

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

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

Reverend Krueger: "In the name of the Father, the Son and the Holy Ghost. Amen. O Lord bless this House to Thy service this day. Amen. Your prayers are requested for the continued improvement of Governor Daniel Walker and Representative John David Jones. Let us pray. O Heavenly Father watch with us we pray Thee over Thy sick servant Daniel and John David for whom our prayers are offered and grant that they may be restored to that perfect health which is Thine alone to give, through Jesus Christ Our Lord. Amen. Benjamin Franklin said many foxes grow brae but few grow good. Let us pray. Make us of quick and tender conscience O Lord that understanding we may obey every word of Thine this day and discerning may follow every suggestion of Thy indwelling Spirit for the good of this state and the people who live therein. Speak, Lord, so Thy servants may hear through Jesus Christ Our Lord. Amen."

Speaker Redmond: "Roll Call for attendance. House Bills Third Reading. Representative Washburn."

Washburn: "Thank you, Mr. Speaker, as the Chaplain indicated Representative Jones continues to be hospitalized, for the record."

Speaker Redmond: "Any objection to the... Representative Jones'... being excused because of illness? Hearing none the record will so show. House Bills Third Reading appears House Bill 1815. The question is, shall this Bill pass? All those in favor vote aye; opposed vote no. On this question 1 aye, 5 no, maybe we better take this one out of the record... Reduction vetoes appears House Bill 3363, Representative Shea."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3363 was amendatorally vetoed by the Governor. This Bill originally left the House it was the additional expenses for the Comptroller's



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Office to pay for the Juvenile Court Act and when it went to the Governor's Office it was above \$450,000; the Governor's Message states that the Comptroller's Office says all it needs to fulfill that function for the rest of the year is \$280,000 and he amended the Bill to that dollar amount and I would move that the House do accept the Amendatory Veto of the Governor."

Speaker Redmond: "Any questions? Question is on the Gentleman's motion to accept the Governor's Amendatory Veto on House Bill 3363. All those in favor...reduction veto...all those in favor vote aye; opposed vote no. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 95 aye, 97...99 aye and 1 no and the House does concur in the Governor's reduction veto to House Bill 3363. For the sake of the record, the Gentleman's motion to approve the reduction veto carried and the House does concur with the reduction veto. House Bills First Reading."

Clerk O'Brien: "Senate Bill 1967. Sangmeister. A Bill for an act to amend the Workmen's Compensation Act. First Reading of the Bill."

Speaker Redmond: "Any other sponsors on Senate Bills First?"

Clerk O'Brien: "Senate Bill 1751. Schisler. A Bill for an act to amend sections of an act to enable county boards to appropriate funds for the use of soil and crop improvement. First Reading of the Bill. Senate Bill 1581. Madigan. A Bill for an act to amend an act to provide for the ordinary and contingent expense of the Illinois State Scholarship Commission. First Reading of the Bill. Senate Bill 1786. Pouncey. A Bill for an act to amend an act to provide for the financing of state program for collection and disposal of unclaimed abandoned vehicles. First Reading of the Bill."

Speaker Redmond: "...Resolution."

Clerk O'Brien: "House Resolution 907, Byers. House Resolution 908, Choate. House Resolution 909, Choate. House Resolution 910, Capparelli. House Resolution 911, Sangmeister."

Speaker Redmond: "Representative Giorgi."



GENERAL ASSEMBLY

STATE OF ILLINOIS

HOUSE OF REPRESENTATIVES

Giorgi: "Mr. Speaker, will the Clerk pull out 908 and 910 'til the principal sponsors get here? I think they want to be in on those resolutions. And 907 by Byers honors the British Airways Civil Wing Band will be in his area for two weeks and free passports to Britain so they can all return. Also, 909, Choate, et al, you better pull out 909 too and 911 is by Sangmeister who honors Sister Madonna McGrath who has been a nun for over 40 years. I move the adoption of the two Agreed Resolutions."

Speaker Redmond: "Gentleman has moved the adoption of the Agreed Resolutions. All in favor say aye; aye; opposed, no. The ayes have it, the Resolutions are adopted. Further resolutions. House Bills Second Reading. On House Bills Second Reading appears House Bill 3932."

Clerk O'Brien: "House Bill 3932. A Bill for an act authorizing the creation of business...businesses to operate policy number games. Second Reading of the Bill. One Committee Amendment. Amends House Bill 3932 on page 1 by deleting line 9 and inserting in lieu thereof the following, 'Department of Revenue and so forth.'"

Speaker Redmond: "Second Reading. Representative Caldwell."

Clerk O'Brien: "Second Reading of the Bill."

Caldwell: "Thank you, Mr. Speaker, I move the adoption of Resolution 1, #1, it...it...I mean the Amendment to House Bill 3932 the Department of Revenue will be the administrating agency rather than the Securities Division of the Secretary of State's Office. I move its adoption."

Speaker Redmond: "Question is on the Gentleman's motion the adoption of Amendment #1. All in favor say aye. Aye. Opposed, no. The ayes have it, the Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "Amendment #2, Caldwell. Amends House Bill 3932 on page 3, line 12 by inserting 'proposed or existing' and so forth."

Speaker Redmond: "Representative Caldwell."

Caldwell: "This is a clean-up language. Clean up changing it from the Secretary of State to the Department of Revenue and this language was correcting language to make that transfer. I move



its adoption."

Speaker Redmond: "Any discussion? The question is on the Gentleman's motion to adopt Amendment #2 to House Bill 3932. All in favor indicate by saying aye...pardon me, Representative Palmer."

Palmer: "Thank you, Mr. Speaker. I just wondered with the two Amendments on what the Bill...how the Bill stands now; whether or not it's a home rule, is a home rule amend...the ailing municipality or any business can get in the numbers game, is that it?"

Speaker Redmond: "Representative Maragos, do you seek recognition?"

Maragos: "The Amendment primarily deal with...which agency is going to administer it. The original Bill had said the Secretary of State's Corporate and Securities Division would handle it. This now gives it, the right to the Department of Revenue to handle it. That's what those Amendments do primarily."

Palmer: "All right, thank you."

Speaker Redmond: "Question is on the Gentleman's motion to adopt Amendment #2. All in favor say aye. Aye. Opposed, no. The ayes have it and the Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3367. Out of the record. 3366, Representative Lauer here? Out of the record. 3366? Out of the record. 3946."

Clerk O'Brien: "House Bill 3946. Kane. A Bill for an act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 3966."

Clerk O'Brien: "House Bill 3966. A Bill for an act to amend an act in relation to state finance. Second Reading of the Bill. No Committee Amendments."

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

Clerk O'Brien: "Amendment #1. Schuneman. Amends House Bill 3966 on page 1 by deleting line 22 and 23 and so forth."



Speaker Redmond: "Representative Schuneman."

Schuneman: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 for House Bill 3966 would change the provisions of this Bill to require the General Assembly to review the termination of special funds in the State Treasury. House Bill 3966 provides for the automatic termination of all special funds of the state of Illinois every six years. Amendment #1 would require that the General Assembly review those funds and take some affirmative action in terminating funds whereas the Bill would permit the automatic termination of those funds without any action on the part of the General Assembly. And I would move the adoption of Amendment #1."

Speaker Redmond: "Representative Maragos."

Maragos: "Mr. Speaker, Amendment #1 in effect scuttles the purpose of the Bill in its present form. This Amendment was considered by the Revenue Committee and it was not adopted by the Committee because it does exactly scuttle the purpose of the Bill. Mr. Schuneman has Amendment #2 which he'll put on if we defeat this one which the Committee and myself will be glad to take. We don't say that maybe the Bill is a little too drastic in its present form but the way he is now, it's going to make it impossible to review these funds and therefore I move that we do not adopt Amendment #1."

Speaker Redmond: "Representative Ryan."

Ryan: "Thank you, Mr. Speaker, will the Sponsor yield?"

Schuneman: "Yes he will."

Ryan: "Representative Schuneman..."

Schuneman: "Yes, Sir."

Ryan: "If your Amendment is not adopted is it possible that the Agricultural Premium Fund will be abolished automatically within six years?"

Schuneman: "Not only possible that's what the Bill mandates."

Ryan: "But if your Amendment's adopted that...it's...it's just reversed, is that correct?"

Schuneman: "Correct. My Bill would, or my Amendment, rather, would require that the General Assembly review all funds and then if our...



in our determination we want to terminate the funds we would take some affirmative action. The Bill in its present condition is just the opposite of that in that it would automatically terminate all funds such as the Agricultural Premium Fund every six years and then if the Legislature wanted to reinstate that fund we could, of course, do so."

Ryan: "Yeah, now, we're talking about several different funds...some are more important than others as I understand it. Is the Common School Fund in there, and the fair fund, Fair and Exposition Fund, is that in that list?"

Schuneman: "Common School Fund is, I'm sure the Fair and Exposition Fund is; some of the others would be the Capital Development Bond and Retirement and interest fund, Coal Development Bond Retirement and Interest Fund, Motor Fuel Tax Fund, Illinois Veteran's Home Fund, Game and Fish Fund...."

Ryan: "Is the Lottery Fund in there?"

Schuneman: "Yes, it is."

Ryan: "May I address the Amendment, Mr. Speaker? Under Representative Schuneman's Amendment we, as Members of the General Assembly, will have an opportunity to totally review any fund before it's deleted or terminated. This is a necessary Amendment and I would say to you folks that are interested in...in farming and the Agricultural Premium Fund if you'll look at this Amendment and be prepared to vote for it because if you don't you're going to lose some very important funds here that could just get by us and I think it's very important that we adopt this Amendment and I would encourage an aye vote on it."

Speaker Redmond: "Representative Maragos."

Maragos: "Mr. Speaker, I have no quarrel with what Mr. Ryan says and what Mr. Schuneman is trying to do that we should not abolish the fund but that we should have a review. But his Amendment goes, this #1 Amendment, I...goes one step further. In other words if you don't review it that ad infinitum so there's no...no pressure on the Legislative...to review these funds. There's... Amendment #2 which Mr. Schuneman has also filed is the one which



allows review but it makes it a imperative that the Legislature do review...does review these funds every six years. There is a difference, it's not that we don't want to review and as I agreed with Mr. Schuneman that I agree we will not abolish the puzzle we will review them but there's no clause or nothing in this present Amendment, in other words, in effect it scuttles the purpose of review. Now I have nothing against these funds in existing when our whole Committee, if you read our report which was issued yesterday, you will find that the review of these funds is important. We are not trying to abolish these funds and that's why I say Amendment #2 which is coming later and which if this one is defeated Amendment #2 which will be acceptable will do the same thing that what Mr. Ryan says but will not at the same time give an out to the Legislature and by its lethargy does not review these funds. And therefore I ask for the defeat of this #1 and hope for the approval of #2 which will do the same thing without scuttling the Bill."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Mr. Speaker, Members of the House, I rise to join the Sponsor in opposition to this Amendment. I think it's important to consider the fact that we're not at Third Reading, rather we're at the amending stage and we're talking about a procedure. Now the procedure that's being offered by this Amendment is contrary to the thrust of the Bill. Also, Mr. Speaker, Members of the House, by this Amendment we would be mandating a subsequent General Assembly to do something and constitutionally and practically we can't do that. I therefore suggest, Mr. Speaker, Members of the House, that the Amendment be defeated and that we then give favorable consideration to Amendment #2 which I think is consistent with the thrust of the Bill and is more appropriate in terms of the constitutional restrictions that are placed upon this Body in relation to subsequent General Assemblies."

Speaker Redmond: "Representative Waddell."

Waddell: "Mr. Speaker and Ladies and Gentlemen of the House, I think this is a mighty important thing in this General Assembly. I think



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this Amendment addresses what we really want and that is that these funds remain sanctum sanctorum so that the obligation that we have made as the previous General Assembly to these people in the state of Illinois that are concerned with these funds, those taxes that we have collected that they shall be spent in the manner so prescribed. And as to the point that has been raised, the fact that we cannot mandate the future of General Assembly, that in this particular realm is so much water for the simple reason that we do mandate and those mandates are followed until such future action. Therefore I would suggest to you that those of you who are interested in the results of these funds that you do support Amendment #1."

Speaker Redmond: "Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, first of all Representative Schuneman, I'm going to kind of reiterate what I think this Bill does and what the Amendment does and tell me if I'm right or wrong. As I understand it, the Bill without any Amendments would call for all these special funds to automatically terminate and then be transferred into the General Revenue Fund automatically and that then the General Assembly is not mandated but it may review the funds and then continue their existence for up to six more years, that's without any Amendments. Is that correct?"

Speaker Redmond: "Representative Schuneman."

Schuneman: "Yes, that's absolutely correct."

Ebbesen: "All right, the Bill automatically terminates all special funds and says that the Legislature may then review and reinstate the funds or let them terminate. And then your Amendment #1 makes it mandatory for the General Assembly to review the funds and then upon completion of that review then we may, or the General Assembly may continue to fund or take appropriate action to terminate the fund and the money would then go to the General Revenue. Is that correct?"

Schuneman: "That's correct."

Ebbesen: "And this Amendment..."





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

Maragos: "Point of order, Mr. Speaker, that is not correct."

Speaker Redmond: "That isn't a point of order, you..."

Maragos: "Point of order, Mr. Speaker, is that the second paragraph says if we do not review it those funds continue, that's...that's the...let's get that straight."

Speaker Redmond: "Representative Schuneman."

Schuneman: "Yes, I agree with Representative Maragos. That's precisely what it says. It says if...if the General Assembly takes no action, first of all the General Assembly is mandated to make a review, secondly, if the General Assembly does not make that review then the funds continue until such time as a review is made."

Ebbesen: "Mr. Chairman, I am..."

Speaker Redmond: "Representative Ebbesen."

Ebbesen: "I...I'm confused here but in essence what I just said to you Representative Schuneman, is that correct? All right, now, I would like to address myself to this Amendment. I couldn't agree more with what Representative Ryan has said relative to all these funds and I think it's very important that each Member take a look at these 67 funds that I have a list of here that include such things as the...the Agricultural Premium Fund as has...has been indicated and so forth but we get into the Road Fund and let's just take a practical situation in which counties who are planning projects, road programs, it requires federal matching funds and they have to do this months and up to a year or more in advance and they have to rely on these funds being there. And what posture would put this....this put local governmental units if...if Amendment was not adopted and left the Bill in its present posture and the very fact that we would be taking some special funds, these dollars to put into General Revenue and when you get into General Revenue you know how that fund can be ripped-off by projects that are not necessarily for the benefit of the entire state of Illinois and just geographical areas and I would certainly encourage everyone to take a very close look at what we are doing here. To me this is a very, very important Amendment and I certainly would encourage



everyone to cast an aye vote."

Speaker Redmond: "Representative Skinner."

Skinner: "We've discussed this Amendment fully before but just perhaps if we can throw out a couple of code words to cue people in and this is the first sunset bill to make the House floor and contrary to the sunset bills in the state of Colorado, this does not deal with agencies and the abolition of agencies, it deals with the abolition of funds. Now the argument behind the abolition of agencies on a periodic basis or that is making them and their special interests behind them come to the Legislature and make an affirmative case is that there are agencies that outlive their usefulness. For instance, if the Illinois Industrial Commission came before the State of Illinois General Assembly this year and tried to justify its existence with the present enabling legislation, I doubt whether labor or management would be in favor of it as...as it exists. Now what...what this Amendment attempts to do is basically gut Representative Marago and the House Revenue Committee's Bill. Now that is my opinion. Representative Schuneman is certainly at leave to disagree with my opinion. What this says is that before, that every six years the General Assembly has to review each special fund. Well, they don't have to do anything about it. It's sort of like the Bill the General Assembly passed in 1970 that said that township assessors had to take a course but didn't mention anything about taking a test at the end. It seems to me that we ought to require a gathering of the special interests behind every fund in the state of Illinois and there are several hundred of them on a periodic basis and we will not be able to do so, we will not even be able to have the choice on Third Reading if this Amendment is adopted. And so for that reason I would suggest that we defeat this Amendment."

Speaker Redmond: "Representative Schuneman to close."

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

Speaker Redmond: "Representative Ewing, pardon me, Representative Ewing. do you seek recognition? Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I...it is a



rare occasion that I would take a position opposite of my good friend, Representative Schueneman. He and I serve on this Committee together and have reviewed this. We do have a difference of opinion on this matter. I believe that this Bill as presented is a good Bill. I think that there is no doubt that the bureaucracy which surrounds us and even chokes us down here will let us know prior to the termination of any fund that they want it extended. I think this is a good Bill to help cut back that bureaucracy. I think we should defeat this Amendment and go with this sunset Bill. Thank you."

Speaker Redmond: "Representative Schueneman to close."

Schueneman: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3966 does absolutely nothing about cutting back on any bureaucracy. The only thing that it does is terminate special funds in the State treasury and those funds would then be moved into the General Revenue Fund of the State of Illinois where they would then be available for any special interest group to come in and grab off the amount of money that they need for their special interest. As far as this being a sunset law, I tend to take opposition, er...a...yes, I'd be in opposition to that statement because in no way does this terminate any agency of State government. The only thing that this does is terminate the special fund being held in the State treasury designated as special funds because, in most cases, some tax was placed upon the people at the time these funds were established, that tax would continue to be collected, but the funds would be used for other purposes. I'm in complete agreement with what the sponsor of the Bill is trying to do and that is to review the multitude of funds in the treasury. I think they should be reviewed. Under my Bill, I require...under my Amendment, I require a review of those funds, then the General Assembly could take the necessary action to either terminate the funds or to reinstate it. And Mr. Speaker, I would urge a favorable Roll Call on Amendment #1."

Speaker Redmond: "The question is on the Gentleman's motion to adopt



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Amendment #1. Those in favor indicate by saying aye. Those in favor vote aye, opposed vote no. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? The Clerk will take the record. On this question there are 55 ayes and 66 no. Representative Schuneman."

Schuneman: "Do we get a chance to explain our vote, Mr. Speaker?"

Speaker Redmond: "Proceed."

Schuneman: "Well Mr. Speaker..."

Speaker Redmond: "...who's the sponsor?"

Schuneman: "Mr. Speaker and Ladies and Gentlemen of the House, I want to once more call your attention to what we are doing with this Bill. We are providing that all the special funds in the State of Illinois are going to be terminated every six years. Now the Bill also says that..."

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

Maragos: "With a point of order Mr. Speaker. If he's debating the Bill, fine, if he's explaining his vote...what I'm trying to state that I haven't the right to also explain my vote if I have to."

Schuneman: "Mr. Speaker...."

Speaker Redmond: "...the rules provide that the chief sponsor may debate and explain the vote on the question. Proceed Representative Schuneman."

Schuneman: "Thank you Mr. Speaker. The Bill does provide that the funds will be automatically terminated every six years. Now the Bill also says that the General Assembly may review that automatic termination. But I would suggest to you that a review of the termination and some affirmative action to reestablish the fund might not be so easy to accomplish in some future year and I think this...the Bill in its present state is a bad Bill and I would urge the adoption of this Amendment."

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

Rigney: "Mr. Speaker, I'd point out to you that I think there are some



buttons being pushed around here at this early hour. I notice Mr. Brinkmeier's name up there and I'm sure that he's not going to want to go home and explain in our district why he would be voting against the Motor Fuel Fund and Ag Premium and a number of funds like that."

Speaker Redmond: "Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker, it appears that the switch is locked, are you going to keep it open so we can, according to the explanation of votes, if someone want to change their votes here or are you going to keep it locked?"

Speaker Redmond: "Dump this Roll Call. If Representative Brinkmeier's name is on there, it shouldn't be and there is no way we can take it off without dumping it, so we'll dump the Roll Call and we'll put the question again. The question is on the Gentleman's motion to adopt Amendment #1. All those in favor vote aye and opposed vote no. Representative LaFleur."

LaFleur: "Mr. Speaker, Members of the House, this is a good Bill that came out of Revenue. We worked hard on this, this is a good concept, it's a good idea and it does the right thing. It did have...it did have one deficiency and it's exactly what Mr. Schuneman has talked about. We adopted this Amendment and I think it should be placed on here to make this better legislation so that future men who run the State of Illinois will be able to use the funds of the State more effectively. I think it's a good Amendment, I think it should be placed on, and I can't imagine anybody voting red on this."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there's 53 ayes and 66 no, the Gentleman's motion fails. Any further Amendments?"

Clerk O'Brien: "Amendment #2: Schuneman. Amends House Bill 3966 on page 1 by deleting lines 22 and 23 and so forth."

Speaker Redmond: "Representative Maragos. Representative Maragos. Please give the Gentleman order?"

Maragos: "Mr. Speaker, this is the proper Amendment and I...this is



the one that I've been fighting for. It does the thing that Mr. Schuneman wants to do without killing the Bill and I vote... support that Amendment #2."

Speaker Redmond: "Any questions? Representative Schuneman."

Schuneman: "Yes, Mr. Speaker, I'd like to ask Mr. Maragos where he got the idea that this is the Amendment I prefer. It is in no way is that, but I appreciate his understanding of my thought processes. Amendment #2 merely changes the Bill to say that the General Assembly shall review the termination of funds; whereas the Bill says the General Assembly may review the termination. And although Amendment #2 is not my preference, certainly it makes the Bill better than as written and I would urge adoption of Amendment #2."

Speaker Redmond: "The question is on the motion to adopt Amendment #2.

All those in favor vote aye. Oppose, vote no. Have all voted who wished? The Clerk will take the record. On this question there's 123 aye, and no nay, and the Gentleman's motion prevails and Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 3366. Representative Lauer."

Clerk O'Brien: "House Bill 3366. A Bill for an Act to amend an Act to prevent fraudulent and corrupt practices in the making and accepting of official appointments. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1. Lauer. Amends House Bill 3366 on page 1 by deleting lines 1 through 4 and inserting in lieu thereof the following and so forth."

Speaker Redmond: "Representative Lauer."

Lauer: "Mr. Speaker, inadvertently, the Committee on Executive did not adopt the Amendment #1 that was adopted by the Subcommittee that reported the Bill to the full Committee. The purpose of House Bill 3366 is to attempt to alleviate some of the difficulty that officials of local units of government, municipalities,



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county governments, school boards, park district boards, drainage district boards, in fact all of your constitutionally defined units of local government. As you know, we have in the State at this time people under indictment because they have inadvertently found themselves in situations of conflict of interest. The situation that blew up in Champaign County two weeks ago in which we had a man indicted on a Class A...a...Class 4 felony because he got married. He's a teacher at the U. of I. He married a lady who taught in the Urbana School System and he was a member of the Urbana School Board. He put himself in the position of being indicted for felony because of living in sin with the lady he decided to make it legal, but in making it legal with the lady, he became illegal with the School Board. Now when we get into these kinds of situations then obviously something is going to be needed for alleviation. This Bill has been...this Act has been on the books since 1872 and was amended once in 1907, but it was not until 1973 with an Attorney General's opinion which used the tightest interpretation of the Act that we've had any problem. Now Amendment #1, which had the approval of the Subcommittee in the Executive actually becomes the major substance of the Bill. It puts on definitions of interest, it defines a reasonable price...a...reasonable...a reasonably competitive price. It also defines local community, it defines the contracts that are subject to statutory bidding and also those contracts which are below the necessary contractual provision. Now Mr. Speaker, I'm going to offer Amendment #1 and #2 today, but I would not...I would ask the Speaker not to advance the Bill to Third Reading because there are other Amendments that are being worked on. I have told the Committee on Executive that I would hold this Bill on Second Reading for a substantial amount of time in order to see if we could work out some problems that some people are having with the Bill so I would appreciate it if you would adopt Amendment #1 and Amendment #2, then I'm going to hold the Bill for at least



a week for additional Amendments on Second Reading."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Question for the sponsor. Representative Lauer, I noticed there's a provision in the Amendment concerning deposits of money with banks and savings and loan. Would you explain that provision please?"

Lauer: "The provision was put into the Bill because in many cases we had local units of government that cannot deposit their money in local financial institutions simply because there is some connection, either a direct or indirect conflict between a member for example, a school board who might have some office or job, or hold stock in a bank...in the local bank, so many times the taxpayers money from a unit of government must of necessity be moved out of that unit of government financial institution or it could become the base of loanable funds to those taxpayers and move clear away from the locality from which the money was collected. In fact, we have one situation where a school board could not put its money into the local financial institution because a member of the school board was the janitor in a bank."

Leinenweber: "Okay, but that has nothing to do with the rate of interest preferring a local bank over another bank or prohibiting the preferring of a local bank depositing money at lower rates of interest than say could be obtained somewhere else. Is that correct? It has strictly to do with the member.. or ownership or conflict of interest. Is that correct?"

Lauer: "Only the conflict of interest."

Leinenweber: "Alright. Now the Bill actually does three things as I see it. One is it provides that a unit of local government can purchase something under \$500 from a officer in that unit of local government. Is that correct?"

Lauer: "Yes."

Leinenweber: "And the third thing it does is provides for selling to local...a..a..bidders. Is that correct?"

Lauer: "So long as the local bidder is no more than five percent above the lowest bid. Now in the original draft of 3366, that says the





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average of the bids, but that in Amendment #1, it cannot be over five percent above the lowest bid."

Leinenweber: "Well can't units of local government now buy at less than the lowest bid by declaring that the lowest responsible bidder and subterfuges like that?"

Lauer: "I suppose they could, but what I'm trying to do here, Representative Leinenweber, is to spell it out so that they don't have to resort to subterfuge and so long as the local taxpayers and the local electors are satisfied with performance and they'll express their satisfaction with dissatisfaction at the ballot box, then it is not necessary to resort to subterfuge."

Leinenweber: "Thank you."

Speaker Redmond: "Representative Shea."

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

Speaker Redmond: "He indicates he will."

Shea: "Representative, might I suggest that if you could after you put on these two Amendments, move it to Third with a commitment that you bring it back if there are additional Amendments so that we might get it moving?"

Lauer: "I'm perfectly willing to do that and to make that commitment."

Shea: "I just think it would be a better way if there are no Amendments, it will save us a day later on."

Lauer: "I have no objections."

Speaker Redmond: "Representative Skinner."

Skinner: "The more I look at this Amendment, it appears that this Amendment is going to abolish the Corrupt Practices Act provisions for conflict of interest for local government affairs, government officials with regard to purchasing. I wonder how this Bill will differ from Senate Bill 1081, which we rather overwhelmingly defeated last year."

Lauer: "I have not read Senate Bill 1081. This Bill is independent of 1081. From what I'm told about 1081, there were some population contingencies that were put in here that were pretty much unacceptable to many of us who represented relatively



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rural or small urban districts."

Skinner: "Are there any population provisions whatsoever in this Amendment?"

Lauer: "No there are not."

Skinner: "That means regardless of the size of the local unit of government, they won't have to take the lowest bidder, they can put money in banks which they earned, things like that?"

Lauer: "The provision in the banking section, it...nothing in the Act will preclude a contract or deposit of monies, loans, or other financial services of a unit of local government, school district, etc. No interested member or members of the governing body may deliberate or vote on the question. However, their lack of deliberation or voting will not effect the quorum."

Skinner: "Let's take the example of buying gasoline."

Lauer: "I'm sorry, Mr. Skinner, I can't hear you."

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

Friedrich: "I want to be recognized after he's finished."

Speaker Redmond: "Okay."

Skinner: "Say if there are five gasoline stations in a given small town and there are five bidders, one of whom sits on the local village board and that bidder is not the low bidder, could the village board then award the gasoline contract to the individual sitting on the village board who owns the gas station?"

Lauer: "I would presume they could, however, there were five local bidders, I'm very sure that because of the pressure of public opinion, they'd choose the lowest one."

Speaker Redmond: "Representative Friedrich."

Friedrich: "I'd like to speak in favor of this Amendment, particularly the aspect of...that has to do with bank deposits. I'd like to give you two reasons. In Centralia we have three banks, the stock of the three banks are scattered all through the community. Now because of an opinion of the Attorney General, no one who has one share of bank stock can serve on the school board because these



banks are entitled to deposits so as a result, you've run off about a thousand people in the City of Centralia who would be good members of the school board who won't serve. In a little town of Urlington of less than five hundred people, they have one bank. They were required to take the local school money out of the local bank because one of the directors...or one of the school board members has 1/10 of 1 percent of stock. Now this gets to be absurd and I don't know this conflict of interest thing, it can get pretty wild as far as I'm concerned in running responsible people of serving in public office. I think it's a good Amendment."

Speaker Redmond: "Are you ready for the question? Representative Hirschfeld."

Hirschfeld: "Would the sponsor yield please?"

Speaker Redmond: "He will."

Hirschfeld: "Representative Lauer, could you tell me what you accomplish in the Amendment with regard to the instance you brought up, which is Champaign, not Urbana, but immaterial to that, what would that gentleman do?"

Lauer: "The gentleman would not deliberate on the question of ...that would effect his wife's financial well being and he would not vote. However, I'm sure he would announce the conflict or appearance of conflict and ask to be excused from deliberation for voting."

Hirschfeld: "I'm going to support your Amendment, I want to point out to you that in the case in which you are talking about, the school board asked him not to vote and participate since his wife was a teacher and asked him not to participate in the negotiations in voting them salaries and he refused. Now what happens in that case if a teacher, if he's married to a teacher, he may not, is that what we are saying, he shall not, under..."

Lauer: "...he shall not."

Hirschfeld: "Okay."

Lauer: "He shall not. I would add, Representative Hirschfeld, that



I was happy to read in yesterday's paper that the judge threw the indictment out. But for a period of two weeks, he was under indictment."

Speaker Redmond: "Representative Palmer."

Palmer: "Mr. Speaker, I don't have a copy of that Amendment, I just wondered if..."

Speaker Redmond: "...has it been distributed? Representative Deuster says it has. Representative Kempiners."

Kempiners: "Yes, Mr. Speaker, will the Gentleman yield?"

Speaker Redmond: "He will."

Kempiners: "What is the difference between the Bill as it came out of Committee or the Bill as it was proposed and what this Amendment will do to the Bill?"

Lauer: "This Amendment, Representative Kempiners, tightens the Bill up considerably in its language because it does provide definitions as to what a reasonably competitive price is. Specifically, what units of local government are covered and also the definition and what an interest or interest in contract is."

Kempiners: "Okay, were there any provisions in the original Bill that this Amendment deletes that puts population limits upon the units of government that would be effective or the amounts of monies that could be expended without a bid or without that person being in conflict?"

Lauer: "No the general provisions of the Purchasing Act and of the Act in the Municipal Code still cover that."

Kempiners: "Okay, what are those population requirements?"

Lauer: "There are no population requirements in this Bill."

Kempiners: "So this will apply to every municipality in the State of Illinois."

Lauer: "That's correct."

Kempiners: "Thank you."

Speaker Redmond: "Representative Fleck."

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

Speaker Redmond: "The Gentleman has moved the previous question. The



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question is shall the main question be put. All in favor say aye. Opposed, no. The ayes have it, Representative Lauer to close."

Lauer: "Ladies and Gentlemen, if you will take a careful look at the Amendment, I think that you will see that it does accomplish an alleviation of the, perhaps accidental, conflict of interest. In my district, I had a call from a school superintendent that was trying desperately to keep his President of the Board of Education from resigning because he had developed a conflict. His mother had died the previous week and left him three shares of bank stock in which the school kept some money. And he was going to resign because of this three shares of bank stock that he inherited due to the untimely death of his mother. It seems to me that in trying to keep ourselves clean, we have gone to the point of the ridiculous. And House Bill 3366, under this Amendment and under the next Amendment that I am going to propose would certainly go a long way toward alleviating the situation of people becoming subject to a Class 4 felony conviction because of an inadvertent act. I solicit your favorable vote."

Speaker Redmond: "The question is on the Gentleman's motion to adopt Amendment #1. All in favor vote aye. Opposed vote no. Have all voted who wished? Representative Waddell."

Waddell: "Mr. Speaker and Ladies and Gentlemen of the House, if you are considering ethics at all in the State of Illinois, I suggest you take a good look at this. Number one, the bleeding heart stories that you just heard from the sponsor are one side of the coin, but believe you me, on the other side of the coin, you have ethics as it concerns every local governmental official. And I don't think for a minute that we have anything here other than the sludge Bill of the Session. And I think that with this we are just taking the reins completely of local governmental officials and I don't think that that should be the intent of this legislature."

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



Stone: "Mr. Speaker, I suppose the board is locked so it would be futile to talk, but I believe that Representative Waddell is absolutely correct, I think that the board should be open so that people, if they desire to, can change their vote. You know, I sat on a few boards in my life time and I just can't see how any person could be expected to sit on a board and his wife be employed by that board and not be expected to have some influence on the actions of that board. It's rather embarrassing in a board of seven or nine people to sit there and vote against the interest of one of the members who calmly sits there and says 'well, since my wife is interested in the contract that you are going to give these teachers, for example, and since you all know that I would rather they'd have a thousand dollar increase in salary than a one-hundred dollar increase, but you people go ahead and only vote for a hundred dollar one if you want to'. Now that seems rather ridiculous to me. I agree with Representative Waddell that we should not under any circumstances be in favor of a Bill that would allow a person to sit on a board and say 'I'm going to take part in all of the deliberations of this board except this one where my wife would get more money'. The board would be influenced, the board would be unduly influenced and I just think it is wrong. I ask the Speaker to please open up the voting so that people that might have paid attention to what I said that might have let what Representative Waddell said soak in, might want to vote no."

Speaker Redmond: "We'll dump this Roll Call. It's an important matter, we'd better be sure. On this question those in favor vote aye. Opposed vote no. Have all voted who wished?"

Representative Yourell."

Yourell: "I was a little late for the debate, Mr. Speaker, and I wonder if it is too late to ask a question of the sponsor."

Speaker Redmond: "Go right ahead."

Youell: "Jack, this is a Bill that has to do with conflict of interest as it relates to a trustee on a village board, for example, if



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he has a conflict or a business or is an official of a bank, for example, voting on an issue that might reflect a conflict of interest charged in that respect. Is that correct? Now I have no quarrel with that. The only problem that I find is that I've always been one who felt that conflict of interest should be determined by those who elect an individual to public office and we're going to get right back into what they call this political honesty nonsense in that Amendment that directs itself to a conflict of interest. I think that an individual who places his name to the electorate, before the electorate, and stands for election, should be responsible and able to vote on each and every issue that comes before the elected body on which he serves and if your Amendment or your Bill, an Amendment I guess it is, Amendment #1, does that have anything to do with changing that concept?"

Speaker Redmond: "Representative Lauer."

Lauer: "Representative Yourell, yes it would. As things stand right now about the only one who could substantially avoid conflict of interest in serving in a unit of local government is the town bum. And this would alleviate that situation and make it possible for responsible people to stand for elections to local units of government."

Speaker Redmond: "Have all voted wished? Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, there may be some deep, dark, ulterior motives in this Amendment, but from those of us who come from rural counties with small towns, we do need some help because we are having trouble finding good people who can serve on county boards, city council, and school boards, without the possibility for a real conflict of interest. And here we have allowed ourselves to be stampeded from a positive vote to a negative vote with the waving of some red flag in front of our faces. I doubt that most of you here have examined this or really understand the concept, but I think it is too bad that we are not going to be able to have the local banker, the local businessman, people with some expertise serve on our local



boards, township boards, city councils, without the possibility of a conflict of interest. And I believe that if this isn't the proper Amendment and I think it is, we need to have some corrections in our conflict of interest laws. Thank you."

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

Cunningham: "Well Mr. Speaker, the larger question would seem to be how the public could have any confidence in a group as fickle as this House demonstrates itself to be. This vote has gone from umpteen to zero, to zero to umpteen just in a matter of seconds. Now there is no particular crime involved here. We're not voting any relaxation of the ethics rules in regard to the members of the House and the public is smart enough to know that. No greater love can any group have than the House to continue to vote to turn the screws on itself unmercifully in terms of ethics and yet say that the law of common sense would be applied to little communities that shouldn't run away every talented individual who is available for public service without any charge to the public because of a technicality strained constriction of the law. In this particular regard, the first vote was right. You mustn't conclude that everyone who serves on school boards is a liar, a thief, a cheat, and out to skin the public in any way they can. We invite you to have a little bit of confidence and faith in your fellow man. Quite often you will find a decent, honest God-fearing intelligent citizen acting from honest motives purely serving on school boards. If you don't believe that, come down in our district and we'll show lots of them to you. I'm not ashamed to vote aye and those of you who voted aye and then stampeded like a bunch of sheep over into the red light, need to think a little again about that. The people back home are smarter than you realize. A green..."

Speaker Redmond: "...Representative Shea..."

Cunningham: "...light is right..."

Speaker Redmond: "Representative Shea."

Shea: "Well I know it is a little late to explain this, but I'm





wondering if the sponsor would yield for a question? Will the sponsor yield?"

Speaker Redmond: "He indicates he will."

Shea: "Representative, as I understand the Amendment, you are just saying that if somebody delineates, they have a conflict of they can vote even though that...would you explain it again because perhaps I missed something."

Lauer: "The specific requirement all the way through is that they may not deliberate or vote on any question which might involve a conflict of interest but that their not voting shall not affect the quorum. For example, if you had a town commission of five members, it would still require three votes to pass anything even though one of the members was not voting, but it would still require the three votes, but there would be a quorum for it."

Shea: "I see."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question, there's 44 aye and 85 no, the Gentleman's motion fails. Are there any further Amendments?"

Clerk O'Brien: "Amendment #2. Lauer. Amends House Bill 3366, as amended, in the list of sections being added and so forth."

Speaker Redmond: "Representative Lauer."

Lauer: "Mr. Speaker, the Amendment #2, since Amendment #1 has failed, Amendment #2 is technically incorrect and I move to table Amendment #2."

Speaker Redmond: "Any objections? Hearing none, Amendment #2 is tabled. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. Representative Shea, recess the regular Session?"

Shea: "Mr. Speaker, I move that the regular Session now stand in recess until after the second Special Session."

Speaker Redmond: "You've heard the Gentleman's motion. All in favor indicate by saying aye. Opposed no. The ayes have it,



the House is in recess until after the adjournment of the second Special Session will come to order. Representative Shea.

Shea: "Mr. Speaker, I move that the Roll Call, the attendance Roll Call of the regular Session be used as the Roll Call for the second Special Session of Wednesday, June 16, 1976."

Speaker Redmond: "You've heard the Gentleman's motion. All in favor indicate by saying aye. Opposed, no. The ayes have it, the motion carries. Motions. House Bills 1 through 7."

Clerk O'Brien: "Motion. Pursuant to Rule 63(a) I move to take House Bill 127 of the second Special Session from the table and return to the calendar. Representative William Kempiners."

Speaker Redmond: "Representative Kempiners."

Kempiners: "Thank you Mr. Speaker. Before I get started on this, I want to alert people in the House that what we're considering is a motion. A few people have come up to me and asked are we going with your Bills right now and I think we have to take them from the table first and I'll give you a little background of what the situation is. Last November 21st, Mr. Shea made a motion which would suspend the rules, the appropriate rule, and use the attendance Roll Call so that those Bills on the calendar in the second Special Session may remain on the calendar. Now that particular motion was put in the journal of November 21 in such a way that the motion supposedly read that we suspended the rules so that it would go on the spring calendar and as a result the Bills have been tabled under the thirty-day rule. Now as I said, I've got a copy of the motion which was made and it says nothing about the spring calendar and for that reason I feel that the motion to take from the table is justified. In addition I might point out that that rule that was supposedly tabled under, reads also that the Clerk shall indicate the date by which final action must be taken on a Bill or Resolution, in parenthesis, after the number of the Bill or Resolution on the calendar. So apparently the Clerk read the motion the same way I did because on the



calendar when the Bills were on the calendar no date was put after it for expiration. So I feel that he, too, read the motion made by Mr. Shea on November 21st, as I did."

Speaker Redmond: "Representative Shea. The question is on the Gentleman's motion to take from the table...all those in favor of his motion indicate by saying...a...voting aye, and opposed voting no. It takes 107 votes. Representative Choate."

Choate: "That was the question I was going to ask you Mr. Speaker, is how many votes it takes, it does take 107, does it not?"

Speaker Redmond: "It does, Rule 63. Have all voted who wished? Have all voted who wished? Representative Walsh."

Walsh: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I just thought I'd talk for a moment while we gave people an opportunity to vote on this very important motion. We have here the only opportunity we will have for a year to do anything about the ridiculous structure of the Board of Elections. I think everybody agrees that the question of the make-up of that Board ought to be addressed by this General Assembly and if we don't do it now we will not be able to do it for a year and the present group will become more entrenched, so I would urge, Mr. Speaker, that everyone at least give the Gentleman's motion an aye vote in order that we can get working on how we can straighten this agency out so I would urge an aye vote."

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

Schlickman: "Mr. Speaker, Members of the House, this Gentleman's Bill was put into a posture inadvertently contrary to a motion that he had made in which we had favorably responded to. Only through an inadvertency in the journal were these Bills placed in this posture which he is trying to resurrect it from and I would simply suggest, Mr. Speaker, Members of the House, that he be entitled to the opportunity, to the courtesy, of putting the Bills where he had asked to be put and where we had given him the assent so that it can be considered on its merits subsequently and I would urge an aye vote."

Speaker Redmond: "Representative Macdonald."



Macdonald: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, I stand in full support of this motion. I think that Representative Kempiners has been very patient. This is an extremely important series of Bills that we really wanted to get to last fall and we were not able to do so. I think that in the light of what we heard when we passed the appropriation for the State Board of Elections that we certainly saw the need to revise and restructure that particular Board and I think it is a matter of extreme importance and I do wish that we could get more green lights up there in support of this very important motion."

Speaker Redmond: "Have all voted who wished? Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, whether you want to vote for these Bills or not when they come up, I think it is only right to go ahead and give it a chance. After all, we're here to mandate some honesty in government and I think it is high time that since we have the mandate we, ourselves, do something about it. The only way we are going to do it is giving an opportunity for these Bills to come on the floor. If you don't like them vote them up or down, but give this boy a chance to get his Bills across for heaven sakes."

Speaker Redmond: "Have all voted who wished? Representative Kempiners to explain his vote."

Kempiners: "No, Mr. Speaker, I was seeking recognition just so that I could ask for a poll of the absentees when the Roll Call is taken."

Speaker Redmond: "Representative Stearney. Have all voted who wished? The Clerk will take the record and the Gentleman has requested a poll of the absentees. The Clerk will poll the absentees."

