from the State the unpaid salary of the deceased Legislator for the balance of that Legislators term and part three, provided for an effective date of January 12, 1977. I would simply like to say, Mr. Speaker and Members of the House that so long as the principal of receiving compensation after the service was performed should be satisfactory and in increasing the frequency from monthly to semi-monthly, is a case of over kill, number 1 and number 2, does just the reverse of what I think we should be doing and that is, keeping down the cost of government. Now, with respect to item number 2, I find it incongruous in Congress when the reason for going to semi-monthly was to put us on the same basis as State employees. There is not... one State employee, Mr. Speaker and Members of the House, other than Members of the Legislature who's spouses receive compensation unpaid, unearned, for the period for which that Legislator... State employee may have been hired and it is for those reasons, Mr. Speaker and Members of the House, that I respectfully suggest and recommend a 'no' vote on this motion to non concur."

Speaker Redmond: "The Sponsor of the Bill at the present time is of Senate Bill 31, was amended in the House and the question now before the House, is whether or not the House refuses to recede from House Amendment #1, to Senate Bill 31. All those in favor of the motion that the House do not recede... refuses to recede, rather from House Amendment #1, indicate by saying 'aye', opposed



'no'. All those in favor of the Houses action to refuse to recede, vote 'aye' and opposed vote 'no'. Representative Katz."

Katz: "Now, all this one will do is simply to send it to a Conference Committee, it's obviously a subject that seems a little complex and it can be discussed in a Conference Committee and all of the points that Mr. Schlickman, wants to make can be made there. The Amendment was added in the Executive Committee and Senator Harbar Hall, is really in the middle of this, it wasn't his Amendment but he would like to resolve the matter and voting 'yes' here is the easiest way to do it, it is not final action since it simply goes to a Conference Committee and I would urge a 'yes' vote."

Speaker Redmond: "Representative Byers."

Byers: "Thank you, Mr. Speaker. I think that this is all a very futile gesture... we've already sent to the Governors desk a Bill to be paid monthly and I think that this is just wasting our time and our motions by sending this to a Conference Committee. I think a 'no' vote would be in order on this Bill."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there are 91 'ayes' and 26 'no' and the House does refuse to recede from House Amendment #1, to Senate Bill 31. On the order of Speakers Table appears House Joint Resolution 94, Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House. House Joint Resolution #94, is an Amendment to the temporary Joint Rules that provide for Conference Committee procedure, at the present time our Joint Rules does not have any procedure with regards to Conference Committee. Rule 4, covers the concurring and the receding from Amendments. Rule 4(a), covers the concurrence of the House of origin for be the concurrence of the amending



House. On the Conference Committee... report rule 5, to find the disagreement between a House and provides for clarification. 6, the automatic Conference upon disagreement. 7 (a), the composition. 7 (b), the Chairman of the Conference Committee. 8, provides for the notice under the new Constitutional requirement. Number 9, the motions requesting a Conference Committee. The Conference Committee reports are 10 (a), as clarification. 10 (b), is a new rule or... and let me read this to you, this would restrict the Conference to line items in dispute, would limit the Conference to the larger dollar amount on any item previously approved by either House in the disputed Bill and it limits it to the higher dollar amount of either House. Rule 10, is... report to the individual Members. 10 (d), is the approval of the filing of any supplemental. 10 (e), covers the deadlock and Rule 11, is the messages in the original Bill and 12, is the second Conference procedure in limiting it to two Conference Committees. This Bill had the unanimous consent of the Rules Committee and I would certainly try to discuss with any Member any question."

Speaker Redmond: "Representative Shea, I am advised that there are two Amendment, are you aware of that?"

Shea: "No, Sir."

Speaker Redmond: "Amendment #1, is a Committee Amendment, I understand. Representative Byers."

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

Speaker Redmond: "Representative Shea, will you yield?"

Shea: "Shall we get the Amendments on. The Amendment #1, provides for some protection to the Minority Party and I would certainly like to get that adopted first."

Speaker Redmond: "Any discussion? Representative Byers."

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



Speaker Redmond: "I can't see Representative Byers."

Byers: "Will the Sponsor yeild for a question?"

Speaker Redmond: "He will."

Byers: "Representative Shea, is there any procedure in this  
for appointment of Members to Conference Committee?"

Shea: "They're appointed by the presiding officer."

Byers: "But, there's not any procedure like the Sponsors  
is guaranteed on the Bill and things of that nature."

Shea: "No, Sir."

Byers: "Thank you."

Speaker Redmond: "Anything further? We're on the Amendment  
#1, the question is on the adoption of Amendment #1,  
those in favor indicate by saying 'aye'... Representative  
Walsh."

Walsh: "I haven't seen a copy of the Amendment, Mr. Speaker."

Shea: "It's your Amendment, Mr. Walsh."

Walsh: "My Amendment?"

Shea: "Your Amendment, Sir."

Walsh: "Oh, okay. Okay, if that's the Amendment, fine."

Shea: "Do you understand it now."

Walsh: "Yeah, it would have been nice ~~that~~ I got to offer  
it, it seems to me."

Speaker Redmond: "Representative Schraeder."

Shea: "It was your Amendment in Committee, Mr. Walsh."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Mr. Speaker, is this the Amendment that we're  
discussing 'unless the President and the Speaker agree,  
otherwise with the consent of the Minority Leaders the  
Conference Committee shall consist of 5 Members from  
each House'. Is that it? Are you saying then, that  
there can be a lesser number if an agreement between  
the leadership."

Shea: "The Conference Committees are 5 Members and in order  
to increase it or decrease it, it would have to be



presiding officers with the consent of the Minority Party."

Speaker Redmond: "Anything further? The question is on the... Representative Kane."

Kane: "Has this House Joint Res...."

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

Choate: "Just a question, now this is on the Amendment suggested by Representative Walsh, Representative Shea, is moving the adoption, is that right?"

Speaker Redmond: "That is correct. Representative Kane."

Kane: "Has the... the inquiry is, has the Joint Resolution been distributed?"

Speaker Redmond: "Representative Shea."

Shea: "It has not only been distributed, it in the Journal."

Speaker Redmond: "Anything further? The question is on the Gentlemans motion to adopt Amendment #1, to House Bill or to the Resolution 94, all in favor say 'aye', opposed 'no', the 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Amendment #2, Matijevich ~~Amends~~ Amends House Joint Resolution 94, by deleting paragraph 10 (a), and inserting in lieu thereof, the following: Report of a Conference Committee on the amount of appropriation Bills shall be confined to the subject of the disagreement between the Houses as manifested by the disputed Amendment."

Speaker Redmond: "Representative Matijevich."

Matijevich: "Ladies and Gentlemen of the House. I hope you pay attention to this because, many of us have at different times arose on the floor of the House and complained about what we get back in the way of Conference Committee reports and I want to tell you that if you adopt House Joint Resolution 94, you may still have that complaint



coming forward and Amendment #2, which I offer at this time states that the report of the Conference Committee on an non appropriation Bills shall be confined to the subject of the disagreement between the Houses as manifested by the disputed Amendment. This will prohibit the Conference Committee report from coming in with a lot of surprises and goodies that none of us will expect and it will confine their report to the subject of the disagreement. That has always been the attempt of the Legislature, when I came down here that's the way it was written into the rules, although it wasn't real clear. This makes it very clear and they can't afford it from now on, so I ask Ladies and Gentlemen of the House, that you vote with me in the adoption of Amendment #2, to House Joint Resolution 94."

Speaker Redmond: "Representative Shea."

Shea: "Since this portion of it came out of the C.O.O.G.A. Committee I would yield to Representative Katz."

Speaker Redmond: "Representative Katz."

Katz: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I suddenly find myself at the microphone. With regard to Matijevich's motion, the problem... I'm not really... I would want to tell you, opposed to Mr. Matijevich motion, I think you ought to understand however, that if you adopt that motion that it is going to make Conference Committees... find it more difficult for them to reach an agreement because there are some times when... in order to get an agreement in the Conference Committee there are changes in the provisions that somebody will say, well okay, we would make that change if you will make this change. Under Mr. Matijevich Amendment, you couldn't... the Conference Committee could not change anyother subject than the actual matter before the Committee. That will limit the ability and





flexibility within the Conference Committee but, there is a lot to be said for it and I personally have some doubts about whether it will bother us but, I personally think there is a lot to be said for not letting Conference Committees come in with something out of left field that didn't have anything to do with the matter that sent the Bill to Conference Committee in the first place."

Speaker Redmond: "Representative Tipsword."