Clerk O'Brien: "Beaupre. Gerald Bradley. Caldwell. Capuzi. Craig. Davis. Farley. Giglio. Hart. J. D. Jones. Keller. Kucharski. Lauer. Leverenz. Luft. Matijevich. McAuliffe. McClain. McGrew. McPartlin. Nardulli. Riccolo. Richmond. Rose. Schneider. Stubblefield. VonBoeckman. Wall. Washington. Williams."

Speaker Redmond: "Representative Leverenz."



Leverenz: "Yes, Mr. Speaker, I'd like to be recorded as yes."

Speaker Redmond: "Vote the Gentleman as yes. Have all voted who wished? The Clerk will take the record. On this question there's 104 aye and 36 no and the Gentleman's motion fails. Representative Shea."

Shea: "Mr. Speaker, I move that the second Special Session now stand adjourned until Thursday, June 17th, until after the regular Session."

Speaker Redmond: "You've heard the Gentleman's motion. All in favor say aye. Opposed no. The ayes have it, the Gentleman's motion carries. The regular Session is now in order. 3533.  
Would the Parliamentarian come to the podium?"

Clerk O'Brien: "House Bill 3533. A Bill to amend the Civil Administrative Code of Illinois. Second Reading of the Bill."

Speaker Redmond: "Representative Youngue."

Youngue: "Yes, Mr. Speaker, I have filed a fiscal note and I ask that it be moved to Third Reading."

Speaker Redmond: "Has a fiscal note been filed, Mr. Clerk?"

Clerk O'Brien: "The fiscal note is filed."

Speaker Redmond: "Representative LaFleur."

LaFleur: "The last time this Bill was before us, Mr. Speaker, on Second Reading, the last time this Bill was before us on Second Reading I made a request of the Chair of an interpretation of Rule 31(e). 31(e) is the rule that asks for the assignment or the reassignment of Bills to the Revenue Committee that have a Revenue impact. At the time I made the request the last time this Bill was before us, the Chair ruled that my request was untimely. I would especially like to make a timely request at this time and I would ask the Chair to indulge me if he would and tell me at what the proper time would be to ask for the application of Rule 31(e). I have also filed a motion... I would also wish at this time to inform the Chair that I would like to be timely objection to the fiscal note."

Speaker Redmond: "Will some of the Members stop disturbing the Parliamentarian against the rules, I'll give you an answer."



LaFleur: "Thank you Mr. Chairman."

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

Maragos: "Mr. Speaker, we had this debate last week regarding the question whether this Appropriation or Revenue matter and I'd like to ask the sponsor of the Bill whether this particular measure has already been authorized under the Capitol Development Board or is this strictly an appropriation measure? That's what I'd like to know. Is this new authority or is this just an appropriation of an already established authority, Representative Younge."

Speaker Redmond: "Representative Younge."

Younge: "This 3533 would empower the Capitol Development Board to engage in industrial park development. It is a Bill of authorization to the Board to engage in a specific type activity. That's all it is."

Maragos: "Well has the Board been given the authority in a prior enactment of prior years to undertake this endeavor or not?"

Younge: "It has not been given the authority to do industrial park development prior to this Bill here."

Maragos: "Well Mr. Speaker, then I would have to agree with the motion of Mr. LaFleur...Mr. Speaker?"

Speaker Redmond: "Representative Maragos."

Maragos: "I raise a point of order that I would have to agree with the motion of the Representative LaFleur even though I am very sympathetic to the cause of what Representative Younge is doing here and I would ask that this be referred to Revenue Committee because it is a new form of revenue raising as well as appropriation and I bring that to the Chair's attention. How the Chair rules on timeliness it is up to their business."

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

Younge: "In response to Representative Maragos's comment."

Speaker Redmond: "Would you give the Lady order please?"

Younge: "I would simply like to comment that this Bill has been before three Committees of this House of Representatives. It went to the



House Committee on Rules, it went to the House Committee on Executive and then it went to the House Committee on Appropriation. It is a Bill only empowering the Capitol Development Board to have the power to engage in site improvements for industrial development purposes. And for those reasons, since it is only an enactment of power giving the Board power and it says nothing about revenues, I think clearly it should be permitted to go to Third Reading. It is merely an Act giving the Board the ability to do a particular kind of work. 3334 is a Bill making it an appropriation, it means that if there is any argument, it should go to Revenue, but that is an Appropriation Bill, but this is merely a Bill giving the Board the power to do site improvements for industrial park development and have relatively three power Committees, Mr. Speaker, I think that I have a right to go on to Third Reading. Further, I think that either the request is a simple matter of delay and it is unfair."

Speaker Redmond: "The Parliamentarian advises me that because of the adoption of Amendments both #1 and #5, that it is not a Revenue Bill and does not have to go to the Revenue Committee. So the answer is it does not have to go to the Revenue Committee. Any further Amendments on that? Representative LaFleur."

LaFleur: "At the time, I said I was going to object to the fiscal note and I would ask that it be put in the proper form. The fiscal note, as filed, is not signed and I think that's a clear violation of the requirements of the filing of a fiscal note to know who has made out the fiscal note."

Speaker Redmond: "Representative Younge."

Younge: "At the top of the fiscal note it says Illinois Capitol Development Board. The Gentleman knows that one fiscal note was filed and then another was filed and he clearly knows that this fiscal note has been signed by...a...filed by the Capitol Development Board."

LaFleur: "I believe that a typed-in heading is not sufficient to show who made this out and who filed it so that we could get the



proper information from the person who had worked on this."

Young: "That person, as he knows, talked with the Members on the other side, this is clearly delay, Mr. Speaker."

Speaker Redmond: "It's the opinion of the Chair that that does not require any signature. It says it has to be returned by the Department and the representation of the Lady that it was prepared by the Capitol Development Board, I will not go beyond that and I will rule that the fiscal note is in proper form. Any further Amendments? Third Reading. 3534. Are there further Amendments on 3534? Third Reading."

LaFleur: "Sir, I said I also had a motion on this. Under motions on House Bill 3533 and 3534 I have a motion to commit to the Committee on Revenue."

Speaker Redmond: "We are not on the order of motions at the present time, I will give you the opportunity to have that motion heard before the Bill is called for Third Reading for passage."

LaFleur: "Thank you.:"

Speaker Redmond: "On House Bills' Third Reading appears House Bill 3417."

Clerk Selcke: "House Bill 3417. An Act making appropriation to the Department of Conservation. Third Reading of the Bill."

Speaker Redmond: "Representative Williams."

Williams: "Thank you Mr. Speaker. Yesterday when this Bill went to Third, I had said that if Representative Beaupre wanted it brought back, I would. I don't see Representative Beaupre here...a...I would be ready to go...alright."

Speaker Redmond: "Representative Meyer."

Meyer: "Mr. Speaker, I concur because Representative Beaupre wanted to offer a motion to table my Amendment #6 and I wasn't on the floor and I think the same opportunity should be afforded to Representative Beaupre not to move this Bill while he isn't on the floor."

Speaker Redmond: "Representative Williams."

Williams: "It would be alright then to go ahead, I don't hear any opposition on this."

Speaker Redmond: "Representative McClain."





McClain: "Thank you Mr. Speaker, could I ask an inquiry of the Chair?

I know that Representative Beaupre is coming over here, we just called him. Is it possible to take this out of the record for a few minutes and Jack will be right here?"

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

McClain: "Thank you."

Speaker Redmond: "3902 on the order of Appropriations. Is Representative Berman here? 3961, Representative Shea."

Clerk Selcke: "House Bill 3961...."

Speaker Redmond: "...Representative Shea...will the Gentleman between the Chair and Representative Shea sit down?"

Clerk Selcke: "An Act in relation to compensation and emoluments of Members of the General Assembly. Third Reading of the Bill."

Shea: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill changes or adds to the expenditures that Members can make out of their home office allowance, which will cover printing and an Amendment by a Representative Porter to insure that photocopying can be paid for and I move for the adoption of the Bill."

Speaker Redmond: "You've heard the Gentleman's motion. The question is shall this Bill pass. All those in favor vote aye, opposed vote no. Have all voted who wished? The Clerk will take the record. On this question there's 131 aye and no nay and the Bill having received the constitutional majority is hereby declared passed. 3902."

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

Speaker Redmond: "Representative Berman."

Berman: "Thank you Mr. Speaker. House Bill 3902, as amended, addresses itself to a gap that existed in the coverage of the Capitol Development Board in its operations on behalf of the State of Illinois. The Bill allows for the defense and indemnification members of employees of the Board against suits and claims and damages that arise from any act which takes place within the scope of employment of the employees. The Board is allowed to



obtain insurance if available and if we appropriate money for same, and the effect of provision as to the coverage of this Bill would date back to July 10 of '72 in order to cover any possible claims that may arise that...on which the statute of limitations has not yet expired. The purpose for the Bill is that last year a suit was brought up under the Structural Work Act, commonly called the Scaffolding Act in which the Board was not made a party defendant, but an individual employee of the Capitol Development Board. The Attorney General refused to defend the employee saying that they were not authorized under the statutes of the State of Illinois to defend an employee, only the Board if it was named. That is a gap legally that is thought to be plugged by this Bill. I'll be glad to respond to any questions."

Speaker Redmond: "Representative Skinner."

Skinner: "I rise to a point of order, Mr. Speaker. You announced this as an order of Appropriations and I see no appropriations in it."

Speaker Redmond: "Representative Walsh."

Walsh: "Mr. Speaker, it's my pleasure to introduce part of 534 Illinois girls who are attending the Illinois Girls State Convention at MacMurray College. There in the gallery on the Democratic side, which is not significant at all, Mr. Speaker."

Speaker Redmond: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I would like to say that Representative Mary Lou Kent and I had the honor of meeting with the Girls State group in Jacksonville last night and I know from personal experience that they are a very capable and enthusiastic group of young women."

Speaker Redmond: "Representative Skinner."

Skinner: "Well Mr. Speaker, again, I'm attempting to try to find out the order of business in this House and you have..."

Speaker Redmond: "...one of the orders of business is to try to find somebody here that will call a Bill. Now if you want me to call



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Bills for people who aren't here and people that don't want them called, that's the reason..."

Skinner: "...you announced that this was being called because it was an Appropriations Bill..."

Speaker Redmond: "...I think it is..."

Skinner: "...I see no appropriation, it's not in boldfaced type. The way the Gentleman has described the Bill, it does not indicate it is an appropriation..."

Speaker Redmond: "...any further discussion? Representative Greiman."

Greiman: "Thank you Mr. Speaker, I hope the House won't mind if I ask a question about the Bill that is before us."

Speaker Redmond: "Proceed."

Greiman: "Mr. Berman, just a question on the effect of the Bill. As I understand this Bill, if an employee of the Board commits a willful ...a...although in the course of his employment, struck somebody with his fist in the face, again, although in the course of his employment, we would be indemnifying him for that willful course, is that right? And holding him harmless and providing him with legal services for a willful course, is that correct?"

Berman: "The key to whether this Bill will indemnify, offend, or hold the employee harmless is the question of whether he's acting within the scope of employee. Under the fact as you set forth, if you say that he's acting within the scope of employment, yes this Bill would be effective."

Greiman: "Well, I'd just make a comment then on the Bill. I have a great difficulty in indemnifying people from...a...for willful course, they may be guilty of. We don't do that in private industry, we ought not really to strip away responsibility from people who work for the State. Where the test is that a person thinks that he is doing something for his employer's benefit and where he does something that he believes in furtherance of that employer's benefit, the employer may indeed be liable although certainly that employee was not authorized to take that course of conduct. And it is for this reason that I am going to vote no on this Bill. I think we should consider the whole problem of



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indemnification of State employees and government employees generally. We ought not to release them from responsibilities that they have in the public life generally. In a business world employees are not covered with this kind of immunity and I can't really see why we make that distinction and build islands of supporting with public funds. I'm going to vote no on this Bill."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Well Mr. Speaker, I'm somewhat familiar with the type of situation Representative Greiman alludes to. However, there's a large body of case laws, which I understand says that a willful deliberate tort is...cannot be within the course and scope of the employment so it's outside of the employment situation and would not give rise to a requirement of indemnity by the Capitol Development Board. This is...this has been the case, for example, in actions against a policeman, particularly when it's an off-duty policeman. If it's not deliberate and perhaps might be classified as willful and wanton, as that has been defined in accident cases and so forth, then probably it would be within the coverage of this particular Bill, but that is a situation which would arise out of the employment relationship. The deliberate act does not and cannot arise out of the employment relationship unless, I suppose, if you had a case of guard who happens to shoot somebody by mistake while attempting to protect property, but that is a far-fetched situation. This is a good Bill, it does eliminate a gap and there's no requirement that anybody has a claim against an agent that he name the principal, there's actually no legal requirement at all. And if a person fails to do so, then that particular employee would be left to his own dessert. I think that this is a good Bill, I don't think that the situation Representative Greiman alludes to can happen under this Bill and I would certainly urge an aye vote."

Speaker Redmond: "Representative Palmer."

Palmer: "If the sponsor would yield for a question? Would the Attorney General defend in every case or would the Board's attorney defend



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or would the insurance carrier's attorney defend in these cases?"

Berman: "Well I think it depends upon the case, this is in..."

Palmer: "...in your case where they named as...in the case that you exemplified, you named only the employee. The Attorney General wouldn't get into the case because the Board was not named. Right?"

Berman: "That was the case that was filed last year, yes."

Palmer: "Right. Now let's assume that the Capitol Development Board, an officer and an employee is named as party defendant, would the Attorney General then defend the Board, these persons, or would the Board's attorney defend these persons or would the insurance carrier's attorney defend these persons?"

Berman: "Before the enactment of this Bill?"

Palmer: "After the enactment of this Bill."

Berman: "After the enactment of the Bill, the Attorney General, acting as attorney for the Board would, at the request of the Board, appear and defend the Board and its employees if they were named."

Palmer: "I know, but you have the insurance clause in the Bill itself."

Berman: "Oh, if there's insurance coverage, then the insurance carrier would step in instead of the Attorney General."

Palmer: "Well the insurance carrier could not defend the Capitol Development Board could it?"

Berman: "...a...yes..."

Palmer: "...or would it?"

Berman: "Yes, I think it would."

Palmer: "Then would that not usurp the statutory power of the Attorney General to defend these boards?...This Board?"

Berman: "No, this is not unusual, you have situations with other State agencies, the Illinois Community College Board is an example. The Illinois Office of Education is an example where we allow them with similar language as in this Bill, to defend, to have insurance coverage, and therefore, theoretically, to avoid the necessity of the A.G. representing them and really go to the private carrier."

Palmer: "Let me ask you this. If the legislation passes, will it usurp the power of the Attorney General to defend the Board?"

Berman: "I would say only in the case where there is private coverage..."



Palmer: "You mean insurance coverage?"

Berman: "Insurance coverage that probably only exists, my guess would be in the area such as the Structural Work Act."

Palmer: "Thank you."

Speaker Shea: "Is there further discussion? The Gentleman from Cook, Mr. Porter."

Porter: "Would the Gentleman yield for a question?"

Berman: "Yes."

Porter: "Alright, if I understand correctly Amendment #3 is now the Bill?"

Berman: "Yes sir."

Porter: "It's obvious to me that you had a bit of a struggle getting this into the shape that you wanted it and I understand that because we struggled with three of these same types of Bills last year. One dealing with the Illinois Community Board and several others. One of the questions that we addressed at that time was the indemnification for violation of an individual's civil rights that might be brought in the federal court and made an exception for that type of suit. Have you considered that and do you think the Bill covers that situation?"

Berman: "Yes. The reason that there are three Amendments on here is because we did try to work out and address ourselves to objections raised by...or questions raised by several Members on the floor. We drafted three different Amendments, we feel that this third Amendment does cover suits such as civil rights and another area that might come up frequently with the Capitol Development Board and that is lawsuits involving bidding questions. And we think that all of these are covered by Amendment #3."

Porter: "Well now since covered, do you mean if an individual employee were to violate someone's civil rights that you would have indemnification?"

Berman: "Again, you are talking about if it's within the scope of his employment. That's the key word in here. and the hypothetical, I think it would be rather academic to try to pose a situation where we have a lawsuit involving an employee that was within his scope of



his employment that he should not be defended and in fact, indemnified for. That's the reason for the language and again, it's drafted within the frame work of other previous statutes that are already on the books."

Porter: "Well, Mr. Speaker and Ladies and Gentlemen of the House, this is a subject that has been attacked piecemeal now for about five years and I think if we look in the statutes, we'll find that each one of the agencies and departments of government probably has a statute which is different in some respects than that of the next agency. While I think we should pass this Bill because I think the indemnification if necessary, I think in the long run, we ought to take a good look at the entire area, come up with some language that is applicable to all the agencies and pass an omnibus Bill covering all. But I would urge an aye vote on this Bill."

Speaker Shea: "The Gentleman from Lake, Mr. Matijevich."

Matijevich: "I'll wait."

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

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

Speaker Shea: "The question is shall the main question be put. All those in favor will say aye, those opposed no. In the opinion of the Chair, the ayes have it. The Gentleman from Cook, Mr. Berman, to close."

Berman: "Thank you Mr. Speaker. Again, this Bill addressed to the Capitol Development Board employees, fills a needed gap in the statutes. We have tried to address ourselves to questions that were raised and that's why the Amendments were drafted and placed on this. I think and I agree with Representative Porter, an overall approach would be a good one, but in time...a...in light of the time frame that we have here, this is an important Bill and I would urge an aye vote."

Speaker Shea: "The question is shall House Bill 3092 pass. All those in favor will vote aye. Those opposed vote nay. Mr. Skinner, to explain his vote."

Skinner: "Well I want to ask a question in a way of explaining my vote."



I wanted to ask Representative Berman if a Governor or a person whom is an employee of the Capitol Development Board believed to be an agent of the Governor asks the Capitol Development Board employee to select or cause to be selected an architect or contractor who would not otherwise be selected, if the decision had not been influenced beyond the C.D.B., and that selection turned out to be in return for a campaign contribution, would the employee in question have no personal responsibility? It seems to me that if the answer to that question is yes, this is an incredible Bill to indemnify the entire Walker administration's use of the Capitol Development Board to gather campaign funds. I hope that is not the purpose of this Bill."

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

Walsh: "Mr. Speaker and Ladies and Gentlemen of the House, I had an objection to this Bill when it was on Second Reading and the efforts to take care of all objections, my objection was, while considered, was not answered. The Bill continues to permit the State for the Capitol Development Board, to purchase insurance and it just seems to me, Mr. Speaker, that that is a fatal flaw in the Bill, the State should not be permitted to purchase insurance from private insurance carriers for any State agency. It just seems to me that we are bigger than any insurance company operating within this State, we license insurance companies, it is a possibility, certainly, and it has happened in the past where favors were granted through the purchase of insurance policies and insurance coverage. It is absolutely absurd, Mr. Speaker, that we in the State are put in the position of buying insurance from private carriers where we have far more assets that they do and I object very strongly to the Bill for that reason."

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

Cunningham: "I was going to ask, if it weren't too late, what's the position of the Attorney General in regard to this Bill? Did you take a position on the Amendment, Mr. Berman?"





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Berman: "I'm not aware of any position by the Attorney General pro or con on this Bill."

Cunningham: "Does it contemplate the expense of hiring other lawyers and if so, is there appropriation?"

Berman: "No and no."

Cunningham: "Shut up. What's your answer?"

Speaker Shea: "Mr. Cunningham,..."

Cunningham: "...I haven't bought a ticket, I might buy one and don't give me a lecture."

Berman: "No to both questions."

Speaker Shea: "Have all voted who wished? Have all voted who wished? Take the record. On this question there are 104 ayes, 32 nays, and 18 Members voting present. House Bill 3902 having received the constitutional majority is hereby declared passed. Senate Bills' Third Reading. On the order of Senate Bills' Third Reading appears Senate Bill 1600 and on that question the Gentleman from Peoria, Mr. Schraeder."

Clerk Selcke: "Senate Bill 1600. An Act to provide for the ordinary and contingent expense to the Department of Revenue. Third Reading of the Bill."

Speaker Shea: "Do you want to take that out of the record? Turn Mr. Schraeder on please?"

Schraeder: "I haven't got my key to get into my file, I'll have to take it out of the record."

Speaker Shea: "Alright. Senate Bill 1623."

Clerk Selcke: "Senate Bill 1623. An Act making certain appropriations, reappropriations to the Board of Regents. Third Reading of the Bill."

Speaker Shea: "Take that out of the record. Mr. Kane, are you ready on that Bill. Take that out. The next one's out. Maragos, are you ready? Take that one out of the record. Alright. Senate Bill 1684."

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

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

Magidan: "Mr. Speaker, Senate Bill 1684 is the ordinary and contingent



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expense Bill for the Illinois State Scholarship Commission. The Bill was very thoroughly debated and discussed in the Appropriations Committee before on the order of Second Reading, I request a favorable Roll Call."

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

Schlickman: "Thank you Mr. Speaker, will the sponsor yield? With the Amendments that were adopted, what is the total appropriation on this Bill now?"

Madigan: "I don't know."

Schlickman: "Thank you."

Speaker Shea: "Is there further discussion? The Gentleman from Cook, Mr. Madigan, moves for the adoption of Senate Bill 1684. The question is shall the House pass Senate Bill 1684. All those in favor will vote aye. Those opposed will vote nay. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 134 ayes, 1 nay, 6 Members voting present. Senate Bill 1684 having received the constitutional majority is hereby declared passed. On the order of Senate Bills' Third Reading appears Senate Bill 1934."

Clerk Selcke: "Senate Bill 1934. An Act making appropriation to the ordinary and contingent expense to the Judicial Inquiry Board, etc. Third Reading of the Bill."

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

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1934 is the appropriation for the Judicial Inquiry Board, the Judges' Retirement System, the Court of Claims, the Appellate Defenders, and at one time, for the Prosecutors Advisory Council, which is no more. And I would appreciate a favorable vote."

Speaker Shea: "The Gentleman has moved for the passage of Senate Bill 1934. Is there debate? The question is shall Senate Bill 1934 pass. All those in favor will vote aye, those opposed will vote nay. It takes 89 votes. Have all voted who wished? Have all voted who wished? The Gentleman from Cook, Mr. Epton."

Epton: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, again I acknowledge my conflict of interest, but nevertheless, I am voting



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on this Bill."



Speaker Shea: "Have all voted who wish? Take the Record, Mr. Clerk.

On this question there are 139 'ayes', 5 'nays', 2 Members voting 'present'; Senate Bill 1934 having received the constitutional majority is, hereby, declared passed. House Bills, Third Reading. On the order of House Bills, Third Reading, appears . . . Mr. Maragos . . . appears House Bill 3910, and on that question, the Gentleman from Will, Mr. Sangmeister."

Clerk Selcke: "House Bill 3910, a Bill for an Act in relation to domestic relations. Third Reading of the Bill."

Sangmeister: "Thank you, Mr. Speaker and Members of the House. House Bill 3910 is the result of about a year and a half's work of the Judiciary I Committee, which you know is Chaired by Representative Harold Washington. There were a number of Bills filed last fall in this particular area, and Chairman Washington felt it would be well if we put a Subcommittee together to take all of these Bills and see what could be done with them. I was Chairman of that Subcommittee, and we worked on it for a little bit better than a year, and we worked basically, of course, with the Chicago Bar Association, with the Illinois Bar Association and also with the American Academy of Matrimonial Lawyers. The basic problem in this area was whether or not we should add no-fault in the way of a ground-like irreconcilable differences as an additional ground to the Bill or whether or not we should go with what is called a pure, no-fault Bill. The decision of the Subcommittee as recommended and adopted by the Whole Committee was not to just make divorce in Illinois a no-fault proceeding. So all we have done here is really added no-fault, or better known now as irreconcilable differences, as an additional ground for divorce. This Bill has been approved by the, in its form as it is now, by the Board of Governors of the Illinois State Bar Association, it's been approved by the Board of Governors of the Chicago Bar Association and it's been approved by the American Academy of Matrimonial Lawyers, that is, the Illinois Chapter. As I stated previously, the nine existing fault grounds are still presently in the Illinois law. We have added that if the parties have lived separate and



apart for one year or more, and I would like to emphasize this, this is not a quickie divorce Bill by any means, if the parties have lived separate and apart for one year or more, then the court may grant a divorce on a grounds of irreconcilable differences. It is true that that requirement can be waived after 60 days if both parties file in writing. The concern of the Subcommittee and also the Committee as a Whole was that if we're going to add this type of a ground in the State of Illinois, that we ought to make awfully sure that the marriage is dead; and I wish to assure the Members of this Body that we feel that this Bill is now in that shape. The court may refer the parties to a con . . . conciliatory service of some kind. We also put into that Bill that in the event that either party . . . either party feels that this marriage can be saved, they may request the court that the matter be referred to con . . . for conciliatory proceedings, and at that time the court has no discretion in the matter, the court must order that they go for counselling. So if either party thinks the marriage can be saved, counselling is mandatory in this Bill. We have delineated what is necessary for the court to take into consideration as far as alimony is concerned, and there was much concern on the floor of this House on Second Reading that if we have a spouse who has been less than true during his entire marriage or has been a very bad spouse, that we don't want the husband, who is the usual person, although in this Bill either party can, of course, get alimony, but in the usual case of the husband paying alimony, it is now in this Bill that the judge can still consider the fault of the parties when he is considering whether or not to give alimony. So if we have a wife, who has a gigolo living with her, why under this Bill the court can take that into consideration and does not have to award alimony. We have cleared up for the court in the area of property that individual property remains that of the individual who has ownership to it. All we have done is codify state laws so that the court understands what it has to consider as to whether or not it is individual property or whether it is marital property.



We have provided in here that if the court sees fit that a guardian ad litem be pre . . . the appointed in the cost apportioned to the parties if the court feels that in this particular case that an agreed decree may be not what it should be for the children, that they have proper representation. There's been a lot of work go into this. This is not my Bill, I wish to emphasize that, this is a Committee Bill. It's my understanding that there are about 45 or 46 other states in the State of Illinois that have some form of no-fault. This is just another form. This is by no means pure no-fault. I think it is probably time that we come to realize that when a marriage is absolutely dead, and we hope that this Bill does that, and we think it does, that is no longer necessary for people to get on the stand and have to perjure themselves in order to get a divorce, and that's what we're attempting to get at here, and I request your favorable vote."

Speaker Shea: "The Gentleman moves for the adoption of House Bill 3910. Is there debate? Mr. Deuster, do you seek recognition, Sir? Turn Mr. Deuster on."

Deuster: "I have one question for the Sponsor, and the question is this, as I understand the way the Bill would work, it is possible for a couple, a husband and wife who might've been living together, happily married for 40 or 50 years, they have a quarrel, as sometimes happens, and under this Bill, if one of them files a complaint for divorce, it's possible in two months, if they both come in and concede by filing the appropriate documents, that the marriage has broken down, that this marriage, which has been enduring for 40 years, because of a difference of opinion and a quarrel and some anger on their part, which endures two months, they could . . . they could secure divorce without establishing any grounds other than they say, 'It's over', is that correct?"

Sangmeister: "Well, I'm not . . . I'm not sure that I entirely understand that, but my answer would be 'no' if I understand your factual situation right. It's required that if one person is going to file on the grounds of irreconcilable differences, that



the parties have to be living separate and apart for one continuous year. Now, I would say to you, if they'd been living separate and apart for that period of time, that there's a great presumption that that marriage is dead. There is a provision in the Bill that after 60 days if both parties should agree in writing, then they can proceed on the grounds of irreconcilable differences."

Deuster: "Well, under the Bill, if you file a complaint alleging one of the traditional grounds and you also allege irreconcilable difference, or breakdown or whatever it is, and then there's a Section in the Bill that we left in on Second Reading that says that if the . . . if one of the grounds is alleged and then the judge has some evidence on that, but he finds . . ."

Speaker Shea: "Excuse me, Mr. Deuster, you've asked permission to ask questions and get answers. If you want to speak to the Bill, proceed to speak to the Bill."

Deuster: "Well, I wasn't speaking to the Bill, but as I understand the Bill, it's possible, even where they haven't been living apart for a year if af . . . if after this two-month period they . . . they agree that it's irrecon . . . irreconcilably broken down, that they can get a divorce if evidence has been submitted on this ground, on the fall ground, is that correct?"

Sangmeister: "In the Bill, they would have the right to . . . it would still have to be decided by the court whether or not there's irreconcilable differences, but if both parties are going to agree to it after the 60-day period, then I would have to say 'yes'."

Deuster: "Thank you."

Speaker Shea: "Is there further debate? Mr. Kelly."

Kelly: "Yes, I'd like to ask the Sponsor a question, Mr. Speaker."

Speaker Shea: "He'll yield."

Kelly: "Mr. . . . Mr. Sangmeister, I would like to ask you, how many divorces were granted, would you have any idea, in the State of Illinois during the last calendar year or during the last 12 months?"

Sangmeister: "No, I do not have those figures. I don't know how many there have been, no."

Kelly: "Okay. Well, I'd like to speak to the Bill."



Speaker Shea: "Proceed, Sir."

Kelly: "Mr. Speaker and Members of the House, I oppose this Bill which is before us today, which is somewhat of a no-fault divorce Bill. In my opinion, this Bill attacks the family structure as we know it in this state today. There's elements in this state and in this country, which have been working against the family, to destroy the family life, and in three organizations that I can point out is the U.S. Supreme Court in their 1973 abortion decision made one of the biggest moves against family life that I think that has been made; the Department of Health, Education and Welfare have been making an attack on family life and have plans and proposals to limit children to two children in each family and also to involuntary sterilization; the news media, the movie industry have been encouraging for many years now communal living. They've been encouraging homosexual relationships. Yes, Ladies and Gentlemen, there is an attack on the family life . . ."

Speaker Shea: "Give the Gentleman some order. Proceed, Mr. Kelly."

Kelly: ". . . and for the life of me, I don't know how this measure could possibly have been considered an emergency matter. This matter should not be coming up before the House, and I . . . the reason I asked the Sponsor a question earlier pertaining to how many divorces there are, I think we're all very aware in this House that divorces are not that hard to obtain now, and I certainly don't see a reason why we need this legislation during this particular Session. I think it's time to preserve family life, maintain the strong family ties and to help fight for what has actually been what I consider the basis of the democracy in this country, the family life; and let's respect it, and let's defeat this measure when it comes up."

Speaker Shea: "The Lady from Adams, Mrs. Kent."

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

Speaker Shea: "He indicates he will."

Kent: "You say that they must live apart for one year. How will the, probably the woman in this case, have funds to live apart for a year?"





Sangmeister: "Well, she's going to have to be living apart for one year before the filing of the commencement of the action. So, you know, it . . . she could . . . the other alternative, I suppose, would be to go in for separate maintenance during that period of time and then amend to a divorce action at the end of that one year. It would be the only way that she . . . if she cannot do it on her own funds."

Kent: "What if the spouse fights it?"

Sangmeister: "Well, of course, that's always the alternative of the . . . of the spouse, but I guess that would be a sure sign that there is coming forth here a marriage that's irreconcilable."

Kent: "Thank you."

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

Rayson: "Well, Mr. Speaker and Members of the House, Representative Kelly raised a question with regard to divorces and the effect on the family unit. It would appear there's about 75,000 divorces in the State of Illinois per year, and if you talk in terms of like a family, it might effect 600,000 lives because that's times . . . two times two. So it does have a significant effect; but that's the situation as it is. We're all hung-up on this no-fault. First, a comprehensive Bill, which has been worked on for so many year, goes in the comprehensive area of marriage law. The procedural effects of how to affect everything with regard to domestic relations. It goes into the matters pertaining to annulment and the annulment rights and annulment statutes, which up to now have been terribly, terribly ambiguous and fuzzy, then it goes, of course, in the area of divorce and the area of separate maintenance. These all in a composite, comprehensive way give us the Family Domestic Relations' Act. Now, in the area of no-fault, you know, I don't like it. It stinks. It suggests that if there is irreconcilable differences, you've got to punish each other for at least a year and then you go through the procedural rigmarole. So we shouldn't be hung-up on this area of the law. As Representative Kelly did say, you know, there's too many divorces now; and that's probably true, there are; but why should we have



99 percent of all divorces be lying divorces based on default? Why can't we have reasonableness and equity prevail, and why can't we have honesty invade the judicial system on domestic relations? If there's anything pertaining to family unit, that should be honesty and candor regarding all phases of marital life. So in this . . . to this extent, not only is it comprehensive and do many things, which heretofore weren't really known in Illinois, but in addition, it allows candor, refreshment, incisiveness, encouragement at counselling and other factors never really present too much before. So I'm suggesting that on the overall through many, many years of study by many, many sources, this is based on the kind of polyglot codes we now have regarding domestic relations. This is an advanced improvement and a very great reform-minded Bill in Illinois, and it's to Illinois' credit to pass this Bill."

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

Geo-Karis: "Will the Sponsor yield for a couple of questions?"

Speaker Shea: "He indicates he will."

Geo-Karis: "Mr. Sponsor, do I understand correctly, my first question is this, do I understand correctly then before the ground of irreconcilable differences can be entertained, the parties must live separate and apart for at least one year?"

Sangmeister: "That is correct."

Geo-Karis: "Now, two, can you tell me how this Bill will affect the property rights of the party, in, for example, a case of say 25 percent of the property is owned in joint tenancy and 25 percent is owned by either party alone and 20 . . . 25 percent . . . well, just 50 percent joint tenancy and 50 . . . 25 percent to either party alone?"

Sangmeister: "Well, I think the easiest way to answer your question, rather than go into all the percentages, Representative Geo-Karis, is Section 601 of the Bill covers the division of the property and it's broken down into A and B, and that's the individual property and it tells all of the things that the court is to look at to determine whether a person's property is individual. If it is,



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then it's going to be awarded to him or her as the individual property. Everything else is going to be considered marital property and there's been tests for the court to go through, in fact four of them, as to whether or not it is marital property; and these are guidelines to help the situation, whereby, if you own something prior to your marriage and it hasn't become a part of the marital property, that you're going to have the right to retain it; and on the other hand, if . . . if property has come into this marriage by both of them, during the time of the marriage, then it should be marital property and the court should award it accordingly."

Geo-Karis: "Well, supposing in a case as the housewife is at home, the husband is out, of course, he's making the money and buying the piece of property and buys it in his own name. Technically speaking, the housewife has not put any money in it, but if she didn't save the money at home, he wouldn't have it to buy the property with."

Sangmeister: "All right, I would . . ."

Geo-Karis: "Now, can you tell me what the equities would be there?"

Sangmeister: ". . . I would call your attention to sub-paragraph 1 under Marital Property, which says as follows: 'The contribution of each spouse for the acquisition and improvement of the marital property, including the contribution of either spouse as a homemaker'."

Geo-Karis: "Well, you've answered my question. Thank you."

Speaker Shea: "The Gentleman from Livingston, Mr. Riccolo."

Riccolo: "Mr. Speaker, I'd like to move the previous question."

Speaker Shea: "The question is, shall the main question be put? All those in favor will say 'aye', those opposed 'nay'; in the opinion of the Chair, the 'ayes' have it, and back to Mr. Sangmeister to close."

Sangmeister: "Well, thank you, Mr. Speaker and Members of the House. I can realize there's a lot of concern on this Bill and everybody should, you know, pay a lot of attention. This is a . . . a substantial change in the Illinois divorce law. The only Speaker that I feel I should answer is Representative Kelly, who knows I'm



a very good, personal friend of his, but I also would like to say to the Members of this House that this assignment was given to me by Representative Washington. I have never been a great no-fault advocate. However, we have put together a Bill that I think is reasonable. When you practice in the family courts, and I've done a reasonable amount, not in recent years, but have in the past; and those that have worked in that area that are lawyers understand the problems that are involved where you have a marriage that is absolutely dead; and I wish to assure Representative Kelly and the Members of this House that this is not a Bill that is going to attack family life. All it's going to do is put us in reality of what the actual situation is today; and I urge an 'aye' vote on this Bill."

Speaker Shea: "All right, the question is, shall this Bill pass? All those in favor will vote 'aye', those opposed will vote 'nay'. The Gentleman from Will, Mr. Leinenweber, to explain his vote."

Leinenweber: "Well, Mr. Speaker, I . . . I'm hopeful that the Members have listened to this Bill because it is a major piece of legislation, and whether we should've considered it this Session, I suppose, is beside the point because we have. It, for the first time, extends to wrongdoers in a . . . in a marital situation the right to get a divorce or a way to get a divorce. Under the current law, there are eight classes of people who benefit from the divorce law and be able to get their marriages dissolved, and each and every one of those classes are people who have been wronged by their partner. For the first time, the person who does the wrongdoing is entitled to get a divorce at the expense of the innocent partner. Representative Kelly, to an extent, hit the nail on the head when he pointed out that this will greatly increase the number of divorces, the number of families dissolved. I think this is a bad time for us to pass this type of legislation. I urge a 'no' vote."

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

Stearney: "Mr. Speaker, and Ladies and Gentlemen of the House, I'm



very elated to see that so many people remember the debate on this Bill on Second Reading. We all remember that the numbers . . . numbers of divorces in California substantially increased from 100 . . . from 100,000 to over 121,000 in a matter of a few, short years with no-fault. Most important, however, is the community property provision of this Bill. Now, I would suggest to the Sponsor, considering the number of votes on the board, that we refer this Bill back to Committee and study it for another two years. I think that's the appropriate thing to do with this particular measure. Thank you."

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

Marovitz: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House, I've heard a lot of arguments against this Bill. I heard that if we pass this Bill that the women won't have anybody to support them. I thought the House passed E.R.A. Also I've heard that this . . . this Bill attacks the family structure. Well, I think that we all know that if the family structure in and of itself is strong, this Bill is not going to attack the family structure. If you have a weak family structure, you're going to get divorced, or unhappy marriages or a separation with or without this Bill; and this Bill is not going to attack the family structure, and anybody that believes that is believing something false. If somebody sues for irreconcilable differences, they have to be separated for one year; and if during the period of that one year, they determine that they want to get back together or that they still have something left to save in the marriage, that's what the one-year provision is for, so that they can get back together; and if they want to proceed under the 60-day rule and get an immediate divorce . . ."

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

Marovitz: ". . . obviously, then there is nothing left to save. I think this is a good Bill, it's a good approach, I'm going to vote green, and I'd like to see more people voting green."

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



Fleck: "Well, Mr. Speaker, Ladies and Gentlemen, I can't agree with the previous Speaker more. I disagree with the Representative from Chicago, who smokes the cigars more. This Bill is a very, very enlightened approach to the problems of domestic relations in this state. It's not going to cause an increase in divorces because every state surrounding the State of Illinois already has similar Bills in their laws. There are 46 states in this Union that have a type of no-fault divorce to a greater or lesser degree. California was the first, and they had a short spurt of an increase in divorce and then it levelled off as it did in every other state. If you don't approach the . . . the marital problems of this state with a little enlightenment and support this Bill with the . . . trumpets blaring, the banners unfurled and the drums rolling, you're going to be marching right back to the Dark Ages, where our law was first passed over 100 years ago. I cannot understand why people are so panicked about any change in the domestic relation laws of this state, and it doesn't show to me to be an enlightened state . . ."

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

Fleck: ". . . usually I'm brief . . . but we are the last of four other states, two of which are Dixie states."

Speaker Shea: "The Gentleman from Lake, Mr. Pierce, to explain his vote. I might remind the Gentlemen and Ladies that the debate timer is on and you have one minute to explain your vote."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, what this Bill does is eliminate the perjury that has gone on in our divorce courts for years. Our present law assumes that one party is innocent and one party guilty in each and every divorce. This is almost never the case. In almost every case of divorce, both parties are somewhat at fault; and what happens in divorce court, and we lawyers have seen it time and time again to the point where I won't even handle a divorce, is that witnesses are required to come or parties and perjure themselves to say, 'I'm innocent and he hit me twice or he was cruel to me', so on and so forth. This is led to disrespect for the law by witnesses, by parties and by



the public. In almost every divorce, both parties are partly in fault. By defeating this Bill, you're voting for perjury. Those of you who are voting 'no' are voting to continue the lying and perjury that goes on in court. We have marriages falling apart and many, many divorces under present law. What this Bill does is reform the divorce law and it now is a fact . . ."

Speaker Shea: "Bring your remarks to a close."

Pierce: ". . . and in almost every divorce both sides share some guilt. It's a good attempt, it's a decent attempt, and I . . . I don't think we've treated it fairly here in the House, and I vote 'aye'."

Speaker Shea: "Have all voted who wish? Have all voted who wish?"

The Gentleman from . . . or the Lady from DuPage, Miss Dyer, to explain her vote."

Dyer: "Mr. Speaker, and Ladies and Gentlemen of the House, I would urge support for this Bill because it's fair to the three kinds of people that compose families. It's fair to the man than present divorce laws are in cases where there are no children, when the two people decide to get a divorce, the wife is able-bodied. It does not hang alimony payments around this man's neck and the rest of his life. Secondly, it recognizes the contributions of the homemaker, the woman who has chosen to stay home for years and take care of the children. She gets a settlement if the marriage is dissolved; and finally, it's fair to the children by parents not having to create a heroine, or a hero, and a villain and a hate situation and perjury, as Representative Pierce suggested. At the end of a marriage, the children can end up loving and respecting both parents."

Speaker Shea: "Will you bring your re . . . are you through? . . . the Gentleman from Cook, Mr. Washington, to explain his vote."

Washington: "Mr. Speaker and Members of the House, it's very unfortunate that this Bill has been labelled a no-fault divorce Bill because it actually is not no-fault; and I'm afraid that many of the people who are voting red or haven't voted are simply voting against the title that this Bill has gotten unjustifiably. This Bill is not a true no-fault divorce Bill. As Mr. Sangmeister explained



quite clearly, the parties can always come in and we can't revoke their position. What this Bill does is simply to rectify some old long-standing ills and to codify some case law, which over the years, of course, have come to conclusions on. It's a very good Bill. I want to take this opportunity to commend the Subcommittee, the commend Representative Sangmeister for an extremely able job, and I would suggest to Representative Sangmeister that if he comes back with this Bill, if you'd just remove the title, I think we can pick up the 107 . . . the 77 red votes. I vote 'aye'."

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

Huff: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I . . . I think that this is a very good Bill. It's imaginative and forward in its concept; and very simply what it does is take out all of the acrimony that accompanies most divorces by not to find someone that's guilty. All it does is give the . . . recognize that there is recon . . . irreconcilable differences upon . . . beyond which the judge would not seek to rule, and what it does in this case where it doesn't occur now, not with standard divorce, it allows the two parties to possibly come back together some time in the future. I think it's a good Bill. I vote 'aye'."

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

Downs: "Thank you. Mr. Speaker, and Ladies and Gentlemen of the House, I think there certainly is hope for this Bill, and I would like to add this comment. I am an attorney that has handled a lot of domestic relation cases, and I make these remarks, not to disparage lawyers, but to call attention to one rule that many lawyers told me before I had much experience, and which I have found to be very true, when one party wants a divorce and the other doesn't, there will always be a divorce as long as those positions remain. It is only a question of how much time it's going to take, how much trauma they must go through and the children and how much money they're going to have to spend on





lawyers, properly earning their fees under the ex . . ."

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

Downs: ". . . properly earning their fees under the existing law.

This only brings Illinois into . . . into a recognition of the facts of life. It's not going to contribute to anymore breakdowns than we have now; and I urge your 'aye' vote."

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

Porter: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I'm rather amazed at the large number of red votes and 'present' votes up on the board. It seems to me that this is a very fine Bill that has been worked out over a long, long period of time with a lot of hard work by the Subcommittee that's agreed by all the lawyers. It seems to me that it takes divorce out of the realm of the uncivilized and brings into the realm of the civilized. I think it would be a great advance if we could pass it, and I . . . I just think that probably all of those who are . . . or a large number of those who are voting red simply don't understand the Bill, and I think it's too bad that we haven't given them the proper education so that they could know what they're voting on."

Speaker Shea: "Have all voted who wish? Take the Record, Mr. Clerk.

On this question there are 78 'aye' votes, 76 'nay' votes; this Bill having failed to receive the constitutional majority is, hereby, declared lost. I've been asked to make the following announcement, beginning at noon in Room 114, the Fox River Valley Sympathy . . . Symphony Orchestra String Quartet . . . Symphony, Symphony . . . will play selections by Mozart, Schubert and Beethoven. The program will last 45 minutes and it's free. The Gentleman from Lake, Mr. Matijevich."



Matijevich: "Mr. Speaker, you were right the first time, around here, we need sympathy."

Speaker Shea: "On the order of House Bills' Third Reading appears House Bill 3919 and on that the Gentleman from St. Clair, Mr. Flinn, is he on the floor? Is Mr. Monroe Flinn on the floor? Take it out of the record. House Bill 3931. Mr. Mugalian."

Clerk O'Brien: "House Bill 3931, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Mugalian: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3931 was ruled an emergency by the Rules Committee without a dissenting vote and recommended do pass by the Committee on Personnel and Pensions without a negative vote. This Bill affects five state pension systems. The largest, by far, being the Illinois Municipal Retirement Fund. As to these five pension systems, this Bill provides for reduction of disabilities of survivors benefits by the amount of any benefit payable under the Workmen's Compensation Act or the Workmen's Occupational Disease Act in relation to the same injury or disease. The Bill is supported by the Illinois Municipal League, by the Taxpayers Federation and other municipalities. Under some pension plans, a disabled employee may receive seventy-five percent of his gross pay for the same disability, receive another sixty-seven percent of the wages under Workmen's Compensation. In this case the governmental employee would receive 142 percent of his salary since both pension benefits and Workmen's Compensation and occupational disease payments are not taxable, the windfall is enormous. Since the taxpayers pay for Workmen's Comp and also for a major portion of pension benefits, it is clear why the local and State governments affected would support this Bill. The reduction of occupational disability benefits which qualify under Workmen's Comp Act is presently provided for under several other pension systems. There are eight of them. This Bill merely brings these additional five pension systems into line. There are seventeen pension plans, two of these are excluded from the Workmen's Comp Act. This Bill would prevent double benefits for all fifteen plans



and do so in an identical way. I would appreciate your aye vote."

Speaker Shea: "The Gentleman moves for the passage of House Bill 3931.

Is there debate? The Gentleman from Cook, Mr. Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I would urge support of this Bill, what it simply does is it eliminates if a person does receive any Workmen's Compensation benefits from his total disability, there should be substantial savings, it would not reduce any benefits that the person is entitled to and I would urge support of this Bill."

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

Geo-Karis: "Just one question of the sponsor, if I may? Mr. Sponsor, under your Bill, you are not increasing any benefits for the State employees or the State legislators are you?"

Mugalian: "No."

Geo-Karis: "You're decreasing them by the contribution of the Mayus Collectus is that correct?"

Mugalian: "I'm merely eliminating the double payment."

Geo-Karis: "Okay. I'd like to speak in favor of this Bill, I think it will save us a lot of money and I think it is only fair."

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

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

Speaker Shea: "He indicates he will sir."

Beatty: "In the case of the State Representative became totally and permanently disabled due to an injury on the job, is it true that then he would not receive his pension as a State Representative, but would rather receive something under the Workmen's Compensation Act? Even though he's paid into his pension?"

Mugalian: "He would not get double benefits. The pension would be reduced by the amount of the Workmen's Comp."

Beatty: "And if the Workmen's Compensation Benefit was some higher than what he would receive under the pension, he would not receive the pension even though he has been paying his money into the pension?"

Mugalian: "That is correct."

Beatty: "Thank you."



Speaker Shea: "Mr. Mugalian to close."

Mugalian: "I just ask for your favorable vote."

Speaker Shea: "The question is shall House Bill 3931 pass? All those in favor will vote aye. Those opposed will vote nay. Have all voted who wished? Have all voted who wished? Schneider, aye. Hit Mr. Schneider's switch, will you there, Mr. Jaffe? Have all voted who wished? Have all voted who wished? Take the record Mr. Clerk. On this question there are 132 ayes, 12 nays, 6 Members voting present, House Bill 3931, having received the constitutional majority is hereby declared passed. On the order of House Bills' Third Reading appears House Bill 3919 and on that, the Gentleman from St. Clair, Mr. Flinn."

Clerk O'Brien: "House Bill 3919. A Bill for an Act to amend an Act relating to Jury Commissions, authorizing judges to appoint such Commissions, Commissioners. Third Reading of the Bill."

Flinn: "Thank you Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, what this Bill does is permit the Circuit Clerks to notify juror by regular mail instead of certified mail as is called for under the present statute. In St. Clair County alone the county will save \$2000 a month by changing this system. If in the Bill, for example, there is provision that if someone doesn't answer the regular mail, then we go back to the law as it is presently written and use the certified mail and the Sheriff so I would ask for a favorable vote."

Speaker Shea: "Is there debate? The Gentleman...the question is shall House Bill 3913 pass. All those in favor will vote aye and those opposed will vote nay. It takes 89 votes. Have all voted who wished? Have all voted who wished? Take the record Mr. Clerk. On this question there are 144 ayes, 2 nays, House Bill 3919 having received the constitutional majority is hereby declared passed. On the order of House Bills' Third Reading appears House Bill 3963."

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

Speaker Shea: "And on that, the Gentleman from Fayette, Mr. Brummett, for what purpose do you rise, sir?"



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Brummett: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to introduce in the front balcony, there, Mr. Edward Cermak, President and Board Members of the town of Country Club Hills Park District, represented by Representative Kelly, Mahar, and Rayson."

Speaker Shea: "The Minority Leader, the Gentleman from Grundy."

Washburn: "Thank you Mr. Speaker and Ladies and Gentlemen of the House, it is my pleasure to introduce in the rear gallery, Huck Young, Executive Secretary of the Coles County Farm Bureau, who is accompanied by a large group of Farm Bureau members from the Coles, Clarke, and Crawford Counties, the 53rd District represented by Representatives Campbell, Coffee and Craig and the 54th District represented by Representatives Cunningham, Keller and O'Daniel. Will the Farm Bureau members from those counties please stand?"

Speaker Shea: "On House Bill 3963, the Lady from DuPage, Ms. Dyer."

Dyer: "Mr. Speaker, House Bill 3963 and 3964 pertain to the same subject, it'll become clearer..."

Speaker Shea: "...does the Lady have leave to hear 3963 and 3964 together?"

Dyer: "Thank you."

Speaker Shea: "I will take one Roll Call, but run it twice. Read House Bill 3964."

Clerk O'Brien: "House Bill 3964. A Bill for an Act to clarify the powers and duties of the non-voting student members of various boards. Third Reading of the Bill."

Speaker Shea: "The Lady from DuPage, Ms. Dyer."

Dyer: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I would like leave to explain 3964 first because that's the basic Bill. What we are doing in 3964 is clarifying the powers and duties of the non-voting student members of all the various Boards in higher education. You will remember we placed students as non-voting members of all these boards in the last Session of the General Assembly. In several areas of the State, the question has arisen, what privileges does a non-voting member have? Can



this person make and second motions? Can this person attend executive sessions? Attorney General, Bill Scott, issued an opinion on this subject so we pick up this language at his opinion and clarify precisely the powers that the non-voting student members have. Now the emergency phase of this legislation is that it has come to our attention that the way the law was phrased, the student members were not seated until July 1st and all other members of these boards were seated on April 15th so we're changing that deadline date so that the student members can be chosen by April 15th, can be seated at the same time as the other members of the board, get the orientation along with the other members and become more effective members. House Bill 3963 simply adds a non-voting student member to the Illinois State Scholarship Commission. This business of having a student non-voting member has received such favorable approval by the board that it was felt that it would be beneficial for the scholarship commission also to have just a student input. The Scholarship Commission does support and approve House Bill 3963. I would urge a favorable support of this pair of Bills."

Speaker Shea: "Is there debate? The Gentleman from Lawrence, Mr. Cunningham."

Cunningham: "Will the sponsor yield?"

Speaker Shea: "She indicates she will."

Dyer: "Certainly."

Cunningham: "The digest indicates that by Amendment #1, the addition of the additional member to the Scholarship Commission was deleted. Is the digest in error or is the sponsor incorrect?"

Dyer: "The digest does not phrase it correctly. What Amendment #1 actually does is instead of having the Governor appoint the student non-voting member, the student non-voting member is chosen by the recognized advisory committee of students of the Board of Higher Education. That's to make it conform to the selection of students on the other boards."

Cunningham: "Well does this fifth wheel still have no voting rights?"

Dyer: "That's right."



Cunningham: "What possible good can they be without voting rights?"

Dyer: "Well, I'll be happy to answer that. You have received last week on your desk material from the Illinois Association of Student Government and also the Student Advisory Committee for Higher Education. The students feel that just by being able to have a representative, even without a vote, communicating the students' ideas to the Board and then conversely taking the deliberations of the Board back to the students, it has, if you'll notice, set up a much better feeling on college campuses in the 70's than we had in the 60's. There's more mutual respect between students, administration, and boards."

Speaker Shea: "The Gentleman from..."

Cunningham: "...Mr. Speaker, just for a moment, to close on my comments there, I think this comes under the heading of pep without point is piffle, and there's nothing to be gained here by just the question humoring the students. It's a governmental agency to run the business of government, they have a non-voting right, they are really in the way, I think fifth wheel is a proper description of it, should vote no."

Speaker Shea: "The Gentleman from Cook, Mr. Fleck, do you seek recognition?"

Fleck: "Will the Lady yield?"

Dyer: "Yes,"

Fleck: "My digest states that they have all rights except voting rights as students, is that correct?"

Dyer: "That's correct."

Fleck: "They also have the rights then of signing any kind of vouchers for expenditures of money or things along those lines, which isn't a voting right, but I think in the absence of maybe a chairman or someone who would have the prime responsibility along these lines, it's the right that's a lot more important than voting."

Dyer: "To answer your question, Mr. Fleck, as I said we picked up precisely the language of Attorney General, Bill Scott, when the question was raised on the limitation of these rights. There is no mention made of the signing of vouchers, the law is mute on that



subject."

Fleck: "As the sponsor of the Bill, obviously the Attorney General was a little short in not covering that aspect. Will students have the right to sign vouchers for the expenditures of State funds?"

Dyer: "That's a good question, Mr. Fleck, I think it could be addressed in another Bill."

Fleck: "I think maybe you'd hold this and clarify your Bill because I think that's a very very important aspect. If a student can sit there and start signing vouchers in the absence of chairmen for expenditures of State money, the General Assembly should take a second look at the powers that we are granting to them."

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

Mudd: "I'd like to address a question to the sponsor if she'll yield please?"

Speaker Shea: "She indicates she will sir."

Mudd: "Representative, isn't it true that no board member, appointed member of any board is allowed to sign any vouchers for...isn't that an administrative task and given only to the Chairman or President of the Board?"

Dyer: "Representative Mudd, I think you are correct. My information is that only the Chair can sign..."

Mudd: "That's correct. I think the point that Representative Fleck raises is one that without substance, I don't know of any board member and even city councilman or such as that can sign these vouchers and I think what is trying to be accomplished here is input by the student body without all the chaos at board meetings and so on and so forth so that it can be done orderly within a meeting and I think it would result in resolving a lot of problems before decisions are made and I think they can get down in meetings and agree on things and I think it'll solve a lot of problems and I support the Bill."

Speaker Shea: "The Lady from DuPage, Ms. Dyer, to close."

Dyer: "Mr. Speaker, I would like to say very simply that experience has shown that it has been very beneficial to have a student able





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to participate as a non-voting member of these boards. It is the first chance for young adults to come into our deliberative system. It is excellent experience for them, it gives them an insight into the kind of problems that administration and board members have. It has created a calmer atmosphere on campuses, I think it's an excellent program and I certainly urge a favorable vote."

Speaker Shea: "The question is shall House Bill 3963 and 3964 pass. All those in favor will vote aye. Those opposed will vote nay. Shea, aye. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. Madison, aye. On this question there are 119 ayes, 28 noes, 3 Members voting present. House Bill 3963 and 3964 having received the constitutional majority, these Bills are hereby declared passed. The Gentleman from Cook, Mr. Madigan, for what purpose do you arise, sir?"

Madigan: "For purpose of an announcement, Mr. Speaker. Seated in the gallery to my right are Mr. and Mrs. Joseph Oliverri and Mr. Oliverri is the President of East Side Chamber of Commerce, which is located in the 30th District represented by Representatives Maragos, Giglio, and Collins. Would they please stand and take a bow? Mr. and Mrs. Oliverri. And also, Mr. Speaker, seated to my right in the chair normally occupied by Representative Washington is the President Pro-Tem of the City Council of the City of Chicago and the alderman of the 34th Ward in Chicago, Alderman Wilson Frost. Wilson will you stand up?"

Speaker Shea: "On the order of House Bills' Third Reading appears House Bill 3963. Alright, 3965."

Clerk O'Brien: "House Bill 3965. A Bill for an Act to amend an Act in relation to State finance. Third Reading of the Bill."

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

Maragos: "Mr. Speaker and Members of the House. House Bill 3965 is a Committee on Revenue Bill which is a result of the study as a result of House Resolution 720. The purpose of the Bill is to allow the legislator to...the legislature to have additional review of the earmarked funds which are dormant. And what this Bill provides that



if any fund is dormant and no activity for at least eighteen months the Comptroller has the option to abolish that fund and also to see the the legislative intent that has set it up also be made void. It is a Bill, as a result of the study, there has been no opposition to it, it came out with an overflowing vote on the Committee on Revenue and we ask for the adoption of 3965."

Speaker Shea: "Is there debate? The question is shall House Bill 3965 pass. All those in favor will vote aye, those opposed..the Gentleman from Christian, Mr. Tipsword."

Tipsword: "Would the Gentleman yield for a question?"

Speaker Shea: "He indicates he will."

Tipsword: "Would this also apply to the Tax Protest Fund?"

Maragos: "If the...no, it would not. That's a...a...escrow fund which you can rest assured that this would be...that's under court orders anyhow so we have no jurisdiction to abolish it."

Tipsword: "We have no jurisdiction to abolish it, we set it up."

Maragos: "We set up the fund, but usually those funds...those funds are usually there because of the protest and a court order. As a result, we don't have any right to abolish those funds."

Tipsword: "Well that's right, they're there for that reason, but under the language of this Bill, if for some reason none of the cases in regard to the protest are completed in eighteen months and there's nothing that comes out of that fund, wouldn't this make the fund illegal?"

Maragos: "No, the...first of all, it's also a permissive act of the Comptroller's rather than mandatory, but more importantly though, it is a question that this has to deal with funds that are set up by legislative action and with executive action and not anything that is set up because of the court having to put these funds into deposit."

Tipsword: "This isn't permissive action, is it? It says they are automatically terminated."

Maragos: "Those funds are not considered an act under the law, Mr.

Tipsword, it will not effect those funds."

Speaker Shea: "The Gentleman from Will, Mr. Leinenweber."



Leinenweber: "I have one question along the last point Representative Tipsword had. If the Gentleman would yield for a question?"

Speaker Shea: "He indicates he will sir."

Leinenweber: "Representative Maragos, according to my synopsis, Amendment #1 provides that funds are automatically terminated rather than giving the Comptroller option, is that accurate or how does that work?"

Maragos: "It is accurate sir. However, it does not...it does not come into play if the...if the...a...in answer to Representative Tipsword, it is not automatic because those are the funds that have to do under court control."

Leinenweber: "Wait a minute..."

Maragos: "...They're all automatic, that's right."

Leinenweber: "All funds established by law are automatically terminated or are inactive for eighteen months."

Maragos: "That's correct."

Leinenweber: "And...a..."

Maragos: "...excepting it should be noted in the original part of the Bill those funds that have matching funds with the federal government cannot be originally eliminated."

Leinenweber: "That's the one that has the option to do so?"

Maragos: "That's right."

Leinenweber: "Thank you."

Speaker Shea: "Is there any further debate? The Gentleman from DeKalb, Mr. Ebbesen."

Ebbesen: "Yes, Representative Maragos, if all of these funds that you are talking about were to be ruled or become inactive for this eighteen month period, how much money would we be talking about that would be transferred into the General Revenue Fund?"

Maragos: "I don't have the exact figures at the present time, Mr. Ebbesen, but there's not too much right now, but I think the testimony...at the most it will be a couple hundred thousand, it is my recollection that is the testimony we had in the Revenue Committee."

Ebbesen: "In other words, you are talking about funds that are very



very small and we're not talking about very much money."

Maragos: "That's right."

Leinenweber: "And you are talking about nothing more than roughly a quarter of a million dollars."

Maragos: "At the most at the present..."

Leinenweber: "...in total..."

Maragos: "...that's right."

Leinenweber: "Thank you."

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

Palmer: "Yes, thank you Mr. Speaker, if the sponsor will yield for a question?"

Speaker Shea: "He indicates he will sir."

Palmer: "Is Amendment #1 the only Amendment that is placed...been placed on the Bill?"

Maragos: "That is correct."

Palmer: "Is it true, then after six years those funds..."

Maragos: "...no, you've got the wrong Bill, this is 3965, House Bill 3965, not 3966."

Palmer: "I'm reading 3965 and where it states that the fund is automatically terminated by operation of law and so forth. Is there a...maybe I've got a wrong Amendment."

Maragos: "House Bill 3965, Representative Palmer, deals only with the dormant funds, it has nothing to do with the subject matter we discussed earlier this morning, 3966. This has to do with the dormant fund, 3965, it says eighteen months dormant then they should be abolished by the Comptroller."

Palmer: "Alright, thank you."

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

Maragos: "Mr. Speaker and Members of the House, this Bill has been adequately discussed and I move for its passage."

Speaker Shea: "The question is shall House Bill 3965 pass, all those in favor will vote aye, those opposed will vote nay. Have all voted who wished? Have all voted who wished? Take the record Mr. Clerk. Dyer, aye. Mautino, aye. Take the record, Mr. Clerk.

On this question there are 140 aye, 2 nays, 5 Members present, House



Bill 3965 having received the constitutional majority is hereby declared passed. The Gentleman from Cook, Mr. Duff."

Duff: "Thank you Mr. Speaker. Ladies and Gentlemen of the House, I have a real pleasure to introduce to you all the Fox River Valley Symphony String Quartet which is in the Speaker's gallery. This is the group that is going to be giving the hour concert at 12 o'clock. Most happily, one of the members of the wife of our own State Representative, John Grotberg. Jean Grotberg will be with the violin. Richard Moorhouse, violin. John Williams, viola. Norman DeVoos, cello. And they are from the district well represented by Representatives Ewing, Grotberg, and Riccolo in 38 and Kempiners, Schoeberlein and Hill in 39. Representative Grotberg has asked me to comment that there is no involvement with the Arts Council whatsoever. All of you..many of you know how very well Mrs. Grotberg sings and I hope that everybody will get down there and listen to her and the group play. We're happy to have them with us."

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

Madigan: "Mr. Speaker, I usually do this at the beginning of the day and I'm not sure if it was done, but as a precaution I wish to request to you, Mr. Speaker, that the records show that Representative Davis is excused."

Speaker Shea: "The record will so indicate. On the order of House Bills' Third Reading is House Bill 3973 and on that the Gentleman from Cook, Mr. Taylor."

Clerk O'Brien: "House Bill 3973. A Bill for an Act to create the Illinois Depressed Area Land Use and Community Authority. Third Reading of the Bill."

Taylor: "Mr. Speaker and Members of the House, this Bill is sponsored by Representative Younge and I'd like to yield to Representative Younge."

Speaker Shea: "The Lady from St. Clair, Ms. Younge."

Younge: "Thank you Mr. Speaker and Members of the House, House Bill 3973 creates the Depressed Areas Land Use Redevelopment Authority. This Authority would be responsible for a long range comprehensive plan



for the growth and development of depressed areas in Illinois. The depressed areas of Illinois are those areas that have evidenced severe and advanced conditions of blight, decay, and deterioration. And those areas in which there is a discussion of the industrial, commercial, and recreational element of the community. This plan would be the result of the cooperative efforts of the Advisory Committee working in conjunction with federal, State and local authorities and the plan would suggest to the General Assembly what is needed to be done in those areas. Public hearings would be held to establish what would be the boundary lines of the blighted areas and should the General Assembly approve a plan, then the plan would be authorized including any bonding that would be necessary."

Speaker Shea: "The Lady from St. Clair moves for the passage of House Bill 3973. The question is shall House Bill 3973 pass. All those in favor will vote aye. Mr. Hudson."

Hudson: "Yes, thank you Mr. Speaker, and Ladies and Gentlemen of the House, it would seem to me that we ought to stop here, pause just a moment to think what we're doing...a...creating another... another authority...a...with considerable power, considerable responsibilities and duties, but we spend a great deal of time on the House floor here talking about the growth of bureauacracy and its tendency to develope and to burgeon. It seems to me that what we are about to enter into here is the consideration of another example of bureauacracy and uncontrolled and ever growing. I'm not sure at all in my own mind that this is needed. I'm not sure or convinced that the responsibilities for this type of thing cannot be addressed within the purview of already existing agencies and authorities. It would seem to me that the it would be well advised to think very carefully before we create another authority with vast powers over our people in municipalities, local areas, where decisions might be best left to their own local control, which of course, is another aspect of this whole thing. I simply oppose on general philosophical grounds the continued drift toward what seems to be centralized government and the authority drifting away



from localities into more and more centralized authority leading to what we sometimes refer to as 'Big Brother Government' so Ladies and Gentlemen I suggest that you think very strongly before you vote yes for this measure."

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

Mahar: "Thank you Mr. Speaker and Ladies and Gentlemen of the House, will the sponsor yield for a question?"

Speaker Shea: "He indicates he will."

Mahar: "Ms. Younge, what does this do in relationship to the zoning power of the municipality?"

Younge: "It does not affect the zoning powers of the municipalities. The zoning powers that they had before the enactment of this Bill, they will have after its enactment."

Mahar: "What the land view plans that may be...the comprehensive plan that may have been adopted by the municipality?"

Younge: "It would not affect the land use or comprehensive plan that has been adopted by municipalities. The reason I say that is this Bill contains a measure that the corporate authority of any municipality would have to request and approve the activities of this authority within its jurisdictional boundary."

Mahar: "In other words, what you're saying that the local municipality, the local city council has the veto authority over the actions of this board?"

Younge: "I'm saying that the local authority would have to specifically approve the actions of this board. If you'll read Section 26 on page 20 of the Act, it says specifically that approval by the governing body of the municipality would have to be forthcoming before the powers of this authority could be invoked."

Mahar: "I notice it has the right of power of eminent domain. It has the right to condemn property. Is this correct?"

Younge: "Should that be an approved part of the plan. In other words, the thrust of this Bill would be that the authority would have to come up with a plan that is approved by this General Assembly before it could act on the plan so we would have to specifically approve what it plans to do and after we have approved the plan, then it would



have the authority or the power to acquire land by eminent domain, yes."

Mahar: "In other words, if it came up with a plan and that plan was then presented to the General Assembly, which was approved, would that take the authority away from the local government at that point?"

Youngue: "Before the General Assembly could approve the plan, the plan would have to have been approved by the local corporate authority. That's one of the first stages in the setting up of the Bill, a municipality has to specifically approve the powers of this authority before it can act and present a plan to us."

Mahar: "Mr. Speaker, may I speak to the Bill?"

Speaker Shea: "Proceed sir."

Mahar: "I understand what Representative Youngue is trying to do and I think she's working very hard and very diligently to come up with a plan that will help her area and possibly other areas of the State. I am a little bit afraid of the fact that if the Governor appoints a seven-member board approved by the Senate who has the authority to go into a municipality and into an area and recommend a plan and come back to the General Assembly for approval of that plan, while the sponsor of the Bill says that the ultimate power is retained by local municipalities, I feel that it is gradually slipping away from them. I think there ought to be another look taken as to how this thing can be managed so that we don't lose sight of the fact that local government and their planning processes get ruled out of it and I would urge a no vote."

Speaker Shea: "The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "I have a question or two for the sponsor. Representative Youngue, how would this differ from the Land Clearance Commission established under existing laws?"

Youngue: "Well, it would differ in that this authority would have the responsibility first of coming up with a long-range comprehensive plan. It would have the responsibilities for being comprehensive in its planning. Most of the established agencies do not see as the purview or their field of endeavor looking at the picture from the standpoint of what is needed industrially, what is needed





commercially, what is needed from the standpoint of residential blight. Under this Bill, the General Assembly is saying to the authority that we know we have areas of severe decay in Illinois. These areas are characterized as depressed areas. We know we have areas that have very great tax drains, there is high unemployment, there is aid to dependent children, that these areas are not creating their...a...carrying their tax load. We want you..."

Leinenweber: "...a...Representative Younge..."

Younge: "...we want you, secondly..."

Leinenweber: "...it is your distinction then the Local Land Clearance Commission is controlled and operated generally through the local government whereby this would be run from Springfield down to the local government. Is that correct?"

Younge: "This is a State-wide authority that would be run in cooperation with local government, in cooperation with and that is the distinction."

Leinenweber: "Alright, my second question would be is this a Revenue Bond Financing Agency?"

Younge: "It is an agency that has the responsibility of coming up with a comprehensive plan."

Leinenweber: "Alright, well does it finance any of the projects that it comes up with?"

Younge: "It...included in the plan was a financial package for revenue bonding and that financial package is approved by the General Assembly, it would be through revenue bonding."

Leinenweber: "Is revenue bonding the only method that this agency can finance a project?"

Younge: "No it isn't."

Leinenweber: "What other ways can it finance a project?"

Younge: "It could conceivably finance a project through Bills, notes, through federal money."

Leinenweber: "Could it issue general obligation bonds or any obligation could it obligate the State's General Revenue Fund in any way in any of these projects?"

Younge: "Absolutely not."



Leinenweber: "You say it absolutely...it could not?"

Younger: "It could not."

Leinenweber: "Alright, if it issued Bills and notes, what would be behind the Bills and notes? If they are not revenue?"

Younger: "Behind the Bills and notes?"

Leinenweber: "Yeh, what security would be presented for any Bills or notes that the agency could issue?"

Younger: "Those would be pursuant to decisions on the part of the board, the security or collateral that it would require in reference to the particular transaction calling for the Bills or notes."

Leinenweber: "Alright, the final question. In Section 22, it provides for investigation and conditions in the project in which it has an interest in the conduct of hearing. What specifically type of investigations does that contemplate?"

Younger: "The contemplation is a factual investigation if there is a project that has been cooperating with or sponsored, it should have the authority to look at that if something goes wrong to see in what way it could straighten itself out."

Leinenweber: "I mean what specifically...you're talking about...a...a... taking money or anything like that? I don't understand precisely what type of complaint or petition, it says shall do so in complaint of any person or on its own motion."

Younger: "Right, if it comes to a member of the board or the board in general, in fact..."

Leinenweber: "...well, what type of complaint is what I'm driving at."

Younger: "Any type of complaint it seems to me that is serious that ought to be looked into. The board ought to simply have the authority to do so and it is given that authority there."

Leinenweber: "And it is given authority to...a...what can it do about these complaints? What type of...a...punishment or penalties can it enact?"

Younger: "Well, I would suppose that the board would be able to set up rules and regulations in reference to various types of complaints, the first one is to give the specific authority to investigate matters having to do with projects concerned with it."



Speaker Shea: "The Lady from St. Clair, Ms. Younge, to close. Mr. Taylor."

Taylor: "Mr. Speaker, I'd like to speak on this Bill because I rise in support of this issue. This was the old House Bill 396 that passed through both Houses of the General Assembly and was vetoed by Governor Walker. Ms. Younge has done everything in her power in order to compare with what she thinks that the Governor wants and meets the needs at the same time of the people that she represents in that particular area and I solicit your support for House Bill 3973."

Speaker Shea: "The Lady from St. Clair, Ms. Younge, to close."

Younge: "I ask the Members of the House of Representatives' support in this very vital legislation. I think that with the passage of this Bill, we can come back to Springfield next term with an agency that has looked into the areas of blight and depression of Illinois and come back with a plan as to what we are going to do about those areas that are a severe tax drain on our economy."

Speaker Shea: "The question is shall House Bill 3973 pass? All those in favor will vote aye. Those opposed will vote nay. Have all voted who wished? Have all voted who wished? The Gentleman from Cook, Mr. Gaines, to explain his vote."

Gaines: "Mr. Speaker, Ladies and Gentlemen of the House, I feel this is a very important Bill, we see the large amounts we have to pay for Public Aid, we see the large amounts that we have to pay for Mental Health, we see the large amounts that we have to pay for Corrections, and this is one way we can make an ounce of prevention worth a pound of cure because the economic situation that this will help eliminate is the prime factor behind much of the Public Aid rolls, much of the crime that we have, and other things that you find in depressed areas. So you'll be making an investment enabling private enterprise to do the job rather than having to come back in a couple of years from now with requests for large public outlays for public projects. So I think if you do this now, you won't have to be spending much more money later. Thank you."



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

Maragos: "Mr. Speaker, Members of the House, you will note that on House Bill 3973, as was explained by Representative Taylor and the sponsor, Ms. Younge, this Bill went to Committee and it was thoroughly discussed and came out by unanimous vote out of Cities and Villages. Another thing is that this Bill was passed by both Houses last year and because of economic reasons at that time, I think, the Governor vetoed it and he had some other objections which Ms. Younge did attempt to correct, which she has corrected in this Bill at the present time. Let her have the opportunity to put an idea of this across which it will save the taxpayers of Illinois much more money as was brought out by Representative Gaines. We solicit your support because of the fact that this is really seed money and an attempt to give private enterprise an opportunity to take care of the depressed areas, not only in her district but throughout the State of Illinois. Let us not think of this as an area only for Cook County or St. Clair County, but this idea can prevail in a place like Danville, it can prevail in Decatur, in Rockford, in other metropolitan areas throughout the State of Illinois. I think this merits your support, I would ask for your favorable vote."

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

Mann: "Thank you Mr. Speaker. Last Monday, we witnessed the devastation of which nature is capable of in the area of Lemont. But there are other kinds of devastation. Devastation caused by neglect, devastation caused by the syndrome poverty, devastation caused by apathy, and this is what we are trying to come to grips with here with Ms. Younge approach. So often we're told that we ought to approach these problems via the boot strap and if the boot strap is handy and is important, but just like many other segments of our economy, farmers, manufacturers, housing and this kind of planning should be subsidized. There should be stored up money. I think we should be commending Ms. Younge for her approach which we may use as a model in other areas of the State and I'm voting aye,



Mr. Speaker."

Speaker Shea: "The Gentleman from Winnebago, Mr. Simms."

Simms: "Well Mr. Speaker, I would, after the Roll...after the vote, is taken ask for the privilege of a verification of the Roll Call."

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

Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 96 ayes, 39 nays, and the Gentleman from Winnebago, Mr. Simms, wants to verify the affirmative Roll. The Lady from St. Clair, Ms. Younge, asks for a poll of the absentees."

Clerk O'Brien: "E. M. Barnes. Gerald Bradley. Brinkmeier. Capuzi."

Speaker Shea: "Mr. Clerk, Mr. Dunn, John Dunn, for what purpose do you rise?"

Dunn: "How am I recorded? "

Speaker Shea: "You are recorded as voting present sir."

Dunn: "Vote me aye, please."

Speaker Shea: "Change Mr. Dunn to aye."

Clerk O'Brien: "Davis. Ralph Dunne. Friedland. Ron Hoffman. J. D. Jones.

LaFleur. Leon. Luft. Lundy. Meyer. Mugalian. O'Daniel.

Polk. Randolph. Rayson. Schneider. Sevcik. Sharp. Wall."

Speaker Shea: "Before we start the verification, let me explain to you the intention of the Chair. There is one Bill on Third Reading to be finished, one Bill on Second Reading, and one motion and then we will break for the lunch hour and Committee meetings. Proceed with the verification of the affirmative Roll Call."

Clerk O'Brien: "J. M. Barnes. Beatty. Beaupre. Berman. Birchler.

Boyle. Brandt. Brummet. Byers. Caldwell. Campbell. Capparelli.

Catania. Chapman. Choate. Darrow. DiPrima. Domico. Downs.

John Dunn. Dyer. Epton. Ewell. Farley. Flinn. Gaines. Garmisa.

Geo-Karis. Giglio. Giorgi. Greiman. Hanahan. Hart. Hill.

Hirschfeld. Holewinski. Dan Houlihan. Jim Houlihan. Huff.

Jacobs. Jaffe. Emil Jones. Katz. Keller. Kelly. Kornowicz.

Kozinski. Kozubowski."

Speaker Shea: "Mr. Kozubowski asks leave to be verified now. Is there objection? None from Mr. Simms, go ahead."



Clerk O'Brien: "Kucharski. Laurino. Lechowicz."

Speaker Shea: "Mr. Clerk, vote Eugene Barnes and John Leon aye. Mr. Luft wishes to be recorded as aye."

Clerk O'Brien: "Lucco. Luft. Madigan. Madison. Mann. Maragos. Marovitz. Matijevich. Mautino. McAvoy. McClain. McGrew. McLendon. McPartlin. Merlo. Molloy. Mudd. Mulcahey. Nardulli. Patrick. Pierce. Pouncey. Riccolo. Richmond. Rose. Satterthwaite. Schisler. Shea. E. G. Steele. C. M. Stiehl. Stone. Stubblefield. Taylor. Telcser. Terzich. Tipword. Vitak. VonBoeckman. Washington. White. Willer. Williams. Wolf. Younge. Yourell. Mr. Speaker."

Speaker Shea: "Mr. Simms, are there questions of the affirmative Roll Call?"

Simms: "Yes, J. M. Barnes?"

Speaker Shea: "How is J. M. Barnes...she's standing back by Ms. Reed's desk."

Simms: "Representative Beaupre?"

Speaker Shea: "Mr. Beaupre is in his seat."

Simms: "Representative Brandt?"

Speaker Shea: "Mr. Brandt's in his seat."

Simms: "Brummett?"

Speaker Shea: "Mr. Brummett's in his seat."

Simms: "Domico?"

Speaker Shea: "Domico...is Representative Domico in his seat? Are there any further questions?"

Simms: "Yes, Representative Byers?"

Speaker Shea: "Byers? How is Representative Byers recorded?"

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

Speaker Shea: "Is Mr. Byers in the chambers? Take him off the Roll Call."

Simms: "Representative Farley?"

Speaker Shea: "Representative Farley, how is he recorded?"

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

Speaker Shea: "Take him off the Roll Call."

Simms: "Representative Garmisa?"



Speaker Shea: "Representative Garmisa is in the center aisle. Mr.

Polk, for what purpose do you rise?"

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

Speaker Shea: "You are recorded as not voting."

Polk: "Vote me aye please."

Speaker Shea: "Vote Mr. Polk aye."

Simms: "Representative Giglio?"

Speaker Shea: "Representative Giglio? How is Representative Giglio recorded?"

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

Speaker Shea: "Is Representative Giglio in the chambers? Take him off the Roll Call."

Simms: "Representative Hanahan?"

Speaker Shea: "Representative Hanahan is in his seat."

Simms: "Representative Hart?"

Speaker Shea: "Representative Hart, how is he recorded?"

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

Speaker Shea: "Take him off the Roll Call."

Simms: "Representative Hill?"

Speaker Shea: "Representative Hill is in the center aisle sir."

Simms: "Representative J. M. Houlihan?"

Speaker Shea: "J. M. Houlihan is...he's in the balcony up there with some of his constituents."

Simms: "Okay. Representative Jacobs?"

Speaker Shea: "Representative Jacobs? Is Representative Jacobs on the floor? How is he recorded?"

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

Speaker Shea: "Take him off the Roll Call."

Simms: "Representative Jaffe?"

Speaker Shea: "Representative Jaffe? How is he recorded?"

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

Speaker Shea: "Take him off the Roll Call."

Simms: "Representative Greiman?"

Speaker Shea: "Representative Greiman? Is he on the floor? How is he recorded?"



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

Speaker Shea: "Take him off the Roll Call."

Simms: "Representative Keller."

Speaker Shea: "Representative Keller is in the center aisle."

Simms: "Representative Lucco?"

Speaker Shea: "Representative Lucco is in the center aisle."

Simms: "Representative Madigan."

Speaker Shea: "Representative Madigan is right in the aisle, here."

Simms: "Okay. Representative Madison?"

Speaker Shea: "Representative Madison? Jessie Madison, is he on the floor? He's right by the door there."

Simms: "Okay, Representative Mautino?"

Speaker Shea: "Mautino is standing right next to Representative Dunn."

Simms: "Representative McGrew?"

Speaker Shea: "Representative McGrew? Is Representative McGrew on the floor? How is he recorded?"

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

Speaker Shea: "Take him off the Roll Call."

Simms: "Representative McPartlin?"

Speaker Shea: "He's right in Ralph Dunne's seat. Mr. Winchester, for what purpose do you arise?"

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

Speaker Shea: "You are recorded as voting present."

Winchester: "Change my vote to aye please."

Speaker Shea: "Make that an aye vote. And put Mr. Greiman back on the Roll Call, he's just returned."

Simms: "Representative Rose?"

Speaker Shea: "Representative Rose is in his seat."

Simms: "Representative Riccolo?"

Speaker Shea: "Riccolo is in his seat."

Simms: "Representative Telcser?"

Speaker Shea: "Representative Telcser, he's right back by Ms. Stiehl, he's right back by Ms. Stiehl and return Keller to the Roll Call."

Simms: "Representative Von Boeckman?"

Speaker Shea: "Von Boeckman is in his seat."





Simms: "Representative Wolf?"

Speaker Shea: "Representative Wolf is in his seat. Record Representative Rayson as aye."

Simms: "Representative Yourell?"

Speaker Shea: "Yourell? How is Representative Yourell recorded?"

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

Speaker Shea: "Take him off the Roll Call."

Simms: "Representative White."

Speaker Shea: "Representative White is in his seat. Are there any further questions of the affirmative Roll Call? Give me the Roll Call, Mr. Clerk."

Clerk O'Brien: "95 ayes..."

Speaker Shea: "On this question there are 95 ayes, and 39 nays and this Bill having received the constitutional majority is hereby declared passed. On the order of House Bills' Third Reading appears House Bill 3980 and on that Bill, the Gentleman from Decatur, Mr. Dunn, John Dunn."

Clerk O'Brien: "House Bill 3980. A Bill for an Act requiring the Illinois Commerce Commission to conduct a study relating to transportation of hazardous material over railways. Third Reading of the Bill."

Speaker Shea: "The Gentleman from Decatur, Mr. Dunn."

Dunn: "Thank you Mr. Speaker and Ladies and Gentlemen of the House, this is a Bill which authorizes the Illinois Commerce Commission to conduct a study of the existing federal regulations relating to transportation of hazardous materials over the railways in the State of Illinois and this is a Bill of the Committee on Transportation and it is subject matter that has been very thoroughly discussed by the House Transportation Committee. At the present time, I know of no objections to this Bill and I would urge a favorable Roll Call."

Speaker Shea: "The question is...is there debate? The question is shall House Bill 3980 pass. All those in favor will vote aye.

Those opposed will vote nay. Have all voted who wished? Have



all voted who wished? Take the Roll Call Mr. Clerk. On this question there are 136 ayes, 2 nays, House Bill 3980 having received the constitutional majority is hereby declared passed. On the order of House Bills' Second Reading appears House Bill 3802."

Clerk O'Brien: "House Bill 3802. A Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. One Committee Amendment. Amends House Bill 3802 on page 1, line 13 and 14 and so forth."

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

Garmisa: "That Amendment, Mr. Speaker, was adopted in Committee and it puts in the people that are now presently employed on the job and that's all that adds and I would ask for the adoption of Amendment #1."

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

Clerk O'Brien: "Floor Amendment #2. Mudd. Amends House Bill 3802 on page 1, line 1 and 2, by deleting Section 14-151.3 and so forth."

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

Mudd: "Mr. Speaker, my Amendment addresses itself to adding the conservation police officers to this Bill and the same provisions, it just adds those to the Bill."

Speaker Shea: "Is there debate? The Gentleman from Cook, Mr. Garmisa."

Garmisa: "I'd like to ask, Mr. Speaker, a question of the sponsor of this Amendment."

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

Garmisa: "Representative Mudd, did you have an impact study made relative to the application of this Amendment to the Bill?"

Mudd: "No, Representative, I didn't and your point is well taken.

However, I know that there is a provision whereas it is not required by Senate Joint Resolution 65; however, being a Member of the Pension Committee, I will have to say that your point is well taken and at this time, I think it should be offered in Committee where it can be fully heard so I would move to table Amendment..."