Tipsword: "Mr. Speaker and Ladies and Gentlemen, I would like to rise in support of this Amendment.... this House Joint Resolution. I think that it is absolute imperative for the good of the House and so that all of the Members of the House and the Senate shall know what should be covered in a Conference Committee report that we specified that they are restricted to the matters in disagreement and nothing else. It has been a source of the greatest surprise to Members of the Senate and the House to discover sometime after the Bill has been signed into law, that may have gone through a Conference Committee, that it was a Bill completely different than from that which they voted and for which they are charged upon their voting record in the House Journals when they are published. You have people coming to you and saying to you, why did you vote for such a Bill and you suddenly discover that it contains provision that you had absolutely no idea were in the Bill and were not provisions that were in dispute when the Bill went to the Conference Committee. So, I would strongly urge the Members of this House, if you want to know what you're voting on and if you want to be able to be responsible for your vote when you go home that you vote for this Amendment... restricting the Conference Committee to the matter in dispute between the Houses."

Speaker Redmond: "Anything further? Representative Lundy.



Representative Hanahan."

Hanahan: "Yes, Mr. Speaker, I rise to support this Amendment also, staying around here since Governor has the Amendatory veto, just brings to mind the same argument that is used when we have tried to reduce the Governor's amendatory veto power, the same thing on this argument on the Conference Committee. That you come out of left field with some report that nobody has ever heard of, you get added language put in the Bill that nobody dreamt was even in there, where generally Conference Committee reports are read late hours at night and there are many weary hours of work. I think that the least we could expect in a Conference Committee report is that the subject matter is kept in line with the desires of the Legislature of the House and the Senate when the Bill went to a Conference Committee, to come back with some sort of extraneous language that changes the whole makeup of the Bill and changes the intent of the Legislation because it has the concurrence of the Chief Sponsor of the Bill and maybe none of his co-sponsors. I think some of the worst things that could happen to a man here on the floor of the House, or a woman, is be a co-sponsor to a Bill that has been radically changed by a Conference Committee and they won't want to co-sponsor that Bill if they knew it... and late hours of the night a Conference Committee report is handed out and you vote on it, you don't even know what was in the Bill and anyone that says that they read every Conference Committee report... I would like to meet that man, he must be a Houdini. Just to keep up with the titles on the Conference Committee without reading it all is quite a charge. So, I think it is a good Amendment and it should be adopted."

Speaker Redmond: "The question is on the adoption of Amend-



ment #2, all those in favor... Representative Kosinski."

Kosinski: "Will the Sponsor of the Amendment yield to a question..."

Speaker Redmond: "He will."

Kosinski: "...the Resolution... who's that? Who is the Sponsor of the Resolution?"

Speaker Redmond: "Matijevich."

Kosinski: "Not the Amendment, the Resolution."

Speaker Redmond: "The Resolution is Shea."

Kosinski: "Mr. Shea, will this House Joint Resolution... should we pass it with Amendment, still have to go to the Senate for concurrence?"

Shea: "Yes."

Kosinski: "Thank you."

Speaker Redmond: "Representative Skinner."

Skinner: "Yes, I wonder if Representative Matijevich, would yield to another question?"

Speaker Redmond: "Will you yield? He indicates that he will."

Skinner: "If this Amendment were adopted, would that Legislative by-monthly pay Bill be allowed to come back with a twenty thousand pay raise on it, from a Conference Committee?"

Matijevich: "It would be precluded from coming back in that way."

Skinner: "Could it come back that way now?"

Matijevich: "I guess it could."

Skinner: "Son of a gun."

Speaker Redmond: "Anything further? The question is on the adoption of the Resolution. All in favor... the adoption of the Amendment to the Resolution. All in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it and Amendment #2, is adopted. Back to the Resolution, Representative Shea, to close."

Shea: "If there are no question, I would move for the adopt-



ion of the Resolution."

Speaker Redmond: "The question is on the adoption of the Resolution... Representative Choate."

Choate: "I would like ask the Sponsor... just one question, Mr. Speaker."

Speaker Redmond: "Proceed."

Choate: "Representative Shea, the Majority Leader and direct my question also to the Speaker. In recent Session we've heard numerous ones including myself... get on the floor of the House and ask about Conference Committee reports that the Members duly appointed by the Leadership to Conference Committees were not consulted... were not advised when the Conference Committee was going to be held or where it was going to be held. The only thing that they knew was maybe one Member from the House and a Member from the Senate would come to them with a type written report, as far as the Conference Committee was concerned and ask them to sign it, to make a Conference Committee report. You heard me take the floor of the House as late as most recent Session, I would like to illicit from the Leadership from both sides of the aisle that this will not be allowed to continue... that if one is appointed to a Conference Committee, he shall be advised of the place and the time and the subject matter to be concerned and then.... the only reason that I'm bring this question up, Mr. Speaker, and Members of the House, as I was not at the Rules Committee meeting when this report was adopted. I would assume that it was simply because I was at Appropriations II, which was in conflict. I diligently as Chairman of Rules Committee will tell you, attempted to attend at all times, however, I was not at this one. I would like to illicit a statement from the Leadership, from both sides of the aisle..."

Shea: "Might I answer that..."



Choate: "... that this will not be able to continue in Conference Committee as far as this Session of General Assembly is concerned."

Speaker Redmond: "Representative Shea."

Shea: "Might I direct you attention to Rule 8, which says the Conference Committee shall meet upon reasonable public notice given by the Chairman at such time and place may be convenient and having conferred freely shall report to both Houses the results of the Conference and further direct your attention to rule 10 (c), which say the report of the Conference Committee shall be presented by the Chairman to each Conference Committee Member consideration."

Choate: "Jerry, what I'm saying and you know what I'm saying, because you also sit on the floor of the House... I appreciate your answer, yes, because you've been on the floor of the House talking about Members not being advised to the meeting place the same as I have been and the only thing that I want is, exactly what you said... that the Members will be notified if they desire to attend fine, if they don't they've still been notified but I would like for each and every Member..."

Shea: "You have my.... on that."

Choate: "Thank you, Sir."

Speaker Redmond: "Representative James Houlihan."

Houlihan: "Mr. Speaker, I would like to ask the Sponsor a question?"

Speaker Redmond: "Proceed."

Houlihan: "Representative Shea, you indicated that the Conference would not be able to come back with an increased dollar amount from one of the House... to the House or the Senate Chambers."

Shea: "That was my specific Amendment to that rule."

Houlihan: "Was there any reason why you did not also amend



so they could not come back with a lower dollar amount in one of the Chambers. So, that they would be somewhere between the higher and the lower."

Shea: "Just that everybody was concerned about raising the ante and we know when it goes to that Conference Committee what the top dollar limitation shall be."

Houlihan: "Thank you, Mr. Speaker."

Speaker Redmond: "Representative Kane."

Kane: "Would the Sponsor yield to a question?"

Speaker Redmond: "He will."

Kane: "The rules limits the kinds of motions that can be made for concurrence and non concurrence, but it doesn't say anything about who can make those motions and I'm wondering if that the intent of the Leadership that those motions be limited to the Chief Sponsor of the Bill or can other motions be filed contrary to wishes of the Chief Sponsor."

Shea: "I think that has always been a decision of each Chamber. I know in the Senate they have a rule that if after the second day, the Sponsor doesn't move it, another Sponsor could or might move it. It has always been at least... as long as I've been in the House, a standing tradition in this House that the Sponsors... the lead Sponsor of a Bill had control of that Bill."

Kane: "Well, does this preclude then... the House from doing something different from what the Chief Sponsor wants even after say, a first Roll Call has been taken and it is obvious that the House disagrees with the Chief Sponsor, is there any way of getting the opposite motion made."

Shea: "The rules are silent there too, and as you well know and you've been around here probably as long as I have, if you can garner 89 votes, you can do lots of things."

Speaker Redmond: "Representative Schraeder."



Schraeder: "Wonder if the Sponsor would yield to a question?"

Speaker Redmond: "He will."

Schraeder: "Representative Shea, is there any provision in the proposed Joint Rule which would mandate that the Sponsor of the Bill be a part of the Conference Committee?"

Shea: "No."

Schraeder: "You're saying then, he's.... may in many cases will not be appointed."

Shea: "No, I'm not saying that. You're asking me if the rules cover that situation and the answer is no. As far as I know, as far as the Democratic Members have gone, the Speaker has always appointed the Sponsor as one of the Members."

Schraeder: "That's my understanding that Speaker, Redmond did do that. Is there any provision that says that any one Member and particularly Leadership shall not serve over ten, twenty or twenty-five Conference Committees at one time, that happened last time where one Member, I understand served on twenty-five at one time."

Shea: "There is no restriction on the presiding officers power or on the Minority Leader power."

Schraeder: "Thank you."

Speaker Redmond: "Representative Washburn."

Washburn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I stand to arise in support of House Joint Resolution 94, I know that the compliants that have been registered in prior years as to the secrecy and the deals of one thing and another, that might have been... might have taken place by Conference Committee and the lack of holding meetings and one thing and another. I think House Joint Resolution 94, with its two Amendments is a great improvement in the Conference Committee procedure and certainly I would support the... Representative Shea's Resolution."

Speaker Redmond: "Anything further? The question is on the



adoption of the Resolution, all those in favor say 'aye', opposed... Representative Shea."

Shea: "I think we need a Roll Call, don't we?"

Speaker Redmond: "All those in favor vote 'aye', opposed vote 'no'. Have all voted who wished? The Clerk will take the record. On this question there are 138 'ayes' and no 'nays', the Resolution is adopted. Resolution 849. Representative Totten."

Totten: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Resolution 849, directs the Illinois Public Employees Pension Laws Commission to examine the current participation of the State of Illinois in the in the Social Security System and evaluate the effectiveness of the present coverage and to see if really we are getting the best deal. The Resolution passed out of Committee unanimously, the Pension Laws Committee representatives would like to have the opportunity to look at it and the Sub-committee and I respectfully request your support in House Resolution 849."

Speaker Redmond: "Any discussion? Representative Terzich."

Terzich: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I unanimously endorse this Resolution and at the present time we do have a couple Sub-committees dealing with the funding problem and also, the problem of consolidation. And, it certainly wouldn't be any problem whatsoever to look into the very important subject of Social Security, I believe there are approximately thirty-two million dollars paid into this program by the State of Illinois and I would urge support of the adoption of House Resolution 849."

Speaker Redmond: "Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. I too, would concur with what Representative Terzich has said, it just so happens that there is a working Sub-Committee now studying the funding problems





as far as the pension system is concerned and this certainly when referred will just be some added material that we can address ourselves to and I would encourage the adoption of it."

Speaker Redmond: "Anything further? The question is on the adoption of House Resolution 849. All in favor indicate by saying 'aye', opposed 'no', the 'ayes' have it and the Resolution is adopted. House Bills, Second Reading appears House Bill 3491, Representative Ralph Dunn. Ralph Dunn, 3491..."

Clerk Selcke: "House Bill 3491, a Bill for an Act in relation to a tax upon persons engaged in the business of removing or extracting coal from the soil or subsoil etc.. Second Reading of the Bill, one Committee Amendment which was Tabled in Committee, floor Amendment #2, Schraeder, amend House Bill 3491, page 1, and so forth."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Well, Mr. Speaker, this was the Amendment that we were talking about when Representative... took it out of the record, this Amendment does one thing, it substitutes the word 'coal' and inserts in place of it thereof, 'minerals'. Representative Dunn, Bill would put a tax on the extraction of coal from the ground either surface or mine, and this would do the same thing only, would refer to it as the tax on minerals... any minerals and I ... if you want a tax on these facilities to help the counties and the townships and that, well then add to the word 'coal', 'minerals' and I would ask for a favorable vote, in support of the Amendment."

Speaker Redmond: "Representative Ralph Dunn."

Dunn: "Thank you, Mr. Speaker. Members of the House, I would like to have your attention please on this Amendment... The Amendment as I understand it, addresses itself to minerals which includes oil, gas, rock, sand, all minerals including coal. Now, House Bill 3491, was introduced.



just for coal and I would suggest that Representative Schraeder, wants a Bill that would put a tax on the other minerals including oil and gas, that he would introduce his own Bill instead of adding it on, or trying to add it on to my Bill. I certainly would appreciate a 'no' vote on the Schraeder, Amendment #2. I have Amendment #3, which makes the Bill a really good Bill and it doesn't cost the taxpayers of the State of Illinois a dime and it does bring in some revenues from out of State coal. Now, other minerals that Representative Schraeder, addressed himself to... I'm sure are mostly all sold within the State, so I would appreciate a 'no' vote on the Schraeder Amendment #2, on Amendment to my Bill."

Speaker Redmond: "Representative Ewing."

Ewing: "Yes, Mr. Speaker, would the Sponsor of the Amendment yield for a question? Representative, when you say minerals, I may have missed your explanation, are you including oil?"

Schraeder: "Anything that's covered with the Webster definition of minerals, yes."

Ewing: "Is oil covered by Webster...."

Schraeder: "That particular... well, I can't say, if it's not covered... it wasn't my intention to cover oil as he has pointed out but if it is a classification of mineral that would be included."

Ewing: "You're saying it was not your intention to cover."

Schraeder: "No, it was not."

Ewing: "Mr. Speaker, I would like to speak to the Amendment. In the last Session of this House, we considered a Bill similar to this and it had in it, all minerals but oil and gas. It seems to me to be very unfair to tax certain minerals and not to tax oil and gas. I believe that the Amendment to this Bill is so far reaching that it should be defeated, that the Sponsor should have his Bill in



the shape that he wants it and I believe if we're going to go to a tax on all minerals it should include oil and gas and it should be properly heard by Committee and not tacked on to it in this House and I would ask for a 'no' vote on this Amendment. Thank you."

Speaker Redmond: "Representative Grotberg."

Grotberg: "Yes, thank you, Mr. Speaker. I would like to address this Amendment... I don't very often part ways with my good friend, Fred Schraeder, but on this one Ladies and Gentlemen of this House, you better be ware of the stone quarry, gravel pits, sands pot... any sand box or whatever it is in your district and the people who are trying to generate the necessary ingredients that it takes to do construction... to do everything in your area, are all involved in this Amendment to House Bill 3491. We went all over this last year and succeeded in narrowing it down. I'm not particularly in love with my good friends House Bill 3494, but this would certainly ruin it for everybody if threw this in, and I would recommend a 'no' vote on this Amendment."

Speaker Redmond: "Representative Von Boeckman."

Von Boeckman: "Mr. Speaker and Ladies and Gentlemen of the House. I oppose Fred Schraeder, on this Bill also but, I can only see a higher cost to the State government and local municipal government because when you're talking about most of the sand and gravel and cement, that is manufactured in... especially in my district, it would just increase the cost of the government so therefore, I urge a 'no' vote on this."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Speaker, this is obviously the Amendment that attempting to get Lester Crowns empire under taxation finally and for that reason it is an excellent Amendment but for this House to be consistent with its action in the Department of Transportation Bill when we refused to



add the Lester Crown Weight Station on route 62, in Barrington Hills, so Alexander McArthur could get some revenue out of the over weight trucks that are ruining route 62, it seems to me we ought to wait until next year and do a real good job."

Speaker Redmond: "Representative McAuliffe."

McAuliffe: "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 Schraeder, to close."

Schraeder: "Mr. Speaker, just a question of whether or not you want to put a tax on these, if you don't... then I would say defeat the Amendment and then defeat the Bill. It's just a way of financing county government and I'm certainly very cognizant of the wish... to vote up or down."

Speaker Redmond: "The question is on the Gentlemans motion to adopt Amendment #2, to House Bill 3491. All in favor vote 'aye', opposed vote 'no'. Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 6 'aye' and 110 'no', the Gentlemans motion fails and the Amendment is not adopted. Any further Amendments?"

Clerk Selcke: "Amendment #3, Ralph Dunn, et al. Amend House Bill 3491, on page 1, by deleting line 3 and 4, and so forth."

Speaker Redmond; "Representative Ralph Dunn."

Dunn: "Thank you, Mr. Speaker. Amendment #3, puts the Bill into really an ideal shape, I have tried to hand out a hand Bill to all of you and I hope you have it... it's signed by Representative Choate, Representative Hart and myself, telling you what Amendment #3, does... it causes



no price increase in Illinois coal... it causes no price increase in Illinois coal, the Illinois users because it substitutes a severance tax for the current county sales tax, at 1%. It gives the coal producing counties a 1% severance tax on all coal mined in the county. Currently the coal producing counties receive a 1% sales tax on the coal that's sold in Illinois but it receives nothing on taxation of exported coal. Because coal sold inter state commerce or any other material is exempt from sales tax, over half of the coal that we mine in the State of Illinois... some 56%, is shipped out of State so this will cause no change in income to the State of Illinois, it would be a tax to the... that would come back as the coal tax does now on a 1% to the counties. I would urge the adoption of Amendment #3."

Speaker Redmond: "Any questions? The question is on the Gentlemans motion for the adoption of Amendment #3. Those in favor indicate by saying 'aye', opposed 'no', the 'ayes' have it, the motion is adopted.... motion carrier and the Amendment is adopted. Any further Amendments? Third Reading. Senate Bills, Second Reading. On Senate Bills, Second Reading appears Senate Bill 1604, Representative Richmond, is recognized. Representative Richmond, on 1604. Representative Dunn..."