Speaker Shea: "The Gentleman asks leave to table Amendment #2. Is there objection? Hearing none, Amendment #2 is tabled. Are there further Amendments?"

Clerk O'Brien: "Amendment #3. Winchester. Amends House Bill 3802 on page 1, line 2 and 8, and so forth."

Speaker Shea: "The Gentleman from Hardin, Mr. Winchester."

Winchester: "Thank you Mr. Speaker. Based on the same reasons given by the previous Representative, I'd like to have leave of the House to table Amendment #3."

Speaker Shea: "The Gentleman moves to table Amendment #3. Is there objection? Hearing none, the Amendment will be ordered tabled. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Shea: "Third Reading. On the order of motions...on the order of motions appears a motion with regard to Senate Bill 1719. Mr. Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1719 is identical to House Bill 2115, which is presently on Third Reading, and has gone through the Committee system and the House of Representatives. What this Bill does is remove the or change the mortgage rate limit from 9½ per cent to 2½ per cent over the long term bond, federal bond rate interest, and the motion is to bypass Committees since this subject has already been discussed fully by the House Committee and has been passed fairly unanimously out of that Committee."

Speaker Shea: "The Gentleman asks unanimous consent to put 3417...er 1719 on the order of Senate Bills' Second Reading. Is there objection? Hearing none, Mr. Hanahan, for what purpose do you rise?"

Hanahan: "To object."

Speaker Shea: "Alright, the Gentleman needs 107 votes."

Hanahan: "And Mr. Speaker, may I speak, then, in opposition to the Bill."

Speaker Shea: "Proceed sir."

Hanahan: "Mr. Speaker, this Session of the General Assembly has been



ably and amply touted as a Session to operate only for the provisions of the orderly processes of State government. Why does it always seem to cow-tow to the interest, the banking interests of this State and the savings and loan interests of this State, to raise interest rates, we seem to be able to always have time to listen, but not time for the other needs of State government and State operation. I think that this Bill should be treated like any other Bill, it should go through the normal procedures, through the Committee process, I see no great emergency in this Bill having to be speeded up to go through the processes like any other Bill does and I object and hope that a negative vote is cast on this motion."

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

Leon: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 1719 is similar to House Bill 2115, which was heard in Committee and was passed out of the Committee unanimously. Senate Bill 1719 would receive the same affirmative action in the House and I believe it would be necessary to have 107 votes so that this Bill can be put on the order of Second Reading and if there is any objection to the Bill at that time, those persons can offer Amendments and we can consider them at that time. I'd appreciate an affirmative vote."

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

Hoffman: "Thank you Mr. Speaker, I would concur too, inasmuch as this Bill and other similar concepts to it have been discussed, Banks and Savings and Loan and as minority spokesman for that Committee I would suggest that we concur with that request by Representative Kane."

Speaker Shea: "Well I've been informed by the Parliamentarian that it is not exempt from the requirement that all Bills go to Rules Committee unless there's unanimous consent; it appears that it will...Mr. Katz?"

Katz: "There is not unanimous consent."

Speaker Shea: "No, I know there's not unanimous consent so I will ask



that the sponsor of the Bill post it for Rules Committee.  
Committee Reports."

Clerk O'Brien: "Representative Matijevich, Chairman of the Committee on Executive to which the following Bills were referred, action taken June 11, 1976, reported the same back with the following recommendations, tabled by Rule 24(d) House Bill 3123 and House Resolution 734."

Speaker Shea: "Introductions."

Clerk O'Brien: "House Bill 3997. E. G. Steele. A Bill for an Act to amend the Vehicle Code. First Reading of the Bill."

Speaker Shea: "The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker..."

Speaker Shea: "...for purposes of the recess announcement."

Giorgi: "I move, Mr. Speaker, that the House do now recess until 3:30 this afternoon to resume House Session."

Speaker Shea: "The Gentleman from Cook, Mr. Katz. Mr. Giorgi, would you come here for a minute, please? The Gentleman from Cook, Mr. Katz, for an announcement."

Katz: "Mr. Speaker and Ladies and Gentlemen of the House, the Rules Committee of the House will be meeting after the afternoon Session. In other words, when we go in at 3:30, whenever the House concludes its deliberations, the Rules Committee will then meet in Room 114 here in the Capitol Building today. So I wanted to make sure that there was no confusion, the Rules Committee will be meeting today, but not in the early afternoon, it will be meeting after the evening Session whenever that ends in Room 114 today."

Giorgi: "Mr. Houlihan, for what reason do you rise? Dan Houlihan?"

Houlihan: "Thank you Mr. Speaker, for the purposes of an announcement. The Committee created pursuant to House Resolution 883 will meet at 1:30 this afternoon in Room H-1 in the State Office Building."

Giorgi: "Representative Yourell, for what purpose do you rise?"

Yourell: "An announcement, Mr. Speaker. Ladies and Gentlemen of the House, the Counties and Townships Committee of the House will meet promptly at 1:30 and if you get there, the Members get there on time, we can dispose of our business in not more than twenty or



twenty five and I'd appreciate it if everybody would be on time so we can wind up this final meeting."

Giorgi: "Representative Terzich for an announcement."

Terzich: "Yes, Mr. Speaker, the Pension and Personnel Committee rather than meeting at 1:30, we will meet right after recess here in Room 122-A, we'd like to have you there, we have one Bill and we should be out within fifteen minutes."

Giorgi: "Representative Maragos, for what reason do you rise?"

Maragos: "Mr. Speaker, the Revenue Committee will be meeting here at 1:30 in Room D-1, we'd like to have attendance because we have a very vital Bill and some other matters and we'll get out early. Thank you."

Giorgi: "The House is in recess until 3:30 this afternoon. I'm sorry, Representative Barnes, for what reason do you rise?"

Barnes: "Thank you very much, Mr. Speaker and Members of the House, the Appropriations II Committee will meet promptly at 1:30 here on the House floor, reset meeting from yesterday, promptly at 1:30."

Giorgi: "Okay, one last announcement from the Assistant Majority Leader, Representative Shea."

Shea: "I move that the House do now stand in recess until 3:30."

Giorgi: "The House is in recess until 3:30."

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Speaker Redmond: "The House will come to order, the Members please be in their seats. The House will stand in recess until 4:00 o'clock."

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Doorkeeper: "All persons not entitled to the floor, please leave."

Speaker Giglio: "The House will now come to order. Do we have any Committee Reports?"

Clerk O'Brien: "Committee Reports. Representative McLendon, Chairman of the Committee on Personnel and Pensions to which the following Bills were referred, action taken June 16, 1976, reported the same back with the following recommendations. Do pass, as amended, House Bill 3588."



Speaker Giglio: "Messages from the Senate."

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

Mr. Speaker, I am directed to inform the House of Representatives the Senate has refused to concur with the House in the adoption of Amendment of the House to a Bill of the following title: Senate Bill 1604. Action taken by the Senate June 16, 1976. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has acceded to the request of the House of Representatives for a Conference Committee relating Senate Bill 31. Action taken by the Senate June 16, 1976. Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House in passage of a Bill of the following title, to-wit: House Bill 1955 together with Amendment. Passed by the Senate as amended June 16, 1976. Kenneth Wright, Secretary. ...Out of the Chair. That was Representative Giglio in the Chair."

Speaker Redmond: "House Bills Third Reading. 3417, Representative Williams, you ready on that?"

Clerk O'Brien: "House Bill 3417. A Bill for an act making an appropriation Department of Transportation for expenditures by the Division of Water Resources. Third Reading of the Bill."

Speaker Redmond: "Representative Williams."

Williams: "Thank you, Mr. Speaker, Members of the House, I had said I would hold this but I've been released from that obligation from Representative Beaupre and we are ready to go now on Third Reading. This is a small budget, I might say, for all of the flood control and water resources project for the State of Illinois but we had a lot of discussion on this yesterday, I won't take any more time of the House, I would ask that House Bill 3417 be given a very large green vote. Thank you."

Speaker Redmond: "Representative Schlickman, Representative Totten."

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

I reluctantly have to rise in opposition to this Bill as it presently sits even though there are many projects in it for my own area. I



think we have come to the point where we have increased our, or in this Bill, we have appropriated bonding authorization of a later...half ...to come, that puts the state in a rather precarious financial situation. My understanding that there's over \$18,000,000 appropriated in this the original authorization or original appropriation with somewheres around 12, I think there's some highly questionable projects in this. And I would encourage those of you who are concerned about the future of the financial situation of this state not to cast an aye vote on this Bill."

Speaker Redmond: "Ready for the question. The question is shall this Bill pass? Those in favor vote aye; opposed vote no. Have voted who wish? ...All voted who wish? All voted who wish? Clerk will take the record. On this question there's 95 aye and 50 no and the Bill having received the constitutional majority is hereby declared passed. Senate Bills Second Reading. Senate Bills Second Reading appears Senate Bill 1626, E. M. Barnes. 1626, Senate Second."

Clerk O'Brien: "Senate Bill 1626. A Bill for an act making an appropriation to the board of governors of state colleges and universities. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Representative Barnes, you want that out of the record?"

Barnes: "There's no amendments, Mr. Speaker."

Speaker Redmond: "Oh. Third Reading. Floor Amendment."

Clerk O'Brien: "Amendment #1. Catania. Amends Senate Bill 1626 on page 1 line 12 and so forth."

Speaker Redmond: "Representative Catania."

Catania: "Thank you, Mr. Speaker and Members of the House, this is the Amendment which would provide for 2.5% salary increase for the administrators at the universities. As I pointed out earlier on a similar amendment which I offered, 2.5% is what we are providing for people in similar situations in state government and I think it's perfectly reasonable to provide 2.5% to these people. This could mean that the people who make over \$20,000 a year which is more than we make as state legislators would have salaries increases of 2.5% or slightly less if they chose to give more money to the lower level people. I move for the adoption of this Amendment."





Speaker Redmond: "Any discussion? Question is on...Representative Barnes."

Barnes: "Thank you very much. Well, Mr. Speaker, Members of the House, this is the same Amendment over and over and over that's been offered; this Amendment has been defeated in Committee a number of times; been defeated on the House floor. I...I be...I...I think that the argument has been...we have discussed it on a number of occasions, there is nothing in fact that this Amendment will do in terms of trying to address itself to the problem as has been afore stated. It simply reduces the amount of money available for the normal or contractual...agreement of salaries for all of the employees that the various systems cannot in anyway address itself to any particular category because the...the budget is not set up in that fashion. And the only thing I can say to add to that, this Amendment has been defeated time and time again already; I think it should be soundly defeated again so that it cannot be brought up because it...it will do nothing in fact but simply force these... this group of Bills into a conference committee thereby simply delaying the time in...in the ultimate passage of these Bills."

Speaker Redmond: "Representative Brinkmeier."

Brinkmeier: "Will the Sponsor of the Amendment yield to one question?"

Speaker Redmond: "She will."

Brinkmeier: "Susan, approximately how much money would this save if this Amendment were adopted, do you have those figures?"

Catania: "\$198,400, Representative Brinkmeier, on this Amendment."

Brinkmeier: "Thank you. Mr. Speaker, very briefly if I may, I think the Sponsor of this Amendment should be commended for attempting to put this present Amendment on and I think it's time that we started determining what our priority should be; whether it should be in salaries for administrators or where it should be for the kids that are getting the education. We know we're short of money and here we have an opportunity to save some and I would urge an aye vote."

Speaker Redmond: "Anything further? Representative Deuster. Deuster."

Deuster: "If the Sponsor'd yield for a question, Representative Barnes had indicated that your Amendment does allow flexibility in the



administration so that they can make this cut where they think it can be absorbed best, is that accurate, that they can...that you don't prescribe the exact categories or the exact positions but it's just a general cut, is that it, what it is?"

Catania: "That's correct, that we did want to allow maximum flexibility and I have lists here at my desk if anyone would like to look at them of all of the people who would be in this line who make over \$30,000 a year. Just glancing through it I would say that there were about 30 people in that category who already make over \$30,000 a year and there are several here who make over \$40,000 a year."

Deuster: "Well, Mr. Speaker, if I might..."

Speaker Redmond: Proceed."

Deuster: "...Speak briefly to the Amendment. I think it's an excellent Amendment because it reaches the higher salary level areas and that certainly this is a time when those who are making in the neighborhood of over 20,000 or 30,000 a year can forego a substantial salary increase because of the tight fiscal condition of our state and I urge a yes vote on this..."

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

Barnes: "Well, Mr. Speaker,....Mr...Mr..."

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

Catania: "On a point of order, Mr. Speaker, he..."

Speaker Redmond: "What's your point?"

Catania: "...Already spoke on this..."

Speaker Redmond: "How do you know what he's going to do?"

Catania: "It...I just hope that you won't have him speak on the Bill, Mr. Speaker, I...I just leave that in your good judgment."

Speaker Redmond: "Representative Barnes."

Barnes: "Thank you very much, Mr. Speaker, if the gentlewoman from

Chicago would not anticipate things she would realize that...

Representative that just spoke used Representative Barnes' name

in his...in his addressing her Amendment. He...not only...only

did he use Representative Barnes' name; he misstated my position

on the questioning that I performed."

Speaker Redmond: "Representative Catania."



Catania: "Well, Mr. Speaker, what...what he is doing? He sounds to me as if he's really winding up to speak on the Bill."

Speaker Redmond: "Sounds like a point of personal privilege, the same as you."

Catania: "The point of personal privilege doesn't mean that if his name is used he is to speak. I think Representative Matijevich has made that point before hasn't he?"

Speaker Redmond: "Representative Barnes."

Barnes: "Well, Mr. Speaker, I won't even...I won't even bother to go into that I believe that it has been...always the experience in this Body since I've been here that we...we've operated in that fashion but I'll simply pass that up."

Speaker Redmond: "Representative Totten."

Totten: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of Amendment #1, the longer the Lady from Cook persists in the Amendment the more appropos that it becomes to the process that we are undergoing here. As we continue to appropriate additional funds over and above those which have been estimated by the Governor to be available and those which other revenue estimates have indicated it becomes readily apparent to this General Assembly has to do something about it and in this...this is no better place to do it. I commend the lady for her foresight on proposing this Amendment and I think as the days go on toward the end of this Session she will be proven more and more correct and I heartily recommend an aye vote..."

Speaker Redmond: "Representative Ralph Dunn."

Dunn: "Thank you, Mr...Mr...thank you, Mr. Chairman, or Mr. Speaker, didn't yesterday the motion come up that if you had an Amendment that...defeated in Committee you couldn't offer it again on the floor the same person or was, Representative Lechowicz brought that up and I don't remember the ruling of the Chair."

Speaker Redmond: "Not in Committee, it's when the same one is addressed on the floor at two different occasions but not in Committee."

Dunn: "Representative Catania has introduced this Amendment about six times in Committee and this is about the second or third time on



the floor and I think each time it's been soundly defeated. I would urge again that we defeat this because it takes money from university system from the personal service line, it does not mandate and they tell me we cannot mandate any appropriate Bill how much raise will be whether it's 2% or 2-1/2 or 4% and the university said in testimony before the Appropriations II Committee that they did not give straight across the board 4-1/2% raises ...grant raises, they divided them up as they saw fit so I would hate to see us take this amount of money for the appropriations."

Speaker Redmond: "Representative Ryan."

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

This is another responsible Republican Amendment to reduce the spending that's been going on here and I would like to commend you Representative Catania. Now this is part of the old argument and the question goes why should the university administrators get a larger pay increase than we've allowed for anybody else? And that's what this is all about. They've appropriated \$198,400 which is...is...about 2% higher than anybody else has had and all this Amendment does is put their...their personal services salary increase back down to a 2-1/2% level and I think the adoption of this Amendment would certainly be in order."

Speaker Redmond: "Representative Catania to close."

Catania: "Thank you, Mr. Speaker and Members of the House. Some of these administrators have received a 6 and 7% salary increases recently and what we are doing here is just saying that 2.5% average salary increase will be provided for; people in low levels can have larger salary increases and the Appropriations Committee is monitoring that. Now I would point out to you that we took \$9,000,000 out of the Public Aid budget, I hope we weren't saving it to give it to the university administrator. I don't think that that's where we ought to be putting our money. You and I here in the General Assembly have not had a salary increase in the last year and it doesn't look like we're going to have one. We're staying at \$20,000 a year and I don't think that we ought to be giving away big piles of money to people who already make



over \$20,000 a year to give themselves a salary increase in an economically tight situation and I move for the adoption of this Amendment."

Speaker Redmond: "Question is on the adoption...on the Lady's motion for the adoption of Amendment #1. Those in favor vote aye; opposed vote no. Have all voted who wish? Representative Stone."

Stone: "Mr. Speaker, Ladies and Gentlemen, this Amendment was considered by the Appropriations II Committee when all of the university budgets were considered. The Amendment was soundly defeated in all those budgets and I believe that...that the House should follow the lead of the Appropriations Committee and...and beat this Amendment so that we can get on with the Bill."

Speaker Redmond: "Have all voted who wish? Clerk will take the record. On this question there's 66 aye...Representative Barnes."

Barnes: "Mr. Speaker, could I have a poll of the absentees?"

Speaker Redmond: "Gentleman has asked for a poll of the absentees. Representative Bradley, for what purpose do you rise?"

Bradley: "Well, Mr. Speaker, I wanted to explain my vote if I'm not too late to do that."

Speaker Redmond: "I think...I think you're a little late."

Bradley: "Well, I had my light on, was trying to get some attention because there are some Members up there that are voting green that in all fairness I think should be voting red and I'd like to call their attention..."

Speaker Redmond: "Representative Walsh."

Walsh: "Mr. Speaker, you ruled that he was too late and he's explaining his vote. He knows that he's out of order..."

Speaker Redmond: "I'm not...I'm not the electrician, Mr. Walsh."

Walsh: "You control the electrician, Mr. Speaker, the sergeant-at-arms and all..."

Speaker Redmond: "Ruled on it, will you turn Mr. Walsh and Mr.

Bradley both off. Poll of the absentees."

Clerk O'Brien: "Arnell..."



Speaker Redmond: "Representative Arnell. Representative Ewing,  
for what purpose do you rise?"

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

Speaker Redmond: "How is the Gentleman recorded?"

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

Ewing: "Vote me yes please."

Speaker Redmond: "Vote him aye. Representative Arnell, is he here?"  
Proceed."

Clerk O'Brien: "Brandt, Campbell,..."

Speaker Redmond: "Representative Brandt. How is he recorded?"

Clerk O'Brien: "Recorded as not voting."

Speaker Redmond: "He desires to be recorded as no."

Clerk O'Brien: "Campbell."

Speaker Redmond: "Campbell, aye."

Clerk O'Brien: "Capuzi, Craig, Davis, Ebbesen, Fleck, Gaines, Getty,  
Giorgi, Grieman, Griesheimer, Hill,..."

Speaker Redmond: "Representative Hill, no."

Clerk O'Brien: "Hudson, J. D. Jones, Katz, Kent, LaFleur, Lauer,  
Luft,..."

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

Luft: "Clerk, how am I recorded, Mr. Speaker?"

Speaker Redmond: "How is he..."

Clerk O'Brien: "Not voting."

Luft: "Please vote me no."

Speaker Redmond: "Vote the Gentleman no."

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

Speaker Redmond: "Representative Lundy. Record the Gentleman as no."

Clerk O'Brien: "Madison, Matijevich,..."

Speaker Redmond: "Representative Gaines desires to be recorded as aye."

Clerk O'Brien: "McAuliffe, McGrew, McMaster,..."

Speaker Redmond: "Representative McMasters for what purpose do you rise?  
Record the Gentleman as aye."

Clerk O'Brien: "Hudd, Polk, ... Polk, Randolph."

Speaker Redmond: "Aye, Representative Randolph."

Clerk O'Brien: "Riccolo, Rose,..."



Speaker Redmond: "Representative Rose, aye."

Clerk O'Brien: "Sangmeister."

Speaker Redmond: "Representative Sangmeister, no."

Clerk O'Brien: "Schisler."

Speaker Redmond: "No."

Clerk O'Brien: "Schneider, Schuneman, Stearney, C. M. Stiehl,  
Stubblefield, Terzich, Van Duyne, Wall, White, Younge."

Speaker Redmond: "Representative Younge."

Younge: "How am I recorded?"

Speaker Redmond: "How is the Lady recorded?"

Clerk O'Brien: "Not voting."

Younge: "Vote me no please."

Speaker Redmond: "Vote the Lady no. Representative Grieman.

Representative Grieman desires to be recorded as no. Representa-  
tive Merlo, did you seek recognition? How is he recorded?"

Clerk O'Brien: "Representative Merlo is recorded as voting present."

Speaker Redmond: "Vote the Gentleman no. Representative Getty desires  
to be recorded as no. Representative Leverenz...Getty, no. Leverenz,  
no. McAuliffe, aye. Giorgi, no. Stubblefield...wait a minute,  
no. Leverenz, that's right."

Clerk O'Brien: "Leverenz from aye to no."

Speaker Redmond: "And Representative Stubblefield, no. Representative  
Stearney, aye. Representative Matijevec, no. Madison, no.  
Oh, pardon me, Representative Madison, aye. Representative Frie-  
drich,...Representative."

Friedrich: "Mr...Mr. Speaker, I think it's significant that the three  
Democrat Members of the Fleck Committee are all recorded as voting.  
We did not vote the Republicans here and I don't think they should  
be voted over there. Obviously they're not here. They're in  
meetings and I think they should refrain from that. If they are...  
or otherwise we should get..."

Speaker Redmond: "I think your point is well taken, Representative  
Friedrich. Representative Jim Houlihan."

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

Speaker Redmond: "How is the Gentleman recorded?"



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

Houlihan: "Mr. Speaker, I'm in agreement with the intentions of this Amendment but it's been explained to me, or explained to me by Representative Boyle that this Amendment won't in effect do what Representative Catania wants to do and so I'd like to change my vote to no but I'm in agreement with your position, Susan."

Speaker Redmond: "...Votes no. Representative Schneider also agrees but he votes no. Representative Riccolo."

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

Speaker Redmond: "How is the Gentleman recorded?"

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

Riccolo: "Record me as no."

Speaker Redmond: "Record the Gentleman as no. Representative Klosak, aye. Representative Geo-Karis, do you seek recognition?"

Geo-Karis: "How am I recorded?"

Speaker Redmond: "How is the Lady recorded?"

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

Geo-Karis: "Change it to present, please."

Speaker Redmond: "Change it from present...from yes to present. Representative Mann, for what purpose do you rise?"

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

Speaker Redmond: "How is Representative Mann recorded?"

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

Mann: "Mr. Speaker, I think a lot of low level administrators are going to be badly hurt by this and I change my vote to no."

Speaker Redmond: "Change the Gentleman to no. Representative Van Duyne. Aye. Representative Yourell, no. Have all voted who wish? Representative Catania."

Catania: "I request a verification...a verification of all those..."

Speaker Redmond: "We don't know the record yet."

Catania: "...Please."

Speaker Redmond: "Representative White"

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

Speaker Redmond: "How is Representative White recorded?"

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





White: "Vote me no, please."

Speaker Redmond: "Record the Gentleman as no. Representative Geo-Karis."

Geo-Karis: "I understood they weren't getting any raise if I had voted yes but I understand they are getting a 2-1/2% raise and therefore I'd like to change my vote back to yes."

Speaker Redmond: "Record the Lady as yes. ....For.... Representative Mudd."

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

Speaker Redmond: "How is he recorded? Mudd. Mudd."

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

Mudd: "Would you please record me as no, please?"

Speaker Redmond: "Record the Gentleman as no. 73 aye; 83 no.

Any questions? Representative Catania."

Catania: "Yes, I request a verification of the no votes please. It's 73 to 83 that we're starting off with, is that correct?"

Speaker Redmond: "73 to 83."

Catania: "Thank you."

Speaker Redmond: "The Lady is requesting a verification of the Affirmative Roll...Negative Roll Call."

Clerk O'Brien: "E. M. Barnes, Beatty, Beaupre, Berman, Birchler, Boyle, Gerald Bradley, Brandt, Brummet, Byers, Caldwell, Capparelli, Choate, Darrow, DiPrima, Domico, John Dunn,..."

Speaker Redmond: "Representative Dunn. All right, he's here."

Clerk O'Brien: "Ralph Dunn, Farley, Flinn, Garmisa, Getty, Giglio, Greiman,..."

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

Sharp: "Yes, would you change my vote from yes to no?"

Speaker Redmond: "Change the Gentleman from yes to no. Representative Katz, aye."

Clerk O'Brien: "Hanahan, Hart, Hill, Hirschfeld, Dan Houlihan, Jim Houlihan, Huff, Jacobs, Jaffe, Kane, Keller, Kelly, Kornowicz, Kosinski, Kozubowski, Laurino, Lechowicz, Leon, Leverenz, Londrigan, Lucco, Luft, Lundy, Madigan, Mann, Maragos, Matijevich, Mautino, McClain, McLendon,..."

Speaker Redmond: "Representative Simms."



Simms: "Yes, would you please have some order restored so it's easier for Representative Catania to..."

Speaker Redmond: "Okay. Representative Washburn, will you please be seated?"

Simms: "The other side of the aisle, Mr. Speaker."

Speaker Redmond: "Representative Friedrich, will you please take your seat? Representative Grotberg, will you please take your seat? Representative Macdonald, will you please take your seat? Representative Hanahan, will you please take your seat? Representative Skinner, will you please take your seat? Representative Simms can't see, he wants everybody to sit down. Representative Catania, will you please take your seat? Proceed."

Clerk O'Brien: "McPartlin, Merlo, Mudd, Nardulli, O'Daniel, Patrick,..."

Speaker Redmond: "Patrick is there, yeah."

Clerk O'Brien: "Pierce, Pouncey, Riccolo, Richmond, Sangmeister, Satterthwaite, Schisler, Schneider, Schraeder, Sharp, Shea, Stone, Stubblefield, Taylor, Tipword, Vitek, Washington, White, Williams, Winchester, Wolf, Younge, Yourell, Mr. Speaker."

Speaker Redmond: "Any questions? Representative Catania."

Catania: "Representative D. L. Houlihan."

Speaker Redmond: "How is he recorded? Representative Katz, for what purpose do you rise?"

Katz: "Mr. Speaker, a Conference Committee is now going on on Senate Bill 31 at the back of the Senate and I wanted leave of the House for Representative Matijevich, Representative Yourell, Representative Mary Lou Kent, Representative Jack Lauer and myself to be verified however we may be voting so that we may go over to the Senate for just a few moments for the Conference Committee on Senate Bill 31. No, it's...it is Representative Matijevich, Yourell, Mary Lou Kent, Jack Lauer and myself are the House Members of the Conference Committee on Senate Bill 31."

Catania: "Well, Mr. Speaker, I think we could verify the people that are here. Now like I can see Representative Katz but Representative Kent hasn't voted at all and I don't see, well, there's Representative Yourell but could you check to see that those people



are here and...before you excuse them please?"

Katz: "All right, the three...the three Democrats are here, Mr. Speaker, and I see that Representative Kent and Representative John Lauer are the two Republicans, now are they there?"

Speaker Redmond: "No, I'm going...it would be George 'Ray' Hudson, LaFleur and Representative Kent and they're not on the Roll Call."

Katz: "All right, very good."

Speaker Redmond: "On the Democrats it would be McLendon, E. L. Houlihan..."

Catania: "Now, Mr. Speaker, this...this is different information entirely..."

Katz: "That's a different one, Mr. Speaker."

Catania: "...And unfortunately the Democrats voted those three switches and the Republicans didn't vote our three switches on those people on that Committee, that's a different matter entirely."

Katz: "Mr. Speaker, since the Democrats are myself, Mr. Matijevich, and Mr. Yourell, are the Democratic Members of the Conference Committee on Senate Bill 31. Now, Mr. Lauer, who I do not see and Mr...and Mrs. Kent are the Republican Members. Are they voted, let's see..."

Speaker Redmond: "They are not."

Katz: "They're not voted so then may those who have voted, namely, Mr. Matijevich, Mr. Yourell and myself be verified and proceed to the meeting of the...Committee?"

Speaker Redmond: "...Objection?"

Catania: "No objections."

Speaker Redmond: "Hearing no objections they will be verified. All right, now Representative D. L. Houlihan, has he been removed from the Roll Call?"

Speaker Redmond: "How is he recorded?"

Clerk O'Brien: "Gentleman is recorded as voting no."

Speaker Redmond: "Remove him."

Catania: "Representative Darrow."

Speaker Redmond: "How is he recorded?"

Clerk O'Brien: "Who is it? Darrow?"

Speaker Redmond: "Darrow."



Clerk O'Brien: "Gentleman is recorded as voting no."

Speaker Redmond: "Remove him."

Catania: "Representative McLendon."

Speaker Redmond: "How is Representative McLendon recorded?"

Clerk O'Brien: "Gentleman is recorded as voting no."

Speaker Redmond: "Remove him."

Catania: "Representative Beaupre."

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

Clerk O'Brien: "Gentleman is recorded as voting no."

Speaker Redmond: "Remove him."

Catania: "Representative Brandt."

Speaker Redmond: "He's here."

Catania: "Representative Flinn."

Speaker Redmond: "Representative Flinn, is he in the back there?"

Representative Ralph Dunn, for what purpose do you rise?"

Dunn: "Mr. Chairman, I wonder if they'd verify the fact that I'm here so I can go down to Reference Bureau?"

Speaker Redmond: "Any objection to verifying Representative Ralph Dunn?"

Hearing none, he was verified."

Catania: "Representative Flinn."

Speaker Redmond: "How...how about Flinn? Flinn on the floor? How is he recorded?"

Clerk O'Brien: "Gentleman is recorded as voting no."

Speaker Redmond: "Remove him."

Catania: "Representative Griesheimer."

Speaker Redmond: "Griesheimer, how is he recorded?"

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

Speaker Redmond: "And he's in his seat, too."

Catania: "Representative Hart."

Speaker Redmond: "There he is."

Catania: "Representative Jacobs."

Speaker Redmond: "Representative Jacobs is in his seat."

Catania: "Representative Jaffe."

Speaker Redmond: "Representative Jaffe. You can find them because they're in their seats."



Catania: "I don't...oh, there he is. Like a mushroom he just magically appears. Representative Laurino."

Speaker Redmond: "Who?"

Catania: "Representative Laurino."

Speaker Redmond: "Laurino is here."

Catania: "He also appeared. Representative Lechowicz."

Speaker Redmond: "Representative Lechowicz. He in his seat? How is he recorded?"

Clerk O'Brien: "Gentleman is recorded as voting no."

Speaker Redmond: "Remove him. Representative Lauer has returned. Record the Gentleman as no."

Catania: "Representative Londrigan."

Speaker Redmond: "Representative Londrigan is in his seat."

Catania: "I'm sorry, did you say Representative Londrigan..."

Speaker Redmond: "Londrigan's in his seat."

Catania: "Okay. I couldn't see him Representative Choate was standing there. Representative Lundy."

Speaker Redmond: "Representative Lundy is in his seat and Representative Beaupre has returned. Put him back on the Roll Call."

Catania: "Representative Mautino."

Speaker Redmond: "Representative Mautino is in the aisle."

Catania: "Representative McGrew."

Speaker Redmond: "Representative McGrew, how is he recorded?"

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

Catania: "Representative McPartlin."

Speaker Redmond: "He's in his seat."

Catania: "Representative Pouncey."

Speaker Redmond: "Representative Pouncey is in his seat. Will you stand up Mr. Pouncey so she can see you? There's Mr. Pouncey."

Catania: "Representative Mulcahey."

Speaker Redmond: "He's in the front here."

Catania: "I beg your pardon."

Speaker Redmond: "He's up here."

Catania: "Representative Schisler."

Speaker Redmond: "He's in his seat. Is that..."



Catania: "Representative White."

Speaker Redmond: "He's here."

Catania: "Representative Shea."

Speaker Redmond: "He's here down front."

Catania: "Representative Williams, I see him. Representative Wolf, I see him."

Speaker Redmond: "Williams is here. Wolf is here,"

Catania: "Representative Lauer has been excused, is that correct?"

Okay. No further questions, Mr. Speaker."

Speaker Redmond: "What's the score?"

Catania: "As Representative Skinner says the people lose."

Speaker Redmond: "Representative Flinn is here put him back on the

Roll Call. What is the count? 73 ayes and 81 no's and the

Lady's motion fails. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 1628, 4:45 Wednesday, June 16th."

Clerk O'Brien: "Senate Bill 1628. A Bill for an act making certain appropriations and re-appropriations the Board of Trustees of the University of Illinois. Second Reading of the Bill. Seven Committee Amendments. Amendment 1 was failed in Committee. Amendment #2, amends Senate Bill 1628 as amended on page 1, line 11 and so forth."

Speaker Redmond: "Representative Stone. "

Stone: "That is Representative Dunn's Amendment."

Speaker Redmond: "Representative Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, this...this Amendment actually was adopted by the Committee and so I suppose technically is a Committee Amendment. I did in fact offer this Amendment to the Committee. What the Amendment does, it deletes \$749,400 from the program support line items of the University of Illinois budget. The reason the Amendment was offered was that when all the Higher Education Bills came over from the Senate they were in the posture that the 4-1/2% pay raise was provided for each of those budgets and the program support line item for the University of Illinois contained \$749,000 almost all of which was to be used for additional salary increases



and during initial testimony of...on the occasion of the hearing of this budget that the President of the University of Illinois confirmed it, later, informally, the University has indicated that they may be able to find a use for this money and I would point out to the Members that there is a program support line item in the budget for all of the other institutions of higher education and I believe this is the only one that is cut. I ask for adoption of this Amendment."

Speaker Redmond: "Representative Stone."

Stone: "Mr. Speaker, Ladies and Gentlemen of the House, as Representative Dunn has stated this is the only one of the universities budgets on which this Amendment was adopted. It was adopted by mistake by the Committee, I have been informed that the, since then they had not intended to adopt it and I don't believe that Representative Dunn is serious in persisting on the yes vote on this inasmuch as the University of Illinois is the only one that this Amendment was put on I think it would be rather unfair if we left it there. In effect..."

Speaker Redmond: "Give the Gentleman order please."

Stone: "In effect since the rest of the budget has gone through it is now the intention of the University to use these funds in support of the library system and it, at the time Representative Dunn introduced the...the Amendment this was not what it was to be used for and I ask that this Amendment be defeated. I see now that Representative Barnes is back on the floor and he is Vice Chairman of the Appropriations II Committee I believe that he can verify what I said and that the...Amendment should be defeated."

Speaker Redmond: "Representative Keller."

Keller: "Yes, Mr...Mr. Speaker and Ladies and Gentlemen of the House, will the Sponsor of the Amendment yield for a question?"

Speaker Redmond: "He will."

Keller: "Yes, Representative Dunn, on Committee that day that this Amendment was adopted was it not said that if the others failed that you would move to table this Amendment?"

Dunn: "No, I did not say that. I...I didn't...certainly didn't mean



to leave that impression either. I do admit to that criticism however that after the Amendment was put on this budget it was offered for I believe the Southern Illinois University budget and did not get on and so I...I think that is a valid point to make. The fact remains that some of the other universities initially offered reasonable detailed justification for the expenditure of the funds in the program support line item and University of Illinois I think in all candor indicated they felt they should use these monies for additional salary increases and it seemed to be...the thinking of the Committee that the salary increases should be uniform across the board so I offered the Amendment to cut this item out and it was adopted."

Speaker Redmond: "Ready for the question. Representative Dunn to close."

Dunn: "Thank you, Mr. Speaker, this Amendment was offered in all seriousness and I do not believe it was a mistake by the Committee to adopt it. I ask for a favorable Roll Call."

Speaker Redmond: "Gentleman has moved the adoption of Amendment #2. All in favor vote aye; opposed vote no. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question 27 aye...29 aye and 70 no and the Gentleman's motion fails. Any further Amendments?"

Clerk O'Brien: "Amendments #3, 4, 5 and 6 failed in Committee. Committee Amendment #7 amends Senate Bill 1628 on page 2 by inserting after Section 1 a new Section 1.1 and so forth."

Speaker Redmond: "Who is the Sponsor?"

Clerk O'Brien: "Representative Ralph Dunn. Ralph Dunn. Anybody moving the adoption of the Amendment?"

Stone: "I think this is Representative Dunn's..."

Speaker Redmond: "Representative Barnes."

Barnes: "Thank you very much. Mr. Speaker and Members of the House, Committee Amendment #7 was offered and adopted in Committee; was offered by Representative Dunn and it addresses itself to the Energy Resources Center at the University of Illinois Circle Campus and does not add any additional dollars to the appropriation it simply reallocates them. The total amount was additional, was





\$60,000 and is the reallocation of funds and does not add any additional dollars to the appropriation. I would move for the adoption of Committee Amendment #7 to Senate Bill 1628."

Speaker Redmond: "Representative Hoffman."

Hoffman: "Will the Sponsor of the Amendment yield..."

Speaker Redmond: "He will."

Hoffman: "...For a question. Where is the money going, where is the money going to and where is it coming from, you said it was a reallocation."

Speaker Redmond: "Representative Barnes."

Barnes: "The money was already...it's this Energy Resources Center has been funded every year within the constraints of the budget. It was a \$60,000 allocation for this purpose. What this Amendment did was specifically set up the Energy Resources Center at the University of Illinois Circle Campus in line item within the framework of that \$60,000."

Hoffman: "Well, this...then in fact it merely just earmarks that 60,000 for that cause so that it wouldn't...it had to go there rather than somewhere else, it guaranteed them that kind of a line item."

Barnes: "That would be correct."

Hoffman: "All right, thank you."

Speaker Redmond: "Question is on the Gentleman's motion. All those in favor say aye. Aye. Opposed, no. The ayes have it; the motion carries. Any further Amendments."

Clerk O'Brien: "Floor Amendment #8. Stone. Amends Senate Bill 1628 as amended on page 3 by deleting lines 26 through 35 and so forth."

Speaker Redmond: "Representative Stone."

Stone: "Mr. Speaker, Ladies and Gentlemen, this is a...an Amendment requested by the University, it deletes Section 41 which placed Capital Development Bond Fund appropriations to the University in the University's operating budget. Now the University has now worked out the problems between the University...the University and the Capital Development Board and these appropriations should be taken out of the operational budget and I move the...adoption



of Amendment #8."

Speaker Redmond: "The question is on the Gentleman's motion for the adoption of Amendment #8. All in favor say aye. Opposed no. The ayes have it, the motion carries, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #9. McAuliffe. Amends Senate Bill..."

Speaker Redmond: "Representative McAuliffe...table...desires to table Amendment #9. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #10. VanDuyne. Amends Senate Bill 1628, as amended, on page 1, line 11, and so forth."

Speaker Redmond: "Representative VanDuyne."

VanDuyne: "Thank you Mr. Speaker. Amendment #15 will take the place of Amendment #10 so I'd like to table #10."

Speaker Redmond: "Any objections? Hearing none, leave is granted to table Amendment #10. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #11. Catania. Amends Senate Bill 1628, as amended, on page 1, line 11, and so forth."

Speaker Redmond: "Representative Catania."

Catania: "Thank you Mr. Speaker, and Members of the House, this one would save \$431,500. What it does is provide for the 2.5 percent salary increase for the administrators instead of a 4.5 percent salary increase. I have a print-out here of all the people who make more than \$20,000 if anyone would like to look at it. I ask for a Roll Call vote on this Amendment."

Speaker Redmond: "Representative Barnes."

Barnes: "Thank you very much. Well Mr. Speaker, Members of the House, I hope the Members will play close attention to this. Here goes the same Amendment that we spent the first hour on, here it goes again on the University of Illinois, the same Amendment that was just defeated for the same reason, this does absolutely nothing in terms of what the Lady is trying to address. The Bill is not set up in that fashion, it simply reduces the amount of personal services line items in that Bill, it does not direct its attention to either the lower pay or the higher pay of anybody in between, you



simply cannot do it in an appropriation Bill and as I said before on the earlier Bill, she's offering this Amendment on every Bill, every Bill, every Bill. It should be defeated once and for all and I don't know whether or not there is any rule that it should not be considered on being redundant, but here we are again, we should vote it down and defeat it again."

Speaker Redmond: "Representative Stone."

Stone: "Mr. Speaker, Ladies and Gentlemen, I agree wholeheartedly with Representative Barnes. The University of Illinois in their pay practices have not given those over \$20,000...a...receiving over \$20,000 as much of a pay raise as they have those under \$20,000. Most of those included in this category are people that are paid considerably less than \$20,000. They include accountants, dieticians, librarians, technicians and people of this classification. As I said a major share of the pay increases by the University have been given to those in the lower classifications. I might point out that the salary increase average for women at the University of Illinois has been considerably more than it has for men of the same type. The women have received approximately 10.3 percent increase and men in the same category have received approximately 6 percent. Now that primarily, I think, is beside the point. The point is as was made by Representative Barnes and that is that this same Amendment has been defeated already on other Bills and we simply should not spend a lot of time considering it on this University Bill and all of the others that are to follow. We should just defeat it and get it over with."

Speaker Redmond: "Representative Washington. Representative Catania to close."

Catania: "Thank you Mr. Speaker and Members of the House. I think we all recognize that it would be putting substantive language in an appropriation Bill to attempt to say that people under \$20,000 would not have a 2.5 percent salary increase, that they would have larger salary increases. We would be invading the domain of these administrators who have the right to decide who gets what percentage.



Now as I said earlier, the Appropriations Committee is monitoring the activities of the administrators. We are paying attention to who gets which percentage increase. To the Gentleman from Moultrie, I believe, I would say that the United States Government and the Illinois Fair Employment Practices Commission has forced these universities to give percentage increases to women because they were so low before that now that they have been brought up to equity in some cases. I don't think that they should now be allowed to proudly beat the drum and say 'look, we gave the women more money' just because they were forced to do it. That's the actual fact. I would ask you to join with me in saving \$431,500 of the taxpayers money in voting for this Amendment. As I said before, I hope we didn't take it away from Public Aid just to say to give it to the University administrators. Please vote yes on this Amendment."

Speaker Redmond: "The question is on the Lady's motion for the adoption of Amendment #11. Those in favor vote aye. Opposed vote no. Have all voted who wished? The Clerk will take the record. On this question there are 43 ayes and 79 noes and the Lady's motion fails. Are there any further Amendments?"