Clerk Selcke: "Senate Bill..."

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

Dunn: "Did you move it to Third Reading."

Speaker Redmond: "I did, yes."

Dunn: "Thank you, Sir."

Speaker Redmond: "3491, Third Reading. Representative Richmond, I understand you want to return that to the order of Second Reading for the purpose of an Amendment, is that correct? Does he have leave?"



Richmond: "That is correct."

Speaker Redmond: "Hearing no objections, leave is granted.

Is there an Amendment, Mr. Clerk?"

Clerk Selcke: "Amendment #1, amends Senate Bill 1604, as amended on page 1, by deleting line 2, and inserting in lieu there the following and so forth."

Speaker Redmond: "Representative Shea... the Amendment on 1604. Representative Yourell, pardon me."

Yourell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. I would first like to indicate to you that, Representative Shea, at the request of many Members of the House had drafted this Amendment to Senate Bill 1604. I want it made perfectly clear that there is no chief Sponsor of this Amendment rather than... there are many individuals that are very much interested in seeing that Amendment #1, to Senate Bill 16054, becomes a reality. I might mention some of their names, Representative Barnes, Representative Palmer, Representative Shea, Representative Leinenweber, Representative Schneider, Representative Van Dyne, Representative Sangmeister, Representative G.L. Hoffman, Representative Daniels, Representative Dyer, Representative Madigan, Representative Beatty, Representative Kucharski, Representative Terzich, Representative Kornowicz, Representative MCAvoy, Representative Houlihan, Representative Jones and Representative Meyers. All of the individuals names, Ladies and Gentlemen have a distinct purpose in the adoption of this Amendment in that it provides from the General Revenue Fund of the State of Illinois, one million dollars and from the Road Fund, one million dollars for a total two million dollars and the following named sums are so much thereof as may be necessary, respectively are appropriated to the office of the Governor for the purpose of emergency service to disaster areas in the



counties of Cook, DuPage and Will, as the result of the tornadoes and severe storms which occurred yesterday. Now, I know that Representative Barnes, Representative Palmer and myself, Representative Shea and other individuals toured that disaster site, particularly in Lamont and I can tell you that the funds are drastically and sorely needed to alleviate human suffering. And, so I want it made perfectly clear this is not a political Amendment, I don't want anybody to get an idea that there are taking political Sponsorship with this Amendment for publicity purposes... what we want to do is pass the Amendment so that we can elevate the human suffering that is present in the three counties mentioned. I move for the adoption of Amendment #1, to Senate Bill 1604."

Speaker Redmond: "Representative Schlickman."

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

Speaker Redmond: "State your point."

Schlickman: "We have here a Bill appropriating to the Department of Mines and Minerals for the fiscal year beginning July 1, 1976, and I respectfully suggest that this Amendment lacks germaneness."

Speaker Redmond: "Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House. This is an appropriation Bill, the second item that seeks to be sought is an appropriation in the amount of two million dollars to the Governor of this State for the purpose named by Representative Yourell. Not one penny of that can be expended unless authorized in writing by the Governor."

Schlickman: "Have you ruled, Mr. Speaker?"

Speaker Redmond: "I'm looking for the Parliamentarian."

Schlickman: "Okay."

Speaker Redmond: "He's beefing on the desk here."



Shea: "I might add one thing further, Mr. Speaker. The purpose of putting that Amendment on Mines and Minerals, and I discussed this with Mr. Richmond, before hand and we discussed it with Members of the Senate was so that tomorrow this Bill could be passed and sent to the Senate and I've got the assurance of Senator Ozinga and other Members of the Senate, that they are wholeheartedly in agreement with this and that means by tomorrow this money can be made available to the Governor for either matching funds for the disaster area or for any other purpose the Governor so desires to help those people."

Speaker Redmond: "Representative Meyer."

Meyer: "I'm in favor of the concept but I would question in the one that Representative Shea... I mean Schlickman, whether the Department of Mines and Minerals has authorization to expend money for this purpose."

Speaker Redmond: "Representative Barnes."

Barnes: "I would agree with my Representative from the district from the other side of the aisle that this should not be a political scene, it should be something that should be handled in a very business like manner and without motion and that's what I mean as personally motion. Now, I was out there last night from 11 till 4, this morning and went through and viewed all the damage first hand and I flew down to Springfield early this morning and this has had my prime concern the entire day. I had agreed with this Amendment that was introduced by Representative Yourell, and I had put in another Bill which I thought was right. But, since then I have done some further research and have found out that the Governors office along with Congressman Derwinski, in Washington has been working on a Federal Program and as far as they can assess the damage in DuPage and Cook County, is three hundred and forty thousand for public damage,





5.3 million for private damage, one hundred thousand dollars for debris clearance. Now, in discussing this Amendment and also another Bill that I had proposed, they have convinced me that both my Bill and the Resolution would merely negate what can be done Federally for the people in my district and while I would like to have my name on something so the people in my district would know that I'm for them, I think that the fact that I was out there in the dark from 11 until 4 o'clock this morning, will prove to them that I am trying to help them and if this Resolution and the Bill that I have proposed will negate what they are trying to do Federally, I am not for it, I would step aside and not have my name or anything because the people in my district are more important than the publicity that I could seek with these Bills."

Speaker Redmond: "Representative Skinner."

Skinner: "He'll get back to your point in a minute, I'm sure Jane. If you will excuse me for a moment... I would like to make several points. The first of which is, that this Bill will not take affect until July 1, 1976, so somebody is mistaken when the money will be available unless Section 4, is all of a sudden become inoperative. The second of which, I believe the Civil Defense or whatever we call them now, has a fund... a emergency services... has a fund for purposes such as this that equal about eight hundred thousand dollars so, I... unless that has been totally spent for this year, it seems to me that the Governor has in his power now to allocate a hundred thousand dollars to clear debris or something to that effect. I would like to touch a bit on what Representative Barnes, said about the Federal power because while I was working for the Federal government, for the Bureau of the Budget, I was a budget ex-



aminer for the small business administration which has charge of all of the diaster relief activities in the county and for the life of me, I cannot... the first thing that has to be done, is the Governor has to declare it a disaster area, he has not done that at the present time and as I heard over the radio, while coming down here that he was not going to until he got an actuate assessment of the damage. It appears that the federal government perhaps could help the Governör make up his mind, certainly 5.9 million dollars seems adequate enough for him to declare Cook County a major disaster area and then he can apply for the federal government designation and if the President decides to declare it as a national disaster area all sorts of federal goodies start pouring into the area. This is not a problem which needs the type of reaction that I think it is getting here, there are all sorts of very well laid out plans as to how the federal government reacts to major disaster such as this and I really would suggest that the Sponsor ... if the Sponsor thinks this is going to do what he seems to have stated that he thinks that we're going to do, at least he ought to change the effective date and secondly I'm not even sure that we should be spending State money other than what is in the emergency services fund... until we see what the federal government is going to do because they are the ones that have been given the primary mandate for emergency relief in things like dams breaking and stuff like that."

Speaker Redmond: "The Parliamentarian has pointed out that the provision of the State Constitution, Article IV, Section 8... Sub Section (b). The Bills except Bills for appropriations and for codification revision and rearrangement of laws shall be confined to one subject. Appropriation Bills shall be limited to the subject of



appropriations. So, it would appear that this Bill is... this Amendment is a subject of a appropriation and therefore, I would rule that it is germane. Representative Meyer."

Meyer: "Mr. Speaker, I would like to know where the authorizing Legislation is? If you would question the Parliamentarian."

Speaker Redmond: "The inquiry was whether or not this Amendment was germane to the subject matter of Senate Bill 1604, and the answer is... Representative Schlickman."

Schlickman: "Mr. Speaker, if I could pursue a little bit further... I maintain there is no authorization for this."

Speaker Redmond: "I would assume that there is no authorization... that it will not be honored by the Comptroller but I think that's beyond our consideration as far as Senate Bill 1604. Representative Schlickman."

Schlickman: "Well, Mr. Speaker and Members of the House. I'm very surprised to find... to hear the Speaker of this House relying upon the State Constitution with regards to germane. Now, if you look at the Constitutional debate... the sole issue there, is to maintain a separation between appropriations and substantive matters and that's all it does. What we're dealing here, Mr. Speaker and Members of the House is with an expressed rule of this House that is not restricted to substantive matters, it is not restricted to appropriations, it is a general application and says that Amendments shall be germane to the subject matter. Now, Mr. Speaker and Members of the House, the subject matter of this Bill is the annual and ordinary appropriation to the Department of Mines and Minerals. And, how in the world you can relate... the annual appropriation for the ordinary and contingent expenses of the Department of Mine and Minerals, to a disaster area in a particular



area of this State, I don't know. I plead with you with you, Mr. Speaker, for the... for existing a deliberative process and putting aside the merit which I think is good, this is not the means."

Speaker Redmond: "Representative Shea."

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

On your Bill... on your desk today was a Bill marked House Bill 3363, that was the subject matter of a gubernatorial reduction veto. That Bill when left here had Section 1, in it which provided money for the Comptroller pursuant to a expenditure for the Juvenile Court Act. The Senate added Section 2, which provided from the common school fund the money to the State Board of Education for the payment of the regional superintendents and assistants of public instruction. Now, that passed this House overwhelmingly when we went to concur in that Amendment, so this is not a new process. I might add further... that the way the language is couched in the Bill... not one penny has to be spent unless authorized by the Chief Executive Officer. The reason for that being effective the first day of July, if it passed tomorrow, he would know the money is available if necessary. But, the Bill itself would take effect July 1, because that's when the appropriation for Mines and Minerals have to take effect. If... I would like to tell you some of the things that I think Members of this House has done... try to at least find out what's going on. I talked to Mr. Goldberg, the Governor's assistant, upon my arrival today, he said that he had been in touch with and the Governor's Office had been in touch with Washington... that they were getting cooperation from Congressman Derwinski, whose district this is in, what they were attempting to do was to find out the amount of damage within the several counties, I



talked to Members of this body from Will County to try to get an assessment of the amount of damage in that county and relay it to the Governors office, I talked to Members of DuPage delegation and asked them to get that information for DuPage County. I talked to President George Dunn, the Sheriff Elrods office and the Commissioner Harris office in Cook County trying to get an assessment of the damage and relay it to the Governors office so that they could get this to be declared a disaster area. At least in the conversation I got from the Governors Chief Council, was that one of their concerns was the matching funds in case there was federal aid available. Not one penny of this appropriation can be expended unless authorized and approved by the Chief Executive officer of this State."

Speaker Redmond: "To get back to the point of order, in the ruling... the ruling is that the subject is appropriations and I believe that it is germane. I can't be anymore Constitutional when the Constitution in which it says, that the appropriation Bills shall be limited to the subject of appropriation and therefore, I consider that this subject is appropriation. Now, where do we stand on Amendment #1? Representative Yourell... Representative Satterthwaite, do you seek recognition?"

Satterthwaite: "Yes, Mr. Speaker. Will the Sponsor yield for a question? Representative Yourell, can you tell me what the Bill number is that makes the appropriation for the Civil Defense Agency for '77?"

Yourell: "House Bill 3820, presently on concurrence."

Satterthwaite: "If this Bill will not go into effect until July 1, anyway... why is it necessary to have this Amendment on top of the money that would be available through the normal channels of the Civil Defense Agency?"

Yourell: "To begin with... the Civil Defense Agency has a



budget balance, I'm informed, of six hundred thousand dollars. The second..."

Satterthwaite: "I'm talking about next years... appropriation."

Yourell: "Well, they answer your question about the timetable, it simply authorizes the Governor to make the money available... the authorization for the money available as early as tomorrow. Now, we know that he can make certain commitments and still not have to pay those commitments until they are... the effective date of the Act but, the fact remains that, if authorization for the commitment of the money can be there as early as tomorrow."

Satterthwaite: "Well, Mr. Speaker, if I may speak to this... it seems to me that in using the process of amending this Bill which will not become effective until July 1, we give the Governor no additional authority beyond that which he would have by the new appropriation that is available through the Civil Defense Agency for the 1977, fiscal year and for that reason, I feel that I must oppose the Amendment and would prefer that we deal with these emergency matters in the same way that we have dealt with all the other emergency matters throughout the past years."

Speaker Redmond: "Representative Flinn."

Flinn: "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 those in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it... Representative Yourell, to close."

Yourell: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I know that this is a matter of some concern to most Members of this House, but in particular to those Members that I mentioned who are Sponsors of



this Amendment #1, to Senate Bill 1604. What we're talking about here is trying to elevate human suffering just as quickly as possible. You heard Representative Barnes say that he was out there last night in the rain spending considerable time, Representative Palmer, I understand is still out there trying to get the facts and data necessary to support this Amendment. We have indicated to Representative Palmer, exactly what we're going to do, we had him on a conference call and he agrees that he will support this Amendment. All of the other Members who are on this Amendment, I think are anxious to get the ball rolling to authorize the Governor to spend as much as is necessary of the money appropriated to him through Amendment to Senate Bill 1604, and I ask for a favorable Roll Call."

Speaker Redmond: "The question is on the Gentlemen's motion to adopt Amendment #1. Those in favor vote 'aye', opposed vote 'no'. Representative Meyers."

Meyer: "Mr. Speaker, I think it's appropriate that we just did the rules in Conference Committee. Now, I spent all last night and half of today, cleaning up two trees that got blown down in my house, one in the front and one in the rear... and clearing up a flooded basement and everyone else in my... in the block and the ward, was deluged and their trees down and the place is a mess. But, quite frankly, if we're going to permit Amendments like this in light of the fact that we're coming up with Conference Committee reports in the next two weeks we'll never be able to understand because you can find in mines and mineral Conference Committee report... the Governor's action office or anything else. And, for those reasons I'm going to oppose this Amendment."

Speaker Redmond: "Representative Grotberg."

Grotberg: "Thank you, Mr. Speaker. I'm not voting against



the context of this Bill, I'm voting on a principal that I sat in Appropriations Committee and heard Jack Williams and Ed Bluthardt, pleading for disaster funds from last April, tornado in Schiller Park and Franklin Park, the Governor has not even gotten around to dealing with it yet. You know, there is an inconsistency here that I find hard to believe... basis on those arguments it would be better... let's add to it, those funds at the same time and let's take care of the disasters as they come if the Civil Defense Group can't handle it but purely on that principal that I explain my vote."

Speaker Redmond: "Representative Byers."

Byers: "Thank you, Mr. Speaker. I reluctantly oppose this... the proper place for this would be in a supplemental appropriation to the State Emergency Services Program and first, the President has to declare this as a disaster area so, that then we will qualify for federal funds and I think that this is a hasty action and so I would oppose this action and so, I would oppose this Amendment at this time."

Speaker Redmond: "Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House. I don't believe that there is any way under the law or a Constitution either one, the Governor to make an obligation tomorrow to be paid out of next years appropriation."

Speaker Redmond: "Representative Gaines."

Gaines: "As the resident of an area that was inundated in terms of flooding of a basement, I am concerned about the procedure but I think it is a procedure that might be necessary to get the help. And, I wish to ask maybe the Sponsor can make a comment during his explanation of his vote... as to whether those who have flooded basements in the City of Chicago will come under this Bill."

Speaker Redmond: "Representative Yourell, do you care to respond?"





Yourell: "Well, I am delighted to be able to speak to this again and certainly I would agree with Representative Gaines, that that's part of it... it appears to be part of it and the Governor has... I have just been informed, declared this as a disaster area."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Well, Mr. Speaker and Ladies and Gentlemen of the House. As it was pointed out by Representative Yourell, we have six hundred thousand dollars left in this years budget only. Fiscal '77, if you recall that budget at all when it passed this House, went into the Senate... contained a total amount of seven hundred thousand dollars for disaster relief. Unfortunately that dollar amount will not accommodate the unfortunate situation that developed over this past week within those three counties. Also concur with Representative Grotberg, pointed out that some of the other counties that were severely affected have not been reimbursed. I'm sure that this money is definitely needed... I don't ... I believe that this is the only recourse that we do have as far as amended this Bill... to put it on the Governors desk as quickly as possible, he can apply for federal funds as quickly as possible and Representative Byers, the Governor has to declare the area first and then the federal government moves in. I strongly encourage an 'aye' vote."

Speaker Redmond: "Representative McMaster."

McMaster: "Mr. Speaker, Ladies and Gentlemen of the House. In explaining my vote, I don't think any of us deny that we're in favor of the concept of helping the people in the disaster area. I do want to point out though that this is a Senate Bill, on Second Reading... that we are trying to amend today, it will not go to Third Reading until tomorrow... it may or may not be passed



tomorrow. In the event that it is passed, it must go back to the Senate again and then to concur in the House Amendment... they may or may not concur, it could go again to a Conference Committee and I think that the attempt to speed this thing up is going to go awry and I do not believe that it is possible to move it that fast. I think that the appropriation Bill, that I believe is on concurrence for the disaster fund, is a more appropriate place for this money to be put, I think that it is on the... what... order of concurrence... and I think we can non concur and send it to a Conference Committee and it can be put on the Conference Committee and get reported out just as quickly as if not quicker than it can be done on this Appropriation Bill for Mines and Minerals. And, I would urge that we have a 'no' vote on this Amendment and do it properly."