Clerk O'Brien: "Amendment #12. Byers. Amends Senate Bill 1628, as amended, on page 2, line 20 and so forth."

Speaker Redmond: "Representative Byers."

Byers: "Thank you Mr. Speaker. This Amendment is an outgrowth of the cost and inflation at our universities over the past years and the need for more money to run the universities. Our college enrollment in the last two years has gone up dramatically, it has almost doubled. We have, at the same time, the costs have gone up from fiscal year, 1972, through 1977, have increased some 61 percent and at the same time the fiscal year, the dollars have actually been shrinking at the public universities rather than going up although we have been appropriating more money. As we know, the University of Illinois at the present time is very much in the need for money to run the university, they are having to cut back in their library, they are having to cut back in a number



of other services and are unable to maintain the services that they have in the past so I am offering this Amendment that raises the personal income line of the...their appropriation and in turn that will allow the university to increase tuition and this tuition will be about \$50 a year and I would urge a favorable vote on this Amendment."

Speaker Redmond: "Is there any discussion? Representative Stone."

Stone: "Mr. Speaker, Ladies and Gentlemen, it seems that we are paying a little more attention now than we were a while ago, but I would like to point out to the Membership that this is a Bill that would require the University of Illinois to charge more tuition more next year. I believe that the sense of this Body that the university should not raise tuition at least at this time. I would point out to you that I believe the proper time to consider this tuition increase, if you consider it at all, would be in the regular Session next year because it would be impossible to get this implemented for the beginning of this school year and I would ask that you defeat the Amendment."

Speaker Redmond: "Representative Byers to close. Representative Skinner, pardon me."

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

Speaker Redmond: "He will."

Skinner: "Is it going to be impossible to impose a tuition increase if this Amendment is not adopted?"

Byer: "Yes, the President spoke in Committee in favor of it. He also spoke in favor of a tax increase."

Skinner: "Do you believe that the University of Illinois is really so incompetent that it could not implement a tuition increase if this were passed?"

Byer: "I have no judgment on that, Representative Skinner."

Skinner: "Well I would have at least an opinion, Mr. Speaker, if I might address the question, and that is that educators tend to be extremely skilled in doing things they have to do. They're not very skilled at doing things they don't want to do unless you



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make them do it. And if we're sitting here posed with the, perhaps the question may not be do we need an income tax increase or not, it may be how big an income tax increase are we going to force upon our constituents, I would suggest that since we funded the State Scholarship Commission fully and are willing to vote for supplemental appropriation to take care of those people, those students who really can't afford to go to college, that this certainly, this Amendment certainly should be adopted. Otherwise, when you go home, you are going to have to answer that question about how come you think the students are more privileged class than are the taxpayers?"

Speaker Redmond: "Representative Byers to close."

Byers: "Thank you Mr. Speaker and I do think that this is something that has to be done and it's going to help a lot of people, in fact it is going to be the taxpayer's best friend...a...that is a tuition increase at the universities and it has to be decided whether students and parents are going to pay it or the older people, the blacks and the poor people in our State are going to pay the taxes increase because that is where it is going to come from because if we've passed an income tax or a sales tax, that's going to be very unfair and so I would urge support of this Amendment and it's only \$50 a year and it amounts to about 35 cents a day and I think everyone can stand that."

Speaker Redmond: "The Gentleman has moved for the adoption of Amendment #12. All those in favor say aye. Opposed, no. The Gentleman's motion fails. Any further Amendments?"

Clerk O'Brien: "Amendment #13. Catania. Amends Senate Bill 1628, as amended, on page 1, line 11, and so forth."

Catania: "I would move to table this Amendment."

Speaker Redmond: "Representative Catania asks leave to table Amendment #13. Any further Amendments?"

Clerk O'Brien: "Amendment #14. Catania. Amends Senate Bill 1628, as amended, on page 1, line 11, and so forth."

Speaker Redmond: "Representative Catania."

Catania: "These are just adjusted to earlier Amendments so I would move



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to table this one too."

Speaker Redmond: "Any objections? Hearing none, Amendment #14 is tabled."

Clerk O'Brien: "Amendment #15, VanDuyne. Amends Senate Bill 1628, as amended, on page 2, line 30, inserting after Section 1.1 a new Section .1.2 and so forth."

Speaker Redmond: "Representative VanDuyne."

VanDuyne: "Thank you Mr. Speaker, this Amendment restores \$1,200,000 for the health program of the University of Illinois that was originally in their budget and which was deleted and cut in the Senate. Back in about 1973 or 1974, the legislature allowed these two universities to expand their medical program and I think it is fairly obvious why. This money is for that so they can continue it, there is \$1,000,000 in here which will allow the medical center to expand its medicine, dentistry and nursing and public health. There will be about 350 students involved in this, a hundred of which is doctors and \$200,000 for the college of veterinary medicine so I would simply ask you for an affirmative vote."

Speaker Redmond: "Representative Stone."

Stone: "Mr. Speaker, Ladies and Gentlemen, Representative VanDuyne is correct when he states that this \$1,200,000 that was cut from the budget as recommended by the Board of Higher Education and as introduced in the State Senate. The State Senate cut out this \$1,200,000. Now I would like to tell you what the university would do with this \$1,200,000 and at the same time, I would like to tell you that Southern Illinois University will have an Amendment offered and if you adopt this Amendment, you should also adopt the Amendment to Southern Illinois University which is for the same purpose and I believe in the approximate amount of \$450,000. This Amendment would allow the University of Illinois to admit 109 more students in health professions. 72 of these students would be enrolled at the regional campuses at Peoria, Rockford, and the Abraham Lincoln School of Medicine and affiliated hospitals in Chicago. The remaining 37 students would be enrolled in the



professions of dentistry, nursing, pharmacy and the school of public health. And the \$200,000 that is added for the college of veterinary medicine would allow the college to achieve two things. Number one, greater variety of course offerings and also the use of clinical facilities for fifty weeks per year for teaching purposes rather than the thirty weeks that they are able to use it now and it would also more extensive and individualized clinical and laboratory experiences to students in this area. Now in fiscal 1975 the average dollar per student at the ten similar institutions in the country was \$17,488 and at the University of Illinois, the college of veterinary medicine the average was \$11,946. So the university is presently making good use of the funds they have and we certainly could use this money at the university for the promotion of the health professions. I, too, would urge a yes vote on this Amendment."

Speaker Redmond: "Anything further? Representative Madison."

Madison: "Thank you Mr. Speaker. Would the sponsor yield for questions?"

Speaker Redmond: "He will."

Madison: "Representative VanDuyne, was this Amendment offered in Committee?"

VanDuyne: "Yes it was."

Madison: "What was the fate of this Amendment in Committee?"

VanDuyne: "The fate of this Amendment was 10 to 9 or 11 to 10 and there were reasons stated by the people from the southern part of the State that they wanted the same thing for S.I.U. and I promised them immediately that I would, in fact, we are talking about Representative Choate and Representative Choate has indicated to me that he is, well he will not oppose this Amendment."

Madison: "But the Amendment did fail in Committee?"

VanDuyne: "Yes, but just for that reason."

Speaker Redmond: "Representative Anderson."

Anderson: "Would the sponsor yield for a question, please?"

Speaker Redmond: "He indicates he will."

Anderson: "The \$1,200,000, is this tuition to pay for the 350 students or what?"





VanDuyne: "No, it is for personal services, for contractual services, for travel, for commodities, for equipment, telecommunication services, and operations of automotive equipment. As I understand this from our staff, this is the only way that we can put this in because it has to have supporting services, but we did take the precaution, if you'll look at the Amendment in adding a new section, the one existing in the Bill now is 1.1 and we added a new section, 1.2 in order to give us a better tracking on this so that they just couldn't hide it in their total budget and to use it for whatever transferability they wanted to use it with."

Anderson: "Well, Representative, are the slots open in these medical schools, that are not being filled now, is that correct or what?"

VanDuyne: "Well as I understand it from the testimony given to us by the people running the universities, they do have the available space, but if you cut this \$1,200,000 out of their budget, they will have to reduce it by 350 students, I don't want to get into the Bill, but I don't think we can afford that."

Anderson: "You mean there will be 350 less students in the medical school at the University of Illinois if we don't pass this Bill?"

VanDuyne: "That's right."

Anderson: "Thank you."

Speaker Redmond: "Representative Cunningham."

Cunningham: "Mr. Chairman...Mr. Speaker and Members of the House, it's childlike simplicity to say that by appropriating a million point two or whatever amount that is being requested here, that you are going to materially increase the number of doctors turned out by the University of Illinois. Don't hold your breath waiting for that to happen, their track record is a failure to the talented youth in the State of Illinois who seek to serve society as doctors. Over the years, the excuses that have been offered by the administration as to why they can't turn out more doctors boggles the mind. The reason they don't turn out more doctors is they don't want to turn out more doctors, it would make a lot more sense to appropriate this money to the University of Guadalajara in Mexico where so many, so tragically many, young people in the



State of Illinois have to go to get their medical education. We should know by this time that you can't solve the problem just by throwing money at it like you pour sand down a rat hole. If you quadruple or multiply this particular appropriation by ten times, you wouldn't change it. The way you change it is to tell the administration that the...a...the university administration that they are not keeping faith with the young people in this country and that they have to live within the resources that are available. Now I was particularly amused by the man's comments from Moultrie about the veterinary school. \$200,000 and they were going to do something about this college. I'm sure that many of you have had the same experience as I and you've gone to bat in behalf of dedicated capable young citizens who want to be veterinarians. The last time I went there on bended knee to talk on behalf of one of my constituents, the Assistant Dean looked me right in the eye and said 'I think that Mr. Johnson ought to make application to the University of Manila'. Now somebody's wrong when that situation exists. And those that are wrong are the Members of this House that permit it to exist and try to solve the problem by bowing and scraping to every demand made for more cash. Let's tell them it's time to put up and in way of taking in more students without coming back to put the lug on the taxpayers. When their performance equals what their expectations should be, then we should consider a raise and until that time, we should be voting no on behalf of the taxpayers we purport to represent."

Speaker Redmond: "Representative Totten."

Totten: "Thank you Mr. Speaker. Would the sponsor yield for a question?"

Speaker Redmond: "He will."

Totten: "What was the appropriation for this particular item last year?"

VanDuynes: "Representative Totten, I don't know. All I know is that I am talking about this year's budget and the Senate has cut \$1,200,000 from that budget and I am simply trying to restore it. I don't see where it's got anything to do with this Amendment."



Totten: "Well, it has a lot to do with it, I'd like to know what the percentage increase for this particular thing was over last year and the year before?"

VanDuyne: "Well, you'll have to ask the sponsor of the Bill for that, but I don't think any, I think it's a non-growing program."

Totten: "Does the sponsor of the Bill know? Mr. Speaker? Mr. Speaker, would the sponsor of the Bill yield please?"

Speaker Redmond: "He will."

Stone: "Mr. Speaker, I don't have that information, the best I can do with that answer is to say that...to that question is to say that the Board of Higher Education recommended \$1,000,000 more for health services and \$200,000 more for the veterinarian medicine and these amounts were in the Senate Bill, 1628, as introduced in the Senate. They were cut from the Senate....or in the Senate, and this, Mr. VanDuyne, is attempting to put the money back here."

Totten: "Thank you then. Just for that information, let me try and speak to the Amendment. I can remember last...do you have the information?"

VanDuyne: "Our staff tells me that they lost money this year because... last...last year, so it's smaller this year than it was before."

Totten: "Is it smaller with the reduction or would it be smaller with the increase that you are asking for in this Amendment?"

VanDuyne: "She says to me that she doesn't know the exact amount, but it was a two year program and the second year was supposed to be less than the first so you know, if you can trust that, why it would be less. I really don't know, but I just want to reiterate that it really has no real bearing on this Amendment. We are talking about this year's appropriation and the cut that was conceived by the Senate so what we're doing is trying to put this back."

Totten: "Okay, now if I could speak to the Amendment?"

Speaker Redmond: "Proceed."

Totten: "I think it is important that we take a look at what we've spent at each area in the past because in a lot of cases, we put in new programs and our expenditures accelerate rather quickly. I



can remember that the same program was requested...funds for an increase by this General Assembly, I am seriously concerned about what direction we're headed for this year with the appropriation. I don't know at this time whether the 1.2 million would be an increase over that which was appropriated last year and because I don't I think at this time it is only wise that those of us who are concerned concur with the Senate in that reduction of 1.2 and oppose Amendment #15."

Speaker Redmond: "Representative VanDuyne to close."

VanDuyne: "Thank you Mr. Speaker. In reference to what some of the comments that were made about this program, I sort of agree with one comment made to my right over here about the not wanting the doctors and I understand also about Guadalajara and the people that go down there and go to school and come back here as not licensed doctors. I've also been in emergency rooms where we are being treated with people that can't even speak English, they are Vietnamese or Korean. I also am aware of the fact that when you go to see your doctor, you have to call and make an appointment five to six weeks to three months in advance. Now, but if we do not give our money to these institutions to train our doctors, our credibility is at stake as well as their own, so I don't really see where that it is a credible argument when you say that their credibility is gone and in the end is trying to keep us down, how we can justify our incredulousness by doing the same thing. Now we did try to get a handle on this money. We even created a different section so that when they use the original money that is left in the Bill for their services and etc., they cannot use this 1.2 million dollars unless they add the students to their school. So we've tried in every way we know how to make the schools utilize the money for medical students. Now just that somebody won't say we're kidding around here, this is not for 350 doctors, we are only going to get 100 doctors out of this and maybe only slightly less than that. The rest are veterinarians, dentists, and nurses so I would simply ask you for an affirmative vote."



Speaker Redmond: "The question is on the Gentleman's motion to adopt Amendment #15. All in favor say aye. Opposed, no. The Gentleman's motion fails. Do you want a Roll Call? He wants a Roll Call. 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 57 aye and 23 nay and the Gentleman's motion carries. Any further Amendments? No further Amendments. Third Reading. 1637."

Clerk Selcke: "Senate Bill 1637. An Act making appropriations to the Board of Higher Education. Second Reading of the Bill. One Committee Amendment. Committee Amendments #1 and #2 were tabled in Committee. Committee Amendment #3. Amends Senate Bill 1637, page 1, line 29, by inserting \$8,000,000 and inserting in lieu thereof \$7,300,000."

Speaker Redmond: "Who's the sponsor of that?"

Clerk Selcke: "Ryan."

Speaker Redmond: "Representative Barnes."

Clerk Selcke: "Ryan."

Speaker Redmond: "Representative Ryan. Wait a minute. There seems to be some discrepancy as to whether this was offered in Committee or on the floor."

Ryan: "Mr. Speaker, I believe that this Amendment failed in Committee, I'm not sure, but I think it did. I'm going to offer it here on the floor."

Speaker Redmond: "Go right ahead."

Ryan: "...if that's possible..."

Speaker Redmond: "...don't ask anymore questions, go ahead...Representative Schlickman."

Schlickman: "Point of order, Mr. Speaker, Amendment #3 failed in Committee. It can't be considered on the floor."

Speaker Redmond: "The Parliamentarian has advised me that if it's in Committee where the action took place, it doesn't preclude floor action."

Schlickman: "Yeh, but he's not offering a new Amendment, he's



attempting to offer the same Amendment and your ruling yesterday was that Amendment that was..."

Speaker Redmond: "...the ruling...the ruling yesterday was that an identical Amendment was offered to one that had previously been acted upon. It seems to me the original Amendment took some money out?"

Schlickman: "Well that was a different issue, Mr. Speaker."

Speaker Redmond: "Oh, that was a different issue. It's the identical in this case. Mr. Ryan, the Parliamentarian says that you will have to offer a new Amendment with a new number."

Ryan: "Well if that's the ruling, is that the Parliamentarian's ruling or is that the Speaker's ruling?"

Speaker Redmond: "Well, it's the Speaker's ruling upon guidance by the Parliamentarian."

Ryan: "Oh I see, well I have no choice but other than to live with that. This is an excellent Amendment, I don't know whether Representative Kane would be willing to hold long enough for me to have a new Amendment drafted or not?"

Speaker Redmond: "Wait a minute, wait a minute, wait a minute. Mr. Ryan, the records of the Clerk show that this Amendment was adopted in Committee. Is that correct?"

Ryan: "To be honest, Mr. Speaker, our records show that it failed in Committee, but we have been known to make a mistake."

Speaker Redmond: "That's why it is so hard to rule because we don't know what happened."

Ryan: "Well if Representative Boyle were on the floor, maybe he could help you, or Representative Barnes, I don't..."

Speaker Redmond: "Representative Barnes."

Barnes: "Thank you very much, Mr. Speaker, Representative Ryan is correct. The Amendment was offered, but the Amendment was not adopted, it failed in Committee."

Speaker Redmond: "Okay, then it would require, does he want to introduce...to offer the same one, then it would have to carry a different number than it had in Committee and be distributed and so forth. Any further Amendments? Representative Ryan."



Ryan: "Well, if the official records show that the Amendment's been adopted what do you do, just change the official record...and forget about it?"

Speaker Redmond: "General records shows that it failed in Committee."

Ryan: "Now, wait...now you're telling me that the record show it failed in Committee."

Speaker Redmond: "That's correct."

Ryan: "...But...does..."

Speaker Redmond: "Mr. Selcke, will you explain to Mr. Ryan what happened."

Clerk Selcke: "What happened to Committee Amendment #3 was that it failed in Committee, however, the Committee Clerk reported it back on the Bill to the Clerk's office as having passed, or been adopted in Committee, but the Committee Report which goes in the Journal showed it was...it lost in Committee. So actually it lost in Committee."

Ryan: "All right. Well, that...that's where we are now. Now I would ask Representative Kane if he would give me the time to get another Amendment drafted. It is not. You don't understand the Amendment."

Speaker Redmond: "Have you got any further Amendments?"

Clerk Selcke: "Amendment #4..."

Ryan: "Don't understand it."

Speaker Redmond: "Hurry up and get some more Amendments if you want to. Amendment #4."

Clerk Selcke: "Catania. Amends Senate Bill 1637 on page 1, line 10 by deleting '835,600' and inserting in lieu thereof '822,500'."

Speaker Redmond: "Representative Catania."

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

Speaker Redmond: "Representative Catania."

Catania: "Thank you Mr. Speaker and Members of the House, this is a total reduction from this Bill of \$13,100; would provide for 2.5% salary increase instead of a 4.5% salary increase for the administrators and I ask for a Roll Call on..."

Speaker Redmond: "Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, this is the same Amendment that has been offered to all of the other university bills. I...it has the effect only of reducing the personal services



of line item and the last Roll Call was 43 to 79 no. What this does is simply reduce the line item for personal services and there's no control at all where that money is spent or how it goes out and I would ask that all of higher education be treated equally and that this Amendment to be defeated."

Speaker Redmond: "Representative Catania."

Catania: "Well, Mr. Speaker, of course there is control over where these salary increases are made. The control is on the part of the administrator; I would ask for an aye vote on this Amendment."

Speaker Redmond: "Question is on the Lady's motion for the adoption of Amendment #4. All in favor say aye. Aye. Opposed, no. The no's have it; the motion fails. Any further..."

Clerk Selcke: "Amendment #5. Ryan...Kane. Amend Senate Bill 1637 as amended on page 2, line 1 and so forth."

Speaker Redmond: "Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, what this Amendment does is add \$65,760 to the Board of Higher Education Appropriation Bill for their Inter-institutional Cooperation Act. What it would do is fund the Undergraduate Legislative Internship Program which is presently serving both the House and the Senate with some 50 interns; the colleges that are presently participating in the program are Chicago State University, Concordia Teacher's College, DePaul, Governor's State, Loyola, Northeastern, Northern Illinois, St. Xavier, Sangamon State, SIU Edwardsville and University of Illinois Chicago Circle. This program has been paid for in...in the past...some by legislative, out of legislative office expenses. At present we can't continue the program under that kind of auspices and if we want to continue to have this kind of help we're going to have to fund it and I would ask for the adoption of this Amendment."

Speaker Redmond: "Ready for the question. Representative Leverenz."

Leverenz: "Sponsor yield for a question?"

Speaker Redmond: "He will."

Leverenz: "What is the cost of this Amendment?"

Kane: "65,760."

Leverenz: "How does that compare to last year?"





Kane: "This would be a new appropriation."

Leverenz: "A new appropriation entirely?"

Kane: "Yes, the program was funded differently last year."

Leverenz: "How was it funded last year?"

Kane: "Was paid for out of legislative voucher accounts and out of the university budgets."

Leverenz: "Thank you."

Speaker Redmond: "Ready for the question. Representative Madison."

Madison: "Thank you very much, Mr. Speaker, would the Sponsor yield?"

Speaker Redmond: "He will."

Madison: "Representative Kane, is there any particular reason why this Amendment was not offered in Committee?"

Speaker Redmond: "Representative Kane."

Kane: "I yield to Representative Barnes."

Speaker Redmond: "Representative Barnes."

Barnes: "No, there was not any reason it wasn't offered in Committee.

As a matter of fact it was an oversight on my part."

Madison: "Well, I can certainly understand that Representative Barnes..."

Barnes: "No, what...the explanation Representative Madison, I...I don't just leave it hanging there, as you remember in Committee that day we had numerous Amendments on...on various Bills; we had the whole education package. This Amendment was to be offered and I believe Representative...Representative Stone also had an Amendment which we acted on today which was to be offered in Committee and both of them got caught up in the shuffle of all of those various different Amendments and was simply not offered in Committee as an oversight really on my part."

Madison: "Well, now I certainly understand the explanation Representative Barnes. My problem is this, we're talking about a new appropriation on...of which is being offered on Second Reading; there is no opportunity for those of us who are Members of the Appropriation Committee where this Amendment would have been heard to question public witnesses to determine whether or not this internship is a creditable program. The only thing we can do now at this point is accept the word of those of us who happen to have



access to the floor and I...I don't...I don't say that in any derogatory sense. But my problem is in voting on a new appropriation I would have liked to have had the opportunity for some public input on this \$65,000 appropriation; offering it on Second Reading certainly prohibits that effort being involved and that's why I'm concerned about this Amendment."

Speaker Redmond: "Representative Caldwell."

Caldwell: "Mr. Speaker, I want to ask the Sponsor a question."

Speaker Redmond: "Proceed."

Caldwell: "Doug, what schools are involved here?"

Speaker Redmond: "Representative Kane."

Kane: "Chicago State, Concordia, DePaul, Governor's State, Loyola, Northeastern, Northern, St. Xavier, Sangamon State, SIU Edwardsville, U of I Chicago Circle."

Caldwell: "Have you got an idea of how many interns we're talking about?"

Kane: "There were 30 this year there will be 50 planned for next year."

Caldwell: "Well, Mr. Speaker, I'd like to..."

Speaker Redmond: "Proceed."

Caldwell: "I think this is an excellent Amendment and I rise in favor of it. It is carrying out a concept that some of us started I think some 4 years ago and as far as I'm concerned it proved to be very successful and \$65,000 is a mere pittance and it will give us time if we pass this Amendment to still test this concept which many of us have already found to be a very effective way of having some of our students learn what government is all about and also to use their assistance. I'm in favor of this Amendment and I would urge all of us to vote on it."

Speaker Redmond: "Representative Berman."

Berman: "Well, thank you, Mr. Speaker. I want...add my voice in support of Amendment #5. It's the large district of Representative McCourt Representative... Representative McCourt Representative Lundy and myself... each of us have the benefit of legislative interns that have come out of this program. There are three from Loyola University. I think it's a great experience for them and it's a great asset to us. I think that if it really could be expanded that we ought



to have thousands of college students seeing just the way the Legislature works. I think it would upgrade...it would upgrade their impression of the democratic process, that's democratic with a small 'd'. And I am very pleased to support Amendment #5."

Speaker Redmond: "Representative Dyer."

Dyer: "Mr. Speaker, I just wanted to add my voice to support this program. I've been lucky enough to have one of these interns; it's been very helpful to me and I think it is very educational for the young people to participate. I hope all of you will vote yes on and then we'll have enough interns down here so that everybody can have one."

Speaker Redmond: "Representative Brinkmeier. Brinkmeier."

Brinkmeier: "Mr. Speaker, will the Sponsor yield for one question?"

Speaker Redmond: "He will."

Brinkmeier: "Doug, I, too, want to commend you for this Amendment.

I think it's a very worthwhile program but there's one thing that bothers me. Could you tell me how the determination is made for assignment. Which Legislators are the recipients of this assistance and how is that determination made? That's...that's what bothers me."

Kane: "I believe it's done through contact from the people who run the program; from Chicago State University I believe and Sangamon State and from Legislators who have participated in the past and those who evidence interest."

Brinkmeier: "Thank you."

Speaker Redmond: "Representative Kane to close."

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

Speaker Redmond: "Representative Peters. Pardon me."

Peters: "Mr. Speaker, Ladies and Gentlemen of the House, just add my two cents to this, I think in fact this is a excellent kind of program. What this House floor needs is a 177 more interns walking around the House floor here to add to the 272 pages we already have so that we could really know what's going on."

Speaker Redmond: "500 lobbyists. Representative Kane to close."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, this is a good



program and I would urge the adoption of this Amendment."

Speaker Redmond: "Question is on the Gentleman's motion to adopt Amendment #5. All in favor indicate by saying aye. Aye. Opposed, no. The ayes have it, the motion... All those in favor vote aye; opposed vote no. Have all voted who wish? On the motion to...to adopt Amendment #5. Have all voted who wish? Clerk will take the record. This question there's a 104 aye and 23 no and the Gentleman's motion carries. The Amendment's adopted. Any further Amendments?"

Clerk Selcke: "Amendment #6. Ryan. Amends Senate Bill 1637 page 1, line 29 and so forth."

Speaker Redmond: "Representative Ryan."

Ryan: "Thank you Mr. Speaker and Ladies and Gentlemen of the House, this Amendment reduces \$700,000 and the reason for this is because the ...the \$700,000 that's in here provides for...to implement a change that's in the way that students are counted from full-time students to full-time equivalent students. The authority to make this change is in a Senate Bill and it's in the Senate on the Secretary's desk for nonconcurrence right now. With this reduction there'll still be enough money to fully fund the program at its present rate which is a \$100 for freshman and sophomore and \$200 for juniors and seniors. This is a good Amendment and certainly should be adopted and I would ask that..."

Speaker Redmond: "Representative Kane."

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I am rather amazed at the Gentleman who has offered this Amendment. I think it was some twelve short months ago that he was offering an Amendment to increase this particular line item from about \$6,000,000 to some \$13,000,000. Last year he was wanting to increase this program by \$7,000,000; this year he wants to decrease this by some \$700,000. At least he's got the seven's in there, he's...his subtraction instead of an addition, just an extra zero. I think what this does is we need to keep the program for private institutions equal with our public institutions. I see no reason to cut our state grants to private institutions; they're doing a great job; they're facing the same kind of price increases that our public



Institutions are facing and I would urge the defeat of this Amendment."

Speaker Redmond: "Gentleman has...the question is on the Gentleman's motion..."

Ryan: "...Close on my Amendment?"

Speaker Redmond: "Representative Ryan."

Ryan: "I...I wouldn't say that you didn't tell the truth, Representative Kane, but I...I would question that I had any Amendments last year and I'd certainly like to see proof of what you just claimed on the floor. I don't think that's true. If it is I'll apologize. What...what this Bill does, or this Amendment does, and I want to make it clear, the money that's going to be left in here will still allow for full funding at the present rate. If you don't put this Amendment on you're going to be betting on the come that the Senate's going to give them the authority to use this dough and that's what this is all about. There's no authority to make the change in the rates or the way that they count the students from full-time to full-time equivalent. It's a very responsible Amendment and I would ask for the adoption."

Speaker Redmond: "Question is on the Gentleman's motion to adopt Amendment #6. All in favor say aye; opposed no. Representative Schraeder, do you seek recognition? Representative Schraeder."

Schraeder: "Well, Mr. Speaker, we're trying to hear the Amendments pro and con and we can't hear a thing back here and I think we ought to have a little order; we ought to have some people removed from the hall or something. I don't know what it is but how can we intelligently...I couldn't hear a word that Representative Ryan was saying. He may have a good Amendment."

Speaker Redmond: "Representative Schlickman disagrees with that conclusion. Thinks it's lousy; Gentleman's motion fails. Any further Amendments? No further Amendments, Third Reading. 1646."

Clerk Selcke: "Senate Bill 1646. An act to provide for the ordinary and contingent expense of Southern Illinois University. Third Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"



Clerk Selcke: "Floor Amendment #1. Mahar. Amends Senate Bill 1646 page 1, line 15 and so forth."

Speaker Redmond: "Representative Mahar. Please give the Gentleman order."

Mahar: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, this is a very important Amendment and I think we ought to listen to it. What we've been talking about here earlier is trying to get uniformity in all the Higher Education budget and this restore some uniformity. The Senate added an Amendment of \$406,000 for medical malpractice insurance and this reduces the Bill by that amount \$406,000. I'd like to comment that the University of Illinois doesn't have that medical malpractice paid under the General Revenue Fund. Southern Illinois University has the rather unique setup by which they allow their doctors to enter the family practice and to give them 70% of the fee and the university gets 30%. Now in dollar amount we're talking about the estimated medical malpractice premium for FY-77 as being \$350,000. It's estimated that the income for SIU as far as the...the 30% they're going to get from the doctor's practice will be \$345,000. This year SIU is receiving \$180,000 for a health program expansion and it seems to me that with this kind of added that the university could pay for the medical malpractice and not having it come out of General Revenue Funds. I'd urge that this Amendment be adopted."

Speaker Redmond: "Representative Richmond."

Richmond: "Thank you Mr. Speaker and Ladies and Gentlemen of the House, I rise to oppose this...proposed...this Amendment. The School of Medicine staff estimated expenditures for FY-1977 would be \$440,000 only 34,000 was currently in the school state budget. The 406 added by Senator Davidson's Amendment in the Senate was only an estimated figure. The...I think that this is a reasonable amount to have in for this very necessary expenditure and I ask that you help in defeating this Amendment."

Speaker Redmond: "Anything further? Representative Mahar to close."

Mahar: "Thank you, Mr. Speaker. Well, it seems to me that if University of Illinois can fit to take care of their medical malpractice to their existing sources as part of the overhead expenses that's



been collected from patient fees that SIU could do the same thing and due to the fact that the doctors are actually receiving increased personal salary by virtue of the fact that they're allowed to keep 70% of the fees they collect in family practice they ought to be paying for medical malpractice themselves rather than having the General Revenue Fund pay for them. I urge your adoption."

Speaker Redmond: "Question's on the Gentleman's motion for the adoption of Amendment #1. All those in favor say aye; opposed, no. In the opinion of the Chair, all those in favor vote aye; opposed vote no. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 49 aye; 64 no and the Gentleman's motion fails. Any further Amendments?"

Clerk Selcke: "Amendment #2. Van Duyne."

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

Barnes: "For a point of order, Mr....I'm sorry, Mr. Speaker. I think that again we might have a little mix-up here. Our records from Committee and it's just been brought to my attention and refreshed my memory. Our records from Committee show that there were five amendments that were offered in Committee of which all five of them failed and this Amendment that we just voted on was Amendment #1 according to the board and it should not have been...it should have been something around Amendment #6."

Speaker Redmond: "Mr. Clerk, straighten it out? Suggested by the Clerk that as far as our records are concerned that this would probably should be Amendment #6. That is, number one should have been six, is that right, Mr...?"

Clerk Selcke: "Apparently there were five amendments that were defeated in Committee, we now have floor amendments and the one we just did should have been #6 instead of #1."

Speaker Redmond: "Any further Amendments?"

Clerk Selcke: "#7."

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

Clerk Selcke: "...Van Duyne. Amends Senate Bill, et cetera."

Van Duyne: "Well, yes, Mr. Speaker, this is the same Amendment although



the dollars are different this is \$960,000 to be reinstated or restored in the University of Southern Illinois' budget that was deleted by the Senate. It's \$960,000 and it's for the medical schools and allows their medical students to reach a hundred students a year; also for their dental school and the nursing program and without belaboring the point I just ask you for another affirmative vote."

Speaker Redmond: "Representative Richmond."

Richmond: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I certainly concur with this Amendment and would urge that along with Representative Van Duyne that it be adopted."

Speaker Redmond: "Representative Van Duyne to close."

Van Duyne: "Well, Mr. Speaker, I won't go into any...at any length because we did discuss it quite lengthy over at the University of Illinois so I simply would just ask you for an affirmative vote."

Speaker Redmond: "Question is on the Gentleman's motion for the adoption of Amendment #7. All those in favor say aye; opposed, no. Gentleman's motion carries. Any further Amendments?"

Clerk Selcke: "Amendment #8. Catania. Amends Senate Bill 1646, page 1, line 11 and so forth."

Speaker Redmond: "Representative Catania."

Catania: "Thank you, Mr. Speaker and Members of the House, as Representative Kane said earlier we do have to be consistent so I'm offering the Amendment again. This provides for a 2.5% salary increase. I ask for its adoption."

Speaker Redmond: "Representative Richmond."

Richmond: "I join all other Sponsors of similar Bills, budget bills here today in opposition to this Amendment. I would like to point out that both universities, Southern Illinois University at Carbondale and Edwardsville, do have a formula which awards higher increases of...of great, I mean of salary increases to lower paid employees. I think this is unnecessary and I urge its defeat."

Speaker Redmond: "Question...Representative Catania to close."

Catania: "I would ask for your support of this Amendment."

Speaker Redmond: "Question is on the Lady's motion. All in favor say





aye; opposed, no. The motion fails. Any further Amendments?"

Clerk Selcke: "Amendment #9. Richmond, et al. Amends Senate Bill 1646 page 1, line 11 and so forth."

Speaker Redmond: "Representative Richmond."

Richmond: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, with your leave I would yield the explanation and questioning of this particular Amendment to the...the House Co-sponsor of this Bill, Representative Lucco."

Speaker Redmond: "Representative Lucco."

Lucco: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #9 amends Senate Bill 1646 on page 1, line 11 by deleting '\$67,280,900' and inserting in lieu of...thereof '\$68,408,900'. This increases the amount by \$1,128,000. The reason for this is that the Senate had taken this amount of money out of the budget and expect Southern Illinois University to pay its bonded indebtedness out of the tuition fund. Now the Illinois...Southern Illinois University has legal authority to retain tuition for bonded commitment. They sold their bonds for housing students and the student...centers on the...both campuses of SIU, they have contracted obligations to retain tuition to retire these bonds. If they take the money out of the tuition retainment fund then they won't have enough money really to operate and as a result they will have to increase tuition fees or students fees from the various areas. This would make necessary of course the increasing of various student fees, dormitories, student centers and so forth. So I move that we adopt this Amendment, Amendment #9, to Senate Bill 1646 restoring the money that was cut out by the Senate."

Speaker Redmond: "Representative Madison."

Madison: "Thank you very much, Mr. Speaker, will the Sponsor yield?"

Speaker Redmond: "He will."

Madison: "Representative Lucco or Richmond, was this Amendment offered in Committee?"

Richmond: "No."

Madison: "Can you tell me why it wasn't?"

Richmond: "Well, this Amendment became necessary only after the Senate



deleted the money over there. It came back here and this is our opportunity to put it back."

Madison: "Well, it seems to me when it came back over here it went to the Appropriations Committee with the deletion, Representative Lucco, and if the restoration was going to be made I wonder why there was not an opportunity to for those of us on the Appropriations Committee to question the officials of SIU as to the propriety of this restoration."

Speaker Redmond: "Representative Richmond."

Richmond: "Yes, thank you, Mr. Speaker, the...this Bill when it came up in Committee, you must realize also it involves two universities and the board of directors...board of trustees of the system and a determination has been made since that date, I...there isn't really a very, maybe a very good positive reason why it didn't come at that time but it has been determined since then that this, the loss of these funds would...would place a very serious problem upon the universities and cause them to...make it necessary for them to put a charge a students that they...feel would be unfair. And for that reason we are offering it here on the floor of the House."

Madison: "Representative Richmond, are you telling me that the officials at the university were not aware of this dilemma at the time that this Bill came before Committee?"

Richmond: "Yes, I'm sure they were aware of it."

Madison: "Mr. Speaker. Mr. Speaker."

Speaker Redmond: "Representative...Representative..."

Madison: "May I speak to the Amendment? Mr. Speaker, first of all I'd like Representatives Richmond and Lucco to know number one that I'm not opposing this Amendment in substance but I am getting increasingly concerned about situations like this that preclude myself anyway as a Member of the Appropriations Committee from raising points with officials, or department heads or what have you and that is exactly what happens when Amendments like this of a substantive nature are offered on the floor as opposed to in Committee. Now I can understand that there are times when the time element involved preclude



that from happening but I can very well see in a situation like this that if the Senate reduction created a problem for the official that they ought to have been aware of it at the time it came before Committee; the request ought to have been made during Committee. Those of us who are Members of the Committee ought to have, should have had an opportunity to question the officials of the university as to the propriety of this restoration and we've been precluded from that by being offered on the floor. I'm not going to oppose the Amendment by voting against it; I'm going to vote present on the Amendment. I will continue to vote present on any Amendment of a substantive nature that does not allow me as a bonafide Member of Appropriations Committee to question the individuals involved relative to the propriety of such Amendments. Thank you."

Speaker Redmond: "Representative Lucco."

Lucco: "Well, we've given you the...this Amendment again is to restore \$1,128,000 to keep Southern Illinois University from drawing funded tuition fund so that they can pay off their legal indebtedness which they've incurred in their bonding program as they are committed to do so. They should come out of the tuition fund and that's what they want to do. University of Illinois and Southern Illinois University are the only two schools to my knowledge that have operated this way and they've been doing it this way for quite a number of years. This was just an opportunity for the B.H.E., it seems, to say we'll cut your particular appropriation, you've got the money there use it there to operate the schools. Well, you can't use the money to operate the schools and pay off the bonded indebtedness at the same time. So I move for your support on this Amendment #9."

Speaker Redmond: "Question on the Gentleman's motion to adopt Amendment #9 to Senate Bill 1646. All in favor vote aye; opposed vote no. Have all voted who wish? Representative Geo-Karis."

Geo-Karis: "Mr. Speaker and Ladies and Gentlemen of the House, Southern Illinois educates more than 30,000 students and I notice that their budget is approximately \$114,000,000 and I know that the University of Illinois that educates maybe a few more thousand has approximately



\$285,000,000 in sum. I don't think that's too much to give to Southern Illinois. It's a fine school and we need it as well as the University of Illinois at Danville and Urbana."

Speaker Redmond: "Have all voted who wish? Clerk will take the record. On this question there's 76 aye and 40 no. The motion carries. Any further Amendments?"

Clerk Selcke: "Amendment #10. Byers. Amends Senate Bill 1646 as amended on page 2, line 2 and so forth."

Speaker Redmond: "Representative Byers."

Byers: "Thank you, Mr. Speaker. This was a...Amendment that I offered in Committee, Representative Madison, before you get excited and this is...Amendment that will allow an increase in the income fund line which will allow for a tuition increase and I would appreciate a Roll Call vote on this."

Speaker Redmond: "Representative Keller."

Keller: "Yes, Mr. Speaker, I notice this Amendment being passed out is Amendment #5 and I think that's what the Amendment was when it was offered in Committee and failed. Is that not out of order?"

Speaker Redmond: "This should be Amendment 10."

Keller: "Amendment just passed out on my desk is Amendment #5."

Byers: "What happened is they renumbered those up there and they have it numbered 10, the Clerk has it #10."

Speaker Redmond: "I think when you were down in the Governor's Office, Mr. Keller, the Clerk explained that the first five amendments failed in Committee and they should have started the numbering under the form 6, 7, 8, 9 and 10. The Governor evidently didn't have his microphone turned on."

Byers: "Oh, I'm sure that he..."

Speaker Redmond: "Should be 10. Representative Richmond."

Richmond: "Well, if the motion is in order, or the Amendment, I certainly do oppose it and ask that you join me in helping to defeat it."

Speaker Redmond: "The question is on the Gentleman's motion. Representative Schlickman."

Schlickman: "Well, Mr. Speaker, I am going to object. This is Amend-



ment #5, not Amendment #10. And the Rules do provide that when we vote on a Bill or Amendment we are to have a copy on our desk."

Speaker Redmond: "I thought that earlier we had...Representative Choate."

Choate: "I think that's the...identical situation that Representative Ryan had a moment ago and you did rule it out of order."

Speaker Redmond: "Mr. Clerk, what's the number on this Amendment?"

Clerk tells me it's number ten. Representative Byers."

Byers: "What happened when I filed my Amendment it was number five and then after they ruled those others that had failed in Committee to start with number six, number five became number ten. And that was after it had already been sent downstairs to...to be processed and if this is ruled out of order I'd like Representative Richmond to hold this and so I could refile the Amendment and make it number eleven or twelve or thirteen or whatever it is."

Speaker Redmond: "Representative Stone."

Stone: "Mr. Speaker, it seems rather ridiculous to go at it this way and spend all this time. Now this same Amendment has been defeated on another Bill or two here. We could vote it down and...and that's what's going to happen to it. We can get it done in about thirty seconds if all of us will keep quiet and...and you'll call the question."

Speaker Redmond: "Representative Choate."

Choate: "The subject matter is the same, I don't know if the numbers really mean...make any difference so why don't we just take a vote on this Amendment?"

Speaker Redmond: "Question's on the Gentleman's motion for the adoption of the Amendment. Those in favor say aye; opposed, no. Motion failed. Amendment's not adopted. Representative Byers. Five Members ask for a Roll Call? All those in favor vote aye and opposed vote no. It is now 6 o'clock Wednesday. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 9 yes and 109 no. Any verification requested? Want a verification? Representative Epton."

Epton: "Mr. Speaker, Ladies and Gentlemen of the House, there's no reason why you don't continue to do what you have. What you're



simply suggesting is that we alter on the face of the Amendment the number and these objections should be simply treated in that fashion."

Speaker Redmond: "You're correct. The Gentleman's motion failed.

Any further Amendments? Third Reading. 1650."

Clerk Selcke: "Senate Bill 1650. A Bill for an act making appropriation to the ordinary and contingent distributive expense to the Illinois Community College Board. Second Reading of the Bill. One Committee Amendment. Committee Amendment #1 failed in Committee. Committee Amendment #2 amends Senate Bill 1650 as amended on page 2, line 13 and so forth. Catania."

Speaker Redmond: "Representative Catania."