Speaker Redmond: "Representative Duff."

Duff: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I don't think we can always seek protection when we're trying to solve an emergency and I don't think that this is the only proposal that we should have to try to help solve this problem. I'm going to vote 'aye' on this... primarily to offer another alternative in amongst the decisions that will have to be made in the next couple of days. However, I don't think it is fair to have Representative Gaines, answer that everybody who got a flooded basement is going to be covered under this Bill. Heaven forbid that we have reached the day where the State had to take care of everybody's flooded basement, I have had at least six in the last 10 years and I don't think that's the purpose at all. We're talking about homes that have been destroyed, we're not talking about flooded basements."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there are 74 'ayes'



41 'no', and the motion carries and the Amendment is adopted. Any further Amendments? Third Reading. Representative Byers."

Byers: "Mr. Speaker, I have a news release from the Governors office here which says, that they have declared this a disaster area and also that these counties have been designated for a small business administration loans. The total damage is 5.8 million dollars including more than 5.3, million in private damage, three hundred and forty thousand in public damage and a hundred thousand for clearance for debris and it indicates that a hundred and sixty-two homes were damaged and it does ask for President Ford, to declare this an emergency so that they will be qualified for federal relief help and I think that we should probably reconsider our vote."

Speaker Redmond: "Senate Bills, Second Reading. Senate Bill 1600, Representative Schraeder."

Clerk Selcke: "Senate Bill 1600, a Bill for an Act to provide for the ordinary and contingent expenses...."

Speaker Redmond: "Out of the record. 1619, J. M. Houlihan."

Clerk Selcke: "Senate Bill 16... out of the record, Dan? Out of the record."

Speaker Redmond: "Out... no, he says, Mr. Clerk, go ahead... J. M. Houlihan. That's Dan Houlihan... J.M., is the one over there. Jim Houlihan, will you raise your hand."

Clerk Selcke: "I got them mixed up. An Act to provide for the ordinary and contingent expense of the Illinois Commerce Commission. Second Reading of the Bill, two Committee Amendments. Committee Amendment #1, amends Senate Bill 1619, on page 1, line 11 and so forth."

Speaker Redmond: "J.M. Houlihan."

Houlihan: "Mr. Speaker, and Ladies and Gentlemen of the House. Committee Amendment #1, restores the funds that were deleted in the Senate to Senate Bill 1619. The



Senate had deleted a number of positions thinking that they were funded from the General Revenue Fund, they were actually funded from the Public Utilities Fund and the Chairman pointed out, through discussions in the Committee and also, in conversations with the Senate Sponsor that the Commerce Commission is in a terribly competitive field where they have been interviewing for a long period of time for technical positions and to delete this position would put them at a terrible disadvantage in servicing and actually regulating the utilities and other industries which they are directed to do. The Committee agreed with the Commerce Commission position on this issue and restore these funds, I would move for the favorable consideration of Amendment #1."

Speaker Redmond: "Any discussion? The question is on the adoption of Amendment #1, all in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted."

Clerk Selcke: "Committee Amendment #2, amends Senate Bill 1619, page 1, line 11 and so forth."

Speaker Redmond: "Representative Houlihan."

Houlihan: "Mr. Speaker and Ladies and Gentlemen of the House. Committee Amendment #2, if I could get the eye of the Chairman... at this point since we adopted Committee Amendment #1, I believe it's a Committee Amendment but I believe we'll Table Committee Amendment #2. The Chairman indicated that since Committee Amendment #1, was adopted that we would Table Committee Amendment #2, and I would so move."

Speaker Redmond: "Any objection? Amendment #2... Representative Schlickman."

Schlickman: "Well, I don't understand, Mr. Speaker and Members of the House. And, I am wondering if the Sponsor could enlighten..." Committee Amendment #1, was exactly that, a Committee Amendment now, numerically that came



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first then there was Committee Amendment #2, which was adopted in light of Committee Amendment #1. Now, we're being told that because Committee Amendment #1, was adopted Committee Amendment #2, should be Tabled."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If Committee Amendment #2, was a question when the Amendment was adopted as far as the funding of the positions. It has been a normal policy of the Appropriations Committee in the House to eliminate all position that have been vacant four months or longer. The positions that were eliminated in Amendment #2, were vacant four months or longer, the question was whether that was out of General Revenue Fund or out of other funds. And, as it was pointed out by the Sponsor of the Bill, the funds that we're talking about are not General Revenue Funds, they're out of the Public Utilities Division and out of the Motor Vehicle Fund and for that reason, we're restoring those positions to be filled because of the technicality of the positions that are... the job requirements that are concerned and the funding of the positions. I have no objections to Tabling Committee Amendment #2, that the information that was provided to us by the Chairman of the Commission."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Would the Sponsor yield for one question? Now, if Committee Amendment #2, had been adopted as the Committee on Appropriations had seen fit at one time, there would have been a net increase over what the Senate had approved at ten thousand, nine hundred dollars. Now, with the Tabling of Committee Amendment #2, by Committee Amendment #1, how much are we increasing the appropriations to the Illinois Commerce Commission than what was approved and passed by the Senate?"

Houlihan: "We are... Mr. Speaker..."



Speaker Redmond: "Representative Houlihan."

Houlihan: "We are restoring the Senate version to its original form which is restoration of about a hundred and thirty thousand dollars and the public utilities... I'll get the exact figure for you, Gene... I don't have... pardon."

Schlickman: "Perhaps the Chairman of the Committee knows."

Houlihan: "One hundred, thirty-two, nine."

Schlickman: "Thank you."

Houlihan: "The restoration in Committee Amendment #2, was less than that."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Can I answer Representative Schlickman, it's a hundred and thirty-two thousand and nine hundred dollars. One half."

Speaker Redmond: "Any further questions?"

Clerk Salcke: "Amendment #3, Stearney..."

Speaker Redmond: "Wait a minute now... what was the action on Amendment #2? What was the motion? The Gentleman moved to Table Amendment #2, right? Any objections? Representative Totten."

Totten: "Yes, I object to Tabling Amendment #2..."

Speaker Redmond: "Okay, let's go to a vote then. The Gentleman has moved to Table Amendment #2, all in favor indicate by voting 'aye', opposed vote 'no'. Motion to Table. Representative Totten."

Totten: "Yes, on the motion to Table, if I can explain my vote, Mr. Speaker. Committee Amendment #2, which the Chairman is attempting to Sponsor or to Table right now, is one that would have reduced the appropriation by a hundred and twenty-one thousand, two hundred dollars. Now, the Committee debated long on this Amendment and it was with the Chairman's agreement that we adopted the Amendment now, the Commission has not testified



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to this side of the aisle, why this Amendment would be Tabled. In fact... there is probably every justification that we should have substantiated our original Amendment which we had in the omnibus Bill which would have been somewhere around a hundred and thirty-two thousand dollars and I would recommend that this motion to Table, be defeated so that we do provide some fiscal accountability and put the reduction in the areas that they should be in the Illinois Commerce Commission. I see no reason to Table this Amendment."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there are 75 'ayes' and 61 'no', the Gentlemen's motion prevails, the Amendment #2, is Tabled. Any further Amendments?"

Clerk Selcke: "Amendment #3, Stearney. Amends Senate Bill 1619, and so forth."

Speaker Redmond: "Representative Stearney. We're not going to adopt it if nobody moves. Representative Houlihan."

Houlihan: "Mr. Speaker, I think that if the Clerk will look at Amendment #3, he will find it out of order, and not properly drafted."

Speaker Redmond: "We don't have to decide that if the Sponsor of the Amendment isn't here, we'll just Table it. Nobody here?"

Houlihan: "I move to Table that Amendment."

Speaker Redmond: "Representative Schlickman."

Schlickman: "I object to that motion, Mr. Speaker. It has been simply to proceed with our consideration of that Amendment. This has been your practice and I think a very good practice. Last week, Mr. Speaker..."

Speaker Redmond: "Okay, any further Amendments?"

Houlihan: "I withdraw my motion to Table in light of Representative Schlickman's remark."

Speaker Redmond: "Any further Amendments?"



Clerk Selcke: "Amendment #4..."

Speaker Redmond: "Representative Grotberg."

Grotberg: "Yes, on a point of Parliamentary inquiry, Mr.