Catania: "Thank you, Mr. Speaker and Members of the House. This is a Committee Amendment which we adopted after hearing extensive testimony from people from the community colleges. The problem that this Amendment solves is that the Board of Higher Education recommended only half as much money as was necessary in the general studies line because they were counting on a bill to authorize local tax increases to go through the Senate. That Bill did not come out of the Senate and therefore this restores the money to the general studies line which they had cut in half. It brings the remedial developmental line and the general studies line up to parity with the other lines by adding \$2,095,074. I ask for adoption of this Amendment."

Speaker Redmond: "Representative Kosinski."

Kosinski: "Mr. Speaker, Ladies and Gentlemen of the House, this is in essence a substitute motion, or rather Amendment, the one that I offered in Committee. The one in Committee would have laterally transferred funds rather than adding new money. I do have some concern about the addition to new money and the Governor's reaction to that but nevertheless the thrust is very similar to the Amendment I offered in Committee. I recommend we adopt the Amendment."

Speaker Redmond: "Further discussion? Representative Totten."

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

Representative Catania, is this Amendment...increase the rate for



remedial development and other general studies?"

Catania: "Yes, Representative Totten, it increases them to \$16.25 in parity with the other line."

Totten: "And it also increases the total dollar amount by \$2,000,000?"

Catania: "That's correct. It...that's correct. As Representative Kosinski said it was the feeling of the Committee that they did not want to transfer it out of some other line such as health technologies, they wanted instead to get new money since the Board of Higher Education had really recommended only half as much money as they needed in the first place in the general studies line."

Totten: "Okay. If I could...if I could speak to the Amendment, Mr...."

Speaker Redmond: "Proceed."

Totten: "Now what I'm afraid this Amendment may do in the end because we have added \$2,000,000 to the total appropriation is that the Governor will most likely reduce the item back to that which is recommended in the Bill. In effect, what that reduction would do is the cost of money would then have to be apportioned with increased rate in both remedial development and other general studies in those two areas. He would prorate the reduction over all the other...categories, program categories that are in the Bill. It means baccalaureate or added business for public service and personal services, data processing, natural science and so on would all be reduced and money would be taken away from them. Now there is a track record in this area for doing exactly that by the Governor and I think we are proceeding on a dangerous precedent to do it in this...in this manner and I think because of that that Amendment #2 should be defeated."

Speaker Redmond: "Any further...Representative Madison."

Madison: "Thank you very much, Mr. Speaker. I'd like to speak in favor of this Amendment: Representative Totten may very well be right but the problem is Mr. Speaker that at the present time these eight categories are not equitable. The Amendment seeks to provide some equity in...in...in the various items that are there. If perchance the Governor should reduce this appropriation by the



dollar increase then he is right, they would be apportioned among all those line items but at least they would be on parity. At the present time they are not equitable and whether or not the Governor will allow this increase in new money at least if there is a reduction the reduction will be on a equitable basis. At the present time the line items are not equitable and what we're seeking is equity. And I would ask all of you to support this Amendment."

Speaker Redmond: "Representative Stone."

Stone: "Mr...Mr. Speaker, Ladies and Gentlemen, I think many of the Members who have spoken on this are correct as far as they go. The rates have been changed and if the Governor were to line out \$2,000,000 from the grand total it would change the amount that would go to the other seven categories. It would not substantially change it however and it's my understanding that the junior colleges feel that they could accept this much of a change, no more than a change than this would make they could accept it. The city colleges of Chicago do have a big problem in this area, they do need help and I would hope that the Governor could be convinced that this 2,000,000 should be left in the budget. However, if he did take it out I think the Members should know that there would be 38 junior colleges that would gain a little bit of money and the rest of them whatever the number is would lose a little bit of money. I think the city colleges of Chicago would gain approximately \$200,000 more than they would otherwise have if the Governor did veto it and the one college that would lose the most would be six, one would lose 6 to 80,000. I think the junior colleges could live with it. The city colleges of Chicago sincerely need this 2,000,000 kept in there and I...I would not oppose the Amendment."

Speaker Redmond: "Representative Huff."

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

Speaker Redmond: "He will."

Huff: "All right. Mr...Representative Catania, these categories that you're referring to would that be inclusive of what I call the adult education category?"





Catania: "Yes, that's correct Representative Huff."

Huff: "Thank you."

Speaker Redmond: "Representative Catania to close."

Catania: "Thank you, Mr. Speaker and Members of the House, I would just like to point out that we have several hundred people from community colleges all over the state who came to testify in favor of this Amendment. We had to have the hearing here on the House floor because only the galleries of this room would accommodate them. They felt very strongly about this, they made long trips to get here to support this Amendment and I ask for your support today."

Speaker Redmond: "Question is on the Lady's motion for the adoption of Amendment #2 to Senate Bill 1650. All in favor vote aye; opposed vote no. Have all voted who wish? Have all voted who wish? Clerk will take the record. Representative James Houlihan, pardon me."

Houlihan: "Mr...Mr. Speaker and Ladies and Gentlemen of the House, I just wanted to rise to support this Amendment and point out to Susan that this Amendment does what it's intended to do and therefore I'm going to vote green. I'm not only in support of your position but I'm voting for it."

Speaker Redmond: "Clerk will take the record. On this question there's 78 aye and 23 no and the Lady, and the Lady's motion carries; the Amendment's adopted. Any further Amendments?"

Clerk Selcke: "Amendment #3. Catania. Amends Senate Bill 1650 on page 1, line 10 and so forth."

Speaker Redmond: "Representative Catania."

Catania: "Well, thank you Mr. Speaker and Members of the House. Again being consistent I'm offering the Amendment to provide a 2.5% salary increase. I would be satisfied with the Roll Call on the previous Amendment although you may want to just do it on a voice vote."

Speaker Redmond: "Representative Houlihan, do you seek recognition? Representative Barnes."

Barnes: "Thank you very much, Mr. Speaker, I'll be very brief. This



Amendment has been offered a number of times today and have failed. Failed in Committee a number of times today and I would suggest that we do the same thing. This is the same Amendment and I suggest that we would soundly defeat it again."

Speaker Redmond: "Representative Catania to close."

Catania: "Just ask for an aye vote."

Speaker Redmond: "Question is on the Lady's motion for the adoption of Amendment #3. All in favor say aye; opposed no. The motion fails, the Amendment's not adopted. Any further Amendments?"

Clerk Selcke: "Amendment #4. Washington. Amend Senate Bill 1650 as amended on page 4 and so forth."

Speaker Redmond: "Representative Washington."

Washington: "Mr. Speaker, Members of the House, this Amendment 4 which is Co-sponsored by Representative Mann, Caldwell and myself is simply an attempt to impress upon certain city colleges, particularly the city college system of the city of Chicago that the public policy of this state is well grounded in the proposition that there shall be no discrimination and the employment, upgrading, et cetera of minorities and women. Quite clearly the city of Chicago college system of Chicago doesn't understand that because, I, among others get repeated complaints from various schools within that system in the city of Chicago that there has been rampant discrimination in terms of the hiring and upgrading not only of faculty but is also of administrator. This Amendment was tried and tested last year and has been germane and clearly I think it goes to the heart of the problem. It simply provides that no funds may be appropriated under this act in violation of the rules and regulations of the Illinois Fair Employment Practice Commission et cetera and so forth. The rules and regulations of the Illinois Fair Employment Practice Commission sets down very clearly guidelines for affirmative action, goals and timetables. It seems to me that if we can pour forty-some-odd million dollars of the state money into that system then we have a right to bird dog it and make abundantly clear that they are constantly and unceasingly in violation of our basic public policy. I'm ashamed to come from the city of



Chicago and say that such a problem is so rampant within our junior college system. It is a terminal point for many people in terms of their education and if those institutions can't stand up straight and clear not in violation of such a clear cut basic public policy as nondiscrimination it shames me to tears. I would ask your support for this Amendment and make it very clear to such city colleges as in Chicago that we deplore their activities, we expect them to clean it up and then if they don't we're going to mess with the money because apparently that's the only thing they understand. I ask for your support of Amendment #4."

Speaker Redmond: "Representative Stearney."

Stearney: "Would the Sponsor yield?"

Speaker Redmond: "He will."

Stearney: "Representative, if these Amendments were to become law would this allow the courts to enjoin the paying of any money under this act?"

Washington: "I won't presume upon the courts but I would hope it would give someone a cause for doing exactly that."

Stearney: "Second of all let me ask you, does this...the funding under this formula, under this program, is there federal funds involved?"

Washington: "To my best recollection, yes. There are certain federal funds which are siphoned into the junior colleges."

Stearney: "Well, if there are federal funds involved what is the purpose of including in this verbage here the Federal Equal Opportunities Commission?"

Washington: "In a sense it's overlapping but we want to bring to their attention that we're talking about two basic laws, one is federal, one is state. I'm more concerned about the state law and the Fair Employment Practice Commission."

Stearney: "And what is the total appropriation here?"

Washington: "A 130-some million dollars, approximately 45,000,000 going to the city of Chicago."

Stearney: "So, it's your thinking then that a circuit court judge could hold up the payment of any or all of these funds if you



felt they were a violation."

Washington: "I won't presume upon the court, I repeat, but I would hope, and this Amendment would not be worth the paper it's written on, if it didn't give a cause of action to an agreed party to go into court and say 'listen, the City Council of the City of Chicago are discriminating, I can demonstrate it terms of my case and other cases, and based on that we don't think we should use the State of Illinois' money to perpetuate this kind of thing'. The answer to your question is absolutely yes."

Stearney: "Then the courts may enjoin the payment of any money under this Bill."

Washington: "For the third time, I would hope so."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Mr. Speaker, thank you Mr. Speaker. Mr. Speaker, I question the germaness of this Amendment on Senate Bill 1650 and I'd like to have a ruling from the Speaker whether you consider it substantive language within the Appropriation Bill."

Speaker Redmond: "Representative Washington."

Washington: "Before you rule, Mr. Speaker, this Amendment was tried and tested by Ms. Catania last Session and it was ruled, and it was ruled by the Speaker time after time after time that it was germane."

Speaker Redmond: "This is the Amendment I almost got in trouble on because as I said, if I had been in the Chair, I would have ruled it was not germane."

Washington: "Mr. Speaker..."

Speaker Redmond: "...one of my friends came up and said 'how dare you'.

Washington: "...we are, to a great extent, ruled by the precedent and the men who replace you, they are able and they do their best and frankly based on my experience, they do substantial justice. I would suggest that you would be well guided in following their precedent."

Speaker Redmond: "The Parliamentarian advises me that it is germane. stare decisis, I guess the lawyers call it. Representative VanDuyne, do you seek recognition? Representative Stone?"



Stone: "Yes I seek recognition, Mr. Speaker, thank you very much. This is the 1975 Catania Affirmative Action Amendment. If you will recall, this House put this Amendment on all of the Amendment Bills pertaining to education last year. We sent them to the Senate, they refused to accept the Amendment, we had on all of these Bills, we had to have a Conference Committee. I'm convinced that we would have to have another one this time on this Bill if we adopt it. I don't think we need to have an exercise in futility and adopt this Amendment. The junior colleges of the State of Illinois without exception, I believe, opposed this Amendment. And if you don't want to get calls from your junior college presidents, I believe that you should vote no on this Amendment. I would further say that it is a further exercise in futility because, under the present law, the junior colleges are obligated to do exactly what this Bill says they should do and I would certainly hope that we defeat this Amendment and get Senate Bill 1650 passed."

Speaker Redmond: "Representative Emil Jones."

Jones: "Yes, thank you Mr. Speaker. Just to refute the words of our esteemed colleague, Representative Stone, I don't think affirmative action is an exercise in futility and I don't think that our actions in the House should be guided by the actions of the Senate. I think it is a very good Amendment and we should support it and at no time, at no time should we jump on the floor of this House and say 'we cannot support an Amendment to any Bill just because of some action in the Senate or just because they may have to go to Conference Committee' and I don't feel that affirmative action at no time is an exercise in futility and I solicit an aye vote."

Speaker Redmond: "Representative Maragos."

Maragos: "I want a parliamentary inquiry of the last speaker. Did he say fertility or futility?"

Speaker Redmond: "Representative Madison."

Madison: "Well Mr. Speaker, it's interesting that one of the past speakers indicated that if you don't want calls from your college presidents, that you should vote against this Amendment. The fact of the matter is the junior college presidents have helped perpetuate this system



and I would be glad to get a call from junior college presidents because then I could tell them what's on my mind and I hope we adopt this Amendment."

Speaker Redmond: "Representative Ewell. Representative Washington to close. Representative Mann, pardon me."

Mann: "Thank you Mr. Speaker. I want to let my colleagues in the House know that for some time I have been writing to presidents of junior colleges, community colleges, in the State of Illinois trying to get a response with regard to their affirmative action program. I had an officer of one of the important boards sitting in my office a month ago telling me that I would receive data very shortly. There is no data, most of the community colleges do not have affirmative action officers. Most of the community colleges do not have reporting practices and the worst of all, I'm ashamed to say, is in the City of Chicago. And they get between forty and forty-five million dollars of State aid for their particular eight districts, which are attended primarily by minority groups who have a right to be taught by good teachers and good administrators, but those teachers and those administrators have a right to be chosen under an affirmative action program. It would strike me as ludicrous if in the year, 1976, a simple Amendment which says that there shall be no discrimination in hiring of personnel administrators in the junior college program of the State of Illinois, if that could not carry this House then God help us all and I ask for your aye vote."

Speaker Redmond: "The question is on the Gentleman's motion to adopt Amendment #4 to Senate Bill 1650. All in favor vote aye. Opposed vote no. Representative Gaines."

Gaines: "I wish to urge an aye vote on this. I come from a district that has quite a few students in these colleges and I get calls all the time and I also get calls from faculty members complaining about the lack of affirmative action in the city colleges in the City of Chicago and they look at us in the State to correct the inequities that are put upon us by this college system. I urge a green vote."

Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there's 82 aye and 26 no and the motion



carries, the Amendment is adopted. Any further Amendments? No further Amendments? Third Reading. On supplemental calendar number one on the order of concurrence appears House Bill 1955.

Representatives Keller, Hart."

Keller: "Thank you Mr. Speaker and Ladies and Gentlemen of the House, Senate Amendment, I move to concur with Senate Amendment #2 to House Bill 1955. What this does is this is the facility Bill for banks which allows you to build a facility thirty-five hundred yards away from the bank. Under the present law, you can build it at fifteen hundred feet away from your bank. Also it has in here 'such facility shall not consist solely of one or more devices,' which means that it has to be a manned facility. It can't be a machine. This has the support of the AMBI Group and also the Illinois Bankers Association. I move for the concurrence with House Bill 1955."

Speaker Redmond: "Is there any discussion? The question is on the concurrence, the House concurrence to Senate Amendment #2 to House Bill 1955. The Gentleman has moved that the House concur. All those in favor of the House concurring with Senate Amendment #2 vote aye. Opposed vote no. Final action, 89 votes. Have all voted who wished? Representative Shea."

Shea: "Mr. Speaker, for the record, I want to make it perfectly clear that I'm a shareholder of a bank and might have an interest in this, but I think I should vote and vote aye."

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

Madigan: "I also wish to declare that I am a shareholder in a bank in Chicago."

Speaker Redmond: "Representative Lechowicz."

Lechowicz: "Thank you Mr. Speaker and Members of the House, for the reasons that were stated by the two previous speakers, I would like to be recorded as present."

Speaker Redmond: "Representative Geo-Karis."

Geo-Karis: "In concurrence with the prior two speakers, I too, have interest of some shares in a bank and I think, I can't, I'm not influenced, and I want everybody to know and I'm voting yes."



Speaker Redmond: "Representative Gaines."

Gaines: "I too, have stock in a bank in Chicago, but I'm voting aye."

Speaker Redmond: "Representative Peters."

Peters: "I don't have any stock in a bank, Mr. Speaker, but I do have a savings account."

Speaker Redmond: "Representative Catania."

Catania: "Thank you Mr. Speaker, I'm sorry to announce I have absolutely no conflict."

Speaker Redmond: "Representative Choate on Representative Byers'..."

Choate: "Well let the record show that I own a couple of shares also."

Speaker Redmond: "Representative Madison."

Madison: "Well Mr. Speaker, let the record show that I don't own any stock in any bank and this is the first step to what branch banking is and I'm voting no."

Speaker Redmond: "Representative Duff."

Duff: "Mr. Speaker, Ladies and Gentlemen of the House, some of this is serious and some of this is light hearted, but nobody, apparently, has stopped to look at the serious significance of this Amendment that we're concurring in. This will allow the big downtown banks with absolute protection of their own interests to leap-frog across the smaller banks in the city, it will allow every county like Sangamon County, Peoria County, Winnebago County, Rock Island County, to have the big banks downtown leap out across and straddle any small community service bank that there is. The Amendment was not...was explained, to be sure, but the mood of the House floor did not allow the Body to recognize that we are passing, with this concurrence, a power grab by the big banks without any of the protections that have existed over previous branch banking Bills that have been sponsored in this House. This is, without a doubt, the worst Amendment for branch banking and special interest that we have seen in years in this Body and I cannot understand how we can pass over such a significant Amendment so quickly. Any one of you who comes from a county with a big city in the middle, like Decatur, I've said enough, Mr. Speaker, but I..."





Speaker Redmond: "Have all voted who wished? The Clerk will take the record. On this question there's 114 aye and 16 no and the House does concur in Senate Amendment #2 to House Bill 1955. On concurrence appears House Bill 2730. Representative Katz. 2736, Representative Katz? 3414, Representative Flinn? Representative Flinn, 3414. Representative McClain, will you...a...tell Mr. Flinn that 3414..."

Flinn: "I'm sorry, Mr. Speaker, what was the Bill number?"

Speaker Redmond: "3414 on concurrence."

Flinn: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, this is a so called fifty percent Amendment put on the Senate having to do with the Department, I mean the...a...that could not spend less than fifty...more than fifty percent of the funds by the end of this year and there's no objection from the St. Louis Metropolitan Airport Authority and I move for the concurrence of the Senate Amendment #1."

Speaker Redmond: "Any discussion? The question is on the Gentleman's motion to concur in Senate Amendment #1 to House Bill 3414. 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's 109 aye and 4 no and the House does concur in Senate Amendment #1 to House Bill 3414. 3997, Representative Pierce. 3797, Representative Pierce."

Pierce: "Mr. Speaker, this is the land mark preservation Bill originally introduced last year by Representative Katz, it was put on interim study and this year, came out as a Committee Bill on Environment and Energy and Natural Resources. The Senate has put two Amendments on that are perfectly acceptable to the Department of Conservation which is in support of the Bill and perfectly acceptable to me as Sponsor. One would delete the requirement that the meetings of the Commission be taped and the other clarifies the rights of municipalities to have their own...a...to have their own land mark preservation regulations. And therefore, because of the Senate Amendment clarified the Bill and perhaps even improved it, my motion is to concur in Senate Amendments #1 and #2 to House Bill 3797."



Speaker Redmond: "Any discussion? The question is shall the House concur in Senate Amendments #1 and #2 to House Bill 3797. All those 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...139 ayes, and 1 no, and the House does concur in Senate Amendments #1 and #2 to House Bill 3797. 3820, Representative Barnes, E. M. Barnes. 3820. On concurrence, consideration postponed appears House Bill 233, Representative Wolf."

Wolf: "Mr. Speaker, Ladies and Gentlemen of the House, at this time I would like for your concurrence on Senate Amendments #1 and #2 to House Bill 233. House Bill 233, as you know, is a Bill which would provide an appropriation to construct an educational TV facility at S.I.U. at Edwardsville. These Amendments provide for an appropriation of \$1,500,000 together with changing the funding of the original Bill from the General Revenue fund to the Capitol Development Board. The Board of Higher Education has fully approved this facility and gives it its enthusiastic support. Concurrence in these Amendments to House Bill 233 make it possible for S.I.U. in Edwardsville to provide TV educational programming in the same manner as other major universities throughout the State of Illinois and I would think that for an area which is considered the second most populous in the State of Illinois that we could do no less. Channel 18 has been reserved by the F.C.C. for this facility. However, if we don't avail ourselves of this permit at this time, there is a St. Louis based group which is ready and willing and able to take it over. S.I.U., Edwardsville, at the present time has one of the most modern TV studios in the State of Illinois which is being used on a six to eight hour day basis for student instruction within universities. Approval of these Amendments will bring educational TV to disadvantaged areas, poverty pockets in ghettos throughout the multi-county area which it serves and which includes almost two million people, including 485,000 students. I very seriously urge your support of these Senate Amendments. Thank you."

Speaker Redmond: "Representative Steele."



Steele: "Thank you Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this very important and needed concurrence with the Senate Bill. As has been pointed out, this facility has been approved by the Board of Higher Education, it's also been approved as part of the State-wide network for education TV, they do have the permit from the Federal Communications Commission, S.I.U. at Edwardsville does have one of the finest communications facilities in the entire Midwest. It is not being fully utilized at this time, it is being severely handicapped because their studio's in place, the fine equipment that is already there and available is not able to be properly utilized due to lack of this power and so I would urge the colleagues on both sides of the aisle to support this legislation. I might also point out that this legislation happens to be the first Bill under the Sponsorship of Representative Wolf and I think we should all give it a lot of green lights on the board."

Speaker Redmond: "Representative Schraeder."

Schraeder: "Mr. Speaker, I don't like to talk against a Member's first Bill, but this is against the two Amendments that have been placed on there. We're talking about a second TV education program at Southern Illinois University. We presently have one in Carbondale and I'd like to point out this is a postponed consideration measure so those who were opposing it before should certainly oppose it now. We don't need another institution in Southern Illinois for TV education. That's a duplication of waste of money. I would suggest that if we want something at the Edwardsville campus, we institute some other program we fund, but not another TV station."

Speaker Redmond: "Representative McGrew."

McGrew: "Thank you Mr. Speaker, this is has been thoroughly discussed, I move the previous question."

Speaker Redmond: "Would you hold that for a minute? Representative Walsh."

Walsh: "Mr. Speaker, under Rule 37(c) a Bill is tabled on its own motion if it is on the calendar for thirty days...for more than thirty days. I suggest to you, Mr. Speaker, that this Bill has been on the calendar not just thirty days, but for over six months and



I would ask you to rule that this Bill is actually on the table and not being considered now."

Speaker Redmond: "What rule did you say?"

Walsh: "37(c)."

Speaker Redmond: "The Parliamentarian directs attention to the fact that this includes this as...including the order of Second Reading, First Legislative Day, Third Reading and Postponed Consideration, which does not include the order of concurrence. So therefore...or a Conference Committee so therefore, the rule does not apply. Representative Lucco."

Lucco: "Mr. Chairman or Mr. Speaker, Ladies and Gentlemen of the House, I rise, of course also, in support of the concurrence here. I want to remind you that in our area, the metro-east area, there is no free public education TV channel. This university has had this channel for quite a number of years and is in jeopardy of losing this particular channel unless the funds are forthcoming. They have great facilities already, this particular amount of one and a half million dollars was assigned to other universities just last fall and I believe that Southern Illinois University at Edwardsville which is in the second most populous area in the State of Illinois is deserving of this public education TV program."

Speaker Redmond: "Representative Leinenweber."

Leinenweber: "Thank you Mr. Speaker. I arise to oppose this concurrence. I've done so in every appropriation for university television stations so I assume I'll be equally as unsuccessful in urging the defeat of this particular Bill. I don't think that the government has any right, or should appropriate money to pay for the dissemination of television news or any other of the television programs. This is something that ought to be left to the private sector or private donations or to student fees or for whatever. When the government appropriates money and pays for the Bill for the dissemination of ideas, then the next thing that comes immediately thereafter are controls and I think if the government is paying for it, there probably ought to be controls. I think controls are bad, they are unconstitutional and we shouldn't enter this particular arena,



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we have before, I know, but we shouldn't be in it so I urge the defeat of the concurrence motion on House Bill 233. Representative Friedrich. Representative Walsh, for what purpose do you rise?"

Walsh: "To call your attention, Mr. Speaker, to Rule 37(b) which provides that at the conclusion of fifteen days on the calendar, notwithstanding the provisions of Rule 37(c) a Bill is tabled, is automatically tabled. And I had a little consultation with the Parliamentarian with respect to this before disturbing you."

Speaker Redmond: "Representative McGrew."

McGrew: "Thank you very much, Mr. Speaker. It says on the order of Second Reading is Rule(d). And as you so aptly pointed out, this is not on Second Reading, it is on concurrence."

Speaker Redmond: "Take this one out of the record for awhile. Give us a chance to look it over. Out of the record. Senate Bills' Third Reading. Senate Bills' Third Reading appears Senate Bill 1600. Representative Schraeder."

Clerk O'Brien: "Senate Bill 1600. A Bill for an Act to provide for the ordinary and contingent expense of the Department of Revenue."

Speaker Redmond: "Out of the record. 1623, Representative Bradley."

Bradley: "Well thank you Mr. Speaker..."

Clerk O'Brien: "...Senate Bill 1623. A Bill for an Act to make certain appropriations to the Board of Regents. Third Reading of the Bill."

Bradley: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1623 is the ordinary and contingent expenses appropriation Bill for the regency...a..University of Regency System, it includes Northern Illinois, Illinois State University, Sangamon State..."

Speaker Redmond: "Proceed."

Bradley: "...it...the total amount was reduced 4.4 million by the Senate as a total request of \$106,000,000, \$87,000,000 from General Revenue, 18.9 million from the Board of Regents Income Fund. I have the other totals here that we have talked about when it was on Second Reading and I ask for the support of the House on Senate Amendment...a...for Senate Appropriation Bill 1623."

Speaker Redmond: "Representative Lauer."



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Lauer: "Mr. Speaker, Ladies and Gentlemen of the House, since this is the Bill for the ordinary and contingent expenses of the Board of Regents and since my wife works for the Board of Regents and there is in here an increase in pay rates for the various employees of the Board of Regents, I will not debate nor vote upon the Bill because there could be an implied conflict of interest, but I would like to be journalized as having been here and having made this statement and will take no further part in the debate."

Speaker Redmond: "Anything further? Representative Gene Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this program. We have been able to move it along without any great deal of difficulty up to this point, it funds one of the outstanding universities in the State of Illinois and I would appreciate your support."

Speaker Redmond: "Do you know any of its graduates, Representative Hoffman?"

Hoffman: "Pardon me?"

Speaker Redmond: "Do you know of the graduates of that university?"

Hoffman: "Some of them I know very well."

Speaker Redmond: "Representative Bradley to close."

Bradley: "Well Mr. Speaker, let me just close and let me say that the prior speaker is one of the outstanding alumni of Illinois State University, I think he was captain of the wrestling team and played on the football team and was President of the Alumni Association and I'd be glad to have his support and I ask for the support of the House."

Speaker Redmond: "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? Representative Ebbesen is closing fast. Have all voted who wished? The Clerk will take the record. On this question there's 152 ayes and no nay and the Bill having received the constitutional majority is hereby declared passed.  
1636."

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



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the Bill. Representative Kane."

Kane: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 1636 is the Capital grants to hospitals affiliated with the public medical schools around the State. It's an appropriation of four and one half million dollars to the Board of Higher Education, \$834,000 of that will complete the program, is new money to complete the program for the medical schools in Chicago, Rockford, Peoria, Springfield and Carbondale and the rest of the money is a reappropriation of 3.7 million dollars. This will complete the \$20,000 program that's been in effect for the last four years and I would ask for a favorable Roll Call."

Speaker Redmond: "Representative Skinner."

Skinner: "Yes, if the Sponsor will yield? I would like to know if the institutions he named are the only ones that are receiving money from this?"

Kane: "No, the total hospitals that are receiving money under this program over the last four years affiliated with the Southern Illinois University School of Medicine is the Doctors Hospital in Carbondale, Memorial Medical Center in Springfield, St. Johns Hospital in Springfield, affiliated with the University of Illinois College of Medicine in Chicago is the Illinois Masonic Hospital, the Lutheran General Hospital in Park Ridge, the McNeal Memorial Hospital in Berwyn, Mercy Hospital in Chicago, Ravenswood Hospital in Chicago, Weiss Memorial Hospital in Chicago, affiliated with the Peoria School of Medicine is the Methodist Hospital in Peoria, Proctor Hospital in Peoria, St. Francis Hospital in Peoria, affiliated with the Rockford School of Medicine is the Rockford Memorial Hospital, the Swedish-American Hospital in Rockford and St. Anthony's Hospital in Rockford."

Skinner: "Alright, but all of these are affiliated with our medical schools?"

Kane: "Yes, either Southern Illinois School of Medicine or the University of Illinois."

Skinner: "Thank you very much."

Speaker Redmond: "Any discussion? The question is shall this Bill pass."



All those in favor vote aye. Opposed vote no. Have all voted who wished? The Clerk will take the record. On this question 157 aye and no nay and the Bill having received the constitutional majority is hereby declared passed. 1863, Representative Maragos, what's the status of that?"

Maragos: "Out of the record."

Speaker Redmond: "Out of the record. On supplemental calendar number two on the order of non-concurrence appears Senate Bill 1604. Representative Richmond is recognized."

Richmond: "Thank you Mr. Speaker and Ladies and Gentlemen of the House, I move that the House refuse to recede on Amendment #1 of Senate Bill 1604 and ask for a Conference Committee."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Would the mover yield?"

Richmond: "Yes."

Schlickman: "Is the Amendment which was adopted by the House appropriating \$2,000,000 for an area in Cook County?"

Richmond: "That's correct."

Schlickman: "Mr. Speaker, Members of the House, for the same reasons that I gave and others gave, I think, yesterday. I would oppose this motion to non-concur so that the House would recede from this Amendment. The point was made yesterday, it's not the object or the purpose that is non-meritorius, it's simply the means of appropriating money to the Department of Mines and Minerals in its ordinary and contingent appropriations Bill. I think it was amply pointed out yesterday that there is another means by which this appropriation could be made and for that reason I oppose this motion to non-concur and would rather see the House refuse.. a..rather see the House recede."

Speaker Redmond: "Representative Friedrich."

Friedrich: "Mr. Speaker and Members of the House, I've had some conversation with the attorney for the Comptroller and I think there is serious doubt if this Amendment stays on here that the money can be spent the way it was intended to be spent in the first place.





For the life of me, I can't understand why they didn't put in a deficiency appropriation for Civil Defense, we could have had it out of here this week and it could have been spent this week.

I think this is a wrong approach, I opposed it yesterday and I oppose it again today. So I'm going to vote as suggested by Representative Schlickman."

Speaker Redmond: "Representative Yourell."

Yourell: "Thank you Mr. Speaker. Ladies and Gentlemen of the House, that's the purpose of the motion by Representative Richmond because the problems sighted by Representative Friedrich is what we hope to accomplish by the Conference Committee and that is to take it from the office of the Governor to the Emergency Service and Disaster Act."

Speaker Redmond: "Are you ready for the question? Representative Richmond to close."

Richmond: "I would just simply ask for your favorable vote on my motion to refuse to recede."

Speaker Redmond: "The Gentleman has moved that the House refuse to recede from House Amendment #1 to Senate Bill 1604. All in favor say aye. Opposed, no. The ayes...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's 76 ayes and 52 no and the Gentleman's motion carries and the House does refuse to recede from House Amendment #1 to Senate Bill 1604. On the order of concurrence appears House Bill 2730. Representative Katz."

Katz: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, you will recall that on Monday, we went over a group of revisory Bills of passing them, they had no substantive changes. On one of those Bills Representative Giorgi raised the question and so I said we would take it out of the record to give him a chance to check it. That was House Bill 2730, he has now checked it and he concurs that it is a purely revisory Bill making no substantive changes and I would urge concurrence with Senate Amendment #1 to House Bill 2730."



Speaker Redmond: "I think Representative Caldwell is seeking recognition beyond Representative Pierce's broad shoulders. Representative Caldwell. The question is shall the House concur in Senate Amendment #1 to House Bill 2730. All in favor vote aye. Opposed vote no. Final action, 89 votes. Have all voted who wished? The Clerk will take the record. On this question there's 144 aye and no nay and the House concurs in Senate Amendment #1 to House Bill 2730. On the order of consideration postponed appears House Bill 3976. Representative Daniels."

Daniels: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I would ask leave to take this back to Second Reading for purposes of an Amendment."

Speaker Redmond: "Does the Gentleman have leave? Hearing no objections, return to the order of Second Reading."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #2, which has been filed and distributed would limit this Bill to counties with a population in excess of 450,000."

Speaker Redmond: "The Gentleman has moved for the adoption of Amendment #2. All in favor indicate by saying aye. Opposed, no. The ayes have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "No further Amendments. Third Reading. House Bills Second Reading, consideration postponed. House Bills' Second Reading appears House Bill 991. Representative Farley. House Bills' Third Reading. House Bills' Third Reading appears House Bill 1815. I don't see Farley, he's in the Governor's office."

Clerk O'Brien: "House Bill 1815. A Bill for an Act to regulate transportation of hazardous material in the State of Illinois. Third Reading of the Bill."

Speaker Redmond: "Representative Maragos."

Maragos: "Mr. Speaker and Members of the House, House Bill 1815, as amended, primarily sets up a study program for the Department of Transportation of the State of Illinois to study the best way to control hazardous material upon our highways and as already been



spoken about, we spoke to the...and as came out of the...and as file form with overwhelming majority of the House Transportation Committee and I move for its adoption, passage rather."

Speaker Shea: "Is there discussion? The Gentleman from Tazewell, Mr. Luft."

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

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

Luft: "Is the Home Rule Amendment on this Bill?"

Maragos: "There is no Home Rule Amendment on this, this is a mere study. It doesn't do any controlling whatsoever."

Speaker Shea: "Is there any further discussion? The Gentleman from Cook, Mr. Maragos, to close."

Maragos: "I ask for a favorable vote at 89."

Speaker Shea: "The question is shall House Bill 1815 pass. All those in favor will vote aye; those opposed will vote nay. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 136 ayes, 3 nays, 4 Members voting present. House Bill 1815 having received the constitutional majority is hereby declared passed. On the order of House Bills Third Reading appears House Bill 2115. The Gentleman from Sangamon, Mr. Kane. Is Mr. Kane on the floor?"

Clerk O'Brien: "House Bill 2115. A Bill for an act to amend an act in relation to the rate of interest and other charges in connection with the sale on credit and the lending of money. Third Reading of the Bill."

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

Kane: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2115 is an alternative to the Bill that was passed out of here last week to solve the usury problem in Illinois. House Bill 2115 establishes a floating maximum for mortgage interest rate and the maximum is set at 2-and-1/2% over the long term rate for United States Government Bonds. The long term United States Government Bonds, the rate for them was chosen, one, because mortgages and long term government bonds are similar kinds of investment and, two, the rates for both of them are not subject to volatile changes. The margin of 2-and-1/2%



was chosen because of the history of relationships between bond rates and mortgage rates shows that we need that margin to allow the possibility of...savings and loans and banks to issue 95% mortgages which typically have higher interest rates than 80% mortgages. The floating rates of two things takes the problem of what we're going to do with mortgages out of the realm of government regulation and is...will leave it to be determined by national, international money markets and won't be back to plague us every year. Secondly, the floating rate provides the consumer protection because the maximum comes down when the market comes down and the Bill is...if the present Bill, House Bill 2115, was in effect now the maximum mortgage rate would be 9-and-1/4% rather than the 9-1/2% that the current statute calls for. The maximum mortgage rate under House Bill 2115 would be determined monthly by the commission of banks and would be announced on the 20th day of each month for the succeeding month and would be based on the long term bond rate for the second preceding month prior to that. House Bill 2115 is a long range solution to the problem of usury rates for home mortgages and I would urge your adoption of this Bill."

Speaker Shea: "The Gentleman from Sangamon, Mr. Kane, has moved for the adoption of House Bill 2115. Is there debate on that question? The Gentleman from Marion, Mr. Friedrich."

Friedrich: "I want to ask the Sponsor a question. Representative Kane, does this also eliminate the prepayment penalty?"

Kane: "Yes."

Friedrich: "This Bill that you're talking about now has the elimination of prepayment penalty?"

Kane: "Yes."

Friedrich: "Thank you."

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

Hanahan: "Mr. Speaker, would the Gentleman yield to a question?"

Speaker Shea: "He indicates he will."

Hanahan: "Representative Kane, what is the right today the monthly index of the long term bond yield, what would 2-1/2% rounded off



to the nearest quarter of a 1% per annum mean to the usury maximum today, in today's mortgage market?"

Kane: "Be 9-and-1/4%."

Hanahan: "And what has the highest rate paid in the last two years by the monthly index, what did it show for the highest in the last two years?"

Kane: "For the months of November and December of 1975 and January and February of 1976 the maximum would have been 9.75."

Hanahan: "Well, Mr. Speaker, Members of the House, I hope the Members understand what...what is happening here is that if you think 9-and-a-1/2% usury limitation was bad this is even worse because now we're talking about in just recent months where the maximum interest that a mortgage could be charged to some working man or woman who seeks a long term mortgage in the state of Illinois it would have been 9.75 and let me tell you if you think the greed of these money lenders is going to be abated in any manner by the limitation not being the typical loan stop and think what has happened in the last couple of years when we raised, in the last six years when we raised the maximum rate from 7% to 8% and that isn't too many years ago, about six years ago. Now we're up in the last couple years to 9-and-a-1/2% on the pretext that it was going to be a temporary relief for an unusual market. All of a sudden now we're faced with another kind of request for relief. There's no end to the greed, believe me; that there's another request for the relief and this is to put it on a floating percentage but...if you notice they really stick it to the working person. They make it at 2-and-a-1/2% above what the bonds should be in the long term rate. You're talking about 9-1/2%, 9-3/4%, that's too much money. If you want a return of construction in the state of Illinois you've got to have cheap money. Kids today who want to go out and buy their house cannot afford that house not because of the cost of the construction, not necessarily the cost of the land but strictly because of the cost of the money; it's too expensive. America and the American dream was not founded on high priced money. There's no productivity in money. There is nothing



built with money itself, it's the blood and the sweat and the tears of people that build homes. And we talk about high rates of pay stop and think of the high rates of interest that that working man and woman have to meet in the needs of the money market, of the greed of the money marketeer managers. Now if the pass-book saver is receiving 5-and-a-1/2% or 6% why do you need 3 and 3-and-a-1/2% over that just to operate your savings and loan and your banks. I think this is a bad Bill, should be soundly defeated."

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

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

Speaker Shea: "States he will."

Geo-Karis: "You say that the rate will fluctuate downward possibly.

Now what's the maximum that this can go to?"

Kane: "Two and a half percent over whatever the long term federal bond rate is at that particular time."

Geo-Karis: "In other words if a long term federal bond rate went 8% then they could sue up to 10-and-a-1/2%, is that right?"

Kane: "Yes. I might point out that the maximum for United States long term bond rates in the last ten years was about 7.4%."

Geo-Karis: "I see, thank you."

Speaker Shea: "The Gentleman from Cook, Mr...or from Lake, Mr. Pierce."

Pierce: "Would the Gentleman yield to a question? He indicates he would. Mr. Kane, does your Bill in any way provide a usury rate limitation on FHA or...or VA insured mortgages?"

Kane: "If they're exempt presently they're exempt under this Bill."

Pierce: "Well, I believe they are exempt presently, your Bill does nothing to put a limitation on them, is that right?"

Kane: "It doesn't change that provision, no."

Pierce: "And your Bill only affects residential loans, how about personal loans, what would happen to usury rate on personal loans that are out in connection with a residence?"

Kane: "Nothing."

Pierce: "What would the rate be?"

Kane: "Whatever it is under present statute."

Pierce: "And what is it under the present statute?"



Kane: "I don't know, this Bill only has to do with mortgage rates."

Pierce: "I just wonder how the Bill connects up with the present usury rate. But I say your Bill doesn't do nearly the harm that Representative Hanahan points out because you have a reasonable limitation where at present there is no limitation on...GI Loans, VA insured loans, FHA insured loans, only on conventional mortgages so all...all that you're doing here is allowing the conventional mortgage lender to better compete with the FHA and VA insured mortgage lender and probably ending up providing more credit available to people in Illinois. So I can't see any...any harm in this concilating plan at all. Right now there's no limitation whatsoever under the Illinois Usury Rate on FHA or VA insured loans and all we're doing here is setting up a floating rate based on national long term interest rates and with a 2-and-a-1/2% above, I take it that the 2-and-a-1/2% is the maximum limitation, that...that makes sense because it's based on what the rate...lending rates are around our nation to Uncle Sam and therefore I think this is a good idea; it'll keep us from having to come back in the Legislature every year or two and fuss around with the interest rate ceiling and once we pass this Bill, if we do, we will have a limitation that makes sense and won't require constant year in and year out tinkering with the usury rate based on what's happening nationally to the interests rates. And therefore I intend to support this legislation."

Speaker Shea: "Is there further discussion? The Gentleman from LaSalle, Mr. Anderson."

Anderson: "Will the Sponsor yield? Representative Kane you've told us what the maximum was of these bonds, what was the minimum in the last ten years?"

Kane: "The minimum in the last ten years, or going back to 1968 which is the last figures that I have, in about September 1968, the minimum was \$5.00."

Anderson: "Five..."

Kane: "Or 5%, I'm sorry."

Anderson: "So that..."



Kane: "Five percent."

Anderson: "Do you know what our usury rate was back then?"

Kane: "The usury limit at that point was 7%."

Anderson: "So it would be a half a percent over them."

Kane: "The maximum, yes."

Anderson: "Right. Thank you very much."

Speaker Shea: "Further discussion? The Gentleman from Cook, Mr. Grieman."

Grieman: "Will the Gentleman yield for a question? Doug, didn't we pass a Bill last week, I think it was Representative Porter's Bill, that set up a 9-and-a-1/2% fixed rate? Was...was that the Bill that we passed?"

Kane: "Yes, that was passed last week as I understand it, that Bill, a similar Bill has already died in Senate Committee and that Bill is also scheduled to die in Senate Committee."

Grieman: "Well, you say it's scheduled to die in Senate Committee?"

Kane: "I believe so. From what I understand the sentiment of the Senate is not to go with a...with a permanent extension of the 9-and-a-1/2% mortgage rate."

Grieman: "...And your Bill is similar to the Bill that just came across yesterday or today from the Senate?"

Kane: "Yes."

Grieman: "...I see. Is...why is the...is there a difference in the national market, you know, what we're looking at...or let's put it this way, is there difference between interest rates in a free market from state to state?"

Kane: "You mean on mortgage rates?"

Grieman: "Yeah."

Kane: "Not very much I believe. If you look at all the states around us they either have no limits or their limits are much higher than...than the Illinois limit. I think if you think back to what happened when we had price ceiling on beef when that ceiling was taken off the price went down and the supply went up."

Grieman: "Well, but...well, okay. Thank you, I...just make a comment on the Bill. It...it seems to me we're using national average, a national figure for which is...has some local incidents to it





in terms of various costs and various cost items. There's a difference between urban and rural land; there's a difference between suburban interest and...and urban interest rates; there's a great deal of difference in...in individual metropolitan areas in...interest rates and how they're set. And here we are using a national...a national figure to key in our interest rate in Illinois. I submit to you that a national figure that comes from... from a national bond market may not be an appropriate figure to use where there is local variation. I also submit to you a question that we have...we have passed a Bill out of this House dealing with the subject and we should make a choice. We really should make a choice about what we think is the best way, should we have a fixed rate or should we have a rolling rate. We passed that Bill already and it seems to me that we're now going both ways and I would suggest that we stick our previous position and vote no on this Bill."

Speaker Shea: "The Gentleman from Macon, Mr. Dunn."

Dunn: "Will the Sponsor yield for a couple of questions?"

Speaker Shea: "He indicates he will."

Dunn: "All right, along the...somewhat the same lines as the previous speaker just why were long term United States Government bonds used as the index on which to peg the interest rates rather than something else? Was...was this the product of a lot of research someplace?"

Kane: "Yes. United States long term bond rates were...were chosen as the measure for a number of reasons. One is that it's...it's a rate that is not set by any government unit but is...is set by the money markets, the national money markets. I have a chart which shows a tremendous correlation between the long term bond rates and the mortgage rates in Illinois over the past ten years. They're similar kinds...they're similar kinds...of investments..."

Dunn: "Might...the next...that's sufficient answer for that question except for...perhaps you could tell me who originated this...this proposal? Where does this...this come from...the long term bond index as the...as the key to this?"



Kane: "The...the long term bond index is published nationally..."

Dunn: "No. No, no, no, no, who says that that's the proper base to peg the interest rate on?"

Kane: "Well, if we pass this statute we'll be saying that...it goes back..."

Dunn: "That's not my question. The question is did it originate with you or did it not, if it did not, where did it come from?"

Kane: "This particular Bill is patterned after the Bill that went into effect in Pennsylvania in 1964. Pennsylvania also uses the floating rate and they use the United States long term bond rate as their bench mark."

Dunn: "I would also...like to know if there's any protection in this Bill, or protection's the wrong word. Does this Bill clear up the situation that we have in our present statute with regard to contract for deeds for the sale of real estate?"

Kane: "No."

Dunn: "And what is the position of the savings and loan league and...and the and the bankers on this Bill?"

Kane: "They support it because they feel that if the...the...mortgage rate limitation by statute goes down to 8% on January 1st there won't be any mortgage dollars available. In the state of Illinois housing starts will drop off and it will do bad things to our state economy."

Dunn: "The savings passbook rate will not fluctuate in accordance with the interest rate, will it?"

Kane: "Savings...savings passbook rates fluctuate along with the national money market and the prime rate and other things but it doesn't have anything to do with the long term bond rate."

Dunn: "It's news to me if savings passbooks fluctuate along with the national money market, I've yet to see that happen."

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

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

Speaker Shea: "The Gentleman has moved the previous question. All those in favor say aye; those opposed nay. In the opinion of the Chair the ayes have it and Mr. Kane to close."

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



issue that's been debated off and on over the last couple of years. I'll be very brief. I think that we have to do in the House of Representatives here in dealing with this problem is that we have to deal with reality. We can't think about going back 30 and 40 years and talking about cheap money 'cause cheap money isn't available. The interest rates are determined by the policies of the Federal Reserve Board. They depend on such things as international balances of trade and other things and there's absolutely nothing that we can do about the cost of money nationally. If the interest rate isn't allowed to fluctuate the only other thing that can fluctuate is the number of housing starts and the amount of mortgage money available. And in this chart that I have in front of me it shows that every time that the mortgage rate has started to bump against the usury ceiling in the state of Illinois over the last ten years what has happened is that the interest rates have stayed down but housing starts have stopped and the amount of money available to mortgages have dried up. For example, in 1968 there was 76,000 housing starts in Illinois, or 760,000 in Illinois, in 1974 which was eight years later, that... that had been dropped in half and the only reason for that is because mortgage money was not available. We...the only way we're going to have mortgage money available is to allow for a fluctuation of rates and I would urge the adoption of House Bill 2115."

Speaker Shea: "The question is...the question is shall House Bill 2115 pass. All those in favor will vote aye; those opposed will vote nay. Have all voted who wish? Have all voted who wish? The Gentleman from Cook, Mr. Ewell, to explain his vote."

Ewell: "Mr. Speaker, in explaining my vote I'd like to say that if you want to sail you use the prevailing wind. If you want to get labor you pay the prevailing wage and money despite all of our talks to the contrary is going to draw the prevailing rate. The Sponsor of this legislation has taken a very reasonable approach to the problem and I think the votes to the contrary are not going to help the consumer, they're not going to bring money into the economy and if we want to sail we'll use that...prevailing wind



and if we want money we'll pay the prevailing rate or else we will get no money and that is the simple fact of life."

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

Porter: "Well, Mr. Speaker, Ladies and Gentlemen of the House, though I handled the 9-and-a-1/2% extension last week, in my opinion, this the floating rate is a long term, a permanent solution to the problem. The rate can vary downward and upward according to market conditions and having looked at the statistics on it I can assure you that there's a very high degree of correlation between the actual mortgage rates and the index. There's no constitution problem because this is not tied to a government but rather to a standard in the market. The patent nonsense that is put out on this subject always seems to amaze me. Obviously the government can't mandate cheap money; if the government's going to do that they're going to have to go into the loan business. When we hold the rate artificially low the money simply dries up. It seems to me that the free market can set the rate; this Bill will allow it and I certainly urge an aye vote."

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

Beatty: "Mr. Speaker, Members of the House, I just wonder if a point of information if there's a conflict interest when a person owns bank stock, when a bank wants to extend its area of opening offices would there be a conflict of interest when a bank is going to earn additional interest?"

Speaker Shea: "The Gentleman from DuPage, Mr. LaFleur, to explain his vote."

LaFleur: "I do have a conflict of interest and I'm voting present on this Bill but I would certainly urge each person here to vote yes that could and I'll tell you why. Since the monetary policies are not set here in Illinois but set in Washington it is utter fallacy that we, as a Legislator, can act alertly or timely in the setting of rates. We should not only set it in accord with something that would be reasonable, we actually should repeal this archaic law but I would urge everyone to vote yes."

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



Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, since I don't have a conflict maybe you ought to listen to me too. One of Members talked about the money being a matter of the prevailing winds. Let me tell you if we keep these skyrocketing interest rates is that the prevailing wind is going to be a hurricane because they're gonna just keep going up and up. And the truth the matter is that people can't afford to build, buy homes, to build homes because of the mortgage market, the high interest rate. As soon as we have a looser money market they're going to be able to build homes and get the lower interest rate for the mortgage. That's really where the problem's at and we are, you know money is the same as any other shortage. It's the people who are in a position to determine the shortages, they're the ones that control those prevailing winds and let me tell you feds are controlling the shortage of money and that's our real problem and we are only aiding and abetting their cause by voting aye on this matter."

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

Cunningham: "Well, Mr. Speaker and Ladies and Gentlemen of the House, before you engage in too many...self-congratulatory messages about these high interest rates you should recognize that this is no panacea for the poor. We've worn out this argument about...new housing starts. Go into any city and you'll see that the only new buildings that are being built are those that are being built by the money lending institutions. It's no accident of history that so long the people were protected by the usury law, by adopting this floating ceiling you are in effect repealing the usury law. It served mankind a long time and now would be a good time to run the money lenders out of the House."

Speaker Shea: "The Gentleman from Madison, Mr. Steele, to explain his vote."

Steele: "Thank you, Mr. Speaker, Ladies and Gentlemen, I...I, too, would like to urge support for this important legislation because it's going to help assure funds for jobs and construction here in Illinois. As we all know if our rates are not competitive the money of Illinois savers is going to go out of state to other states."



And I say that this is an excellent law because it doesn't set any rate. It merely sets a maximum beyond which the rate cannot go pegged to the bond market. In fact it could even mean lower rates and so I think it's an excellent Bill; does not actually set any rate; merely sets a maximum beyond which it can go. In some instances might well mean lower rates but above all it will help assure funds for jobs in construction here in Illinois that's so vitally needed. Let's not jeopardize that kind of situation and let's put more green lights on the board."

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

Deuster: "Well, Mr. Speaker and Ladies and Gentlemen of the House, it's always one thing when you have a problem to come up..."

Speaker Shea: "Go ahead, it's on."

Deuster: "Okay. It...it's one thing to have a problem and come up with a solution but it's one thing to have a problem...another thing to have a problem come up with a wrong solution. Now just imagine and I hope there's some green votes that might switch to yellow. While you're thinking, listen a little bit. Suppose you had a Bill up there that said the price of coffee each month is going to be 2% above the average price index and every month you go in to buy some coffee you're going to have to ask the grocer, is this the legal purchase? What is the price of coffee according to the index this month. Or suppose it was some other commodity like hamburger and you had to say when I buy this hamburger am I within the 2% or what? You're going to go in and apply for a home loan in June and make your deal with the money lender and then in July you're going to find the rate has changed. All you have to do is... handle real estate closings these days and you'll find that the average buyer and seller and attorneys on both sides and brokers and everybody involved will say they wish the government..."

Speaker Shea: "You're running out of time, finish up."

Deuster: "I'll bring my remarks to a close. They wish the government would stay out of tinkering and fooling around with this and this is the wrong solution. It's going to inject chaos and confusion into this important marketplace. I urge a no vote."



Speaker Shea: "The Gentleman from Stephenson, Mr. Brinkmeier, to explain his vote."

Brinkmeier: "Mr. Speaker, Members of the House, very briefly I couldn't disagree more with the previous and I'm a little bit amazed that all the labor oriented Legislators that have red lights up there. I know one of the things that you constantly talk about is cost of living when you...when you negotiate that into your contract. All I'm suggesting to you is that this is really a cost of...of interest money and if you buy the concept that the cost of living should be built into labor contracts then certainly you should buy this concept and I would urge a green vote."

Speaker Shea: "Mr. Friedrich, did you speak on the main question?"

Friedrich: "I asked a question, I didn't actually speak on it."

Speaker Shea: "Well, that's the same."

Friedrich: "It is?"

Speaker Shea: "Well, I...I think I should announce at least that I think I have a conflict of interest but I suspect about 55% of the Members of this House have a conflict too."

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

Duff: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I speak only because I'd like to see enough green lights on there so that there is no verification. And to respond to the Gentlemen who spoke about buying coffee on a sliding scale I would point out that the responsibility under usury laws in Illinois does not rest with individuals but with corporations and those very corporations which would have the responsibility for right...wrong, are the ones that are asking for this legislation. I don't think there's really much concern about the person being penalized for a question of legality. If in fact the corporations which lend the money had done it illegally it's their problem under the damages in Illinois."

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

Kosinski: "Mr. Speaker, Ladies and Gentlemen of the House, I voted for the 9 and a 1/2% fixed ceiling. I felt confident that was the way to go but at the same time I am adult and I must face the facts of life. I understand that is not moving out of the Senate. We



must have an alternate and if the alternate is a floating egress, great, then sobeit and I'm voting green."

Speaker Redmond: "Have all voted who wish? Have all voted who wish? Mr. Deavers to explain his vote."

Deavers: "Mr. Speaker and Ladies and Gentlemen of the House, I have before me a chart that would have showed from 1974 to the current time what this 2-1/2% difference would have been. And since before the maximum interest rate would have been 9.2% and has been declining ever since that time down to a maximum of about 8.8 currently. So I can see if anybody likes the 9-1/2 he ought to like this better because it ought to produce lower interest rate."

Speaker Redmond: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 99 ayes, 41 nays. This Bill having received a constitutional majority is hereby declared passed. On the order of House Bills Third Reading appears House Bill 3313."

Clerk O'Brien: "House Bill 3313. A Bill for an act to revise the law in relation to counties. Third Reading of the Bill."

Speaker Redmond: "The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, this Bill permits counties to appropriate from the Treasury Fund for the operation and equipment for Senior Citizens Service Centers and I move for the passage of House Bill 3313."

Speaker Shea: "Is there debate? The Gentleman moves for the passage of House Bill 3313. The question is, shall House Bill 3313 pass? All those in favor will vote aye; those opposed will vote nay. Have all voted who wish? Have all voted who wish? Mr. McClain, did you wish recognition on this? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 146 ayes, 7 Members voting present, none voting nay. House Bill 3313 having received the constitutional majority is hereby declared passed. On the Supplemental Calendar #2 under Nonconcurrences appears Senate Bill 1604 and on that the Gentleman from Jackson, Mr. Richmond."

Richmond: "We already had that."

Speaker Shea: "Oh, that's done? Pardon me. House Bill 3322. Is





Mr. Collins here? Take it out of the record. Mr. Hanahan, for what purpose do you arise?"

Hanahan: "Yes, 3318, Mr. Speaker, you skipped it. You went from 3313 to 3322."

Speaker Shea: "Oh, I've got that marked 'held'."

Hanahan: "For who?"

Speaker Shea: "On the order of House Bills Third Reading appears House Bill 3318. Read the Bill."

Clerk O'Brien: "House Bill 3318. A Bill for an act to amend the minimum wage law. Third Reading of the Bill."

Speaker Shea: "For what purpose does the Gentleman from Cook, Mr. Walsh, seek recognition?"

Walsh: "For the purpose of finding out if you're calling things in the proper sequence, Mr. Speaker. We're on House Bills Third Reading and I'm looking for the expiration date of..."

Speaker Shea: "I'm calling them in numerical order starting with House Bill 1815 and going right down the list, Mr. Walsh."

Walsh: "All right. Then my observation, Mr. Speaker, that you've been calling them by expiration date, may I suggest that's a better way to call them because we're nearing the end of the Session."

Speaker Shea: "Well, I'm calling them right down the Calendar." Proceed, Mr. Hanahan."

Hanahan: "Mr. Speaker, Members of the House, House Bill 3318 is the catch-up minimum wage bill that had we not gotten into a constitutional question on whether or not the Amendatory Veto of the Governor had taken precedent and needed a three-fifths vote in the House and the Senate in order to change an effective date this Bill would not even be before this House because we have prior to this already passed this Bill and...in fact this Bill is just a makeup bill to catchup and make us even with federal laws that cover most employees in Illinois. Now we've passed a lot of bills in this House that was going to need a minimum wage increase in order for some of the constituents back home to pay the bills and pay the high interest rate that's going to take place if they ever need a mortgage. I could say that the Minimum Wage Law of Illinois, first of all, covers about 90,000



employers in Illinois and it affects about 200,000 employees that we're now going to say that in 19...July 1st 1976 that their rate of minimum pay would be \$2.30 an hour; and for those under 18 years of it'll be a \$1.95 an hour. We have a learner provision for training and that is a subminimum rate of a \$1.50 an hour that by approval of the Department of Labor a employer can request that kind of allowance. In the tip credit we continue with the 50% credit for those employees such as cab drivers, waitresses, busboys and bellhops, those that would depend primarily on tip credit as being a primary part of their earnings that 50% of their earnings would be credited with tips. So that the minimum wage for that type of employee would really and truly be a \$1.15 an hour as long as they were being tipped at the rate of at a \$1.15 for the work period that they were covered by. In the areas of employment and time-and-a-half provisions to make our minimum wage law a fair standard act which is what the federal act is called we come into the overtime provisions and we make certain exceptions in the overtime provisions that time-and-a-half after 40 hours covers most people except for those outlined specifically in the Bill. Those would be governmental employees would be completely eliminated. Automobile, truck and farm implement salesmen and mechanics and salesmen of trailer boats of aircraft would be exempt and agriculture employees would be exempt from coverage of the overtime provisions. There'd be also some exemptions for the service...for the custodial employees and the personnel working in hotel-motel industries that would comply with the federal act of 46...44...45 hours this year and self destruct next May 1st. The same thing is true of those working in cafeteria type of employment. For those that are in the food service restaurant employment it would be 46 hours before they receive time-and-a-half for overtime. For those people working in the movie theatre industry and the motion picture industry it would be 45 hours before time-and-a-half takes place for their overtime. It's a good Bill. It's a Labor Bill. It's a Bill that labor is very proud to stand up for because it doesn't really affect our Members. No union members needs a minimum wage law for protection but we come before the



General Assembly with the idea that you, and only you, could protect those people who could be exploited by greedy employers that don't believe that in this day and age somebody deserves a minimum of \$2.30 an hour. I seek a favorable vote. I think it's an important Bill to the many people back home that need your protection and the protection of this law."

Speaker Shea: "Are there questions? The...the question is, the Gentleman moves for the passage...House Bill 3318 on the question the Gentleman from Will, Mr. Leinenweber."

Leinenweber: "...Thank you, Mr. Speaker, Members of the House, once again I feel compelled to rise in opposition to this Bill knowing full and well that my words will be going unheeded. One of the previous speakers at Second Reading called this Bill the Hanahan Unemployment Act of 1975. I would suggest the gentleman hit the nail exactly on the head and that's exactly what this is going to do and I think it's probably only fitting and just that we did raise the unemployment rate...unemployment compensation rate last term. What you're doing, I don't know how many...how many of you get complaints from your...your constituents regarding the fact that they can't get jobs for their teenage sons and daughters and what you're doing, you're putting them right smack out of work and guaranteeing that next year there'll be even less jobs than there are this year. This is pure and simple price fixing. It doesn't work in the commodities field. It doesn't work in the money field and it sure doesn't work in the labor field. What you do is you just price the...those in the lower...lower echelons of the economic ladder right smack out of work. It creates unemployment, it does not create employment. It's a bad Bill and for the several...of time I think it should be defeated."

Speaker Shea: "The Gentleman from Stephenson, Mr. Brinkmeier."

Brinkmeier: "Yes, Mr. Speaker, would the Sponsor yield?"

Speaker Shea: "He indicates he will."

Brinkmeier: "Tom, I'm concerned agriculture workers, are they...how does this affect them?"

Hanahan: "In the overtime provision agriculture is exempt. There

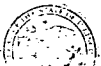


is no coverage whatsoever for them. In the minimum wage agriculture has been covered by the state and federal minimum wage law and they are covered if they have 500 man days a year, let me get right to the...if there's more than 500 man days of...of agriculture in a year reduced to more than 250 man days per quarter, calendar quarter. So you're talking about a farm would not even have to pay the minimum wage of, and first of all the family is exempt, and if you had an average of four employees you would be exempt. That would be the break off on the farm. So it really doesn't affect the family farm."

Brinkmeier: "Okay. Thank you."

Speaker Shea: "The Gentleman from Lake, Mr. Griesheimer."

Griesheimer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I think this is another strike at the small businessman in Illinois at a time we can least afford it. And I think it's worthy of our consideration that the Sponsor of this Bill most eloquently stated just a few minutes ago when we were considering the interest, the rolling interest rate for banks that the banks were the money grabbing people that was causing everything to go up in price. Well, I think the fact of the matter is is that there is a cause in this country today, almost a subversive cause, that is causing all of our prices to go right through the roof. And it is the unbelievable strong labor movement in this country. There is no end to the avarice of labor at the present time and what's even more interesting is that generally the people that are speaking for labor are speaking for those rich labor bosses who are putting away salaries considerably larger than our corporate officers. The average individual at the bottom end of the scale would be willing to work for \$2.00 an hour just to have a job. The teenager who is at home who would very well be willing to work for \$2.00 an hour in exchange for part-time work and those type of things are going to be cut out of their jobs because of this type of government direction. This is very bad law. If anything I could say it's basically anti-American law and will ultimately go to the destruction of our economic system. I think this Bill should be put down and put do n



very soundly."

Speaker Shea: "Gentleman from Cook, Mr. Totten."

Totten: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House, I couldn't concur with Representative Leinenweber and Griesheimer more. This...this Bill in its present form and of course most minimum wage bills does nothing more than provide really for a direct appropriation for the cost of welfare in the state of Illinois. These Bills will force unemployment, something which we're all concerned with and will force people out of jobs. Certainly it's not in the best interest of healthy economy in the state of Illinois as it is in no other state. And I believe that this Bill should receive a resounding no vote."

Speaker Shea: "The Gentleman from...DeKalb, Mr. Ebbesen."

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

Speaker Shea: "The question is shall the main question be put. All those in favor will say aye; those opposed nay. In the opinion of the Chair the ayes have it. Mr. Hanahan to close."

Hanahan: "Well, Mr. Speaker, at \$2.30 an hour I hardly consider that money grabbing or very...I'd say hungry because they probably can't afford to purchase proper food but certainly far from money hungry in comparison...in comparing this Bill with the greed of the money lenders. I could just say that for those workers, maybe some of the Members have overlooked the fact that those workers under 18 it is a reduced rate of a \$1.95 an hour so that if that teenager wants work for \$2.00 an hour it's fine with the law as proposed here in this Bill. The arguments that it's going to dry up the employment picture for people at the bottom of the economic ladder let me point out that that argument was used at 75¢ an hour, at a \$1.10 an hour, a \$1.60 an hour and at \$2.00 an hour and at 2.30 an hour. It just isn't so. The fact remains that teenage employment, teenage employment at these rates a lot of offers are made. People can't afford to work at \$2.30 an hour. We're talking about the bare minimum. I'm not advocating people should work at 2.20 an hour, I hope they get 5 and 6 and maybe even make as much as some Legislators and make 20,000 a year. But \$2.30



an hour is far from money hungry minimum wages. This is a basic need bill of people who can't help themselves, their hope is with you and on your shoulders and at your desk rests their hope on... at least a \$2.30 minimum wage and I ask for a favorable vote."

Speaker Shea: "The question is shall House Bill 3318 pass. All those in favor will vote aye; those opposed will vote nay. The Gentleman from Livingston, Mr. Ewing, to explain his vote."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, in explaining my vote I would like to say that the argument put forth here about this drying up the jobs for the lower end I think has a great deal of merit. Each year this body struggles with ever increasing welfare costs and one of the reasons that we have more welfare is we have less jobs for the lower end of the scale because people can't afford to pay them and they only can get money from welfare. And I would ask for a yes vote on this. I think it's important I think it's...I'm sorry, a no vote. Well, I really wanted to ask for a yes vote 'cause I thought I'd get a lot of no votes. Thank you, Mr...."

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

Porter: "Well, just a minute ago, Mr. Speaker, Ladies and Gentlemen of the House, it seems to me that at least a majority of the Members of the House understood that the price of money cannot set by the state neither can the value of a man's work be set by the state in a free economy. It seems to me that this is an anachronistic concept and one that is really so outmoded that the only thing that organized labor can do here is to make sure that it follows rather than leads the market so that the only ones that are hurt are the students and the young people who aren't union members anyway. Labor leaders have used this concept for years to make their members believe that they're really doing something for them for the working people to earn their overblown salaries of \$156,000 or more. It seems to me that this Bill is not in the interest of the workingman, it's not in the interest of providing jobs, it's not in the interest of business and it's not in the interest of the consumer. I urge you to understand the same concept applies here..."



Speaker Shea: "Bring your remarks to a close, will you, Sir?"

The Gentleman from Moultrie, Mr. Stone."

Stone: "Mr. Speaker, Ladies and Gentlemen of the House, Representative Hanahan made a statement a while ago that was not correct. I'd like to correct it just a little. He said that this argument that raising minimum wages would dry up the labor market since wages were 75¢ an hour. Well, he's wrong. It started long, long before that. When I got out of high school I started working at a shoe factory for 12¢ an hour, 60 hours a week. I made \$7.20 a week and I was glad to get it. Franklin Roosevelt was elected president and he passed a bill called the NRA and my wages immediately went up by federal edict from 12¢ an hour for 60 hours, \$7.20 to 35¢ an hour, \$14.00 a week for 40 hours a week. The labor market didn't dry up, Ladies and Gentlemen, the..."

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

Stone: "The people that had a job started making a little bit more money. They started buying products so that manufacturers could manufacture more products so that more people could be put to work. It didn't start, Mr. Hanahan, when the minimum wage was 75¢ an hour it started many, many years before that. For me it started when my wage was 12¢ an hour."

Speaker Shea: "The Gentleman from McHenry, Mr. Skinner."

Skinner: "The Sponsor of this Bill has pointed out that people can't afford to work for less than \$2.30 an hour. It might be more accurate, perhaps, to say people won't work for wage commensurate with their lack of skill with the workmen's comp and the unemployment benefits as high as they are. Perhaps we ought to go back and change that rather than changing the minimum wage. For that reason I'm voting no."

Speaker Shea: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 106 ayes, 50 nays, 2 Members voting present. House Bill 3318 having received the constitutional majority is hereby declared passed. On the order of House Bills Third Reading 3322, you don't want to call that, appears House Bill 3555 and on that question the Gentleman



from Madison, Mr. Lucco."

Clerk O'Brien: "House Bill 3555. A Bill for an act to amend an act in relation to compensation of coroners and counties with less than 1,000,000 inhabitants. Third Reading of the Bill."

Speaker Shea: "Mr. Lucco."

Lucco: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3555 as amended is not a pay raise bill, it's a permissive bill, it simply will allow an increase in the maximum salary ranges for the coroners. This salary increase, thus salary increases will occur only when the county board members of course see that they are, feel that they are appropriate. This Bill was introduced at this time for the reason that coroners will enter upon a four year term in December of 1976. To the best of my knowledge the last increase in either the minimum or maximum for coroners took place in 1969, so I want to repeat of course, this is not an increase in the minimum salary it merely raises the maximum. I solicit an aye vote. "

Speaker Shea: "The Gentleman moves for the passage of House Bill 3555. Is there debate? The question is shall House Bill 3555 pass? All those in favor will say; those opposed will say nay. Vote. Vote. Have all voted who wish? Have all voted who wish? Take the record. Mann, aye. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 129 ayes, 9 nays, 4 Members voting present. House Bill 3555 having received the constitutional majority is hereby declared passed. On the order of House Bills Third Reading appears House Bill 3582, the Gentleman from McLean, Mr. Bradley."

Clerk O'Brien: "House Bill 3582. A Bill for an act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Bradley: "Mr. Speaker, Ladies and Gentlemen of the House, what House Bill 3582 does is three things and it addresses itself to the problem that the Secretary of State has dealing with receiving dishonored checks. So there are three things we do. We provide that the Secretary of State may instead of shall assess a service charge of \$5.00 in addition to the fee or the tax due and owing





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for all dishonored checks. The second thing it does, it deletes the provision requiring the Secretary of State to return the dishonored checks to the individual and thirdly, it deletes the discretionary 10% penalty charge and extends the mandatory 25% penalty charged to 60 days as opposed to 30 days. And we hope that with the adoption of this...of House Bill 3582 and the enactment into law that it will relieve some of the problems that the Secretary of State seems to find in receiving bad checks.

...I solicit your support."

Speaker Shea: "The Gentleman moves for the passage of House Bill 3582.

Is there debate? On that the Gentleman from Cook, Mr. Palmer."

Palmer: "If the Sponsor will yield for a question?"

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

Palmer: "I have no objection but don't you think a more, a better way of doing this thing would be to suspend the license, to amend that part of the Vehicle Code, there's a dishonored check?"

Bradley: "Why...that might be one way of addressing the problem and..."

Palmer: "It'll cure it."

Bradley: "That, we're going to try, we think we ought to try this first and see if this won't help to solve the problem. I think the penalty of 25%, Ronnie, will see the enactment, or by enacting this legislation we'll see that we won't be receiving those large checks that you and I know these...some people send in and they get to play with that money for a while, we've got a pretty severe penalty on this one."

Palmer: "Well, the fast way of doing it of course is suspending the license and that's the easiest way of doing it without cost."

Speaker Shea: "The Gentleman from McLean, Mr. Bradley, to close."

Bradley: "Simply asking that you..."

Speaker Shea: "Pardon me, Sir, did you seek recognition Mr. Daniels?"

The Gentleman from DuPage, Mr. Daniels."

Daniels: "When these fees are not paid and they refuse to pay the fees even after you assess the penalty what occurs then in the Secretary of State's office?"

Bradley: "At that time the plates would be revoked and they'd go



pick up the plates."

Daniels: "What about the outstanding amount due the Secretary of State's office?"

Bradley: "They would still collect that amount, Sir."

Daniels: "Who would collect that amount?"

Bradley: "The Attorney General would collect the amount of money owed on the plate for whatever time they used them."

Daniels: "So in other words, what you have right now is, if the fee is not paid, you have to pick up the plates, so you have Secretary of State personnel handling that problem. Is that correct?"

Bradley: "That's right."

Daniels: "Approximately how many people in the Secretary of State's office is assigned to this problem?"

Bradley: "Your question is how many men address themselves to seizing the plates? I'm told there are 183 investigators working for the Secretary of State, any one of the 183 could be assigned to picking up those plates."

Daniels: "How many people in the Secretary of State's office are assigned to assessing the penalties and handling this provision of your legislation...other than seizing the plates?"

Bradley: "Approximately twelve to fifteen sir."

Daniels: "Alright, now Representative Bradley, instead of involving the fifteen people and some 188 investigators at various times and the Attorney General's office, wouldn't a better approach have been to require certified checks in excess, say of any amount for an excess of \$200?"

Bradley: "I'm told that there are very few accounts that have over \$100 involved in this situation. We have some, actually only 718 accounts that have over \$100 involved in the purchasing of plates."

Daniels: "And how much money is involved for those over hundred accounts?"

Bradley: "\$930,000."

Daniels: "\$930,000, if you required certified checks from them, those problems would have been avoided."

Bradley: "Well, let me say this to you, Mr. Daniels, I think that your point is well made. This happens to be one solution to the problem and possibly, your solution or the one that Romie Palmer is



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suggesting is another solution. The Secretary of State's office happens to think that this deserves a trial run to see if, you know, we've got a pretty good penalty in this Bill. And I think that we ought to at least give this a try and if it doesn't work and you think that your solution is better, then possibly come back with that solution in the form of legislation. But right now this is what we are offering and we think it will solve the problem and we hope that it will. We know that there is a problem and personally I think that it will solve that problem."

Daniels: "I would only suggest to you that you keep an eye on it, if it doesn't maybe you'd want to make it a certified check next year when you find out this isn't doing the job."

Bradley: "Well, I'll certainly keep that in consideration."

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

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

Speaker Shea: "He indicates he will."

Beatty: "Would this mandatory or permissive on the part of the Secretary of State? In other words, does he have to assess his penalty?"

Bradley: "The legislation did say 'shall'. Now it says 'may'."

Beatty: "Thank you."

Speaker Shea: "The Gentleman from Knox, Mr. McGrew."

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

Speaker Shea: "The question is shall the main question be put. All those in favor say aye. Those opposed nay. In the opinion of the Chair, the ayes have it. Mr. Bradley to close."

Bradley: "Well thank you Mr. Speaker and Ladies and Gentlemen of the House. In closing, I would repeat myself very briefly by saying there is a problem the Secretary of State has had and I might say that most businessmen have had in dealing with dishonored checks and bad checks and how you handle them. I think that this legislation addresses itself to that problem. I think it's worth a try, I think that they can put a handle on the real problem of those truckers, those large purchasers of plates and large amounts of dollars. We have a pretty severe penalty in here and I would solicit the support of the House."



Speaker Shea: "The question is shall House Bill 3582 pass. All those in favor will vote aye. Those oppose will vote nay. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. On this question there are 150 ayes, 2 nays, 3 Members voting present. House Bill 3582 having received the constitutional majority is hereby declared passed. On the order of House Bills' Third Reading appears House Bill 3855....3835 and on that question the Gentleman from Cook, Mr. Marovitz."

Clerk O'Brien: "House Bill 3835. A Bill for an Act to protect the public health and safety by reducing the risk of death, illness, and injury associated with the use of consumer products. Third Reading of the Bill."

Marovitz: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is a Consumer Products Safety Act which we heard previously on Second Reading. It was recommended do pass by the House Human Resources Committee. There has never been any opposition testifying to this Bill. It came out of the Human Resources Committee without a negative vote. It is a compilation of many Acts, namely the Illinois Flammable Fabrics and Toy Act, the Safety Glazing Act, the Poison Prevention Packaging Act, the Uniform Hazardous Substances Act, the Illinois Lens and Frame Act. This brings the State into compliance with the Federal Hazardous Substances Act and I would ask for a favorable Roll Call on this very important consumer Bill."

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

Stearney: "Will the Gentleman yield? Mr. Marovitz, as I understand it, all regulations by federal agencies apply to all products that are distributed and for sale within the State of Illinois. Am I right?"

Marovitz: "Would you repeat your question, Mr. Stearney?"

Stearney: "The Federal Trade Commission and other agencies passed rules and regulations declaring what products are hazardous. Am I right?"

Marovitz: "They have federal regulations."

Stearney: "And those rules apply to all products circulating in interstate commerce?"



Marovitz: "But it does not have anything to do with the State passing their own legislation."

Stearney: "Okay, now your Bill, then, is solely limited to products in interstate commerce. Am I right?"

Marovitz: "Correct."

Stearney: "Now it says that the Bill regulates all products which are manufactured, marketed, and distributed solely in Illinois. Am I right?"

Marovitz: "That's correct."

Stearney: "Can you name twenty items which are manufactured, marketed and distributed solely in Illinois for which this Bill would justify the creation of another bureauacratc agency to regulate?"

Marovitz: "Well first of all..."

Stearney: "Can you name twenty items?"

Marovitz: "Well let me correct an incorrect..."

Stearney: "...name five."

Marovitz: "...if you'll allow me to continue, Representative..."

Stearney: "...name one..."

Marovitz: "...Representative Stearney, perhaps you'd get an answer. As a judge, I'd rule you out of order."

Stearney: "The question is pending, Mr. Speaker."

Marovitz: "First of all, I can name many products like first of all, household appliances, lawn mowers, kitchen appliances, space heaters, cooling and ventilating appliances, housewares, house communication devices, home furnishings, home workshop apparatus, sports and recreational equipment, yard and garden equipment, child nursery equipment, home construction materials, hobby equipment, and I think that this is more than one, more than five..."

Stearney: "...but you are reading the Bill, I..."

Marovitz: "...excuse me, Mr. Stearney, this does not create a bureauacracy..."

Stearney: "...name one which are not manufactured in Illinois?"

Speaker Shea: "The purpose of asking questions are to ask questions and receive argument, not to debate the Bill or to get into an argument. Proceed Mr. Stearney."



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Stearney: "Can you name the item, the brand, the particular brand of garden equipment, garden mower that is manufactured and distributed solely within Illinois? Can you name that manufacturer? Manufactured item?"

Marovitz: "I don't own a home, so I can't name any particular brand, but I'm sure if you'll go into any appliance store, you'll be able to find out....and this does not create any new department, Mr. Stearney, no new department."

Stearney: "...mentioned some other items, didn't you, Mr. Marovitz?"

Speaker Shea: "Now Gentlemen, you can ask a question and you can answer it, but we will not have an argument. Proceed Mr. Stearney."

Stearney: "Well, Mr. Marovitz, you mentioned kitchen appliances. Can you name one kitchen appliance by brand name that is manufactured, marketed and distributed solely in Illinois? By brand name please?"

Marovitz: "Once again, I'm not in that business."

Stearney: "Mr. Speaker, may I address the question? It seems to me that we're being asked to set up another bureaucratic agency to regulate the flow of commerce within the State of Illinois. Now this Gentleman is the Sponsor of the Bill and obviously they supposedly heard testimony in Committee and if that be the case, you should have the facts well in hand to give to the Members of this Assembly. And I ask you Gentlemen, however, to look at page 5 of this Bill, which allows this agency to create rules and regulations and it says that subsequently the director in accordance with the rules and regulations that he, himself, institute, may seek to ban products. I say to you that just last week in the Executive Committee, we are considering this very serious question of allowing bureaucratic agencies to inundate our government with rules and regulations. We have thousands and thousands of rules that no one knows exist and I say to you, I don't believe there is any justification whatsoever for this Bill. If the Sponsor of the Bill cannot justify to us what products would be regulated by this Bill then I submit to you, there is no justification for passing legislation of this sort. It is legislating purely and simply for the purpose legislating. I say we should say send this



Bill back to Committee to find out what products are to be governed. Thank you."

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

Maragos: "The answer...or the questions I'm going to ask have been answered, Mr. Speaker, thank you."

Speaker Shea: "The Gentleman from DuPage, Mr. Hudson."

Hudson: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, would the Sponsor yield for a question or two?"

Speaker Shea: "He indicates he will."

Hudson: "Representative, there was a note, and if I missed this in earlier discussion, or if you'd answered it, I'm sorry, but there was a note requesting a fiscal note. Has that been provided? In other words, what will enforcement of this Act, if passed, cost the Department of Public Health?"

Marovitz: "I'm glad you asked that question. The fiscal note has been answered, there are no fiscal implications, there is no new department that has to be set up as a result of this. This Act will cost the State nothing because it is already being done through various other Acts that already on the statutes in Illinois such as the Federal Hazardous Substances Act, not the federal, but the State Hazardous Substances Act."

Hudson: "Well, Representative Marovitz, according to the Bill, what it would do would be to give the Director or his authorized agent power to enter at reasonable times any factory, warehouse, establishment, premises, thereof, in which consumer products are manufactured, processed, packaged, for introduction into commerce, etc. etc. Well if we are going to have an army of investigators doing this, entering warehouses and manufacturing places, it would seem to me that there would be a fiscal implication here."

Marovitz: "I want to make one point very clear, as somebody else once said, this authority is already there by statute, Representative Hudson, in the various other Acts. They can enter these manufacturing houses now according to the Uniform Hazardous Substance Act, the Safety Glazing Act, the Illinois Flammable Toy Act, the authority is already there, we're just bring this under one Bill now."



We're trying to make a uniform Act and a compilation of the various other acts that are already existing law, these powers are already existing on the Illinois Statutes."

Hudson: "It would... May I speak to the Bill?"

Speaker Shea: "Proceed sir."

Hudson: "It would seem to me, Ladies and Gentlemen of the House, that what we're doing...what we have here is a retreat of a proposal that was made before this Illinois General Assembly a year or two ago and it also seems to me that saddling the Department of Public Health with this proposal points to the fact that Legislation providing for an office of consumer advocate, last year, which was House Bill 1773, did not even pass out of the House, out of the Committee. I'm sorry, out of the Executive Committee, where it was heard. And the reason it did...the reason it did not pass out of the Executive Committee, a very similar proposal, which would set up this consumer...ah...approach here, it did not pass out for the very reasons that Representative Stearney and others have so eloquently brought forth on the Floor of the House today, which do not, I'm not going to repeat. But those were the reasons that a very similar proposal, last year was soundly...was defeated, did not get out on the Floor and it would seem to me, that even though the powers of this Bill may be more specific than those proposed last year, it still embodies the concept that couldn't get out of Committee last year and was recognized as one that increases our bureaucracy, centralizes power as the Sponsor has already admitted and provides for the people something that they absolutely do not need and furthermore, is going to ~~cost the taxpayers of this state more money at a time when~~ Comptroller Lindberg and others are calling for quite the opposite, so that we can avoid, hopefully, a tax increase in the State of Illinois and for all of the reasons mentioned very well before by able Legislators here, I would seriously urge a 'no' vote on this bad Bill."





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

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

Speaker Shea: "The question is, shall the main question be put? All those in favor will say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Mr. Marovitz to close."

Marovitz: "Well thank you, Mr. Speaker. I just would like to correct one point. This Bill was not a Bill that didn't get out of Committee last year. This Bill is now a Human Resources Committee Bill. Last year, it was a Bill, which I sponsored and which did pass out of the Human Resources Committee and the only reason it did not pass out of the House was because it got caught in the last minute crunch of Bills that did not get heard and had to get sent back to the Committee. It came out of Human Resources last year with an overwhelming majority and I want to emphasize, there is no new authority in this Bill. The authority that's granted in this Bill, to the Director and to the Department of Public Health is already existing in other Illinois Statutes, such as the uniform Hazardous Substances Act. We are bringing the state into conformity with the Federal Hazardous Substances Act, that's all we're doing and I would certainly ask for a favorable Roll Call, on this Bill."

Speaker Shea: "The question is, shall House Bill 3835 pass? All those in favor will vote 'aye', those opposed will vote 'nay'. The Gentleman from Cook, Mr. Caldwell, to explain his vote."

Caldwell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to congratulate the Sponsor on this very fine piece of Legislation. I've listened to the debate, the fact is that this is a very simple Bill. It's necessary because there are constantly new products coming onto the market, as the Sponsor has indicated. There are no new monies or no other investigators required. What we are doing is simply mandating what this Legislation... Legislature is set up to do and that is to provide the necessary governing techniques and tools



that we must have and I see nothing wrong with this. It's not a new concept and I think that we ought to get enough green lights on that board to pass this Bill. Consumerism, as we know it, started about four years ago and many of us refused to recognize the fact that it was here and it's here to stay. I think that we ought to vote this reasonable Bill out. It's the beginning, it's necessary and as Representative Marovitz indicated, what it really is doing is bringing Illinois into conformity, bringing it really into the twentieth century and hopefully that we will keep moving in the right direction. I think this is a good Bill and I urge more green lights."

Speaker Shea: "Mr. Fleck, to explain his vote."

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

I told the Sponsor I wouldn't say anything about this Bill unless flack hit the fan and evidently it has. So, I'd like to make a few remarks. What this Bill does is presents... permits inspectors from the Department of Public Health to run around over every manufacturing company and determine whether the product manufacturing there are hazardous or not and what they can do is they can obtain samples of these consumer products. Now, I suggest to you that this office and it's heinous to make Christmas Eve, every day of the year. Especially around Christmas time. You're going to have the Director of Public Health, who can also determine what's an imminently hazardous product on his own volition when there is no safety rules by which he can make a determination to remove that product from the market. I suggest to you that the Director can be a czar, a dictator and a tyrant over toy-land if he so desired in this regard. This Bill is awful, it's terrible and it is un..."