Speaker. I'm looking for the appropriate rule but, I ran into a ruling that it takes 89 votes to Table a Committee Bill; does it take 89 votes then also to Table a Committee Amendment?"

Speaker Redmond: "Nobody moved that the Amendment be adopted.

Representative Totten... I would like to call your attention to the fact that we're trying to leave here at 8 o'clock."

Grotberg: "I was referring to the previous..."

Speaker Redmond: "I know... Representative Totten."

Totten: "Thank you, Mr. Speaker. If I might, Amendment #3, which was supposedly Tabled was technically incorrect and I wonder if the Sponsor would agree to allow Representative Stearney, when he returns... he brings it back to Second Reading to try to put that Amendment which would be technically correct, on and the reason that it is technically incorrect is because Amendment #2, was adopted."

Speaker Redmond: "Amendment #2, was Tabled."

Totten: "And the reason that 3, was technically incorrect because it was Tabled."

Speaker Redmond: "We're not passing on that now, nobody moved so we just went to... Representative Schlickman protested, we're now on the Amendment #4, and it's 8 o'clock. Representative Dunn... and I can stay here until 9, or 10, or 11, or 12. Representative John Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #4, provides for the expense to conduct a study relating to the transportation of hazardous materials over railways. This is subject matter which





the House Transportation Committee has had under consideration for approximately one year and about ten days ago, the House Transportation Committee voted out two Committee Bills, one to study the problem of transporting hazardous materials over highways and a second Bill, House Bill 3980, to authorize the Illinois Commerce Commission to study the transportation of hazardous material over railways. The purpose of these studies is to explore the federal regulations which are inexistant at the present time on this subject matter and to which of those regulations are appropriate for enforcement in the State of Illinois and to report back later this year the final report to the 80th General Assembly, so that we can get about the work of enforcing these regulations and making our highways and railroads safer. So, I would respect... I would move for the adoption of Amendment #4, and urge your favorable vote."

Speaker Redmond: "Representative Neff."

Neff: "Thank you, Mr. Speaker. I support this Amendment... the transportation Committee made quite a study on this we feel that there are further studies needed to be done on rail transportation of hazardous material and to do that, we passed out the substance Bill. But, this appropriation which is a hundred thousand dollars, is needed in order to in order to carry those functions out and I would hope that we would all vote 'yes' on this Amendment."

Speaker Redmond: "Representative Skinner."

Skinner: "Mr. Speaker, for almost... it has almost been a weekly occurrence during this General Assembly that some part of the State of Illinois has had either a railroad car leak or a truck start leaking with some kind of hazardous gas. Now, my understanding of the federal law is about all they are going to let the State of Illinois



do, is enforce the federal regulations this will be very similar to local municipality adopting the State Motor Vehicle Code and thereby being to issue both the State and local tickets on a given violation. Now, was not in the Committee and I would appreciate the Sponsor of this Amendment correcting me if I'm wrong, I understand that the hang-up is at Cook County in the City of Chicago... want to have their own hazardous material regulations. In short... using their home rule power, they wish to preempt the federal government. I personally don't think that this is possible and I think that the courts will probably show that it is not possible if they indeed carry this out. But, in the meantime there could be a couple or maybe a dozen or maybe hundreds or maybe even thousands of peoples lives in danger over this home rule hang-up. Now, considering the number of railroads and truck companies that are headquartered in the City of Chicago and in suburban Cook County, I just don't think that this is very good judgment and I'm... I really wonder if we should pass any money to study more ~~when~~ the only conclusion is going to be that you can play by the rules of federal government sets down, or you don't play at all. Now, I wish somebody on the Transportation Committee or perhaps the Sponsor of this Amendment, could correct me if the home rule hang-up is not the real hang-up to this Bill, because I, sitting as a Member having skill and coughed spooned railroad trains going through my hometown periodically and sitting on sidings in my hometown... think that the House Transportation Committee could have moved more expeditiously and see no reason whatsoever, why we should not be voting on a Bill saying that we will adopt the federal regulation when and if... the bureauacy ever gets around to it."



Speaker Redmond: "Representative J.M. Houlihan."

Houlihan: "Mr. Speaker, I believe Representative Skinner, asked a question, I would yield to Representative Dunn, to answer that question."

Speaker Redmond: "Representative Dunn."

Dunn: Thank you, Mr. Speaker, in answer to the question.

First of all, there is no home rule consideration whatsoever with regard to the substantive subject matter for which this appropriation is requested. The purpose of the appropriation is to... take a thorough hard look at the federal regulation which are now in existence in relating to transportation of hazardous materials over rails. The reason that we need to take a hard long look, is that these regulations are very complex and we need to have someone in State government in Illinois who knows and understands those regulations so that they can be enforced in the State of Illinois which leads me to the second part of the question, enforcement. At the present time it is my understanding from testimony that was presented to House Transportation Committee and its Sub-committee, appointed for the special purpose of this subject matter, that the federal regulation can enforce in the State of Illinois but only by local or State law enforcement officials taking the offenders in to Federal Court. In order to be able to take the offenders into the local courts, the State courts in the State of Illinois, we must have laws on our books, in order to do that we must decide which of the federal regulations we can or cannot adopt in the State of Illinois and it was the consensus of the House Transportation Committee that we should not be hasty and just adopt all these regulation willy-nilly, to take a good long look at them. So, the goals of this study are to find out which regulation to adopt and then to



provide our local law enforcement officials with tools to take offenders to State court which they cannot do at the present time."

Speaker Redmond: "Representative Skinner."

Skinner: "Do I understand you to say that as a General Assembly choice of adopt part of all of the federal hazardous material regulations by reference so to speak."

Dunn: "That is essentially the objective of the study, that's right."

Skinner: "Now, wait a minute... excuse me but, before you do the study you ought to know whether the federal government will let you adopt only parts of their regulations."

Dunn: "The Federal government will let us adopt only part they will not... they will object vigorously if we try to adopt regulations which are more restrictive, more stringent than those adopted at the federal level because of obvious of the federal jurisdictional matters. But, we may in the State of Illinois, it is our understanding at the present time adopt less than all of the federal regulations."

Skinner: "Well, I hope you're right because if you're wrong we're just throwing a hundred thousand dollars down the drain."

Speaker Redmond: "Representative Ebbesen."

Dunn: "I don't believe we're wrong."

Speaker Redmond: "Representative Ebbesen."

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

Speaker Redmond: "The Gentleman has moved the previous question. All those in favor of the previous question say 'aye', opposed 'no'. The 'ayes' have it... Representative Dunn."

Dunn: "Thank you, Mr. Speaker, we've had considerable debate on this Amendment, I would urge a favorable vote."



Speaker Redmond: "The question is on the Gentlemans motion to adopt Amendment #4, all in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Any further Amendment? No further Amendments, Third Reading. Well, it's gone, too bad. 1684, Representative Bradley, for what purpose do you rise?"

Bradley: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I rise for the purpose of an announcement, we have with us to day the bride of one of our Members who have kept that organization and that marriage going for some thirty-five years and we... to day is their thirty-fifth wedding anniversary, I think that we ought to recognize Mrs. Von Boeckman, who's on the floor of the House and congratulations to both she and Jim on their thirty-fifth wedding anniversary."

Clerk Selcke: "Senate Bill 1684, an Act to provide for the ordinary and contingent expense of the Illinois State Scholarship Commission. Second Reading of the Bill."

Speaker Redmond: "Representative Madigan."

Clerk Selcke: "Two Committee Amendments..."

Speaker Redmond: "1684... out of the record? Out of the record. 1934, Representative Terzich, are you ready on that one? 1934."

Clerk Selcke: "Senate Bill 1934, a Bill for an Act making appropriations to the ordinary and contingent expenses of the Judicial Inquiry Board, Judges Retirement System, and so forth. Second Reading of the Bill, Committee Amendments... Committee Amendment #1, amends Senate Bill 1934, on page 1, line 31, etc."

Speaker Redmond: "Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1, makes various technical changes and there is no dollar change and I move for adoption



of Amendment #1."

Speaker Redmond: "Any questions? The question is on the adoption of the Amendment #1, those in favor indicate by saying 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted."

Clerk Selcke: "Committee Amendment #2, amends Senate Bill 1934, as amended on page 1, and so forth."

Speaker Redmond: "Representative Terzich."

Terzich: "Committee Amendment #2, reduces the travel line item by three thousand dollars, I move for adoption of Amendment #2."

Speaker Redmond: "Any questions? The Gentleman has moved for the adoption of Amendment #2, all in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted."

Clerk Selcke: "Committee Amendment #3, amends Senate Bill 1934, as amended on page 2, line 22, and so forth."

Speaker Redmond: "Representative Terzich."

Terzich: "Committee Amendment #3, reduces the court of claims by three thousand and five hundred dollars from the following line... reimbursement for incidental expenses incurred by judges. I move for adoption of Amendment #3."

Speaker Redmond: "The question is on the Gentlemans motion to adopt Amendment #3, all in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted."

Clerk Selcke: "Committee Amendment #4, amends Senate Bill 1934, as amended by deleting all of Section and so forth."

Terzich: "Committee Amendment #4, this Amendment adds language to Section 3, court of claims which allows funds to be transferred from the General Revenue Fund and Road Fund through the court of claims fund, there is no dollar change. I move for adoption of Amendment #4."

Speaker Redmond: "The question is on the Gentlemans motion for adoption of Amendment #4. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is



adopted. Are there any further Amendments?"

Clerk Selcke: "Committee Amendment #5, was Tabled in Committee. Committee Amendment #6, amends Senate Bill 1934, as amended on page 3, line 9, and so forth."

Speaker Redmond: "Representative Terzich."

Terzich: "Committee Amendment #6, reduces the Appellate Court Defender by seventy-one thousand, six hundred and thirty-six dollars. I move for the adoption of Amendment #6."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Would the Sponsor yield?"

Terzich: "Sure will."

Schlickman: "By Amendment #6, the sum of seventy-one thousand, six hundred and thirty-six dollars is reduced from the appropriations of the Appellate Defender, in which line items does this reduction occur?"

Terzich: "It reduces personal services by sixty thousand, five hundred and thirty-one dollars, retirement by three thousand, nine hundred and ninety-one, Social Security by three thousand, one hundred and fourteen dollars and printing, by five thousand. For a total of seventy-one thousand, six hundred and thirty-six dollars."

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

Speaker Redmond: "Proceed."

Schlickman: "Why."

Terzich: "Well, it was above the estimated expenditures and it was agreed by the Department that they was satisfied with this cut."

Schlickman: "By which Department?"

Terzich: "By the Appellate Defenders."

Schlickman: "May I address myself to the motion, Mr. Speaker?"

Speaker Redmond: "Proceed."

Schlickman: "Well, Mr. Speaker and Members of the House.



I don't know how we can on one hand reduce the amount apparently requested by the Appellate Defender, and contained in the Governors budget, and on the other hand I anticipate Amendment #7, ear mark a hundred thousand dollars for summer interns to State Prosecutors, it seems to me Mr. Speaker and Members of the House, there is a little imbalance as far as the scales of justice are concerned that will take place with the adoption of this Amendment and I anticipate the adoption or at least the consideration of Amendment #7. And, for those reasons I encourage a 'no' vote."

Speaker Redmond: "Anything further? The question is on the Gentlemans motion... Representative Ryan."

Ryan: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. With Amendment #6, there is still an increase of over seventy thousand dollars and I would like to point that out and I support Amendment #6."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker, I concur in the adoption of Amendment #6."

Speaker Redmond: "The question is on the Gentlemans motion to adopt Amendment #6. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Selcke: "Committee Amendment #7, amends Senate Bill 1934, as amended and so forth."

Speaker Redmond: "Representative Terzich."

Terzich: "Amendment #7, reduces the prosecutor advisory council by eighteen thousand dollars in the travel line item and additionally the personal services, line item is broken out into two different line items, one is for the regular personal services of ninety-nine thousand, six hundred and fifty-eight dollars and second is for the summer intern program of one hundred thousand





one hundred and fifty-five dollars. I move for adoption of Amendment #7."

Speaker Redmond: "Any questions? The question is on the Gentlemans motion to adopt Amendment #7. All in favor say 'aye', opposed 'no'... all those in favor of the Gentlemans motion to adopt Amendment #7, vote 'aye', opposed vote 'no'. Have all voted who wished? The Clerk will take the record. On this question there are 49 'aye', 24 'no' and the motion carries and Amendment #7, is adopted."

Clerk Selcke: "Amendment #8, Committee Amendment #8, amends Senate Bill 1934, as amended on page 2, line 12, and so forth."

Speaker Redmond: "Representative Terzich."

Terzich: "I believe Amendment #8, failed in Committee."

Speaker Redmond: "Okay, any further Amendments?"

Clerk Selcke: "Amendment #9..."

Speaker Redmond: "The Clerk advises me that the Clerk reported the Amendment #8, as do passed so you better move to Table #8."

Terzich: "All right, may I move that we Table Committee Amendment #8."

Speaker Redmond: "The question is on the Gentlemans motion to Table Amendment #8. All in favor say 'aye', opposed 'no'. The 'ayes' have it and Amendment #8, is Tabled. Amendment #9."

Clerk Selcke: "Floor Amendment #9, Terzich. Amends Senate Bill 1934, page 2, and so forth."

Speaker Redmond: "Representative Terzich."

Terzich: "Mr. Speaker and Ladies and Gentlemen of the House. Amendment #9, is requesting an appropriation of eight thousand and two dollars for the addition of one Clerk Typist personnel in the Department of the Court of Claims. They're handling approximately four thousand



three hundred dollars in the Department, due to the lack of help the person in charge of the court of claims was given a person by the Secretary of States Office on a temporary basis which seek as of July 1, and he stated that they are in an urgent need to have a person replace this here young Lady and I would move for the adoption of Amendment #9, which will add one clerk typist to the court of claims."

Speaker Redmond: "Representative Kosinski."

Kosinski: "Mr. Speaker and Ladies and Gentlemen of the House.

I support this Amendment, what occurred in Committee was, there was concern in Committee as to whether the job was a duplication of job within the Secretary of States Office and this department. In consequence we held up the Amendment in Committee too long, allowed the Bill to get out without the Amendment which would have been put on in Committee ... it's perfectly in order from the floor and I support it."

Speaker Redmond: "Ready for the question? Representative Hirschfeld."

Hirschfeld: "Would the Sponsor yield for one quick question?"

Speaker Redmond: "He will."

Hirschfeld: "How much are you paying this girl?"

Terzich: "Seven thousand, two hundred dollars and the balance of the funds are for her retirement and social security benefits."

Hirschfeld: "And you're sure she can type?"

Terzich: "On occasion."

Speaker Redmond: "Ready for the question? The question is on the Gentlemans motion of the adoption of the Amendment. Those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Any further Amendments? No further Amendments. Third Reading. 1976, the last one. Representative Telcser."



Telcser: "Mr. Speaker, I understand Representative Stearney, filed Amendment #10 and 11, and I spoke with the Sponsor of the Bill and he has kindly agreed that if Representative Stearney, wants to offer his Amendments, he would bring the Bill back to Second from Third."

Speaker Redmond: "Representative Schlickman, won't let me proceed that way. Third Reading. 1976."

Clerk Selcke: "Senate Bill 1976, a Bill for an Act to add Sections 49.25 and 49.25 (i), to an Act in relation to Civil Administration of State Government. Second Reading of the Bill."

Speaker Redmond: "Representative Neff... out of the record?"

Clerk Selcke: "No Committee Amendments."

Speaker Redmond: "Representative Neff."

Neff: "Mr. Speaker, there is no Amendments on this Bill..."

Speaker Redmond: "Okay, any Amendment from the floor?"

Clerk Selcke: "None from the floor."

Speaker Redmond: "None from the floor, Third Reading. Representative Shea."

Shea: "Mr. Speaker, I move that the House do now stand adjourned until 9 A.M., tomorrow morning. 9 A.M."

Speaker Redmond: "The Clerk needs about five minutes and the Members need about five minutes to get to the cocktail party."

Shea: "Then I will amend my motion that the House now stand in recess for five minutes so we can give the Clerk a few minutes to take of his administrative tasks and then that the House then adjourn until 9 A.M., tomorrow morning."

Speaker Redmond: "Now, you have hear the motion, all in favor say 'aye', opposed 'no'. The 'ayes' have it... the motion carries. Recess five minutes, introduction First Reading."

Clerk Selcke: "House Bill 3991, Schraeder. An Act in relation



to Kickapoo State Park. First Reading of the Bill.  
House Bill 3992, Catania. Amends State Employees Group  
Insurance Act. First Reading of the Bill. House Bill  
3993, Jane Barnes. Makes supplemental appropriation of  
one million to the Emergency Services and Disaster  
Agency. First Reading of the Bill."

Clerk Selcke: "Senate Bills, First Reading. Senate Bill 1719.  
An Act to amend Section 4 and 5, in Act in relation of  
rate of interest."

Speaker Redmond: "Announcements. Revenue Committee is  
meeting right away."

Clerk Selcke: "Senate Bill 1742, an Act making certin re-  
appropriations for the Capital Development Board. First  
Reading of the Bill."