Speaker Shea: "Bring your remarks to a close, sir."

Fleck: "If, in fact what it does is bring together numerous other acts in legislation, which we have passed in this state, puts them into one Act, then why aren't...is this... there a repealer of those other Acts in this Bill. It isn't



there because I suggest this Bill might vary differently from those other Acts which supposedly are on the books and supposedly give the power to the Department of Public Health. I think it's a terrible Bill and shouldn't be voted 'yes' on."

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

Washington: "Mr. Speaker and Members of the House. It's unfortunate that this Bill has so far to go to pass, but what is the consumer to do when he buys goods which are inherently dangerous and he doesn't know, it hasn't been properly instructed or they haven't been correctly put together. What is the consumer to do when he buys hardware that doesn't work, even as per warranty? What is the consumer to do when he buys toys for his children which are very dangerous for the child? He has no place to go. If he's an inarticulate person he probably just cusses and swears and bears the burden. If he's a nut and we have some of those running around, he does as he did in the Foreman auto show...automobile, the dealers office some ten years ago, he goes there and starts shooting everybody with his pistol. It seems to me that the state has a basic and fundamental responsibility to make certain that people who do business in the state are doing business with a product..."

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

Washington: "I vote 'aye'."

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

Matovitz: "Thank you, Mr. Speaker. Rather than take up the time of the House at this juncture, I'd like to put this matter on Postponed Consideration."

Speaker Shea: "Postponed Consideration. On the order...er... We're going to try to catch up with a little housekeeping for a minute here. Committee Reports."

Clerk O'Brien: "Representative Boyle, Chairman from the Committee on Appropriation II, to which the following Bills were referred reported the same back with the following recommendation; Do Pass, as



amended Senate Bill 1514...1614 and 1939. Representative Yourell, the Chairman of the Committee on Counties and Townships to which the following Bills were referred reported the same back with the following recommendation: Do Pass Senate Bill 1754, 1755; Do Pass as Amended House Bill 3199. Representative Washington, Chairman of the Committee on Judiciary I reported the..where the following Bills were referred reported the same back with the following recommendation: Do Pass House Bill 3226; Do Pass as Amended House Bill 3124 and 3545. Representative Hill, Chairman of the Committee on Labor and Commerce to which the following Bills were referred reported the same back with the following recommendation: Do Pass Senate Bill 1547; Do Pass as Amended House Bill 3604, 3906 and 3907; Senate Bill 1546. Representative Hill, Chairman of the Committee on Labor and Commerce to which the following Bills were referred reported the same back with the following recommendation: Do Not Pass House Bill 3664, 3665, 3666, 3667, 3668, 3669, 3670, 3671, 3672, 3673, 3674, 3675, and 3676."

Speaker Shea: "Conference Committee Reports."

Clerk O'Brien: "Conference Committee relating to Senate Bill 1604 the following Members were appointed to Conference Committee: Representative Yourell, Gerald Bradley, Richmond, Palmer and Jane Barnes. The meeting of the Members of this Conference Committee will be Thursday, June 17, 1976 at the hour of 11 o'clock a.m. in Room 212."

Speaker Shea: "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 the Senate has passed Bills of the following title and instructed to ask concurrence of the House of Representatives to-wit: Senate Bill 1555 and 1750. Passed by the Senate June 16, 1976. Kenneth Wright, Secretary. A message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate concurred with the House in the passage of Bills of the following title, to-wit: House Bill 3189, 3515, 3886, 3887, 3888, 3889, 3914 and 3916. Passed by the Senate June 16, 1976. Kenneth Wright, Secretary. Message from the Senate by Mr.



Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House in passage of the Bill of the following title to-wit: House Bill 3346 together with an Amendment. Passed by the Senate as amended June 16, 1976. Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House in passage of the Bill of the following title to-wit: House Bill 3372 together with Amendments. Passed by the Senate as amended June 16, 1976. Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House in passage of the Bill of the following title to-wit: House Bill 3378 together with an Amendment. Passed by the Senate as Amended June 16, 1976. Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House in passage of the Bills of the following titles to-wit: House Bill 3385 together with an Amendment. Passed by the Senate as Amended June 16, 1976. Kenneth Wright, Secretary. Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House in passage of Bills of the following title to-wit: House Bill 3541 together with an Amendment. Passed by the Senate June 16, 1976. Kenneth Wright, Secretary. Message from Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House in the adoption of the following preamble, joint resolution to-wit: House Joint Resolution 102 concurred in by the Senate June 16, 1976. Kenneth Wright, Secretary."

Speaker Shea: "House Bills Third Reading. On the order of House Bills Third Reading appears House Bill, er, House Bill 3848 and on that Mr. Pierce, out of the record. For what purpose does the Gentleman from Tazewell, Mr. Luft, seek recognition?"

Luft: "Thank you, Mr. Speaker. As the Chief Sponsor of House Bill 3767



I would like at this time to ask leave of the House to table that Bill."

Speaker Shea: "The Gentleman asks leave to table House Bill 3767. Is there objection? Hearing none the Bill will be ordered tabled. On the order of House Bills Third Reading appears House Bill 3853 and on that the Gentleman from Cook, Mr. Marovitz."

Clerk O'Brien: "House Bill 3853. A Bill for an act to allow the sale of drugs under their genetic names. Third Reading of the..."

Speaker Shea: "Mr. Marovitz. Mr. Marovitz."

Marovitz: "I'm waiting for a point of order, I thought if you..."

Speaker Shea: "Well, you..."

Marovitz: "Okay. Fine. Mr. Speaker, Ladies and Gentlemen of the House, I think everybody has a pretty...idea what this Bill is,"

Speaker Shea: "Well, are you going to take..."

Marovitz: "I think we're on Third Reading?"

Speaker Shea: "All right, then, Miss...Miss Geo-Karis, I thought he was going to do that. Go ahead. Miss Geo-Karis, for what purpose do you rise?"

Geo-Karis: "Mr. Speaker, if you will recall when you were sitting in that Chair and that Bill was about to be moved to Third Reading we had spoken right on the floor and said there were Amendments and they hadn't been passed out and you just said 'well, go ahead and then we'll bring it back to Second Reading when the Amendments are here'. Well, there are six amendments and I...I have one of them and I think every amendment should be heard. 'Cause this is a terrible crummy Bill, worse than the last one."

Speaker Shea: "Well, I don't think you should...categorize somebody else's legislation but we'll see about it back for you. Mr. Marovitz."

Marovitz: "Just to clarify. The position of the Speaker is correct however I spoke to everyone who had Amendments and ask them if they would mind if we ran with the Bill on Third Reading today and each one of the individuals that I spoke to including the previous speaker said that it was all right to go with the Bill on Third Reading. Now if you changed your mind I'll be happy to bring it back to Second Reading as a courtesy to the Representative from the other side of



aisle."

Speaker Shea: "All right, the Gentleman, Mr. Marovitz, moves to bring the Bill from the order of Third Reading to Second Reading for Amendments. Is there objection? Hearing none the Bill will be... will be on the order of Second Reading. Is there objection to the Gentleman's motion? Second Reading. Do you object, Mr. Houlihan? Well, then, it's going to take 89 votes if he doesn't have leave. All right, all those in favor of returning the Bill to Second Reading will vote aye; those opposed will vote...for what purpose do you rise, Mr. Hirschfeld? All those in favor of returning the Bill to Second Reading will vote aye; those opposed will vote nay. It takes 89 votes. The Lady from Lake, Miss Geo-Karis, for what purpose do you arise?"

Geo-Karis: "I would like to correct the Sponsor of the Bill. I said I will not table this Amendment because I worry about it because I promised the senior citizens of my area that I would put this Amendment or try to put it out to protect them, from the areas of Department of Public Health. I never once told the Sponsor that he can go ahead and I regret that you say that."

Speaker Shea: "Mr. Hirschfeld, for what purpose do you arise, Sir?"

Hirschfeld: "Well, I think it's going to fall on deaf ears but I might suggest to the Lady on this side of the aisle that if it's as truly a bad a Bill as most of us think it is we ought to let it go and run at it at Third. If he doesn't make it it's dead and if he does make it fine, put your Amendment on in the Senate because everybody else is going to try and do the same thing."

Speaker Shea: "All right. Have all voted who wish? Have all voted who wish? Now Miss Geo-Karis for what purpose do you..."

Geo-Karis: "I'll bow to the wishes of the Assembly, I withdraw and let it go on Third Reading. That's all I'm trying to say but I wanted that point cleared up. The Sponsor..."

Speaker Shea: "All right, take the record. The motion fails and the Bill's on Third Reading. Has it been read a third time, Mr. Clerk?"

Clerk O'Brien: "The Bill's been read a third time."

Speaker Shea: "All right. Now, Mr. Marovitz, proceed, Sir."



Marovitz: "Thank you very much, Mr. Speaker. I think everybody has a pretty good idea of what this Bill is. There's probably been more information disseminated on this Bill than any Bill since I've been in the House of Representatives. I think this is the most important consumer Bill in the State of Illinois. It's not only important to senior citizens but it's important to everyone of us who have any concern at all about quality medicine and about saving a few dollars. Mr. Speaker, could I have a little order?"

Speaker Shea: "Would the Ladies and Gentlemen please be in their seats and we...we get a little order? Now, wait..."

Marovitz: "...We..."

Speaker Shea: "Wait 'til we get some quiet in the Chamber. Would the Members please be in their seats?"

Marovitz: "Every senior citizen organization in the state has written to me and spoken to me and called me about the importance of this Bill. It may not be that important to someone who has to go to a doctor on particular occasion but it is important to the individual who has to take medications and drugs every single day of his life because this is the kind of Bill that will save senior citizens and all of us substantial amounts of money. There was a recent survey in the city of Chicago, the average price difference between generic drugs and brand name drugs, the average price difference, is 93%. That means on many occasions you're paying three, four and five times as much for your brand names as you would be for a generic drug. According to the Bill there will be a list disseminated by the Department of Public Health to every pharmacist in the state of Illinois telling those pharmacists what generic drugs are not quality drugs and cannot be capable of being substituted. We've tried to pacify every interest and held this Bill to put on every possible solution to everyone's gripe except at the very idea of generic substitution. Someone asked me 'what if a doctor doesn't want me to get a generic drug'? Within the Bill if you'll read it any doctor who does not want there to be a generic substitute all he need do is indicate anywhere affirmatively on that prescription 'don't substitute, no substitution, or fill as written' and there





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cannot be and will not be any substitution and the Bill will not even apply. As a matter of fact, going one step further, unless the consumer consents to any substitution again there won't be any substitution. All we're trying to do by this Bill is to give the individual who can't afford high price drugs and medicines the freedom of choice to take the lower price generic drug. Generic drugs are used in 80% of the hospitals across this country. Generic drugs are being given today to all of our welfare recipients. We only have one standard of health care in this country, not two, and if we only have one standard, if it's good enough for people on welfare and public aid it's good enough for all of us. Certainly we've seen things passed out by those in opposition to this Bill about certain drugs and medicines. There's one passed out about a heart pill, 'digitaxin'. Well, my friends and colleagues, those pills will be on the list of drugs that are not capable of being substituted. So don't worry about those pills being given as generic substitutes, they won't be; they'll be on a list disseminated by the Department of Public Health. I think you've all heard of thalidomide, thalidomide is a brand name drug; it's not a generic drug. I can stand up here and give you isolated examples of adverse reactions to brand names as you can stand up and give me adverse reactions to generic drugs. All we're trying to do is to give people the freedom of choice. What we're doing that the drug industry makes the second highest amount of profits of any industry in this country. They're doing it by ripping off everyone in this room and everyone in this state. We're trying to return some of those profits so the little guy in the state of Illinois so that he can afford drugs and medicines; take some of their corporate profits and return it to the consumers in the state of Illinois. This is a good Bill. It's the best consumer bill in the state of Illinois. And if you're concerned about the senior citizens, if you're concerned about the individual on fixed income and if you're concerned about every consumer who has a need of drugs and medicine vote yes on this very important Bill."

Speaker Shea: "The Gentleman moves for the passage of House Bill 3853.



Is there debate? The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, everybody's been through this. I won't be as lengthy as Representative Marovitz was. I agree. If...if you're concerned about the health of the senior citizens of the state of Illinois and the consumers of the state of Illinois you'll defeat this Bill. And that's what's involved here. Their health. Nothing more than that. If you want to trade their health for a few cents then pass this Bill. Now I don't know whether all of you understand generic equivalents or not but let me give you one of the simplest examples that I can give you. A piece of coal is a hundred percent carbon and a diamond is a hundred percent carbon and they are generically equivalent. Now you tell me if they're the same thing or can be used for the same purpose. That's exactly what you have with drugs. We have, in this Bill, no liability anyplace. There's no consumer protection in here for any liability. Who...who is responsible for what happens with a bad drug? I give you a handout that tells the story pretty simply and it says 'Alex Weirnerman, 74 year old arthritic just bought a relapse'. And if you'll read that story it'll take you about 30 seconds or less to read it, that also tells the story. And I think it was aptly put on my other handout that I had here by a fellow from Peoria and I quote him and he says that, well maybe I will, oh, at any rate, fools rush in where angels fear to tread and I really don't know if everybody here understands 'bio-availability', generic equivalency and so forth. I think you've got to search your conscience on that...on that issue and I'll just close my argument with that. I think you've got a bad Bill; it's certainly not in the interest of the consumer; it's not in the interest of the elderly; it's not in the interest of good health care. And I would urge a no vote."

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

Ewell: "Mr. Speaker, Ladies and Gentlemen, to the contrary this is an excellent Bill. And I think anybody who can't tell the difference between coal and diamonds is indeed in trouble. It just depends upon which side of the interests that you have and I suggest to



that we heard witnesses; we heard the testimony and we listened very carefully. And I want to point out just a few things. There were those who always cling to the one argument, we want to save the health of the people; we want to give them a hundred percent guarantee; we want to make sure they get the very best drugs; the highest priced drugs and if they can't afford that they can get none at all. It's either perfect health or nothing. I suggest to you that when we had the discussions and to enlighten you just slightly on this particular Bill that we found out that...there's no guarantee in bio-equivalency and there are therapeutic equivalents also but there's no guarantee, number one, when you go to the doctor that you're going to get number one, the same diagnosis for the same illness. You can't guarantee it. Even if you get the same diagnosis from three separate doctors there is no reasonable assurance that all of them are going to give you the same prescription. But let's assume we get the same diagnosis; let's assume we get the same prescription and let's start from there. They all assign you a particular drug. It's pointed out to us that drugs have useful lives. If you take your same prescription for a brand name to a drug. If you take it to one drugstore you can get it out of a product that might be three years old and you're going to have some differences. You can get it out of a product that might only be three months old and moderate and so you're going to have some bio...you're going to have not...you're going to have what they call therapeutic differences and if you get a very fresh...batch fresh off the...fresh out of the pharmacology house, of course you may get some therapeutic differences. But let's assume all of these particular things and let's say that when we get that particular stage there's no guarantee that the person hasn't gone to one, a psychologist who's given him drugs until he's obviously going to get a difference effect. And we can't guarantee any of these things. He might also be going to a dentist who might give him something different and surely there's going to be a therapeutic difference in taking the same brand name drug. We can go on from there and find out that there's a possibility of differences when



the same person decides to give himself...made remedies. He might drink Hadacol because he likes it. He might drink whiskey, rum, beer, all of these things have an effect upon bio-...therapeutic equivalency. He might nicotine, caffeine, tea, and he might even be a pot smoker. He might even use LSD and there we are. There are a lot of things that can guarantee some type of differences but what we're concerned about is whether or not that this is a reasonable Bill and gives the consumer a reasonable opportunity to know what he's doing. We listened to the doctors and the experts in this particular area. They pointed out to us that in pharmacology they have one course, mind you, one course in pharmacology in the writing of prescriptions. They ask generic they get one lecture in generic but these doctors are assisted by what we call the pharamcology houses have detail men they come out and teach the doctors how to write in terms of using brand names and to encourage the doctors to do this they get involved from everything from trips, TV's, bonuses, prizes, even downright kickbacks all at the expense of the consumer. Hence for this particular interest these same pharamcology houses introduced another argument. They said we can't get a fair share of profits but I tell you they can get a patent for 17 years and they can take all the profits that they want out under those 17 years. We get close to the bottom line and they talk about it, we're concerned about the interests of the people. We need the money that we have not for...in order to promote research and to help you get the finest and the best drugs available to anybody on the market. Then we pull out the books and what do you find? The money that they spend on research is in the teens; the money they spend for advertising is better than 50%. That's what you find out, you find out that the detail men are there, the profits are there, the prizes are there, the trips and all of the other items that makes this a profitable industry. I...I suggest to you that if you examine this Bill it's a reasonable Bill, it's an attempt to do something for the consumer to allow them to save a few hard earned dollars. Now it may not make a bit of difference to you when you only buy one prescription every year, every six



month but when you have a chronic illness that demands that you have prescriptions that go on day in and day out and your pharmacist bill begins to amount 20, 30, 40 even \$50 then, yes, we decide that there is some need for generic substitute and all of these people who seek perfection I suggest they're merely trying to mislead you because when you get to the bottom line there's even a difference in water in Illinois and a difference in water in Michigan and that happens to be a fact. So when they start talking about the bio-equivalency and that's all that this drug does..."

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

Ewell: "I will. And when they start talking about bio-equivalency and therapeutic equivalency, we've been there, we heard the testimony and I say to you that there is nothing in this Bill that doesn't merit your entire and wholehearted support. I say defeat the special interests who would have the high profits at the expense of those who can afford them the least. If you want to do something for the people, the poor people, the little people, then let them have this Bill and let them save their hard earned dollars."

Speaker Shea: "The Gentleman from Will, Mr. Kempiners."

Kempiners: "Thank you, Mr. Speaker. That was an excellent speech if you're going to rate it from propoganda purposes but let's take a look at just a few things. You talk about consumer choice there's nothing now that doesn't give the consumer a choice. The choice however would lie when he talks to the doctor rather than under this Bill when he talks to the pharamcist. And one thing that the pharmacist doesn't have that the doctor does have and that is the ability to know what other medication this person is on, how his body reacts to difference substances. There is a provision in the law now that says the doctor may check, may check the blank, the prescription blank to indicate that generic substitutions is permitted. The consumer can talk to the doctor about price. He can say I have a problem with the very expensive drug, is there something that will do the same thing that you'll be able to prescribe for me and the doctor can permit this to occur. Now I'd like to address the bit cost savings. Testifying at our hearing



in Chicago was a Doctor Brownley who's an economist at the University of Minnesota and he said I'm not really that concerned about this legislation but I am concerned about the effect it will have upon the people it's supposed to protect. He said that the study done of a similar substitution bill in a Canadian province indicated that there was only a one to two percent savings across the board and what he was concerned about is that the consumer will not receive what is promised in this legislation and will demand more drastic action which he would personally oppose. And I think his testimony reflects what we're really getting at and that's the credibility of government and his complaint is that we are promising something in this Bill that we cannot possibly deliver and I don't think that's something that any of us in this body would like to do."

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

Hill: "Mr. Speaker and Members of the House, for years I've been confused about the amounts of money my pharmacist has been charging me for a prescription. I'm so happy that Representative Ryan cleared the subject up. When he can't tell the difference between diamond and coal I'm afraid that my pharmacist is slipping coal occasionally and charging me for diamonds and I think this is the one way to straighten these people out and vote for this piece of legislation. Thank you."

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

Williams: "Thank you, Mr. Speaker, a lot of the things that I probably would have said have been said by some of my colleagues here. But the concept of a generic prescribing again has been based on the fact according to this Bill that price is the only factor now upon which the selection of a medication may be made. If you want to say that the poor, the elderly can have the junk, that's exactly what you're saying here and I asked the Sponsor at another time about a fiscal note on this Bill. He said this isn't going to cost the state of Illinois anything. Well let me point out to you that in other states where they have done this, don't say this isn't going to cost the state of Illinois any money and who is going to



get that passed on to them. I have before me here in areas where this has been tried in Saskatchewan, in Alberta, in British Columbia, in our own country here in Massachusettes, in Michigan, in Kentucky, in Maryland and let me give you some figures here. The Maine Department of Public Health and Welfare in testimony before the Legislature indicated the first year start up cost for this formulary and I'd like to know where our Department of Public Health is going to come up with a formulary when the FDA cannot come up with such formulary, you can get perhaps a negative formulary, but not a positive one, and start up cost on that was \$343,000. In addition to Maine, Tennessee, a \$333,000. In Washington \$299,000 the first year, a \$170,000 every year thereafter. West Virginia, \$299,000. And in view of all this it is very difficult for me to understand how the Department of Public Health is going to come up and establish any kind of a formulary that is going to say that this one is all right and this one isn't. If you recall here last spring and I think most of you have seen the demonstration I have here, I have three prescriptions here that I think most of you have seen and admit it, there is a difference here in a generic drug. And I'm not saying these are offshoot companies, these are very reputable companies but the know-how to put the ingredients together was not there and there's one...there's a product that contains a little tablet that is supposed to be mixed into a fine powder and this little tablet if taken by itself is a hallucinogenic drug because this company, yes it's chemically equivalent, it's chemically equivalent, but what does it do when it gets inside your body? I'll also tell you about what a prescription. A very, I think a drug..."

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

Williams: "Well, all right, I'll bring it to a close. Let me get into this cost savings for the senior citizens. In a study made by the National Prescription Audit an independent market resource organization reveals that the average, average senior citizen spends about \$68 a year actually for prescription medication. Based on the nationwide average where actually generic prescribing has



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been done there has been perhaps a 1.7% saving, if you extrapolate that, that's a \$1.22 a year for, yes, you can take junk, it may not work. You take it orally and it's going to come out you know where but it's not going to work at the point that which it was to be taken. Now I think in this Bill here you have eliminated actually the doctor and pharmacist and the professional relationship, the people that are there that are to give the protection to the consumer. You have eliminated this by saying whomever brings in a prescription may make a selection and I think that's atrocious and this Bill should be defeated. We have tried to work with this Committee. We've gone in there three or four times. There is a positive approach, actually, to this problem but not in this legislation that is before you now. We have stated that, actually, before the Committee. If you want to do a service to the poor, the elderly and indigent, you will do them a service by not allowing them to take any kind of junk that happens to come out that even our own FDA cannot control. Thank you."

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

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

Speaker Shea: "The question is, shall the main question be put. All those in favor will say aye; those opposed will say nay. In the opinion of the Chair, the ayes have it. Mr. Marovitz to close."

Marovitz: "Thank you, Mr. Speaker. Well we've heard a lot of scare tactics here and if you'll look on your desk you'll find something that's just been disseminated about Darvon, Darvon-linked deaths prompt a warning. From a Sun-Times article in September 1975, Darvon is a brand name, not a generic name. There are isolated examples that can be had on both sides. Thalidomide is a brand name, not a generic name. In a recent article by Jack Anderson he says and I will quote, 'that the purchase of prescription drugs by 200,000,000 people in the United States is controlled by 200,000 physicians. Five thousand dollars is being spent every year on every practicing doctor to persuade him to prescribe by the brand name'. That's why the prices are so high because \$5,000 is spent on everyone of 200,000 doctors in this country so that they'll



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prescribe only brand name drugs. That's where the profits are. Today hospitals, veterans hospitals, mental health facilities and our welfare recipients are all receiving generic drugs. If this Bill passes the Senate, passes the House and goes over to the Senate I have...I have committed myself to two Representatives on the other side of the aisle that an amendment be added so that the doctor can check a box whether he wants a substitution or he doesn't want a substitution. But today the way the Bill reads any doctor who does not want there to be a generic substitution can prevent it and will prevent by merely saying so on the prescription in anyway, no substitution, fill as written, do not substitute, anything like that the Bill won't even apply. If the consumer doesn't want there to be a substitute, if he only wants what the doctor gives him there cannot and will not be a substitution. We've heard some talk about the demonstration by Representative Williams..."

Speaker Shea: "Mr. Williams, for which purpose do you arise, Sir?"

Williams: "A point of order, Mr. Speaker, we are addressing this Bill before us, not any Amendment that may or may not be put on in the Senate. We are...we are talking about House Bill 3853 as it stands."

Speaker Shea: "The Gentleman can close, Sir."

Williams: "Furthermore the...regarding the demonstration that Representative Williams have shown many Members of this House, the thing is that I'd like everybody to remember this, if Representative Williams and Representative Ryan know the generical equivalence that really are not bio-equivalent well then everybody else is going to know them too in that field. The...the public, Department of Public Health will know them and those generics will be on the list of drugs that can't be substituted. If Representative Williams knows about it and Representative Ryan is pharmacist, if hospitals know about it and studies have been done these drugs will not be substituted. There's been a heart pill, 'Digitoxcin' that frequently has been mentioned as not equivalent. Digitoxcin will be on the list of drugs that won't be substitutable and I think everybody ought to remember this. When we...you...you see reply...you see reply on..."



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

Marovitz: "Food and Drug...Administration can and will administer this program and tell us what drugs are not equivalent. I would ask for a favorable Roll Call. This is an important Bill not only to senior citizens but to every consumer in Illinois who have to take medicines and drugs to exist. Thank you very much."

Speaker Shea: "The question is shall House Bill 3858 pass. All those in favor will vote aye; those opposed will vote nay. Have all voted who wish? Have all voted who wish? Mr. Holewinski to explain his vote."

Holewinski: "Thank you...thank you, Mr. Speaker and Ladies and Gentlemen of the House, and I'll be very brief because I can see the...see what the score is on this piece of legislation. I'd just like to make a very brief point. Representative Marovitz mentioned that this Bill will do nothing that we are not already doing in our Armed Forces, that we're not already doing in our state institutions, that we're not already doing with our public aid recipients, that we're not already doing in 15 other states. ...Representative Kempiners said quite accurately that the doctor will maintain control over what drugs are prescribed and whether there will be a substitution. The problem is that he can do that now but the consumer isn't aware of it. The consumer is not aware of what his options are, that is the problem that this legislation is addressed at. It is a good piece of legislation and I really encourage your support for it."



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

Downs: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, I was on the Subcommittee that heard testimony. We heard all of the arguments we heard here today and the answers did no more good then than they have done today. But let no person leave this Chamber without having heard from at least one person the statement that the testimony and opposition to a generic drug bill was almost entirely by those who had an direct financial interest in maintaining the present system. And if you think for one minute that they're going to let this Bill out of this House, a multibillion dollar industry that's the largest single support of the medical..."

Speaker Shea: "Bring your remarks to a close, Sir."

Downs: "Then I'm afraid you're taking some of Jack Williams hallucinogenic drugs. Thank you."



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

Duff: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I'm... I'm sorry that the Representative didn't see fit to accept the Amendment which would have allowed a doctor to say specific or generic and the reason I say that is because the problem with this Bill as I see it is that it deprives the professional, the doctor or the pharmacist, from the decision and it gives the decision to the consumer who does not know and has not been trained to know the differences. I just this moment spoke to a man who's been practicing medicine for 53 years who tells me that he always puts down the brand name parenthesis generic so that the pharmacist may make a professional decision himself. I think that if the Gentleman would take the Bill back and...to second and put on the Amendment which would allow the physician to say no substitute he'd have a lot better chance of pass..."

Speaker Shea: "Bring your remarks to a close, Sir."

Duff: "I...I just said he would have a much better chance of passing his legislation."

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

Simms: "Well, Mr. Speaker, Ladies and Gentlemen of the House, one of the previous speakers alluded to the fact that this was the policy in the state institutions and many of the government hospitals. Well if you think they have good medical practice you better take a tour of those institutions because they don't have. There's no Bill in this Session of the Legislature that will do anymore to destroy the patient-doctor relationship than this piece of legislation. And if you don't have confidence in your family physician and the pharmacist who you happen to participate with in business then I think you ought to change doctors or change pharmacist and I vote no."

Speaker Shea: "The Lady from Cook, Miss Macdonald."

Macdonald: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, I'm having to vote no on this particular Bill in the



interest of consumer protection. Inasmuch as this is such a controversial Bill I think that it is the obligation and the duty of this General Assembly to have a deep responsibility particularly for the health of the elderly, the chronically ill and the children whose early allergies are often intense and unknown until a serious illness starts and I think that we have really ought to not even send this Bill back or, and have it even have the possibility of being amended to pass. I think it's a dangerous Bill and I hope that this Bill never passes the General Assembly."

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

Geo-Karis: "Mr. Speaker, Ladies and Gentlemen of the House, I think enough has been said about the Bill. I think enough has been said about the Bill but there is no quality control in this Bill and the Assistant Director of Public Health, Dr. Leppert admitted when I asked him what is he going to use for research he said 'public patients' so enough has been said, I think..."

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

Marovitz: "Well, I can see the handwriting on the board. This Bill ...this Bill's been around for two years and before I finish I would like to thank the members of the Human Resources Committee and Subcommittee for their diligence in listening to this Bill and the Members of the House for taking their time to understand a very complex issue. Reasonable men can differ on any issue and I'm sure that we differ on this one and I appreciate the time and indulgence of the Members of the House. The only thing that I do object to and I'd like to go on record as saying this I object to the tactics that have been used by the special interest groups in this state, the pharmaceutical companies and the medical society in passing out false information so that many people who have come up to me and asked me questions about things that they felt were in the Bill but in fact were no part of this Bill. Or that they wanted to be in the Bill..."

Speaker Shea: "Bring your remarks to a close, Sir."

Marovitz: "And were in fact already in the Bill. I think if we're



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going to have lobbyist in this state they ought to be fair so that any issue that comes up in this House of Representatives we know exactly what's in that Bill and people aren't subject to false rumors and think that's about all I have to say. Thank you for your indulgence and I guess you can take the record."



Speaker Shea: "The Gentleman from Cook, Mr. Peters, to explain his vote. The rules of this House provides that each Member has one minute to explain his vote. Proceed, Mr. Peters."

Peters: "Mr. Chairman, Ladies and Gentlemen of the House. This issue is certainly one that I'm deeply interested in, had no intention on rising and speaking on it, at all. What disturbed me about this entire debate today and I must refer to four or five men on that side of the aisle and on this side of the aisle, I don't recall exactly where. Talking about trips, about five thousand dollars, about interest groups, about payment, about all kind of things of this nature... which I think casts on the debate and everyone in this House a certain kind of cloud which I am beginning to resent more and more and more. I think we have had too much of that kind of debate... too much of that kind of insinuation, too much of that kind of innuendo. It does not do us credit, it does not do us a service."

Speaker Shea: "Have all voted who wished? Take the record, Mr. Clerk. On this question there are 54 'ayes', and 89 'nays', 15 Members voting 'present'. This Bill having failed to receive a Constitutional Majority is hereby declared lost. For what purpose does the Gentleman from Champaign, Mr. Hirschfeld, seek recognition."

Hirschfeld: "Well, thank you, Mr. Speaker. I was waiting for the Parliamentarian to come back. I would like to refer to rule 46, which says, after a Roll Call vote is completed recorded any Member who is recorded as 'present' on the...."

Speaker Shea: "Proceed, Sir."

Hirschfeld: "Any Member who is recorded as 'present' on the Roll Call for attendance but who has not voted on the question, may by unanimous leave of the House and before adjournment of the Legislative Day, have his name shown



in the Journal as voting yea, nay or present as long as his vote does not change the result previously announced. And I would like to ask the Speaker if that means ...because I happened to get a copy of a Roll Call which has most upset me with some of the Members on this side of the aisle, if that means and we have a Bill up like Representative Hanahan's which was a labor bill and you vote no, can you go down there and change your vote to yea after the vote has been announced on a recorded vote without getting permission of the Assembly?"

Speaker Shea: "Answer to that question is no."

Hirschfeld: "Well, then, Mr. Speaker, I would like to have the Roll Call corrected on that particular one. It's been sent upstairs I think because a number of Republicans did go down and change their no vote to aye after the Roll was recorded and I realize that labor flags are important in an election, and I'm not up for election, but it seems to me we owe some integrity to the voting system and I am very much opposed to that system."

Speaker Shea: "We will have the Clerk make sure the records are correct, Mr. Hirschfeld. On the order of consideration postponed appears House Bill 3836. Miss Chapman, do you want that Bill called? House Bill 3851, Mr. Pierce. Do you want that Bill called, Mr. Pierce?"

Pierce: "Mr. Mahar was handling that...is he here?"

Speaker Shea: "Yes, he is. Mr. Mahar, do you want that Bill called?"

Mahar: "I didn't do a very good job on it so I guess I'll take it out of the record."

Speaker Shea: "All right, take it out of the record. House Bill 3891, Miss Chapman, do you want that Bill called? That's Mr. Lundy, that's no. House Bill 3959, Mr...Mr. Holewinski, you want that called? No. House Bill 3976 was called once already today. On the order of motions appears Mr. Stubblefield's motion with regard to House Bill 3608, does he want to call that? All right, Mr. Schneider doesn't want to call his now. Mr. Walsh, no. Mr. Rayson, you have a motion, do you want to call it now? Take it out. Mr. Huff, he doesn't want to call that now."





Mr. Mann, he doesn't want to call that now. Mr. Mann on 151, do you wish to call your motion? Mr. McGrew on 893, do you wish to call that now? That's on rules, Mr. McGrew? Why don't we hold that until we call some rules. We called 1719. On the Speaker's table. Is Mr. Mudd, is he here? All right, what about HJR 96? Is Mr. Katz here? You want to go with that, Sir? Turn Mr. Katz on please?"

Katz: "Mr. Speaker, I'm on as the Chairman, Mr. Palmer if he's here ask him if he's ready."

Speaker Shea: "He doesn't want to go with this. Who is handling SJR 78? Mr. Mudd? Is..."

Mudd: "Yes, sir, Mr. Speaker, Members of the House, I think that we can all realize that time as far as getting Bills out of their respective Houses has come and I would like to move this resolution however I know it's late and I'm certainly not going to debate it at length. I think everyone understands what it is. This is the Resolution 88."

Speaker Shea: "Mr...are we on, now we're on 78 now."

Mudd: "Oh, I'm sorry."

Speaker Shea: "Who is the House Sponsor of Senate Joint Resolution 78? Evidently nobody's picked it up so we'll just leave it there. Back to 88."

Mudd: "Yes, Sir, Mr. Speaker, Members of the House, House Joint Resolution 88 addresses itself to calling a special session..."

Speaker Shea: "Mr...Mr. Mudd, did that come out of Committee?"

Mudd: "Yes, Sir."

Speaker Shea: "It has been. All right. Because it doesn't indicate what the Committee action was on it. That...but I'm informed by the Clerk's office that it was 'do adopt'. Proceed, Sir."

Mudd: "House Joint Resolution 88 addresses itself to calling a special session for the purpose of dealing with the business economy in the state of Illinois. I think that everyone on the floor is familiar with this Resolution and I would ask for a favorable vote or the pleasure of this Assembly."

Speaker Shea: "Mr. Matijevich, for which purpose do you arise, Sir?"



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Matijevid: "Not really a point of order but an inquiry. I think in Committee I ruled that it took a simple majority but I make the inquiry, I may have made a mistake because I think calling of a special session does mean the expenditure of funds and I just wonder if this shouldn't require a extra..."

Speaker Shea: "The passage of this Resolution would not require the President of the Senate and the Speaker of the House to call a special session. It is only a request therefore it is the opinion of the Chair..."

Matijevid: "I must have been right in Committee then, okay."

Speaker Shea: "It is the opinion of the Chair that a simple majority will pass this Joint Resolution. Is there any debate? The Minority Leader, Mr. Washburn."

Washburn: "Thank you...thank you, Mr. Speaker and Ladies and Gentlemen of the House, I see no particular reason why House Joint Resolution 88 should be adopted. I see no reason why a special session should...could be called to improve the business climate here in the state of Illinois. We're in Session right now and we have untold number of Bills as have been introduced by this side of the aisle that are intended and if passed would certainly change, improve the business climate here in Illinois, workmen's compensation, unemployment compensation and others. I think that we're right here to do the job now and if the proper hearings were held and the proper action taken on Bills that have been submitted by some of the Republican Members this...this Resolution is completely out of order and absolutely unnecessary and I would hope that it would be defeated."

Speaker Shea: "The Gentleman from Lake, Mr. Matijevid, again, for what purpose do you seek recognition?"

Matijevid: "Just to speak against the Resolution, that's all."

Speaker Shea: "Pardon me?"

Matijevid: "Just to speak against the Resolution."

Speaker Shea: "Mr. Mudd, for what purpose do you seek recognition?"

Mudd: "Mr. Chairman, I...I do not wish to waste the time of the House on this. I know it's late and we've been busy. I think that



this Bill, personally, does not address itself to those types of things that are before the Legislature now and I feel that if...if this is the wish of the side of the aisle that is trying to resolve these problems I would like to have leave at this time to table this Resolution."

Speaker Shea: "Does he have leave? The Gentleman's motion to table is allowed. On...Mr. Byers, for which purpose do you seek recognition?"

Byers: "I'd like to speak on this Resolution."

Speaker Shea: "On the order of concurrence, Mr. Barnes, did...that's out. I almost think we are done. Have I missed...is there any Bill on the calendar, I've got some motions to call, but are, is there any Bill that any Member wished called that was not called today? Well at least we've accommodated most of the Membership. All right, now I have some motions up here. Mr. Maragos has a motion. Mr. Maragos asked that Rule 18-K be suspended so that the following Bills can be posted for hearing in the Revenue Committee, House Bill 3632, 3639, House Resolution 903 and House Joint Resolution 95. Is there objection? Mr. Maragos, have you cleared this with both sides of the aisle?"

Maragos: "No, Mr. Speaker, I didn't think I had to because this is a bipartisan bill and we did not finish them today so for Monday night if you don't want Mr. Totten's Resolution to go out I'll kill the motion. I have no objection. I didn't clear with anybody either my side or anything but this is the wish of the Committee that we put these over for Monday night that's all..."

Speaker Shea: "Are...is there objection? Turn Mr. Washburn on, the Minority Leader."

Washburn: "Well, what are the Bills just briefly."

Speaker Shea: "Well, Mr. Maragos, to save the time of the House would you go over and discuss it with the Minority Leader please?"

Maragos: "Be glad to."

Speaker Shea: "The Lady from DuPage, Miss Dyer, has a motion with regards to House Bill 3988."



Dyer: "Would you, would you take that motion out of the record right now, Mr. Speaker, I..."

Speaker Shea: "All right, we'll put it on the calendar for tomorrow. Representative Geo-Karis, you have a motion with regards to House Bill 3794."

Geo-Karis: "Take it out of the record, please."

Speaker Shea: "Take that out of the record. Mr. Palmer, you have a motion. Is Mr. Palmer on the floor? You have a motion with regards to Rule 66 and Judiciary I on 3279, take it out of the record. Mr. Clerk, do you have anything else? Mr. Katz for an announcement with regards to the Rules Committee."

Katz: "The House Rules Committee will be sitting to hear Senate Bills in Room 114 immediately after adjournment. Those are the Bills that have been posted, immediately after adjournment today in Room 114, it will be quick meeting at which all Members should get there quickly and we will try to let you go and have your dinners."

Speaker Shea: "The Gentlemen from Cook, Mr. Barnes, for what purpose do you arise?"

Barnes: "For the purpose of announcement on the Appropriations Committee tomorrow. It will be held at the appointed time at 1:30 in Room 118, not the House floor, Room 118."

Speaker Shea: "Now, we're going to be in Session tomorrow at 9 o'clock so, Mr. Lechowicz, for what purpose do you arise?"

Lechowicz: "Thank you, Mr. Speaker, for the purpose of an announcement. The Economic and Fiscal Commission will be meeting tomorrow morning at 8 o'clock in Room D-1 in the State Office Building. Thank you."

Speaker Shea: "Mr. Washington, for which purpose do you arise?"

Washington: "Mr. Speaker, I have a parliamentary inquiry and perhaps it should be directed to the Vice Chairman of Rules, Mr. Katz. And my question is have you revised the posting notice, Mr. Katz, relative to Senate Bills before the Rules Committee?"

Katz: "Mr. Washington, I did request that the Republican Leadership join in reducing the posting policy which is presently six and a half days to two legislative days. It is being considered I



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understand that they will be prepared to give us an answer at the Rules Committee meeting today. I will announce the answer tomorrow to all of the Members of the House."

Washington: "Thank you."

Speaker Shea: "Alright, Mr. Maragos, for what purpose do you arise?"

Maragos: "Mr. Speaker and Members of the House, just to renew my motion that to suspend the rules according to Rule 18(k) to hear the Bills that were outlined in my motion."

Speaker Shea: "Give me Mr. Maragos' motion back, will you?"

Maragos: "And the Minority Leader has approved of it."

Speaker Shea: "Alright, give me the Bill numbers because the motion went upstairs."

Maragos: "I just had them, Mr. Speaker, let me get the...my motion out here. Oh boy, can you take it out of the record for a minute until I get my motion."

Speaker Shea: "We won't be here a moment. It's just come down. The Gentleman from Cook, Mr. Maragos, moves to suspend the posting rule with regard to House Bill 3632, 3639, House Resolution 903 and House Joint Resolution 95. Is there objection? Hearing none, the Gentleman's motion...Mr. Duff?"

Duff: "Mr. Speaker, we'd like to know what they do?"

Speaker Shea: "Mr. Duff, we just went through that. Mr. Maragos went over and cleared it with the Minority Leader. Now are you objecting sir?"

Duff: "Not if the Minority Leader doesn't."

Speaker Shea: "Alright. For hearing next Tuesday is there objection? Hearing none, the motion will be allowed and the attendance Roll Call, minus Mr. Katz' name, will be used for the adoption of the Amendment. I would like to commend the Members of the Assembly, we did a lot of work today and if we do as much tomorrow, hopefully, we will not be here on Friday. Now Mr. Matijevich, for what purpose do you rise?"

Matijevich: "Mr. Speaker, I wonder if it would be in order tomorrow after all...everybody gets a chance to call their House Bill after that, if I'd be in order to call a motion that all House Bills



be tabled."

Speaker Shea: "You might be just in order tomorrow."

Matijevich: "I'd love to have that chance."

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

Madigan: "Mr. Speaker, I move that we adjourn until 9:00 A.M. tomorrow morning."

Speaker Shea: "The Gentleman's motion is that we do now adjourn until 9:00 A.M. tomorrow morning. All those in favor say aye. Those opposed nay. The ayes have it and the House is adjourned."

